

2015 Beyond the Border Implementation Report

I. Executive Summary

At 5,525 miles or 8,891 kilometres, the United States (U.S.) and Canada share the longest border in the world. Our two countries are connected by more than 120 land ports of entry, more than 200,000 annual flights, and the numerous commercial and recreational vessels that cross the maritime border. We enjoy the largest bilateral trade and investment relationship in the world, and every day approximately 400,000 people and U.S. \$2 billion in trade travel between the United States and Canada by land, air, and sea. The United States and Canada also share common infrastructure and interconnected supply chains, with goods often crossing the border multiple times during the course of production. Given this interconnectedness and our close partnership, facilitating lawful trade and travel and ensuring the security and safety of our citizens is a perennial priority for Canadian and U.S. policy makers.

The United States and Canada have a long tradition of working together to promote security and facilitate trade and travel across our borders, ensuring that they remain open to legitimate trade and travel and closed to terrorists, criminals, and illegal or unauthorized goods. The *Beyond the Border Declaration: A Shared Vision for Perimeter Security and Economic Competitiveness* and its accompanying Action Plan, announced by President Obama and then-Prime Minister Harper in 2011, has deepened and institutionalized this cooperation within, at, and away from the shared border. *Beyond the Border* initiatives continue to provide benefits to residents, travelers, and industry in both Canada and the United States in the realms of security, trade and travel facilitation, and emergency management/critical infrastructure resilience. Our countries' innovative approaches to protecting and promoting our shared space continue to enhance our long-term relationship.

Among key accomplishments in 2015, the United States and Canada:

- Successfully launched an automated biometric-based (fingerprint) query capability in order to counter identity fraud, strengthen identity management and provide valuable information to inform respective admissibility determinations.
- Signed an historic Preclearance Agreement that will, once in force, enable new preclearance operations on both sides of the border in all modes of transportation (land, rail, marine and air), enhancing mutual security and facilitating trade and travel for Americans and Canadians.
- Reached 1.3 million NEXUS members, as of December 2015 – representing an increase of nearly 17% over 2014 and over 110% since 2011. Data from fall 2015 show that the majority of NEXUS members using the dedicated commuter lanes were processed within 25 seconds.
- Worked with Mexico to expand eligibility across North America in our respective trusted traveler programs that speed the entry of pre-screened travelers.
- Issued the second annual Border Infrastructure Investment Plan, conducted consultations with stakeholders, and held a series of regional webinar roundtables to help harmonize efforts to move forward with deploying wait time solutions at crossings.

- Deployed Shiprider operations in two additional Ontario locations, bringing the total up to four full-time locations.
- Established the Cross-Border Law Enforcement Advisory Committee to provide strategic executive level guidance to agencies involved in joint law enforcement programs.
- Continued to develop a perimeter approach to health security, under the joint Health Security Working Group, including through the development of recommendations for expediting the cross-border response to public health emergencies.
- Exchanged best practices and the provided security training and support for large events in Canada, including the 2015 Pan American Games, FIFA Women's World Cup and the Canadian Football League's annual Grey Cup festival.

In addition, in 2015:

- Canada began accepting Electronic Travel Authorization (eTA) applications from foreign nationals, ahead of March 15, 2016, the date on which the eTA becomes a mandatory travel document.
- Canada launched its Single Window and incorporated seven of nine regulating government agencies as well as a major customs broker. Both countries have completed additional efforts relating to import/export data harmonization.
- The United States announced it was considering a Known Employer pilot to allow for the pre-adjudication of company bona fides to facilitate cross-border business travel. DHS announced the launch of the pilot in March 2016.
- The United States concluded a truck cargo pre-inspection pilot with lessons learned that will be implemented to facilitate travel across U.S. borders, including the elimination of user fee cash collection at primary inspection.
- Canada ratified the Council of Europe Convention on Cybercrime, commonly known as the Budapest Convention on Cybercrime.

II. Background

In 2011 President Obama and then-Prime Minister Harper signed the *Beyond the Border Declaration: A Shared Vision for Perimeter Security and Economic Competitiveness*. The Declaration recognizes the longstanding history of cooperation and friendship between the United States and Canada and calls for joint action to ensure the prosperity, security and resilience of our countries. The Declaration and corresponding *Beyond the Border* Action Plan seek to achieve these goals through four key areas of cooperation: Addressing Threats Early; Trade Facilitation, Economic Growth and Jobs; Integrated Cross-Border Law Enforcement; and, Critical Infrastructure and Cybersecurity. Given our shared commitment to protecting privacy, mutually developed and publicly available joint privacy principles underlie *Beyond the Border* (BTB) initiatives involving the provision, receipt, and use of personal information. Three previous Implementation Reports (2012, 2013 and 2014) communicated progress made each year. In 2014, we included a *Beyond the Border* Forward Plan as an annex which introduced

new or enhanced measures to build upon the BTB successes and lessons learned. This Implementation Report highlights major accomplishments in 2015.

III. Progress

1. Addressing Threats Early

The BTB Declaration envisions a shared approach to assessing threats at the earliest opportunity to strengthen our shared security and enable the facilitation of legitimate trade and travel across the U.S. – Canada border.

Developing a Common Approach to Assessing Threats

The United States and Canada routinely collaborate to **assess threats and share intelligence** and best practices between agency counterparts. Further, we are working to improve information sharing to prevent terrorist travel, and are collaborating to counter violent extremism both at home and abroad. Both countries reaffirmed their commitment to continuing these ongoing efforts in the 2014 Forward Plan.

In 2015, U.S. Customs and Border Protection (CBP) and the Royal Canadian Mounted Police (RCMP) established a **Domain Awareness** Working Group which meets regularly to develop a common approach to increasing our shared understanding of the security environment along the land border. A capabilities gap analysis being led by CBP is presently underway in Vermont. As part of the BTB Domain Awareness initiative, the RCMP, Public Safety Canada and CBP conducted the first joint technology capabilities gap analysis along the Quebec/Vermont border in July 2015. The primary objective of the exercise was to develop a process to conduct similar analyses elsewhere along the U.S.-Canada border. Upon completion, it is expected that the United States and Canada will be able to make evidence-based investments to better assist the strategic deployment of resources along the shared border.

Pushing out the Border for Goods, Cargo and Baggage

The United States and Canada have sought to develop a harmonized approach to screening cargo while ensuring a secure and trusted global supply chain. A critical ongoing means of achieving this goal is through the **Integrated Cargo Security Strategy (ICSS)**, which seeks to identify and resolve national security and contraband risks as early as possible in the supply chain, or at the perimeter, with the expectation that this will reduce the duplication of efforts and processes at the U.S.-Canada land border.

In support of the ICSS, CBP and the Canada Border Services Agency (CBSA) launched two bi-national pilots: a marine-to-rail pilot in Prince Rupert, British Columbia (BC), and a marine-to-highway pilot in Montreal, Quebec. Both pilots were designed to test, validate, and shape the implementation of the ICSS by sharing information and adopting common standards for security screening and inspecting inbound marine cargo at the first point of arrival in North America. The operational testing phase of the pilots was formally concluded by CBP and the CBSA in March 2015.

An in-depth assessment of the pilots was completed in April 2015 and found that CBP and the CBSA were able to successfully share information and jointly mitigate national security concerns at the perimeter, thereby permitting CBP to focus on higher risk shipments upon their arrival at the U.S. land border. Additionally, a progressive examination model – whereby examinations gradually progressed from the least intrusive (i.e., Large Scale Imaging or pier exam) to the most intrusive (i.e., removing contents of a container) as required – was successfully tested.

Under the Prince Rupert pilot, none of the 51 in-transit containers subject to the pilot procedures were examined for national security purposes by the U.S. at the land border. Under the marine-to-highway pilot in Montreal, positive results were achieved on information sharing and testing of a progressive examination model. However, in Montreal, all of the 50 containers targeted by CBP were found to have departed for the U.S. by rail rather than by truck, meaning none of the targeted containers met the defined scope of a marine-to-highway pilot. One positive explanation for the small number of targets is that CBP was able to mitigate risks for security concerns off-shore as part of their Container Security Initiative (CSI), a program that allows CBP to examine high-risk marine cargo at foreign marine ports prior to being loaded onto vessels destined directly to the U.S. The Montreal pilot validated the integrity of the CBP CSI program.

While the pilots yielded positive results from a national security perspective, contraband risks could not be addressed at the perimeter due to various impediments, such as differences in legislative authorities and operational processes. Based on these lessons learned, CBP and the CBSA have identified a way forward that leverages the U.S.-Canada Joint Targeting Initiative (JTI), current processes and the success of the ICSS marine pilots. Both countries intend to implement and enhance the mitigation of national security risks at the perimeter using JTI as a foundation, explore bi-national options to mitigate contraband concerns (i.e., narcotics) at the perimeter, and implement the progressive examination model on a broader scale within Canada. At the same time, both countries recognize that additional work is required to fully achieve the ICSS desired end-state of “cleared once, accepted twice.” This will require an incremental approach over a longer period to further harmonize our respective processes while effectively addressing current bi-national operational challenges.

CBP and the CBSA, along with the U.S. Department of Agriculture (USDA) and the Canadian Food Inspection Agency (CFIA), are working to implement recommendations stemming from the 2014 **wood packaging material (WPM) feasibility study** which aimed at exploring a harmonized perimeter approach to WPM inspections and mitigating wood pest risks from entering North America. Three recommendations were completed in spring, summer and fall 2015, respectively: 1) enhanced wood-pest identification to support the inspection of WPM at the perimeter, 2) harmonizing U.S. and Canadian import policies to recognize wood packaging material in compliance with International Standards for Phytosanitary Measures (ISPM 15), and 3) harmonizing U.S. and Canadian operational application of policies regarding the separation of non-compliant WPM from cargo at the marine ports of Prince Rupert, Vancouver, Montreal and Halifax. The CBSA has revised its WPM operational policy to reflect this and CFIA is working in collaboration with the CBSA to address the other recommendations by mid-2017.

The **in-transit** component of the ICSS in the Action Plan will see the United States develop a pilot to test a new electronic process for the domestic movement of Canadian goods moving in-transit between Canada-U.S.-Canada by truck. CBP intends to launch a 6-month pilot with nine carriers in the first quarter of 2016 to test this concept with the ultimate goal of harmonizing data sets and building electronic systems capabilities to receive and transmit commercial data between CBP and the CBSA. This is expected to reduce the reporting burden on industry and provide Canadian carriers with more options when deciding if and where to route domestic shipments transiting through the United States. Once the pilot concludes, CBP and the CBSA will assess how the pilot functioned and make a determination about how to proceed.

Today, our countries have successfully reduced duplicative supply chain security requirements to better facilitate the movement of air cargo loaded onto passenger aircraft through the mutual recognition of our national security programs for air cargo. On March 31, 2015, the U.S. Transportation Security Administration (TSA) and Transport Canada renewed the existing **mutual recognition agreement for national air cargo security** programs for three more years. As outlined in the 2014 Forward Plan, the United States and Canada intend to expand the agreement, which presently recognizes screening by air carriers, to include the full security supply chain by recognizing the screening and security controls performed by entities such as shippers and freight forwarders.

Transport Canada continues to advance deployment of the TSA-certified **Explosive Detection Systems** (EDS) at all of Canada's eight preclearance airports. This will enable the United States to progressively eliminate the need to rescreen passenger baggage from these airports before it is loaded onto a connecting flight in another U.S. destination. Eliminating rescreening is expected to facilitate passenger travel and result in cost savings for airports and airlines. As of December 2015, six of Canada's eight preclearance airports have activated the EDS equipment. Of the two remaining airports, one is expected to be active by mid-January 2016 and the other is expected to deploy the technology by fall 2016.

Under the 2014 Forward Plan, both countries committed to expand the successful common assessment processes for identifying and mitigating **plant and animal health risks**. For example, the CFIA and USDA–Animal and Plant Health Inspection Service (USDA-APHIS) continue to collaborate on expanding and enhancing the Asian Gypsy Moth (AGM) program to prevent entry of foreign plant pests into North America by keeping risks at origin. This includes further validation of the joint assessment process and AGM certification programs in Korea, Japan, China and Russia; discussion of opportunities for further program enhancement; and, collaboration such as training and technical exchange, literature and data analyses on AGM detections, and development of education and outreach materials with Mexico, New Zealand and Chile.

The United States and Canada are working with Mexico to explore broadening the AGM program for a truly North American perimeter approach to this pest and its pathways. A training workshop for Mexico, with participation from New Zealand, along with the United States and Canada took place in November 2015 in Houston, Texas. The CFIA-APHIS AGM working group continues to explore how the AGM foreign outreach approach could be applied to other plant health risk pathways and pests to keep

risks at origin. Non-agricultural or non-forestry commodities, such as steel slabs, pipes and tiles, have been identified by the group as a potential starting point for expanded joint outreach.

Establishing a Common Approach to Perimeter Screening of Travelers

Since 2011, the United States and Canada have developed systems to provide relevant information for immigration and border determinations to identify at the earliest point possible those individuals seeking to enter the perimeter for nefarious purposes, including those who have committed serious crimes or violated immigration laws in the other country and those travelers attempting to assume other identities to evade detection. Sharing such information allows officials to make better informed immigration, admissibility and asylum/refugee determinations. This has been achieved through a combination of several BTB initiatives so far, including the signing and implementation of the *Agreement between the Government of Canada and the Government of the United States of America for the Sharing of Visa and Immigration Information*, the Entry/Exit initiative (to date for third country nationals and

Immigration Information Sharing Agreement

The United States and Canada systematically query (i.e., check) the others' visa and immigration databases for immigration and border related purposes, including visa and refugee resettlement applications, for third country nationals. These activities are carried out under the *Agreement between the Government of Canada and the Government of the United States of America for the Sharing of Visa and Immigration Information* (IIST) signed in December 2012. As a result of the queries, the United States and Canada have identified individuals with immigration law violations, criminal concerns, and national security concerns who otherwise might have been missed. In the following examples:

- i. Information obtained from the United States revealed to Canada that a visa applicant was known in the United States to be a convicted drug trafficker. The client had not disclosed this criminality to Canada; as a result, a new line of questioning was pursued, which informed a negative decision by Canadian officials.
- ii. Information obtained from Canada revealed that an applicant for a U.S. visa was previously refused a Canadian visa for misrepresentation. Further investigation showed that the applicant had falsified his education and employment history in his U.S. visa application, which led to a negative decision by U.S. officials.

Additionally, the information sharing has facilitated decision-making for genuine travelers. For example, an applicant for a Canadian visa had not demonstrated sufficient evidence to support that he would respect the requirement to leave following his stay. A query to the United States found that the applicant had travelled multiple times to the United States with no adverse outcome or enforcement action. This information, in conjunction with other information on file, contributed to satisfying the officer that the applicant met the requirements for a tourist visa.

Notably, the querying of each other's databases is a key component in the current resettlement of Syrian refugees.

permanent U.S. and Canadian residents), and initiatives aimed at aligning entry and screening requirements.

Building on the success of biometric information sharing on refugee claimants and biographic information sharing on immigration applicants, in 2015, the United States and Canada successfully launched an **automated biometric-based (fingerprint) query capability** in order to counter identity fraud, strengthen identity management and provide valuable information to inform respective admissibility determinations.

Under the 2014 Forward Plan, the United States and Canada have committed to develop a system by which Canada will systematically and in real time verify whether a traveler to Canada holds a valid visa in the United States, in order to improve visa fraud detection and to advance travel facilitation initiatives.

We anticipate this visa validation effort will be operational by mid-2016.

Electronic Travel Authorization (eTA)

On August 1, 2015, Canada began accepting eTA applications from eligible third country citizens. Between August 2015 and January 2016, over 121,000 eTA applications have been received.

As committed to under the Action Plan, Canada is phasing in a new entry requirement, known as an **Electronic Travel Authorization (eTA)**, for visa-exempt foreign nationals traveling to Canada by air. U.S. citizens are exempt from the requirement.

Similar to the existing U.S. Electronic System for Travel Authorization (ESTA) program, the eTA will allow Canada to pre-screen travelers who otherwise would only be screened for admissibility upon arrival in Canada. On August 1, 2015, Canada began accepting eTA applications from eligible third country citizens, ahead of March 15, 2016, the date on which the eTA becomes a mandatory travel document. Implementation of the complementary **Interactive Advance Passenger Information (IAPI)** system, which will enforce the mandatory eTA by allowing the CBSA to send a "board/no-board" message to air carriers before an individual boards a flight to Canada, is planned for fall 2016.

Since late 2012, the CBSA has been consulting with the air industry on IAPI. In summer 2014, the CBSA began holding a series of technical discussions and webinars to support commercial air carriers' adoption of the necessary changes to their systems that will facilitate the timely roll-out of IAPI. The IAPI system was launched in October 2015 for airlines to begin on-boarding to the platform. Regulatory amendments that are necessary to support IAPI implementation were pre-published for a 30-day public comment period in June 2015. The CBSA will seek to proceed with publication of the final regulations at the earliest opportunity in 2016.

In 2015, the United States and Canada securely shared entry records on approximately 8.7 million travelers under the **Entry/Exit** initiative that has been in place at all automated land border crossings for third country nationals and permanent Canadian and U.S. residents since June 2013. Cumulatively, since June 30th, 2013 the United States and Canada have securely shared approximately 17.8 million entry records. Full implementation of the Entry/Exit initiative, as committed to under the Action Plan, would allow each country to better identify all travelers, including citizens, entering or leaving either country,

thereby strengthening the integrity of each country's immigration system and providing greater visibility on those who may wish to cause harm to either country.

Under the 2014 Forward Plan, the United States and Canada committed to enhance screening at ports of entry by taking stock of databases and systems that each country uses to screen travelers and subsequently identifying and closing any gaps. This analysis was completed in 2015 and CBP and the CBSA are taking action to address the findings in order to ensure a more comprehensive and coordinated approach to security screening. For example, as of November 2015, Canadian Police Information Centre (CPIC) Wants and Warrants have been transmitted to the CBSA's Integrated Customs Enforcement System (ICES).

2. Facilitating Trade and Travel

Recognizing that the free flow of goods and services between the United States and Canada creates immense opportunities for both countries, the Action Plan set out to create more openness at the land border for legitimate trade and travel.

Expediting Legitimate Trade and Travelers

On March 16, 2015, the United States and Canada signed *the Agreement on Land, Rail, Marine, and Air Preclearance* (the Agreement), meeting a major commitment of the Action Plan. The new Agreement covers all modes of travel, including air, and – upon its entry into force – will supersede the existing Air Transport Preclearance Agreement, which was signed in 2001. It creates a legal framework that will provide a consistent approach to all preclearance activities, regardless of the mode of transportation, making implementation and governance easier. Once entered into force, the new Agreement will allow Canada to request conversion of existing pre-inspection sites in BC to full preclearance. It will also allow stakeholders to propose new preclearance operations for land/rail/marine and air modes of travel and in new locations when and where it makes sense – facilitating trade and travel, and bringing economic and security benefits to both countries. The Agreement will enter into force once the United States and Canada have passed the necessary implementing legislation and completed any related internal procedures that may be required. Since the Agreement was signed, both governments have conducted numerous meetings with facility operators and stakeholders across both countries and all modes. These engagements served to provide important information about what the agreement will do and what its implications will be for stakeholders, as well as to answer stakeholder questions regarding implementation.

In January 2015, CBP, in coordination with Canadian counterparts, concluded a **truck cargo pre-inspection** pilot at the Peace Bridge crossing between Fort Erie, ON and Buffalo, NY. The pilot resulted in important lessons-learned for CBP that will have widespread positive implications for facilitating crossing at the U.S. border. These CBP initiatives will include eliminating user fee cash collection at primary inspection, updating technology connectivity and mandating advance electronic filing of manifest (e-Manifests) for all commercial entries, including empty trucks. CBP is committed to achieving these national policy and regulatory changes for the benefit of all border crossings on the

U.S.-Canada and the U.S.-Mexico borders, and hopes to conclude all the necessary regulatory and information technology changes by the end of 2016.

Each country is working to implement its own **Single Window** initiative that seeks to facilitate cross-border trade and eliminate duplication of effort and costs to business. Canada went “live” with a soft launch of its Single Window on March 29, 2015. Since that time, the CBSA has incorporated seven of nine regulating government agencies as well as a major customs broker. An additional seventeen trade chain partners have begun the process of becoming Single Window participants. Full implementation in Canada – including all participating government agencies and interested industry partners – is expected by the end of 2016.

The United States Executive Order 13659 (Streamlining the Export/Import Process for America’s Businesses) mandates the completion and U.S. government-wide utilization of its Single Window (Automated Commercial Environment/ the International Trade Data System) by December 2016. Work is ongoing in both countries with participating government agencies and information technology teams to ensure project requirements are fully met and to assist trade chain partners in preparing for implementation. To better align single window programs in each country, CBP and the CBSA have harmonized 96% of their single window data requirements (the remaining 4% relate to data requirements specific to each country).

In 2014, Canada commissioned a third party to conduct an **economic impact assessment of border fees**. The study was completed in 2015 and its executive summary, including key conclusions, is scheduled to be published in spring 2016.

The United States and Canada met the **business traveler** commitments in the original Action Plan. Nevertheless, under the 2014 Forward Plan, both countries committed to work towards addressing stakeholder feedback about the need for greater consistency in cross-border business traveler decisions. To this end, in January 2015, the United States announced its intent to explore a “Known Employer” pilot program. The launch of the pilot was announced in March 2016. It will allow for the preadjudication of the company bona fides and storage of the company’s documents in a digital library. The pilot will last up to one year and allows the participating employers to submit documents allowing the preadjudication of their bona fides for all employees entering the U.S. on selected visa categories. Canada intends to learn from the U.S. experience and assess its applicability and potential in the Canadian context.

Aligning and Enhancing Trusted Trader and Trusted Traveler Programs

Since the release of the BTB Action Plan in 2011, membership in the joint Canada-U.S. **NEXUS** program has grown to 1.3 million trusted travelers, representing an increase of approximately 17% since December 2014 alone. NEXUS members receive expedited screening at airports in both countries, have access to NEXUS lanes at 21 major land border crossings in Canada and 26 locations at U.S. ports of entry and have access to the TSA Pre ✓[®] lanes at 171 airports in the U.S. Air Canada, which became the first foreign air carrier to join the program, implemented TSA Pre ✓[®] for mobile boarding passes and home-printed boarding passes in the spring of 2015. In October 2015, WestJet, a Canadian air carrier,

also joined TSA Pre ✓*. TSA continues to engage with foreign air carriers on participation in the program.

In September 2015, the CBSA installed a new NEXUS lane at Pacific Highway, BC. In July 2015, an additional NEXUS flex lane opened at the Derby Line-Stanstead border crossing, providing more efficient border clearance for low-risk travelers. This lane will be used to process NEXUS members during high-volume periods (between 3:00pm and 5:00pm) and as a regular lane at other times. In November 2015, the CBSA installed a NEXUS lane in Aldergrove, BC, bringing the total number of additional NEXUS lanes installed to 14, which completed the trusted traveler component of the enhanced facilities initiative.

Also in 2015, of the roughly 64 million overall travelers crossing the U.S.-Canada land border, approximately 6.6 million took advantage of NEXUS lanes while commuting across the U.S.-Canada land border – accounting for about 12% of all traveler crossings and some 15% of all vehicle crossings. Data from fall 2015 show that the majority of NEXUS members using the dedicated commuter lanes were processed within 25 seconds, compared with national averages of 58 and 47 seconds for general and ready lanes, respectively. The United States and Canada will continue to expand NEXUS program benefits by strengthening existing mobile enrollment technology, extending membership eligibility to non-resident U.S. and Canadian citizens and promoting trusted traveler program growth through joint marketing initiatives. We also intend to eliminate current backlogs by conducting enrollment blitzes, mobile enrollment events, extending hours of operation at enrollment centers, conducting joint interviews and expediting membership renewal processes.

The United States and Canada intend to work with Mexico to increase participation in trusted traveler programs that speed the entry of pre-screened travelers through Ports of Entry. Consistent with the 2014 Forward Plan and the 2014 North American Leaders Summit commitment, in July 2015 Public Safety Canada, DHS, and Mexico's Secretariat of the Interior signed a Memorandum of Understanding towards a **Trilateral Trusted Traveler Arrangement** that expands the pool of applicants who can apply for trusted traveler programs. Upon implementation, anticipated by the end of 2016, Mexican nationals who are members of Mexico's trusted traveler program, *Viajero Confiable*, will be eligible to apply for the U.S.-Canada NEXUS trusted traveler program and receive expedited screening considerations in both the United States and Canada. Likewise, Canadian citizens who are members of NEXUS will be eligible to apply for *Viajero Confiable* and receive expedited screening benefits in select international airports in Mexico.

Canada continues to work towards the expansion of **Free and Secure Trade (FAST) benefits** for trusted trader partners. During 2015, the CBSA explored many options for Information Technology system changes that are necessary for expedited front line processing to support this initiative. Following extensive analysis and consultation, recommendations to expand FAST benefits, including infrastructure, have been finalized and will be published on the CBSA website in the winter of 2016. Detailed plans were also developed for FAST lane expansion/modification at three high volume commercial ports of entry.

CBP and the CBSA continue joint efforts to implement the **harmonization of our Trusted Trader programs** to allow existing and future members of the CBSA's PIP program and CBP's Customs-Trade Partnership Against Terrorism (C-TPAT) to apply for both programs simultaneously, submitting one application and undergoing one site validation. This new process is expected to eliminate the administrative burden of multiple applications and site validations for members and lead to cost and time savings for both PIP and C-TPAT programs, as well as industry partners. Harmonization efforts are initially focused on highway carriers, with other lines of business to follow. Other benefits include enhanced program delivery, enhanced benefits realized by members, increased program visibility and awareness, enhanced performance measurement reporting. This development will further enable the United States and Canada to deliver on an important Action Plan commitment to enhance benefits to their trusted traders.

Invest in Improved Shared Border Infrastructure and Technology

Since 2011, both countries have made progress on upgrading **border infrastructure**, with Canada announcing funding up to C\$127 million in 2013 for major upgrades at four priority border crossings (Lacolle, QC; Lansdowne, ON; Emerson, MB; and North Portal, SK). Work is underway to upgrade the first three crossings by spring of 2018, and complete the Lacolle upgrades by fall of 2018. In the United States, border infrastructure investments of approximately U.S.\$151 million have been made or announced by state and local governments. In February 2015, the second U.S.-Canada Border Infrastructure Investment Plan (BIIP 2.0) was released. The BIIP aims to ensure a mutual understanding of available funds for targeted projects and the schedule, scope and responsibilities for border projects. It covers significant infrastructure upgrades that have an impact on transportation and inspection capacity at the border. BIIP 3.0 is scheduled to be released in early 2016 and will identify U.S. priority crossings.

Under the Action Plan, the United States and Canada committed to work with stakeholders to install **border wait time technology** at the top 20 land border crossings to reliably measure north and southbound wait times. By collecting and distributing border wait time information, drivers can make informed travel choices and border agencies can better plan operational requirements based on anticipated traffic flows. The U.S. Department of Transportation and Transport Canada held a series of regional webinar roundtables in July and August 2015, which included representatives from State and Provincial Departments of Transportation, customs agencies and other border stakeholders. The roundtables provided education and technical assistance to participants so that efforts to develop and deploy wait time solutions at border crossings could be better harmonized going forward. Transport Canada continues to work with the CBSA and its partners at the U.S. Department of Transportation-Federal Highway Administration, and with CBP officials, regarding next steps and funding availability for the deployment of an automated wait time solution at the 20 high-volume crossings along the U.S.-Canada border.

Canada will be deploying **Radio Frequency Identification (RFID)** technology in two lanes at 11 land ports of entry. In July 2015, the CBSA awarded the contract to procure the RFID technology. Site scoping is underway, preparatory construction will begin in fall 2016, and deployment of RFID readers is expected

to continue through fiscal year 2016-17. Bilateral negotiations to access databases for RFID-enabled documents continues and planned RFID deployment includes the following sites: Ambassador Bridge (Windsor, ON), Blue Water Bridge (Sarnia, ON), Cornwall (Cornwall, ON), Douglas (Surrey, BC), Emerson (Emerson, MB), Lacolle (Saint-Bernard-de-Lacolle, QC), Pacific Highway (Surrey, BC), Peace Bridge (Fort Erie, ON), Queenston-Lewiston Bridge (Niagara, ON), Rainbow Bridge (Niagara, ON) and Windsor-Detroit tunnel (Windsor, ON).

3. Cross Border Law Enforcement

The Action Plan committed the United States and Canada to explore new cross-border law enforcement initiatives that build on past successes to prevent criminals from crossing the border to escape justice, allow both countries to jointly pursue national security and transnational criminal investigations, and leverage resources and technologies.

Cross Border Cooperation on Law Enforcement

Under the **Shiprider** program, the RCMP and the U.S. Coast Guard (USCG) have been working together since 2013 to enforce the law on both sides of the border in shared waterways. There are currently 240 specially trained and cross-designated U.S. and Canadian law enforcement officers operating on Shiprider vessels under regional standard operating procedures.

Shiprider operations were deployed in two additional Ontario locations during summer 2015 – Niagara/Buffalo and Kingston-Cornwall/Alexandria Bay-Massena regions – bringing the total up to four full-time locations. The 2015 boating season yielded 243 patrols, 1,474 patrol hours, 447 boardings with 4 arrests and 25 violations. The RCMP is also considering plans for establishing an additional Shiprider unit in Victoria, BC to bolster operations on the west coast. Given the success of Shiprider since its inception in 2013, agencies continue to seek ways to improve and expand the success of the program. For example, the USCG has incorporated Coast Guard Investigative Services' capabilities into the Shiprider mission in order to focus on intelligence-driven patrols.

In addition to the Shiprider program, U.S. and Canadian law enforcement continue to utilize the Integrated Border Enforcement Teams (IBETs) and Border Enforcement Security Task Forces (BESTs) as operational platforms to identify, investigate, interdict and disrupt transnational organized crime groups operating with a nexus to the U.S.-Canada border. Since the launch of *Beyond the Border* in 2011, these

Shiprider

During summer 2015, the Surrey/Blaine Shiprider Team played an integral role in the successful interdiction of 23 kilograms of methamphetamine. This international operation involved representatives from the U.S. Coast Guard, CBP and U.S. Immigration and Customs Enforcement, as well as the RCMP. The cross-border operation was further supported through the Border Integrity Operations Centre (BIOC) and the Marine Security Operations Centre (MSOC). This seizure is a successful demonstration of bilateral and integrated cross-border law enforcement operations to jointly identify, assess, and interdict persons and organizations involved in transnational crime.

integrated units have remained valuable venues for the development of the concepts for the next generation of **integrated law enforcement** for both countries.

As part of an established model of collaboration, Canada and the U.S. continue to advance strategic policy initiatives that enhance and support tactical and operational programs such as BEST, IBET and Shiprider. As an example, in 2015, CBP, USCG, U.S. Immigration and Customs Enforcement, the CBSA, and the RCMP established the Cross Border Law Enforcement Advisory Committee (CBLE-AC) to provide strategic executive level guidance to agencies involved in joint law enforcement programs and to provide a forum to identify best practices and successes, as well as identify and resolve challenges.

Cross-border law enforcement communication is enhanced by the ongoing work between the United States and Canada to establish a secure **binational radio interoperable system** (BNRI) to effectively coordinate cross-border interdiction and investigations. This work was advanced in 2015 when the United States and Canada connected two of seven divisional locations (Washington-Vancouver and Detroit-Windsor) to allow for more timely responses to border incidents and to improve both officer and public safety. The system in Detroit is undergoing an operational test phase between CBP and RCMP at this time and CBP intends to incorporate other DHS component agencies into the binational radio system. Additionally, CBP anticipates beginning another pilot demonstration in 2016 in Vermont, which will allow connection with a Canadian system.

The Action Plan stated that the United States and Canada would create and deploy two **Next Generation** pilot projects of integrated law enforcement teams for criminal investigations and uniformed patrols at the land border. However, more detailed scoping of these pilots found that the existing legislative framework in both countries inhibits the implementation of “Next Generation” as originally envisioned. Nevertheless, the United States and Canada remain committed to enhancing cross-border law enforcement cooperation. Through a series of working groups, high-level fora and regular dialogue, both countries are working together to advance strategic policy initiatives that enhance and inform operational and tactical response programs, with the explicit goal of intelligence-led policing, targeting and analysis, and enforcement actions. Collaboration on rapidly evolving issues such as cybercrime may prove to be a productive path forward in this regard.

4. Critical Infrastructure and Cybersecurity

Enhance the Resiliency of our Shared Critical and Cyber Infrastructure

The United States and Canada are committed to enhancing the resiliency of our **critical infrastructure**. In 2015, work continued between DHS and Public Safety Canada on the Alaska-BC-Yukon cross-border project under the Regional Resiliency Assessment Program (RRAP), with the final Resiliency Assessment report to be completed in early 2016 and shared with stakeholders. The joint U.S.-Canada RRAP Team will be developing strategies to support implementation of the RRAP project’s key findings.

Furthermore, both countries support related, ongoing multilateral engagements including the Critical Five (the Five Eyes group on critical infrastructure) and the European Union-U.S.-Canada Engagement on Critical Infrastructure. The two countries have also enhanced their technical cooperation, with DHS providing Canada with its Infrastructure Survey Tool (IST) and associated technical products.

On July 8th, 2015, Canada announced it had ratified the Council of Europe **Convention on Cybercrime**, commonly known as the Budapest Convention on Cybercrime. Ratification of the convention meets an Action Plan commitment and strengthens Canada's ability to cooperate fully with its international partners in the fight against cybercrime.

The United States and Canada have continued to strengthen their **cooperation on cyber policy and cybersecurity**. In 2015, the U.S. State Department and the Canadian Department of Foreign Affairs, Trade and Development (now Global Affairs Canada) increased their coordination on cyber policy, for example by engaging in a trilateral cyber dialogue with Mexico, collaborating on the Freedom Online Coalition, engaging in capacity building in the Organization of American States and through the Global Forum on Cyber Expertise, as well as supporting the endorsement of peacetime cyber norms, including at the G20. Also in 2015, DHS and Public Safety Canada enhanced cyber incident management operational coordination between the National Cyber Operations Centers in Washington, D.C. and Ottawa. As well, the two countries increased operational collaboration between analysts through in-person visits, teleconferences, operational workshops and regular information sharing. In March 2015, Public Safety Canada analysts visited DHS and, in November, DHS analysts from the United States Computer Emergency Readiness Team (US-CERT) traveled to Ottawa to participate in the Canadian Cyber Incident Response Centre's (CCIRC) Geek Week. In addition to these exchanges, DHS has worked with Public Safety Canada to provide joint private sector briefings to critical infrastructure sectors, including the Energy and Utilities, Oil and Natural Gas, and Water sectors.

DHS and Public Safety Canada have also held regular leadership calls in the past year to enhance operational coordination. DHS and Public Safety Canada continued working closely in 2015 through multilateral organizations to advance information sharing, incident management coordination, and automated indicator sharing. Joint operational products which were cross-posted and co-branded were direct results of this enhanced collaboration and include the April 2015 release of "Top 30 Targeted High Risk Vulnerabilities" and the November 2015 release of "Web Shells – Threat Awareness and Guidance."

The United States and Canada routinely exchange best practices and provide security training and support for large events, such as the 2015 Pan American Games and 2015 FIFA Women's World Cup. In addition, DHS's Office for Bombing Prevention (OBP) provided two 16-hour counter-improvised explosive device (IED) training classes to support Canadian partners in preparation for the 2015 Canadian Football League's Grey Cup Festival, Canada's single largest annual sporting event. Class attendees represented Public Safety Canada, the RCMP, the Canadian intelligence community and the Winnipeg Police Service, as well as private sector partners.

Rapidly Respond to and Recover from Disasters and Emergencies

To facilitate **maritime commerce resilience planning** on the northeast U.S.-Canada border, the U.S. Coast Guard and Transport Canada held joint consultation sessions with maritime stakeholders in Halifax, Nova Scotia (June 18th), Boston, Massachusetts (July 23rd) and Portland, Maine (November 19th) with the goal of developing bi-national plans to quickly restore cross-border maritime transportation system operations following a natural disaster, accident, security incident or other disruption. This

Action Plan initiative leverages previous efforts in the Pacific region and the Great Lakes / Saint Lawrence Seaway region.

The importance of bilateral collaboration on **health security** has been demonstrated through transboundary events such as SARS, H1N1, Ebola and other incidents such as outbreaks related to Listeria or radiological incidents (i.e. Japan). To this end, the United States and Canada, primarily through the Health Security Working Group (HSWG), continue to engage to develop a perimeter approach to health security. In 2015, the HSWG advanced health security and resiliency by focusing on information sharing, collaboration, interoperability and lessons learned. For example, the HSWG engaged stakeholders across both governments to analyze opportunities and challenges to the rapid cross-border deployment of public health and medical assets (medical countermeasures, public health and medical personnel and laboratory samples) during a public health emergency when mutual assistance and joint actions are required for a faster, more efficient response.

In September 2015, both countries participated in a table top exercise aimed at identifying and addressing the policy, legal, regulatory, logistical and funding barriers to deploying needed assets across the U.S.-Canada border during public health emergencies. As a result, the HSWG proposed a series of recommendations to inform on the sharing of bilateral public health and emergency medical assistance. These recommendations include the development of toolkits, frameworks, and/or processes to expedite the cross-border deployment of medical countermeasures and public health and medical personnel and the sharing of laboratory samples during emergencies that require mutual assistance. Bilateral work in 2015 also included a meeting in January between U.S. and Canadian regulatory, law enforcement and intelligence agencies involved in pathogen security which also identified opportunities to enhance information sharing, regulatory oversight, and enforcement.

Additionally, most federal U.S.-Canada emergency management activities are conducted under the umbrella of the Emergency Management Consultative Group (EMCG), launched in 2009. The EMCG is co-chaired by DHS, the U.S. Department of State, Public Safety Canada and Global Affairs Canada. Following the guidance from a senior officials meeting in March 2015 to bolster efforts in emergency management, EMCG officials established work streams in two new areas, Disaster Risk Reduction and Response and Recovery Management. These new groups have developed Terms of Reference and draft Work Plans for the coming year. Collaborative work also continues with regards to health security, critical infrastructure and cybersecurity.

In the critical area of **cross-border communications**, the Action Plan called for the establishment of a binational working group focused on cross-border interoperability as a means of harmonizing cross-border emergency communications efforts. Public Safety Canada and DHS worked with representatives from both governments to establish the Canada-United States Communications Interoperability Working Group (CIWG) as the focal point to plan and coordinate activities, drive action, and track progress. Consistent with Action Plan objectives on emergency communications, a Public Notice is being finalized with respect to the use of towers across the border during emergencies. This builds upon the October 2014 Statement of Intent by the Federal Communications Commission and Industry Canada (now Innovation, Science and Economic Development Canada) which extends roaming

privileges to hand-held portable units used by emergency responders, provided the responder is properly licensed in its country of origin. The agreement also waives certain registration and permitting requirements for licensees roaming across the border and permits state, local and tribal first responders to legally store a cache of radios on the other side of the border to promote cross-border communications. The working group continues to move forward with addressing other aspects of its Work Plan, including the identification of activities that satisfy the CANUS CIWG's Work Plan requirements to share emerging national approaches on social media and to develop a bi-national social media concept of operations.

IV. Moving Forward/Conclusion

Throughout 2015, U.S. and Canadian officials participated in numerous *Beyond the Border* outreach events across both countries to engage stakeholders and discuss progress on Action Plan initiatives. In just a few examples, officials from DHS and Public Safety Canada participated in the Council of Great Lakes Regional Forum in Chicago in April, the Can-Am Border Trade Alliance in Washington, D.C. in October, as well as the U.S.-Canada Border Conference in October in Detroit. Further, Canada's Privy Council Office and DHS officials participated in a panel on the Preclearance Agreement at the Pacific Northwest Economic Region Annual Meeting in June in Montana and also met with stakeholders in BC, Ontario and other provinces to discuss preclearance. CBP leadership attended the Advisory Committee on Commercial Operations to U.S. Customs and Border Protection (COAC) Public Meeting in July in Chicago, and CBP Commissioner Kerlikowske spoke to the Seattle Chamber of Commerce on facilitating lawful trade and travel in Seattle in August. The Department of Commerce Deputy Secretary and Canada's Deputy Minister of Industry visited New York and Ontario (Peace Bridge) in June and hosted an industry roundtable.

On June 17th, the **Beyond the Border Executive Steering Committee** (ESC) held its annual meeting to discuss progress to date and the way forward for implementing the Action Plan. This was the fourth meeting of the ESC, which includes high-level participation from the White House's National Security Council, the Privy Council Office, and senior officials from lead departments and agencies responsible for implementing the Action Plan. Participants discussed the value of the *Beyond the Border* mechanism and confirmed their intent to continue to use this framework to advance mutual objectives of improving security and economic competitiveness. In particular, both sides agreed to work towards concluding outstanding Action Plan initiatives and implementing the Forward Plan commitments outlined in the 2014 Implementation Report.

The United States and Canada intend to continue our robust partnership into 2016 and beyond. Prime Minister Justin Trudeau, who was elected in October 2015, has committed the Canadian government to improve relations with the United States and work to make substantial progress on reducing impediments to trade and commerce between our countries, including by improving border infrastructure and security, streamlining cargo inspection and facilitating the movement of people.