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Stakeholder Views on Improving Border Management

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INTRODUCTION

The Canada-US border, like all international borders, performs certain functions related to restricting, regulating and interdicting cross-border flows of people, products and pollutants. How border officials carry out these functions is shaped by historical factors and the political-economic agendas of state authorities. Though Canada-US border management has always been influenced by security issues such as boundary disputes, prohibition and illicit drugs, only since 9/11 has the border been viewed as a vital security problem in the context of American national security. This new reality has brought increased attention to the northern border and prompted a continuing debate about the appropriate balance between securitization of the border and facilitation of trade and social interaction.

Increased security has slowed the flow of goods and people and increased frustration of businesses and travelers. These disruptions are serious because they threaten to undermine economic opportunities in border regions, erode social ties and weaken competitiveness in the highly integrated North American economy. Those most affected by border changes are the border user groups generally situated in border communities. These groups have the greatest experience with the border and are most aware of the variability of border policies and management practices. These groups, referred to as stakeholders in this study, are in a unique position because of their proximity to border functions and operations. Thus, it is reasonable to assume that their opinions and ideas should merit careful consideration as continuing and new efforts to improve border policy move forward.

Few studies have systematically focused on the attitudes and perspectives of border stakeholders. The purpose of this study is to examine border stakeholders' perspectives on the state of border management and how it might be improved in the future.[1] Border management refers to the carrying out of border functions,[2] which for the most part relate to policing and securitizing territorial space. Although the researchers' focus is primarily the land and sea boundary which bisects the Cascade Corridor region in the Pacific northwest of North America, border management functions also occur away from the border at sites such as airports, highway checkpoints and inland marine ports. Border management

[1] Taking into account stakeholder perceptions and attitudes in border policy is especially important because of the multifaceted context in which borders are situated. The interaction of economic, transportation, cultural, and ecological values—in addition to security considerations—contributes to an increase in the complexity of policy options and the greater likelihood of weak policy outcomes. Thus, it is important that attention be paid to those who use and are constantly affected by the border.

[2] In this study, border functions refer to practices and actions generally carried out by state or state-sanctioned entities. In this sense, border functions are "material." The literature on borders points to non-material identity functions, which serve to communicate social-spatial messages to individuals and groups about who they are and where they belong. For example, borders can be understood as constitutive in reinventing a people (nation) and in representing differences (insiders and outsiders). See John Agnew, "Borders on the Mind: Reframing Border Thinking," Ethics and Global Politics, 1,4: 175-191, 2008; and Henrik vanHoutum, "The Geopolitics of Border and Boundaries," Geopolitics, 10:672-679, 2005.

*Donald K. Alper and
Bryant Hammond*

functions are carried out primarily, but not exclusively, by officials representing the US and Canadian governments.[3] Such functions are the product of a complex mix of policies, practices, institutions and ideologies

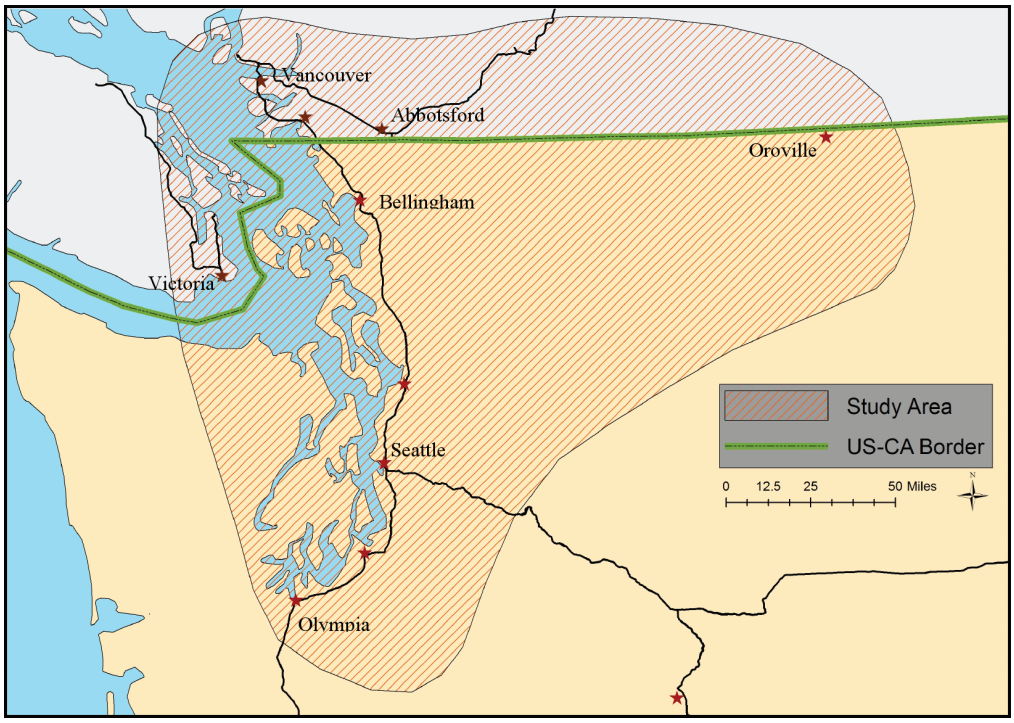
The following analysis of stakeholders' perspectives on border management is based on interviews with key stakeholders, equally divided between Canadians and Americans. The interviews addressed stakeholders' views on the functions of the border, border performance and border management, including what should be done in the future.

METHOD AND STUDY AREA

Procedure and Interviews

The primary data compiled in this report were drawn from 46 long interviews conducted with local and regional stakeholders in the Cascade Corridor region spanning the Canada-US international boundary.

The researchers conducted the interviews between February and August of 2009 in face-to-face meetings or, in six cases when this was not possible because of travel or scheduling problems, by telephone. Each interview was digitally recorded—unless otherwise requested by the interviewee—and later transcribed in full by research assistants for more detailed analysis. To establish



[3] *Private security is vital to protecting infrastructure, of which 85% is privately owned.*

*Donald K. Alper and
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the interview pool, the researchers identified possible candidates and compiled a spreadsheet based on candidate background and association with border related issues. An initial list of names was obtained from the International Mobility and Trade Corridor (IMTC)[4] project's resource manual, the Border Policy Research Institute's email distribution list, border related organizations' websites and other contact lists. Additional names were derived from recommendations given by the interview subjects themselves. Prior to each interview, the researchers contacted interview candidates by email or phone to determine suitability and availability. All interviewees were provided with a written document containing an overview of the project and the interview questions well in advance of meeting with the researchers. These documents can be found in the appendices.

Stakeholders

For the purposes of this study, a stakeholder is a public official, private businessperson or community leader engaged in activities relating to or significantly impacted by the existence of the international border dividing the United States and Canada. As active members of local and regional organizations and communities, the stakeholders interviewed were generally knowledgeable about border operations and management. Therefore, these stakeholders were viewed as being well positioned to provide constructive criticism on how border management might be improved. The views assembled here do not represent a statistical sampling of stakeholders. Instead, the interview results are intended to offer analytic rather than statistical generalizations. The researchers' choice of this methodology is based on its suitability for yielding a collective view of how current border management methods and activities impact key sectors in the region, the key problems and possible solutions.

Questions

Interviews lasted between 40 and 90 minutes and were comprised of 14 questions aimed at eliciting the stakeholder's relationship with the international border and constructive criticism on improving its management. The questions were divided into three sections. The first section focused on finding out which border functions were of direct concern to the stakeholder and where he/she believed those functions should be carried out. The second section focused on ascertaining the stakeholder's views, positive and negative, on the performance of border functions, together with specific suggestions as to what could be done to improve the functioning of the border. The third section focused on broader issues related to border management, such as the stakeholders' views on factors that contribute to an effective border, obstacles to the realization

[4] *The International Mobility and Trade Corridor project is a cross-border coalition of government and business entities that coordinates planning and improvements to mobility and security for the four border crossings that connect Whatcom County, Washington and the Lower Mainland of British Columbia.*

of those factors and border agency outreach.

Sectors

To obtain a balanced, collective view of how border functions impact stakeholders, the researchers selected informants from both sides of the border and where possible, tried to match interviewees' responsibilities and positions. Thus, if researchers interviewed an immigration attorney from the United States, they would seek to balance his/her perspective by interviewing an attorney working in Canada. Similarly, selection of a municipal official in a border community in Canada would prompt selection of a counterpart across the border. At the outset of the project the researchers developed a preliminary categorization of sectors. These categories were refined as interview data were gathered. Six key sectors were identified: Policy, Planning and Administration (PPA), Enforcement (ENF), Commercial Freight Carriers (CFC), Professional Service Providers (PSP), Business and Business Associations (BBA) and Community-Based Organizations (CBO). PPA interviewees worked in local and regional government, ranging from small town administration to state and provincial policymakers. They were tasked with responsibilities ranging from public health monitoring to transportation infrastructure and systems planning, from environmental management to emergency management. ENF interviewees worked in local and regional law enforcement and the border management agencies, U.S. Customs and Border Protection (CBP) and the Canada Border Services Agency (CBSA). They were tasked with enforcing the laws and regulations of Canada and the United States. CFC interviewees worked either for private trucking companies or for regional associations advocating on behalf of the trucking industry. PSP interviewees worked in professional service areas requiring specific topical expertise, such as immigration and tax law and import/export regulations. BBA interviewees were members of local and regional business communities that had direct interest in border functions. They worked in transport, travel and tourism or associations aimed at regional economic development. CBO interviewees worked in non-governmental organizations on regional and community development focusing on environmental, immigration, minority and tribal/First Nations issues.

Data Analysis

The data analysis proceeded as follows: First, the researchers read and reread the transcripts in their entirety to refresh their impressions and understandings of the overall narratives generated by the interviews. Next, the researchers went through each question and carefully read the text answers given by all 46 respondents and then hand coded each response according to

emergent themes. Coding categories were developed after the narratives were read and were based on the responses provided by those interviewed. The data were then aggregated and summarized in Excel data sheets. Following this, the data were organized into tables according to frequency distributions. With regard to the questions that asked respondents for views on border performance/effectiveness, outreach initiatives and what could be learned from other border regions in the world, abbreviated versions of all answers were listed. This was to ensure that the range and richness of stakeholder perspectives could be openly displayed in table form. In developing and writing the analysis, quotes and other information provided by the participants were presented throughout the text to create a comprehensive profile of stakeholder attitudes. A coded numbering system was used to identify the person who made each quote. The numbers were removed from the current draft to ensure anonymity and improve readability.

FUNCTIONS OF BORDERS: A THEORETICAL OVERVIEW

Border crossers and border officials have expectations and direct interests in what happens at the border. In important ways, the interests of these two groups are both similar and opposing. Both have a strong interest in security and safety, but the ways they experience security may be quite different. The main reason for these differences lies in official responsibilities of border officials. Simply put, their main responsibility is the management of the border. Border crossers on the other hand do not have direct responsibility in how the border is managed; rather, their responsibilities lie elsewhere. Border crossers, whether personal or commercial, encounter border officials engaged in a variety of management actions aimed at determining the legitimacy of crossers' travel. Border officials, performing certain responsibilities mandated by various agencies and organizations, have a direct interest in what and who is crossing the border, and as a result strongly shape what happens there. Border crossers and officials operate and interact within a security framework that defines what borders do and mean and thus how they work over time. The security framework mandated through legislation sets out the functions carried out at and around the border and influences how stakeholders describe and discuss these functions. Although these functions are implied from the security imperative underlying DHS and CBSA, pinning down these functions is problematic because border officials use the terms "function," "mission" and "capability" almost interchangeably.

As a starting point for this study it is necessary to examine the basic

functions and related processes that are carried out by the government agencies that bear responsibility for managing the border. At present there exists little theoretical and empirical work dealing with the functions carried out along the Canada-US border. As such there is no existing framework with which to untangle the haphazard and rhetorical ways border functions are described and articulated by policymakers and border managers. This section attempts to fill this gap by creating a framework for identifying and analyzing border functions and how stakeholders experience them. A more complete conceptual model of the processes the researchers observed is beyond the scope of this study.

For purposes of this paper, the border refers to the legal line separating different jurisdictions (Anderson and O'Dowd 1999). Although the 'line' may be sharply drawn in physical space, as in the case of a land border, or administratively constituted, as in the case of an airport, what is important is how and for what ends the border is managed. Hills (2006) conceptualizes border management as the various rules and practices that regulate activities and traffic across defined border areas or zones. She further observes that the form of border management is influenced by assumptions and rationalities that derive from the specific political and historical contexts of a state. In the case of Canadian and US border management, these assumptions reflect, for example, conceptions of threat (terrorism, crime, illegal migration); the relationship between trade and border security; the role of politics (security can be manipulated for political reasons); bureaucratic interests; and the physical context (nature of terrain, distances between ports, etc.).

All forms of border management involve facilitation as well as control activities. Facilitation refers to aiding the transfer of goods (trade) and people (migration and travel), which is integral to the historical relationships among states. The control aspects of border management are inherent in state sovereignty and refer to the policing and military aspects of borders. Control activities involve the quest for security and have generally taken precedence over facilitation. The dilemma for border managers is to reconcile the always-strong political imperative for controlling borders with the need to facilitate economic exchange and the flow of people across them. Contemporary border management systems incorporate a variety of functions to make this work.

Scholarly perspectives on border facilitation and control are useful in creating a rubric of border functions that can be applied to the Canada-US border. Integrated border management (IBM) refers to the organization and supervision of border agency activities

in ways that reconcile facilitating the movement of people and goods with maintaining secure borders and meeting national legal requirements. As such, it is useful in identifying key border functions inherent in border governance structures. Alburo (2008) discusses the integration of border functions through technologic means—single-windows (SW)—and organizational means—integrated border management (IBM).[5] This is important because the organization of border management has changed in the years since 9/11, trending towards fewer agencies being responsible for a greater number of border operations. Alburo argues that a coherent approach to trade facilitation necessarily brings together most of the key agencies with an interest in the border because of the security-related aspects of trade and the fact that trade issues are pervasive throughout government. Looking at the border through the lens of trade facilitation focuses attention on the different operations conducted by agencies at or away from the border. In laying out his argument, Alburo notes agency procedures that take place at the border, such as the regulation of "product labeling, standards, [and] valuation" (2008: 5) as well as inspections and other "security related functions" (2008: 11). While Alburo's discussion notes some specific functions carried out by border agencies, it does not specify a discrete set of border functions; however, it shows the importance of deriving functions from empirical analysis of the organization of border management.

Rather than approaching the conceptualization of border functions from an organizational standpoint, Walters (2006) draws on social theory, and particularly the work of Foucault and Deleuze. Walters contends that borders function as a means of social control, carrying out varying forms of policing activities to achieve this end. Beginning with a level of analysis that conceptualizes borders as mechanisms for exerting power across society more broadly, he indicates how borders have become "spaces and instruments for the policing" (2006: 188) of trans-national flows of goods, people and services. He contends that while borders have always acted as regulatory mechanisms for commerce, the regulation of people and services has become more significant in performing the security-related mission of policing who and what crosses the borders.

Coupling Walters' discussion of increasing societal control at borders and Alburo's discussion of information integration for trade facilitation and its subsequent use in policing activities, we suggest that border agencies combine the control and facilitation activities through five general functions deployed at and around the international border: screening, inspections, regulation, surveillance and interdiction.

[5] *Single-windows consist of a single electronic interface through which border agencies handle documents in a streamlined and coordinated fashion. An example of one such system in North America is the Integrated Trade Data System (ITDS). Integrated Border Management is seen in structural harmonization in agencies that conduct border functions to achieve greater coordination in action. The United States' consolidation of border agencies within the Department of Homeland Security in 2003 is an example of IBM. For further discussion see Alburo's* Policy Coherence and Coordination for Trade Facilitation: Integrated Border Management, Single-Windows and other Options for Developing Countries.

*Donald K. Alper and
Bryant Hammond*

Surveillance functions carried out at the border figure prominently in Colleen Bell's examination of Canada's national security policy in 2003/2004 (Bell 2005). She argues "the enhancement of surveillance is dispersed far beyond military and diplomatic functions, and is taken up primarily as an administrative task" in efforts to monitor and control a wide range of "population problems" involving the health and safety of the citizenry (2005: 17). Combined with regulation, screening, inspection and interdiction, surveillance has helped enable the border as not just a point of protection from external harm, but also a site of societal control. While not central to the goals of this study, this idea of location-based control aids in our unpacking of exactly what border activities constitute border functions. Spaces of flows, as discussed by Castells (1996), have become more critical in societal control, thus making geographic points of transition between political jurisdictions more salient to policymakers seeking to display such control. This form of control can be seen in the Bush administration's use of immigration law as a means of enhancing border security in response to the challenges posed by September 11th (Alden 2008). In effect, by providing law enforcement officials with more power to question and hold suspected criminals and terrorists, immigration law, applied as a border-enforcement mechanism became a primary means for dealing with anti-terrorism. Screening, inspection, regulation, interdiction and surveillance were all used to enforce immigration law and thus functioned as a means of administrative control at the US's external borders

The five interrelated functions which enable facilitation and control at the border provide a rubric which we apply to the relevant organizations responsible for border security in Canada and the United States. Through examination of documents published on the United States Customs and Border Protection (CBP) and the Canada Border Services Agency (CBSA) websites and other sources, we explain how the mission of these organizations is understood and the specific functions that agents employ to accomplish the mission.

THE MISSIONS OF CBP AND CBSA

The priority mission of CBP is "preventing terrorists and terrorists' weapons from entering the United States, while facilitating the flow of legitimate trade and travel" (Meyers, 2005: 6 - 7). While this priority mission is stated in different terms depending on the document and the time of publication,[6] the message is always the same: security is the primary concern, followed by facilitation of trade. This mission framework has been the dominant paradigm in guiding border policy creation since 2001. Paul Morris of CBP's Office of Field Operations

[6] According to its strategic plan for 2007 to 2011 "Securing Americas Borders at Ports of Entry," CBP serves as "America's frontline, protecting our nation from threats to our safety and economy, and preventing terrorists and terrorist weapons from entering the United States." The document frames economic concerns in terms of movement and aggregates them with concerns of terrorism as threats to the nation's well being. Other documents echo these sentiments, though frequently the economic side of CBP's priority mission—the "afterthought" as one of our interviewees characterized it—is stated in terms of facilitating trade. The trade aspect serves as the second half of the overarching border paradigm since 9/11. A PowerPoint presentation (CBP 101) dated April of 2009 available on CBP's website, educates the reader that "CBP defends America's borders against all threats while facilitating its economic stability." CBP's mission statement consists of five short stanzaic sentences, three of which invoke messages of protection, one describes the way in which CBP serves the public and one invokes the message of "fostering our nation's economic security."

(OFO), in testimony to a congressional subcommittee, summarized the mission given to border service agencies: "CBP's frontline officers and agents will continue to protect Americans from the terrorist threat while also accomplishing our traditional missions in immigration, customs, and agriculture, all while balancing our enforcement missions[7] with the need to effectively facilitate the flow of legitimate trade and travel" (Morris, 2007:14). The traditional functions of the various agencies with a stake in what happens at, or what and who crosses, the border were absorbed into the security paradigm after September 11th. The agency's stated "critical priority mission" is accomplished through screening, inspections, regulatory actions, surveillance and interdictions, each operationalized at the border while also being extended away from the border at air and sea ports, embassies abroad and within a 100 mile geographical zone extending from the external international border into US territory.

While the CBSA does not straightforwardly state that security and anti-terrorism are its primary goals, responsibilities and components of these goals are repeatedly listed first in documents and pages outlining what CBSA is, and what the agency does.[8] As former Canadian Prime Minister Paul Martin remarked, "the [then] new Department of Public Safety and Emergency Preparedness exercises jurisdiction over 'core functions of security and intelligence, policing and enforcement, corrections and crime prevention, border services, immigration enforcement, and emergency management.' This overarching public security ministry swallowed the agencies of the Solicitor General's portfolio, which include the RCMP,[9] CSIS,[10] Correctional Services of Canada and the National Parole Board, while additionally encompassing public health, border security and disaster response" (Bell 2005: 11 – 12). To accomplish these primary goals both US and Canadian agencies maintain a presence of officers in the legal points of entry along the international border to screen, inspect, regulate and observe flows of traffic. One possible outcome of these functions, provided the examined goods, people or services are not in line with legal requirements for entry, is interdiction and the arrest of movement. A brochure outlining the responsibilities of a CBP officer explains that "the important missions extend to inspecting travelers and their goods, detecting and seizing narcotics and other illegal or prohibited or dangerous articles and interdicting the unlawful entry of undocumented and/or prohibited persons seeking entry into the country."[11]

After 2003, the US sought to house all border agencies within a single department[12] to help DHS "meet the

[7] This is a perfect example of the interchangeable use of terms to describe the activities and functions carried out at and around the border. In this case Morris refers to missions as the functions that serve to carry out the mission of security rather than the broad security mission that is described on other CBP documents.

[8] See http://www.cbsa-asfc.gc.ca/agency-agence/what-quoi-eng.html and http://www.cbp.gov/xp/cgov/about/mission/guardians.xml for examples of primary goals. The second link, CBP's Mission Statement and Core Values provides insight into how the agency views itself. Of the Mission section's five sections, the first three reiterate messages of protection, safeguarding and security, before the fourth section mentions "fostering our Nation's economic security through lawful international trade and travel." It should be noted that even the facilitation of trade is present through a conceptual lens of security.

[9] Royal Canadian Mounted Police

[10] Canadian Security Intelligence Service

[11] See http://www.cbp.gov/linkhandler/cgov/careers/customs_careers/officer/cpb_officer.ctt/cbp_officer.pdf for the complete brochure.

[12] See http://www.migrationpolicy.org/pubs/Meyers_Report.pdf for a complete discussion.

*Donald K. Alper and
Bryant Hammond*

strategic goals of improving border security, while, at the same time, facilitating the unimpeded and reliable flow of commerce" (Meyers 2005: 6). The reorganization, known as *One Face at the Border*, was also aimed at increasing efficiency by reducing duplication and improving information sharing. Consolidation meant that all agencies with a stake in whom and what moves across the border henceforth would be represented by CBP. The US Border Patrol, whose agents work in the territory between the ports of entry to detect, interdict, and prevent terrorists, contraband and illegal would-be entrants from entering the United States, are under CBP, but retain a measure of independence through a separate chain of command. The Border Patrol's twenty-one sector chiefs report directly to the Chief of the Border Patrol at CBP headquarters, and the officers continue to have the status of full-fledged law enforcement officers (Meyers 2005).

The overriding mission of CBP and CBSA is, simply put, securing and protecting their respective nations against external harm. Specific functions carried out at the border to fulfill this mission can be divided into five categories: screening, inspections, enforcing regulations, interdicting prohibited people and goods, and surveillance. It is in the performance of these functions that border officials interact directly with border crossers. How and where the functions are performed is the subject of considerable debate.

FUNCTIONS THAT ACCOMPLISH THE MISSION

Screening

Screening people and goods entering the country is intrinsic to border agencies' "priority mission." On the passenger side, CBP "assesses all passengers flying into the U.S. from abroad for terrorist risk."[13] Programs like the Advanced Passenger Information System (APIS), United States Visitor and Immigrant Status Indication Technology (US-VISIT), and the Student and Exchange Visitor System (SEVIS) help the border agency accomplish the initial task of assessing who intends to enter the country. Through this screening of those seeking entry, CBP is able to discern those whom they feel pose a threat and those whom do not. CBP reports on its website that it "regularly refuses entry to people who may pose a threat to the security of"[14] the United States. On another webpage CBP further asserts that it "screens all travelers entering the United States using a risk-based approach."[15] By narrowing the proverbial haystack by segregating travelers identified as not posing a security threat, the border agencies are able to focus more effort in looking for the needle they do define as a threat.

CBSA conducts similar screening efforts aimed at preventing

[13] *http://www.cbp.gov/xp/cgov/about/mission/cbp.xml*

[14] *IBID*

[15] *http://www.cbp.gov/xp/cgov/about/mission/cbp_is.xml*

*Donald K. Alper and
Bryant Hammond*

"inadmissible persons from entering or remaining in Canada. This screening is an essential part of the Government of Canada's commitment to keeping Canada safe and secure."[16] After September 11th concerns were raised that the U.S. federal government didn't have an accurate picture of who was in the country at any given time. Background checks utilizing a variety of databases became a common means of assessing the risk a traveler or would-be immigrant posed to the country.[17] Similarly, the Canadian government has elevated background checks in importance: "One of the core functions of CBSA's Immigration and Intelligence network is helping to screen immigrants, refugees and visitors"[18] to maintain the country's security.

At the land border, the screening function presents a special challenge to the border agencies. In most cases (excepting travel on public transportation such as charter buses and trains) travelers do not notify border officials before their arrival: they simply show up. To mitigate this inherent uncertainty and assist low-risk travelers, the governments of Canada and the United States together have developed "Trusted Traveler" programs in an effort to extend their ability to screen populations of travelers that have not yet decided to cross. The NEXUS program works by "pre-screening" travelers and separating them prior to their arrival at the border so that officials can concentrate on "potentially higher risk travelers and goods, which helps to ensure the security and integrity of" the border.[19] At times stakeholders refer to this process as "pre-screening," a somewhat tautological term that we discuss below. The process of screening happens before the individual crosses the border, thus making all screening "pre-screening."

Screening and pre-arrival assessment are functions not limited to passengers. Both governments screen inbound cargo through a number of programs aimed at reducing the uncertainty and therefore risk associated with unknown shippers and shipments. "CBP uses advance information from the Automated Targeting System (ATS), Automated Export System (AES) and the Trade Act of 2002 Advance Information Regulations to identify cargo that may pose a threat."[20] The agency uses these systems to identify which shipments could likely pose a security threat. "Using risk management techniques they evaluate people and goods to identify a suspicious individual or container before it can reach our shores."[21]

CBSA, in partnership with CBP as well as other agencies in foreign ports, screens containers through the Container Security Initiative (CSI) to "strengthen the Agency's ability to identify, target and intercept potential threats before they reach Canada."[22]

[16] *http://cbsa-asfc.gc.ca/security-securite/screen-verific-eng.html*

[17] *For a detailed discussion on this see Alden, E. (2008)* The Closing of the American Border

[18] *http://cbsa-asfc.gc.ca/media/facts-faits/029-eng.html*

[19] *http://www.cbp.gov/xp/cgov/travel/trusted_traveler/nexus_prog/nexus.xml*

[20] *http://www.cbp.gov/xp/cgov/about/mission/cbp.xml*

[21] *IBID*

[22] *http://www.cbsa-asfc.gc.ca/security-securite/csi-irsc-eng.html*

*Donald K. Alper and
Bryant Hammond*

By stationing officers in foreign ports, the agency is better able assess the risk associated with containers that pass through those ports, thereby filtering out—screening—trade that poses a risk from trade that does not.

Inspection

The inspection function carried out by border agencies differs from the screening function mostly in temporal aspects. Screening attempts to separate the potential risk from the legitimate for targeting purposes prior to arrival at the border to facilitate the actual crossing and customs process; the inspection function plays the active role to the screening function's preparatory, informational role. Inspections take place both at the ports of entry and, through CSI, at the point of departure in foreign ports, through both targeted and randomized approaches. The randomization of passenger and cargo inspections serves to fill the gaps incomplete screening data can create. "Individuals seeking entry into the United States are inspected at Ports of Entry (POEs) by CBP officers who determine their admissibility."[23] This includes the officers' examination of travel documents to determine nationality and identity and checking that information against its databases for further information as to the traveler's admissibility. National citizens are granted entry once citizenship is determined. As the inspection process happens both at the physical crossing and beyond, so do the actions extend from the inspection of documents and identities to the physical search of persons and their vehicles and possessions: "an inspector has authority to search without warrant the person and effects of any person seeking admission, when there is reason to believe that grounds of exclusion exist which would be disclosed by such search." Officers derive such power from the Immigration and Nationality Act section 287,[24] the same section that gives Border Patrol agents the authority to question one's citizenship a given distance away from the border. Away from the border, the inspection function applies to non-citizens from other than visa-waiver countries: they are required to undergo an interview at a foreign consulate prior to visa approval.

Inspection of commercial vehicles is somewhat more extensive, ranging from complete inspections where officials unload and examine containers and trucks to "non-intrusive inspection systems."[25] Generally, cargo undergoes the screening process described above allowing the border agencies to focus on potentially higher risk shipments. In large ports, all cargo passes through radiation portal monitors before document inspection. Such inspections do not require the unpacking of cargo, nor do they require the cargo to stop for any length of time. If deemed necessary by the officer in the booth or by the algorithms in the computer system,

[23] *http://www.cbp.gov/xp/cgov/border_security/port_activities/overview.xml*

[24] *http://www.uscis.gov/propub/ProPubVAP.jsp?dockey=c9fef57852dc066cfe16a4c*

[25] *http://cbp.gov/linkhandler/cgov/about/mission/cbp_101.ctt/cbp_101.ppt#344,12,New technologies provide critical help*

*Donald K. Alper and
Bryant Hammond*

cargo is sent through the Vehicle and Cargo Inspection System[26] (VACIS), another non-intrusive inspection system, where entire vehicles are scanned using gamma-ray imaging to ascertain what they contain. If a threat is still suspected, the shipment is unpacked and examined by officials.

CBP officials also carry out agricultural inspections to prevent "the introduction of harmful pests into the United States."[27] Such inspections are carried out by specialists trained in these specific inspection processes in both commercial and passenger environments through manual inspection and canine teams. CBP characterizes threats to agriculture in security terms, referring to the "potential for agro-terrorism."[28]

Regulation

The regulation function plays an influential role in the functions of screening, inspection, interdiction and surveillance. Indeed, each of these other four functions in some way defines itself in terms of the regulation function. Border agencies, for the most part, enforce regulations of other agencies through screening, inspections, surveillance and interdiction. These regulations relate to trade, immigration and criminal law and intersect with a number of agencies that have a direct interest in what or who crosses the border. A complete enumeration of the regulations enforced by CBP, or even of each of the agencies' responsibilities, would be impossible within the scope of this paper. In fact, the exact number of agencies with a stake in operations involving the border is difficult to ascertain with any certainty. In January 2001, the Texas Comptroller of Public Accounts attempted to elucidate the agencies and activities involved in operations along the Texas-Mexico border, including federal, state and local agencies as well as private industry.[29] No such document for the northern border has been found. In discussing the increased responsibility (as a result of the post-9/11 consolidations) of each individual officer staffing the border, one interviewed stakeholder in the professional service provider sector suggested that each CBP officer represents 26 different agencies and their interests.[30] Another in the same sector confidently stated that 46 agencies have a direct connection to the processes occurring at the border and referred us to the International Trade Data System (ITDS), a single window system that "assists the PGAs [Participating Government Agencies; see table below] in identifying, documenting and executing their plan to leverage ACE [Automated Commercial Environment] to improve their business operations and further their agency missions."[31] Through the ITDS and ACE, private and government stakeholders are able to work with CBP in ensuring that shipments comply with U.S. regulations.

[26] *http://www.cbsa-asfc.gc.ca/media/facts-faits/038-eng.html*

[27] *http://www.cbp.gov/xp/cgov/border_security/port_activities/agro_inspection/*

[28] *http://www.cbp.gov/xp/cgov/newsroom/news_releases/archives/2008_news_releases/december_2008/12232008_2.xml*

[29] *http://www.cpa.state.tx.us/specialrpt/border/sfatb2.html*

[30] *For discussion on this densification of border functions see Meyers, D.W., (2005). One Face at the Border: Behind the Slogan. Migration Policy Institute at http://www.migrationpolicy.org/pubs/Meyers_Report.pdf*

[31] *http://www.itds.gov/linkhandler/itds/toolbox/background/itds_faq.ctt/itds_faq.pdf*

*Donald K. Alper and
Bryant Hammond*

Table 1: Participating Government Agencies in the Automated Commercial Environment Information System

Agricultural Marketing Service (AMS)	U.S. Coast Guard
Animal and Plant Health Inspection Service (APHIS)	U.S. Fish and Wildlife Service (FWS)
Food Safety and Inspection Service (FSIS)	Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
Grain Inspection, Packers, and Stockyards Administration	Drug Enforcement Administration (DEA
Bureau of Industry and Security (BIS)	Bureau of Labor Statistics (BLS)
Census Bureau	Nuclear Regulatory Commission (NRC)
Foreign-Trade Zones Board (FTZB)	Bureau of Ocean and Scientific Affairs
International Trade Administration, Import Administration (ITA, IA)	Directorate of Defense Trade Controls
National Marine Fisheries Service (NOAA Fisheries)	Office of Foreign Missions (OFM)
Consumer Product Safety Commission (CPSC)	State Dispatch Office, Office of Logistics Management (OLM)
Defense Contract Management Agency (DCMA)	Bureau of Transportation Statistics (BTS)
U.S. Army Corps of Engineers (USACE)	Federal Aviation Administration (FAA)
Office of Fossil Energy (OFE)	Federal Highway Administration (FHWA)
U.S. Environmental Protection Agency (EPA)	Federal Motor Carrier Safety Administration (FMCSA)
Federal Communications Commission (FCC)	Maritime Administration (MARAD)
Federal Maritime Commission (FMC)	National Highway Traffic Safety Administration (NHTSA)
Center for Disease Control and Prevention (CDC)	Pipeline and Hazardous Materials Safety Administration
U.S. Food and Drug Administration (FDA)	Office of Foreign Assets Control (OFAC)
Customs and Border Protection (CBP)	Alcohol and Tobacco Tax and Trade Bureau (TTB)
Transportation Security Administration (TSA)	Internal Revenue Service (IRS)
Foreign Agricultural Service (FAS)	U.S. Agency for International Development (USAID)
Office of U.S. Trade Prepresentative	U.S. International Trade Commission (USITC)

CBSA examines goods being imported to Canada "to ensure that goods comply with customs legislation"[32] and the regulatory requirements of different Canadian agencies. To this end CBSA uses a similar single window system as CBP: Other Government Departments (OGD). OGDs such as the Canadian Food Inspection Agency, Natural Resources Canada and Transport Canada can monitor paperwork submitted electronically by shippers and clients.[33]

In addition to trade law regulations, the border agencies help enforce immigration and criminal law. Through

[32] *http://www.cbsa-asfc.gc.ca/import/ex-eng.html*

[33] *http://www.cbsa-asfc.gc.ca/eservices/ogd-amg/menu-eng.html*

*Donald K. Alper and
Bryant Hammond*

the other four functions, border agencies regulate who enters the country in accordance with immigration law.

Interdiction

Documents on CBP's website state that CBP is the "frontline" of defense against terrorism with "the security of the nation"[34] resting on their shoulders. The border acts as a wall by which to forbid entry to undesirable persons or goods. Border agencies enforce this forbiddance through arrests, interceptions and seizures of undesirables. CBP displays statistics as a measure of its success in interdictions: "On a typical day during fiscal year 2008" the agency seized drugs, undeclared currency, fraudulent documents, and forbidden foodstuffs; they arrested persons at and between POEs and refused entry to prohibited persons.[35] As in the case of functions described above, interdiction is strongly tied to the other functions. Regulation informs agencies as to who and what is desirable and undesirable, while screening, inspection and surveillance create opportunity for interdictive action.

CBSA states straightforwardly that one of its responsibilities includes "interdicting illegal goods entering or leaving the country,"[36] although the Canadian border agency classifies this function as a "legislative, regulatory, or partnership" duty.[37] While interdiction can be viewed as a regulatory function, the actual seizure of goods and people involves active intervention by border officials to stop transfers and transactions at and beyond the border, thus distinguishing it from regulatory functions.

Surveillance

In addition to screening, inspection, regulation and interdiction, border agencies gather other information that assists them in better carrying out their priority mission of ensuring the "security and prosperity"[38] of the nation. The surveillance function occurs predominantly between legal POEs and away from the border, thus acting as a complementary activity to screening and inspecting travelers entering at POEs. As the distance between POEs can be vast, border agencies rely on increasingly sophisticated technologies to monitor what cannot be effectively patrolled. Motion sensors and cameras[39] alert enforcement agencies to illegal activity, while unmanned drones fly back and forth covering large distances in relatively short amounts of time.[40] As the surveillance occurs away from POEs, it employs the U.S. Coast Guard and the U.S. Border Patrol as well as local law enforcement agencies. U.S. Border Patrol agents secure "areas between the ports of entry by implementing a comprehensive border enforcement strategy, expanding, integrating, and coordinating the use of technology and communications through"[41] a number of technologic strategies.

[34] *http://cbp.gov/xp/cgov/about/mission/cbp.xml*

[35] *http://www.cbp.gov/xp/cgov/about/accomplish/fy08_typical_day.xml*

[36] *http://www.cbsa-asfc.gc.ca/agency-agence/what-quoi-eng.html*

[37] *ibid*

[38] *http://www.cbsa-asfc.gc.ca/agency-agence/who-qui-eng.html*

[39] *http://cbp.gov/linkhandler/cgov/about/mission/cbp_101.ctt/cbp_101.ppt#344,12,New technologies provide critical help*

[40] *http://www.cbp.gov/linkhandler/cgov/newsroom/fact_sheets/marine/uas.ctt/uas.pdf*

[41] *http://cbp.gov/xp/cgov/about/mission/cbp.xml*

*Donald K. Alper and
Bryant Hammond*

Surveillance activities on the Canadian side of the border are likely to be similar to those of CBP on the American side, though specific information as to the extent of those activities is not readily available in CBSA's website. As will be seen below, some aspect of surveillance is taken up by the Royal Canadian Mounted Police (RCMP) the Canadian agency whose responsibilities most resemble that of the U.S. Border Patrol.

FUNCTIONS OF BORDERS: STAKEHOLDERS' PERSPECTIVES

As discussed above, the agencies responsible for border management prescribe and carry out a wide range of functions related to the central missions of each country's federal security entities. When stakeholders interact with the border they confront the set of functions described above. In effect, their own actions and responses are highly constrained by those functions. To better understand how they view the performance of the border and how it might be improved, it is necessary first to examine how they view border functions of importance to them. The researchers asked stakeholders to describe what significant functions are now being handled at the border (Question 1). Rather than responding to a list of multiple choices, stakeholders described border functions in their own words (see appendix for wording of questions). Respondents from the enforcement community talked about functions primarily in terms of border officials' responsibility to maintain security and public safety. Stakeholders from the other sectors generally described functions that carried out the security priority missions of the respective US and Canadian federal agencies. Three-quarters of the interviewees mentioned functions that coincided with the stated mission of the two countries' border agencies. The remainder of the interviewees mentioned functions not coincident with the agencies' stated mission. Functions mentioned that did coincide with the stated mission were nearly universal among stakeholders from the commercial freight carriers, professional service providers and business and business associations sectors (See Table 2).

Table 2: Functions indicated by Stakeholders (n=46)

Coincided with Stated Mission	37
Did not Coincide with Stated Mission	9

Those respondents described functions in terms such as "clearance procedures," "adjudications for entry," "inspections," "customs filing," and "import/export control and processing." A smaller number of stakeholders, whom we term "systems-oriented," viewed border functions more in relation to the objectives of their respective organizations than in terms of control activities related to security.

For example, several stakeholders in transportation, environmental and trade agencies described border functions in terms of inter-agency coordination and collaboration to achieve cross-border goals. Instead of seeing the border as a barrier to be negotiated, these stakeholders saw the differences present on opposite sides of the border as opportunities for planning, regulatory and other forms of collaboration. In this regard, a transportation official talked about cross-border collaborative planning to carry out his agency's key mandate of mobility. A health official pointed to responsiveness to diseases and the need for pro-active cross-border communication protocols on "who to call and what to do if somebody shows up at the border who suspiciously looks like a really ill traveler." An environmental activist talked about how the border represents a transition zone between US and Canadian jurisdiction and thus a key function is cross-border communication aimed at building capacity for inter-agency cooperation and enforcement. For this group, border functions were seen as contributory to the achievement of planning and policy goals.

Although many stakeholders expressed irritation about the implementation and enforcement of security procedures, only a few took issue with the idea that the border is necessary for security. The researchers did not ask interviewees a specific question on whether or not they felt the border was useful in maintaining security. The basis for placing 44 respondents in the "Agree" cell in Table 3 is statements made by these stakeholders during the course of the entire interview. Two respondents, in the course of the interviews, made it clear they did not think the border served any useful security purpose. The statements of those stakeholders, given their absoluteness, were the basis for inserting them in the "Disagree" category in Table 3.

Table 3: The number of stakeholders that would agree with this statement: "The Canada-US border serves a useful security function

Agree	44
Disagree	2

Respondents were not asked this question directly: the numbers above represent expected responses based on their other answers

One such stakeholder from the business and business associations sector questioned the efficacy of using the border to enhance national security: "If it's a security issue, again I go back to aren't there better ways of doing that?" When pressed, the same stakeholder stated he/she saw no purpose in the border between the United States and Canada. The other disagreement came from an attorney in the professional service provider sector: "… In the long term they should get rid of the border." The respondent, acknowledging his/her

stake in the status quo, continued, "but wait until I retire."

The extreme solution of getting rid of the border did not come up often. However, in response to the last question (Question 14), stakeholders frequently would discuss Europe and their understanding of the EU's de-bordering, but then express the view that because of differences between North America and Europe "it's not a practical consideration."

The researchers asked stakeholders what functions they wanted performed at the land border, and why (Question 3). This question engendered responses that in most cases closely related to how stakeholders viewed significant border functions affecting their group (Question 1). The greatest number of responses concerned screening and inspections of goods and people. Inspecting goods, checking travelers' credentials and enforcing security—including public health and biosecurity—were the most common themes. Although most stakeholders wanted these functions performed, nearly all said that they needed to be conducted more efficiently. A person from a trucking firm said: "expedite the crossing as timely as possible." A bus company president said: "The biggest thing is just fix the delays…I think it's a manpower issue and an ability to get them (border officials) our information on who our passengers are." A civic official from a border community remarked: "I think the booth should be strictly for the 30 seconds or whatever it takes to make sure you have your credentials, who are you, who's in the car…Ask your question; don't go into a long dialog." Other desired functions included enforcement of environmental regulations, better provision of information about border requirements,[42] and on-site immigration and visa services.

The researchers also sought stakeholders' views on what functions, if any, they believed could be accomplished away from the border with equal or better effect (Question 2). Respondents overwhelmingly stated that various kinds of screening functions related to security could be conducted before travelers arrived at the border. Three categories of responses referring to screening and inspection functions were most prominent: 1) preclearance for small shippers that either do not qualify for or can't afford the trusted travelers program; 2) screening of buses before they arrive at the border utilizing advance manifests; 3) pre-adjudication of credentials (i.e., TNs[43] and L1s[44] for professional service providers and skilled workers).

Several respondents talked about moving the NEXUS enrollment facilities off site. Some thought NEXUS offices should be located at shopping malls on key approach routes to the border.

[42] This is an example of a mentioned function that did not coincide with the stated mission of CBP/CBSA. It's important to note these instances as they provide illustrations of the range of thinking about how the border can be seen as a node of service activity.

[43] The TN (Trade NAFTA) visa category was developed as part of the NAFTA treaty to ease movement of certain professionals across the border for limited time periods.

[44] The L1 visa is a non-immigrant visa that allows companies operating in the U.S. to transfer certain classes of employees from their foreign operations to their U.S. operations for up to seven years.

Stakeholders from the enforcement sector generally indicated that increased efforts to intercept criminal activity before it reached the border were highly important. Their concerns about enhanced screening to maintain security and safety were consistent with the functions intrinsic to CBP and CBSA core missions.

Stakeholders' Views on Border Performance

To elicit respondents' views on border performance, the researchers asked stakeholders to comment on which border functions were being performed well, followed by which were not being performed well (Questions 4 and 5). The responses to the first question were wide-ranging and often dealt with border activities and programs, and not border functions per se. These responses fell into eight categories (including other): general security/law enforcement; electronic customs processing; trusted traveler programs; infrastructure; collaboration/cooperation; screening/processing; inspections and other (see Table 4).

In general, stakeholders talked about law enforcement and security in a supportive way. The comments of a Canadian bus company manager were typical: "They've (security and enforcement people) got a very, very difficult job to do and I think when it comes to, well, I think finding out who the people are on that bus—they are doing it." Several people pinpointed security operations targeting drug smuggling as being performed well. A US tribal leader stated: "cooperation and the focused enforcement efforts that we have seen around drug trafficking is a big plus." A civic leader in a US border community pointed favorably to successes in "finding drugs in vehicles."

Table 4: Functions and Activities Being Performed Well

Function / Activity	Mentions (Frequency)
General Security / Law Enforcement	11
Trusted Traveler Programs	7
Screening / Processing	6
Electronic Customs Processing	5
Collaboration and Cooperation	4
Inspection	4
Infrastructure (Construction)	2
Other	10

Several respondents noted customs operations, and particularly the move to e-manifests,[45] as working well. Some thought that processing activities "were about as efficient as you can get." This, however, was not a view held by most stakeholders and is discussed further below.

Several respondents viewed trusted traveler programs—NEXUS and FAST—as exemplary programs, although the majority of stakeholders saw the

[45] *E-manifests are a part of the Automated Commercial Environment (ACE) program which links relevant parties through a centralized data access point. E-manifests are a requirement for entry at land ports and allow CBP to screen cargo before it arrives at the border. For further information on the ACE program, see ACE At a Glance Fact Sheet at http://www.cbp.gov/xp/cgov/newsroom/fact_sheets/trade/ace_fact-sheets/ace_glance_sheet.xml*

programs as too rigid with regard to their respective zero-tolerance policies. Those few who mentioned infrastructure in favorable terms pointed to the efforts made by governments to upgrade the POEs, especially referencing the Pacific Highway Truck Crossing. Although not a function per se, several stakeholders singled out planning and law enforcement collaboration as a particular strength of the Cascade Corridor cross-border region. A CBSA official pointed specifically to the IMTC and made this comment: "Talk about best practices. I think we are the only spot in the country that has all three levels of government on both sides of the border… in one big room." He/she continued:

> "When I first came to Vancouver anything that happened at the border was just us (Canadian border officials) and directed to us or US Customs or Immigration. It is now seen as an integrated system where all levels of government have a role to play…where we're all responsible for what happens at the 49th Parallel."

Others agreed, mentioning cooperative relationships within the enforcement and other stakeholder communities that cross the border. Although not significantly discussed in relation to this question, stakeholders referred to this form of collaboration as a unique attribute of the region. For further discussion of this point, see Table 10 and the accompanying discussion below.

Question 5 asked informants what functions were not being performed well at the border. Few questioned the legitimacy of the security mission and there was considerable recognition of the work of the border agencies, with many interviewees acknowledging the difficulty of the job at hand. There was, however, considerable criticism as to how officers conducted their mission.

The researchers sorted responses to Question 5 into six categories, some relating to border functions and others pertaining more to how border agencies carried out those functions. Concerns focused on length of inspections, trusted traveler programs not working as intended, attitude of border officials, inadequate staff training, excessive and inconsistent regulations, interoperability and other. Several respondents mentioned nothing specific. (See Table 5).

Table 5: Functions and Activities Not Being Performed Well

Function / Activity	Mentions
Inspections	16
Attitude/Training of Border Officials	12
Screening	8
Interoperability	7
Nothing Mentioned	7
Regulation	3
Other	3

Problems related to inspections ranged from long lines, poor traffic management (for trucks and buses), lengthy bus inspections and too much delay of routine crossers. Although respondents listed numerous factors believed to be responsible for long lines and poor traffic management within ports, common themes were that staff were not being utilized efficiently and that rigid union rules were partly to blame. Another concern was "pre-screened" trusted travelers were too often subject to border inspections, and thus the programs (i.e., NEXUS and FAST) were seen as not working as intended. The comments from a US border community business association official summed this up: "Both NEXUS and FAST (on the US side) need a complete rethink. The fact that we still have half-hour NEXUS lines, still have random assessments of 40% of all FAST trucks being sent to VACIS scans completely defeats the purpose of [these] programs. Need to make [a] decision as to whether to treat these trusted travelers appropriately or not." Traffic management issues varied. One freight carrier complained about closing the FAST lane for trucks to add another car lane:

> "…the [commercial] people who have invested a lot and stay on top of the Free and Secure Trade [program], all of it, for keeping our FAST status in line, up and running, and we're sitting there in half hour- forty minute wait of cars that are on vacation and we're trying to do a job."

Another traffic management set of issues had to do with poor lane management at the approaches to the port and at the port inspection facilities themselves. A manager of a US trucking firm said: "We need a traffic cop, plain and simple. Need someone to say you stop or put him in a time out-you (he) went down the shoulder and passed 25 trucks and then crowded in front here… there's been fist fights down there because of it. It is really frustrating." Bus operators' concerns were fairly uniform—inspecting and clearing passengers was too time-consuming. During peak times, on weekends especially during cruise season and holidays, numerous buses converge at the border at about the same time. Delays result from the requirement that all passengers and luggage need to be checked, and foreign tourists from outside Canada and the United States need to fill out and file I-94 forms, which can only be done at the border. One operator explained the process with respect to Japanese tourists who frequently book tours to see the Seattle Mariners: "…we get a lot [of tourists] from Japan, they love baseball and love Ichiro, and when baseball season is on us, they travel in groups…So they all have to go through, get I-94s and the process of getting I-94s for some reason seems very cumbersome. There are never enough officers on duty to handle it, and it seems to be a real choke point."

Establishing and communicating clear

and consistent rules and regulations was a concern for several crossers engaged in business activity, though the specific problems varied by stakeholder. For some, especially professional service providers, the lack of clear rules was seen as an impediment to crossing. One US accountant told the researchers: "tell me what all the rules are, and if I play by the rules I am going to be okay." A major concern expressed by him/her and others was that uncertainty about rules becomes a "barrier to entry." He/she continued, "once you (a Canadian) decide to do business, you do not want to see those barriers to entry be so high that you just say, no, that wall's so high I'll go to Ottawa before I'll go to Bellingham." Another, also concerned about uncertainty, claimed that "interpretation of the customs regulatory environment varies from, say, Okanagan, Kootenays, Alberta," although this claim could not be verified. A further problem mentioned was constantly changing regulations—generally attributed to a steady stream of new congressional legislation and bureaucratic rules flowing out of DC. One Canadian trucker said "I don't even know if there are regulations for HAZMAT, or if they're just making them up as they go. Don't find out till we get here [the border]." A clear theme in many responses was that the border, through variability in rule making and lack of clarity and consistency in implementation, was damaging the business environment of both nations.

Many stakeholders from a majority of the sectors (PPA, ENF, PSP, CBO) mentioned inter-agency collaboration problems in response to the question on what functions were not being performed well. Stakeholders pointed to different problems, but the theme was a constant: different agency actors were not working together. The reasons given for the lack of collaboration were less uniform. One US law enforcement official claimed it was strictly a technology issue: "We don't have basic radio operability in the county, there are portions of the county… and we don't have the ability to communicate directly with the border patrol or with any of the other border agencies." Stakeholders handling environmental issues on both sides of the border in the government and non-profit realms claimed coordination between agencies was lacking. An American said, "so if you were to ask what isn't working in the border area, a comprehensive way of dealing with resource management, resource recovery, habitat protection in that area is not done. It's an opportunity that's not . . . hasn't been realized." One customs broker noted that the problem is "working with other governmental agencies at the border," explaining that cargo and goods can get caught in the middle of interagency antipathy and thus delayed in clearance. This broker wanted "to see the improvement of integration with different departments and different regulatory agencies in the US and in Canada." Most of the problems mentioned referred to

government agencies not being on the 'same page' with their counterparts, both within domestic jurisdictions and across the border.

Many respondents stated that border performance was hindered by non-professional attitudes and inadequate training of border officials. These elements of border performance will be addressed in the next section because they were frequently cited as major factors hindering the performance of desirable functions.

Factors Hindering Effective Border Performance

A related question asked respondents what was hindering the performance of desirable border functions (Question 6). The responses clustered into 6 categories: lack of resources (staff and infrastructure); bureaucratic culture; attitude; lack of interagency cooperation/collaboration; lack of systems perspective and other.

Respondents most often mentioned inadequate infrastructure, not enough staff and insufficient training of staff tasked with multiple responsibilities as a result of the institutional changes in federal agencies following the terrorist attacks of 9/11. Many informants, from across the sectors, pointed to a shortage of staff as a hindrance. Referring to inspections at the border, a Canadian tourism official bluntly asserted: "Lack of human resources leads to high processing times." The owner of a US trucking company, in describing the delays during secondary truck inspections, said: "not enough staff to keep enough booths open, and then to help with secondary inspections…sit an hour and a half. Don't have enough people to follow through and do a good job." Bus delays at the ports were also attributed to shortage of manpower: "…what the officers tell [us] is there is a lack of officers; just not the manpower to physically do the functions that they need, that they are required to

Table 6: Factors Hindering Effective Performance

Factor	Mentions
Lack of Resources [a]	15
Bureaucratic Culture	9
Attitude	7
Lack of Interagency Collaboration and Communication	5
Lack of Systems Perspective	2
Nothing Mentioned	2
Other [b]	11

a: "Lack of Resources," though a unified category in the table, encompasses various views on what resources are lacking. The two principal resources informants found lacking were staffing (manpower) and infrastructure. Of course, funding was mentioned as a problem for both. Some stakeholders blamed deficiencies in these areas on funding; others would simply refer to a lack of staffing to adequately man the booths during peak travel times

b: "Other" includes biosecurity not being a top priority, the Amtrak cost recovery issue, long line-ups, unions, rapid new legislation with unclear rules, narrow law enforcement focus, inadequate NEXUS enrollment, inconsistency, inadequate representation of constituents, mistrust and paranoia

do." In addition to insufficient staffing, adequate cross training of CBP and CBSA officers was also raised as a problem. An attorney with clients on both sides of the border pointed to the importance of specialized training to enable CBP and CBSA officers to effectively respond to the new demands placed upon them:

> "So, they arrive with, you know, not much. They get a lot of on-the-job training. So what would be better? Gosh, you know, they did it really well before, if they had the free trade officers, designated people that were really knowledgeable about you know, the underlying legislative purposes and international treaties and free trade in goods and services, and was conversant enough with corporate structures and wasn't intimidated by the amount of paperwork it takes to provide all of the underlying evidence that you need for multinational transfers, etc., etc. – that would be good. But what is hindering that? So, having better training, just better training and designated staff that function at a high level. I mean, we used to have free trade officers at Vancouver International, Peace Arch, Sumas, and these people were known to everybody. You could fax them, you could phone them. If there was an issue regarding, you know, a person's entry into America you could access them. By the way, all these comments apply ditto for the Canadians. Canadians, in my view have kind of lost their way a bit as well… They have this one single entity called CBSA, which is remarkably similar to CBP, and so the same issues apply there–the level of training of CBSA officers is diluted across too many functions. When you think about how incredibly complex we've made our borders, and the amount of things that we expect our border staff to do, it's frankly incredible that they accomplish as much as they do without major mayhem … so kudos to them for doing a good job with limited resources and no appreciable, substantive training program."

A concern mentioned by many stakeholders, especially those in trucking and tourism, was "attitude" of border officials. Respondents, many of whom referred to the staff-border crosser relationship as 'customer service,' were critical of the treatment they and others received during routine crossings. Three illustrative responses were typical:

> "I would just like to see some more friendliness and customer service up there. I have heard of border guards really hassling people that were [doing what] I have done in the past, just trying to do business. I know a lady at the visitor and info bureau they literally made her cry because they were giving her a hard time."

"…one thing that would be nice, helpful, is attitudes. Attitudes up there with those guys are generally pretty negative and disrespectful to our drivers…we have a job to do and people are sitting on the bus and it's all about customer service. They're spending a fortune in Canada and the same in the US and they're the ones making us feel substandard. My biggest complaint: being ignored. You can't do anything; they have lots of authority up there."

"[It is] almost like there are two sets of rules. Going north, happy, friendly, waving. Coming south, what do you want? And why are you coming in here? And up against the wall, hands against the wall, frisk ya…"

A third area of concern was the feeling that border officials, by virtue of the organizational structures in which they work, were too bureaucratic and indifferent in their outlook. These concerns varied, and related to different sectors in particular ways. For example, a Canadian customs broker expressed concern that US Customs and the Food and Drug Administration (FDA) officials were engaged in turf wars that ultimately made for lack of consistency in the implementation of regulations. Another concern, pointed out by professional service providers, was what was called a "culture of indifference to the importance of customs and trade expertise." One interviewee claimed the "narrow enforcement focus" that has been created by the heavy emphasis on security has led to a "lack of empathy for trade."

Concerns about the lack of collaboration and communication between agencies came from transportation and environmental managers and a border agency official. One environmental manager dealing with state-province environmental issues commented that there wasn't enough of a "willingness" to take a coordinated approach to ecosystem management. Another environmental manager said "I think the communication at the border around the presence of species that can do a huge amount of damage not only to the natural ecosystem but also to the agricultural industry is something that in the past hasn't seemed to have been clearly articulated." Transportation managers' issues concerned border metrics such as lack of methodological coordination and inadequate methods of conveying those metrics to the traveling public. One transportation manager stated "the problem is that we all have different ways to estimate. We (Canadian and US agencies) never tried to come up with a more consistent wait time with each other." Another was concerned with signage used to route travelers across the border.

Two respondents, both representing government agencies dealing with transportation, talked about the need

*Donald K. Alper and
Bryant Hammond*

to engage in systems-level thinking to adequately address complex border issues in the region. Neither was critical of border officials, but both were concerned about the absence of large scale planning. For one, a US port official, the challenge was "to figure out how we create the institutions and the systems and decision making environment so we strengthen what is strong and mitigate the impact of what's at risk." The other, a US federal transportation manager, thought the most basic hindrance was "how we think about POEs." A well functioning border, in his/her view, needed to be thought about in the context of intermodal and broader environmental factors—not just security.

Views on What Should be Done in the Future

This section of the study shifts to views on future border management. Questions 7 and 8 asked the stakeholders for suggestions for improving the working of the border. The researchers asked stakeholders to identify one priority to be included in future border

Table 7: Top Priorities in Future Border Plans

Suggested Priority	Mentions
Improved Infrastructure	11
Preclearance (Buses)	4
Staffing Increase	2
Improve Trusted Traveler Programs	2
Improve Communications with Community	1
Fee-based Priority Lanes	1
IS Compliance Certification (Away from Border)	1
Distinguish Differences in N. American Borders	1
Include Env. Management in Future Planning	1
Coordinated Intergovernmental Planning (BC-WA)	1
Training (Public Health)	1
Improve Communications among Regulators	1
More Permeable Open Borders	1
Info Gathering for Planning	1
Pre-notified NEXUS Passage for EM Vehicles	1
Funding (to Displace Costs on Local Justice System)	1

Suggested Priority	Mentions
Further Solidification of Partnerships	1
Technology Investment	1
Intermodal Terminals at POEs	1
North American Perimeter	1
Designate Free Trade Officers	1
Border Closure Contingency Plan	1
Clear and Consistent Rules	1
Adjudicate TNs Away from Border	1
Separate Business Travelers from Passenger Traffic	1
More Efficient Processing of Buses	1
Cross-border Inventory of Resources (Env. Mgmt.)	1
Government Issued Universal ID	1
Recognize Tribal ID at Border	1
NEXUS Registration Access Improvement (away)	1
Nothing Mentioned	2

plans (Question 7). The responses indicated a wide range of priorities among the 46 stakeholders: 32 of which were distinct enough to list separately; other priorities clustered around similar themes and are listed together.

Most responses were different enough to be listed as single priorities. Those items mentioned more than once were infrastructure improvements (including the planning and construction of joint facilities), preclearance for buses, staffing increases and improved trusted traveler programs. Infrastructure improvements were the most important to stakeholders across the sectors. The community based organizations sector was the only one that did not mention infrastructure as a priority.

When stakeholders suggested improving POE infrastructure, they did so in a number of ways. Stakeholders in policy, planning and administration, enforcement, and commercial freight carrier sectors discussed infrastructure in terms of adequate space to handle border functions properly. A public official from a border community in British Columbia said: "[I] don't think we've done a good job on our side. We funnel everything into a single lane and [it] instantly backs up 3 to 4 kilometers." In agreement, a public official on the American side said the "footprint of the port should be large enough to accommodate the traffic and the functions that they're doing up there." Stakeholders with backgrounds in trucking and bussing discussed improvements in the physical infrastructure layout: a US trucker mentioned the need to better organize parking while a bus company employee from the Canadian side suggested more space for the bus crossing. More joint planning of border infrastructure was also mentioned. Some stakeholders favored joint facilities. A Canadian customs broker suggested a shared facility, saying he/she was a "big proponent" of the idea. Explaining further, he/she said "both countries could save a lot of money and streamline a lot of systems if they could work that out." A US policy analyst claimed a joint facility would reduce delays. A consultant from Canada referred to possible plans to replace the Lynden-Aldergrove crossing, and suggested a shared facility would be an improvement because it would create a smaller overall footprint.

Stakeholders who handled bus and tourist traffic discussed the need to develop better ways of screening visitors before they arrived at the border, a method they referred to as preclearance. It's important to note here, that while preclearance was the second most discussed priority, it came entirely from bus operators and stakeholders in the tourism industry. These stakeholders suggested such a system could be used to speed the inspection at the border itself. A bus operator from Canada

wanted "a method of preclearance, to work with the border [officials] and try to get them the information to speed up the process." A US bus operator mentioned preclearance as a priority and explained providing information to the border agencies 72 hours in advance would not impact his/her operation at all: "We don't always know [who's on our bus] but we always can know. We can ask. . . . [we] don't do it now because it serves no purpose."

Other priorities mentioned more than once among stakeholders were increased staffing and improved trusted traveler programs. A US truck operator noted that extra staffing should be prioritized "to be able to utilize the lanes you have available to try to keep the flow of traffic moving." This stakeholder viewed traffic issues in terms of adequate staffing and not as a problem of inadequate infrastructure:

> "Normally there's three booths open and they're all doing it electronically, going to have a wait regardless because of too much volume, no room to add more booths, could put two more booths [in] but [with] no staffing it wouldn't do any good. If I pull up and I wait a ½ hour 45 minutes to get through the border, no big deal: part of the job. But if I have to wait 3 hours, that's excessive."

Next we asked interviewees to list short term (up to 6 months) and long-term modifications to improve the workings of the border (Question 8). The responses ranged widely, although "better staffing" garnered more than one-fifth of the mentions (Tables 8 and 9).

Generally, stakeholders suggested modifications dealing with human resources and management issues for the short term, with suggestions about staffing being the most numerous. The most predominant staffing issue was scheduling. For one American border official, "scheduling of personnel and determining when peak traffic times are, and how to address that and meet those needs" was a short-term solution. Trucking operators typically discussed staffing in general terms, but virtually all expressed the need to have more bodies in the booth. One trucking operator put it bluntly: "more staffing; that's a short-term fix for a lot of it." Bus company operators were of a similar mind: staff the border adequately to fulfill the border agencies' mandate. Several operators suggested increasing staffing at peak times. One discussed notifying the border agencies ahead of time: "we actually call at any other time if we do a big movement, have 20 crossing at one time. We call ahead and tell them that just to let them know in case they want to bring in extra staff or be prepared. . . [the] buses are usually staggered 10 – 15 minutes apart." Stakeholders from the community based organizations' sector noted a disparity between the increase

Table 8: Specific Improvements (6 Months)

Specific Short Term Improvements	Mentions
Better Staffing	10
Improved Traffic Management at POE	4
Agreement on Second Train, Get it Operational	4
Improved Alternate Routing Communications	3
Improved Interagency Communications	2
Improved Stakeholder Communications	2
Better Marketing of Trusted Traveler Programs	2
Free Trade Officer at Border	2
Right to Counsel at Border	2
Streamline Additional Documentation Requests	1
Ensure US Infrastructure Completed for 2010	1
Consistent Wait Time Reporting	1
Institute Binational Coordinating Body	1
Get EM Vehicles through the NEXUS Lane	1
Improve bus System Processing	1
Improve Delay Information	1
Joint Border Traffic Plan for 2010 Games	1
Reinforce IMTC Planning	1
Invasive Species Detection Training	1
FAST Lane—Program Participants Only; No Autos	1
Uniformity in Process and Programs	1
More Resources	1

Specific Short Term Improvements	Mentions
EM Joint Exercises	1
EM Joint Exercises	1
Retain Sanity in Light of Olympics (DHS)	1
Annual Forum Gov/Business	1
Nexus Category for Business	1
Plan for Lynden/Aldergrove	1
Separate Security from Trade Issues	1
Aldergrove Infrastructure Improvements	1
Two Bus Classifications: Line and Scheduled	1
Expanding Smaller Crossing (Time and NEXUS)	1
Admissions Rule Flexibility	1
Improve Wait Times	1
Adequate Training	1
Adequate Infrastructure	1
Preclearance	1
Build on Momentum of Cross-Border Research Conf.	1
Better P/R Communications through Narratives	1
Maintain Momentum in Easing Border Travel	1
Remove 100 Mile Border Zone	1
More Coordination of Enforcement with Respect to Drug Trafficking	1
Nothing Comes to Mind	2

of border functions and the lack of proportional increase in staffing: "... getting more staff and booths open so people are going through quicker. Even though, since 9/11 there have been more duties, so [therefore] longer line-ups, but the staff hasn't been increased."

Several stakeholders saw a need for improved traffic management at the individual POEs. One stakeholder mentioned "traffic control in all aspects" as something that could be done in the near term to improve the workings of the border. Another stakeholder, in

commenting about backups at the truck crossing, said: "it spills back on to the local road networks. I don't have a solution but that's not a condition we want to see perpetuated."

Agreement on the issues surrounding getting the second Amtrak train running between Seattle, WA, and Vancouver, BC, came up several times. At the time of writing, twice-a-day service had commenced.

Other suggestions for improvement in the short term involved improving communications among stakeholders in general, and between different government agencies whose responsibilities included border management. Two stakeholders in the enforcement sector stressed the importance of communicating and sharing intelligence, one of whom focused on the technological aspect: "Let's get the communication system up and running in advance of 2010." An importer / exporter mentioned the need for "real" communication among stakeholders, while a person from a community based organization stressed the need for communication with leadership at the local level.

With respects to suggestions for the long term, the responses were as varied as they were for the short term: 29 were distinct enough to merit listing singularly. There were relatively few clusters of similar answers (see Table 9).

Responses most similar were those relating to infrastructure. Stakeholders from five out of six sectors suggested infrastructure as a long-term modification that could improve the way the border functions. Suggestions included more roads into and out of the port, and a dedicated lane for truck empties on their return trip. Discussing the bus crossing at Pacific Highway, one stakeholder said: "… possibly they could move the staff parking to the other side and make this go straight through as well for the reason that then buses could go in with I-94s [which take] more time." One border official responded:

> "Infrastructure, because it's such a long term issue. We've had numerous ideas kicked around with Lynden, and how to do it. Sumas: get the trucks out of the city; issues with the trucks and how they're being parked. We have some issues on how they are getting into the port. And these things do take a lot of time, and a lot of outside influence on how things are set up, and you always have to deal with Canadians on infrastructure coming into the ports. And that is the key, trying to keep the facility up to the demand, it's always an issue. As I've said, Peace Arch has overgrown since we've opened it: it's outdated. We're looking at the possibility of trying to do stacked booths in every lane, so we have 20 booths over there, about 20 feet south of the

Table 9: Specific Improvements [a] (Long Term)

Long Term Improvements	Mentions
Infrastructure Improvement	8
Preclearance (Buses)	2
System Model for Border Planning	2
Get Rid of Border	2
Better Communications with Public	1
Know Your Community	1
Create a Certification System for Pathogens	1
Computer ID Chip for Efficiency	1
Improve Private Vehicle Crossing Efficiency	1
EMS People have Trusted Traveler Status	1
More Equitable Handling of Impacts on Local Criminal Justice System	1
Cost Recovery (Train and Ferry)	1
Attitude Improvement	1
Adjusting Trusted Shipper Programs to Accommodate Variation	1
Harmonize IT and Improve Interactions between CBP and CBSA	1
Strengthen Trusted Traveler Programs	1

Long Term Improvements	Mentions
Push Trusted traveler Concept to the Extreme to Avoid Border Chokepoint	1
More Government Agency's Presence at Border	1
Advance Information System for Whatcom County Completed	1
Health Inspection Training for CBP	1
Be able to Locate Office Away from the border	1
Regulation Harmonization (Food and Drug)	1
TWIC as Border Crossing Card	1
Incorporate Intermodal Designs into Long Term Planning	1
Leadership that Views Border as an Opportunity for Collaboration	1
Tribal Expert at Border	1
Tribal Embassies at Border	1
Greater Recognition for Policies that Affect Each Side of the Border	1
Nothing Mentioned	10

a: The above figures represent all improvements mentioned by stakeholders in relation to the long term: some stakeholders gave more than one answer; some declined to answer.

> permit lane you put another booth and put two cars coming through a certain lane, just trying to facilitate traffic on those busy days."

Many of the stakeholders who spoke of infrastructure improvements in the long term also listed infrastructure as their top priority in future border plans.

The three other long term improvement suggestions mentioned by more than one stakeholder involved preclearance for buses, developing a border region systems model for better planning, and doing away with the border entirely. Two stakeholders involved with transporting tourists mentioned preclearance as a long-term plan. One, a bus operator, discussed the form of preclearance he/she envisioned:

> "APIS,[46] that seems to be what they want and everybody has to have a passport or enhanced licenses and we can certainly (do this), we have a full call center here, we do reservations like 7 days a week, 12 hrs a day, 363 days a year and we have online bookings we have the ability to do it right now."

[46] *Advance Passenger Information System*

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FACTORS CONTRIBUTING TO EFFECTIVE BORDER MANAGEMENT

The researchers asked interviewees to describe what they considered to be the most important factors that contribute to an effective border. As shown in Table 10, respondents' views clustered around two categories—strong cross-border relationships/collaboration and efficient facilitation of traffic. Infrastructure, attitude, staffing and security were also rated as important factors by several informants.

What is revealing in the table is how much importance stakeholders attributed to "people processes." Relationships, collaboration, and stakeholder involvement were considered to be key factors that contributed to an effective border. As one elected US official put it: "…effective borders fundamentally come from the relationships between the two sides." This emphasis on relationships and collaboration was a consistent theme within all of the stakeholder sectors. It was perhaps strongest among law enforcement officials who have forged effective cross-border institutional links such as the Integrated Border Enforcement Teams (IBETS) and, more recently, the Shiprider[47] program. What became clear is that relationships within the cross-border enforcement

Table 10: Key Factors[a] that Contribute to an Effective Border

Key Factors of an Effective Border	Mentions
Strong Cross-Border Relationships and Collaboration	11
Efficient Facilitation of Traffic	7
Adequate Infrastructure	5
Adequate Staffing	4
Attitude	4
Assured Security	4
Strong Stakeholder Involvement	4
Knowing your Clientele (Customers and Community)	3
Travelers Familiar with Procedures	2
Clear Defined Lines of Responsibility	2
Non Political, Community-oriented Agents	1
Policy Flexibility	1
Adequate Training for Biosecurity	1

Key Factors of an Effective Border	Mentions
Risk Assessment Based on Good Data	1
24 / 7 Operations	1
Rational Allocation of Manpower	1
Effective Implementation of Policy	1
Efficiency from Familiarity of Drivers / Firms	1
Trusted Traveler Programs	1
"When it's not a Barrier"	1
Physically Accessible Border	1
Access to Information Concerning Border	1
Consistency of Rules/Expectations	1
Nothing Mentioned	5

a: Some stakeholders responded with more than one factor

[47] Shiprider is a Canada-US agreement that creates joint law enforcement teams in shared waterways. Shiprider enables the RCMP and Coast Guard to cross train, share resources and personnel and utilize each others' vessels in the waters of both countries.

communities are deeper and more informal, and generally off the radar. A US border official stated that "…at the management level we meet a lot, and at the lower level we meet a lot. Can't talk about how often OFO (CBP's Office of Field Operations) meets with CBSA. I can tell you that the more we mesh the better." This view was echoed by a law enforcement colleague: "I think it is clearly close coordination with state, local, and federal officials, and there's really good lines of communication. When I was working in (another state), that wasn't necessarily the situation." Without question, the history of sub-national institutional cooperation between government officials in British Columbia and Washington has been important in fostering a collaborative culture. Having successful regional initiatives in place such as the Pacific Northwest Economic Region (PNWER), which focus on regional political and economic collaboration, and others with environmental, emergency management and transportation mandates have been important in preparing the groundwork for more widespread collaboration. One Canadian environmental official mentioned how the existence of these regional initiatives really

> "contribute to bringing together all of the stakeholders in a fashion that allows them to sort of have a comfort, a safe zone to be able to speak their minds: the spin off or result of that is educating each of the stakeholders on their different perspective and then by maintaining and strengthening those relationships, that is where we find that often we are able to make headway on long standing, entrenched issues."

Such cooperative relationships penetrate to the local level. Perhaps unique to the Cascade Corridor region is the web of personal relationships among business associations and planning groups at the county and municipality levels. As mentioned previously, the IMTC has become the gold standard for organizing a multitude of stakeholders across sectors to consider planning issues related to the border. An interviewee from the professional service provider sector highlighted the value of the IMTC:

> "The thing that is best about our border here is the IMTC facilitating, you know, just interaction between stakeholders. Given that there are so many stakeholders, so many interests, the ability to go every third Tuesday and sit down with CBSA and customs and other stakeholders and talk about things like emergency plans and highway construction and parking lot construction, weigh-in-motion sensors, newfangled technology we're going to roll out and that has made Cascadia …the number one source of pilot programs in America for new ideas, it's because we have

that great amount of cooperation with each other."

Not surprisingly, several stakeholders talked about an effective border in terms of efficient facilitation of traffic flows. A municipal official on the Canadian side said simply: "an effective border is a fast border, is an efficient border. It all comes back to that." Echoing this sentiment, stakeholders characterized an effective border variously as "easily accessible with limited wait times," "timely clearance," "the traffic flow—getting it to flow quicker." One theme evident in the responses of representatives from the business associations and professional service providers is how the region's economic lifelines stretch across the border and between the two countries. These respondents worried that business and trade considerations were not adequately factored into border management. Stakeholders expressed concerns that "effective" was being defined by DHS almost entirely as security with too little attention given to trade facilitation. Various stakeholders from both sides suggested that business activities required separate consideration, possibly in specialized stakeholder forums, and one even suggested a separate protocol at the border (a business class for the NEXUS program) that would be designed to accommodate business professionals.

Respondents who listed infrastructure as an important factor in effective border management typically referred to physical accommodations: lanes; truck and bus facilities, approach routes. Four respondents mentioned both staffing and attitude. Representative of the responses was this comment from a US trucking operator: "an effective border is having enough people in place to do the job properly, thoroughly." An official from the enforcement sector on the US side remarked: "Well, obviously for us, having the personnel for the agency, having staffing." On attitude, respondents emphasized the importance of a welcoming, "courteous" presence in the booth and a positive attitude toward business activity. A commercial operator said: "The first thing that comes to mind is attitude. The attitude the folks have up there toward commercial activity." Four interviewees also mentioned security, two of whom represented the community based organizations sector. Comments included: "Security is number one;" "It is a huge consideration from everyone that we be safe and secure;" "Security obviously;" "The important factor contributing to an effective border is some assurance that goods and people are legally entering and exiting the countries."

As can be seen in Table 10, there was a range of other factors mentioned. One conclusion that can be drawn is that emphasis on "people factors" combined with the qualities of regional uniqueness found in many of the other

factors implies that border effectiveness, from the perspective of stakeholders, is heavily dependent on regional and local standards of behavior and work. Although many of these factors related to effectiveness are not unique, they are heavily situational and thus may need to be considered as such in border management policy contexts.

The researchers asked stakeholders if there were attributes unique to the border in the Cascade Corridor region. The most common response was the physical geography of the area, followed by heavy movement of tourists across the border in both directions. The cultural diversity and connectedness of the border communities also garnered several mentions (see Table 11).

Stakeholders who referred to the physical geography of the region discussed the Cascades/Coast Range Mountains and various waterways confining movement along the north-south axis as well as the source of scenic attractions that contributed to the tourist draw of the area. Responses included: "the mountains, the scenery, the oceans;" "you know where the corridor is and that is really defined probably because of the Cascade Mountains;" "you have to look at the shipping, recreational boating, fisheries issues, whale watching, tourism, cruise ships, kayak companies." Some stakeholders discussed the physical geography in terms of the different modes of transportation required; one stakeholder from the community based

Table 11: Unique Attributes of Cascade Corridor

Attributes Unique to this Region	Mentions
Physical Geography	14
Extensive Two-way Tourism	6
Diversity of Border Region (cultural)	5
Cultural/Economic Interconnectedness	4
Small Community/ Close Relationships among Stakeholders	3
Asian Influence	3
Lack of Just-in-Time Integrated Trade	3
Layout and Proximity of Regional Infrastructure	3
Strong X-Border Institutional Links	3
Region Encourages Innovation	2
Population Concentration on Canadian Side	2
Urban Economic Corridor	2

Attributes Unique to this Region	Mentions
Smaller Trade Volume than East	2
More Bulk Commodities	2
Regulation Interpretation Variance	1
Becoming Less and Less Unique	1
I-5 Dope Corridor	1
Lack of Relationship between Bus Operators and Border Managers	1
"The border's a big deal here"	1
Adjacent Population Centers	1
Less Formal Business Culture than East	1
Regional Mindset	1
Region not Unique	3
Nothing Mentioned	3

organizations sector discussed the "remote mountain areas" making the job of enforcement more difficult for border and law enforcement agencies.

While mentions of the region's physical geography aggregated into the largest group based on *stakeholders'* wording, references to the cultural geography of the region were notable in accounting for its uniqueness. Stakeholders discussed two-way tourism that related to multicultural Vancouver, the overall cultural diversity of the area and the Asian influence. This cultural context combined with the physical grandeur of the region, in the minds of several respondents, made the area a magnet for tourists, itself a unique feature. Stakeholders discussed tourism in terms of the high number of day trips in the region and as the predominant reason why many people crossed the border. Stakeholders who discussed tourism as one of the unique attributes of the region mostly came from the policy, planning and administration and business and business associations sectors. One stakeholder in the tourism industry noted "one of the primary reasons that people cross the border is to participate in tourist related activities. That may not be the case in most border crossing across the rest of the country." An elected official on the Canadian side said: "I don't think they're coming here for commerce; our two areas are very beautiful. We are tourists. We're unique in the fact that—and I guess Niagara—in that small way, but we are going to visit each other's communities."

Most stakeholders commented, in one way or another, about the ethnic diversity of the region as an attribute. Stakeholders in the community based organization sector from British Columbia, in highlighting the diversity of the region, noted that translation services are available in 25 languages in Abbotsford. Continuing, one said: "We're all very unique in our customs." A commercial freight operator noted the border's proximity to Vancouver saying "you've got the Russians, East Indians, Chinese, Japanese, Hindus: the diversity of people here just because Canada's a melting pot and allow[s] everyone in. It's a lot more diverse here than it would be working at the southern borders is what I perceive." Border officials discussed the diversity in terms of the "international flavor" of the region and one pointed out how this posed a challenge to efficient inspections:

> "You do have that diversity, depending on what region of the world they're coming from, they require some additional services, I guess, and processing…it's almost like an international airport over here, the type of people you see coming across. Especially in Vancouver, there is such a diverse population up there. You've got the Asian population, and the Middle Eastern population up there; it's a

very diverse crowd there. They're crossing daily."

Stakeholders were asked whether or not the attributes unique to this region were being accommodated effectively. The responses overall were split between yes—the unique attributes were being accommodated effectively and no—the unique attributes were not being accommodated effectively. The researchers recorded slightly more negative than positive responses. Respondents from the policy planning and administration sector answered yes and no evenly, though two of the responses were somewhat vague: an elected official on the US side said "we're poised to do so" while a health official on the Canadian side answered "I think so." Commercial freight carriers either responded that no, the unique attributes were not being handled effectively or that they didn't know if they were or not. Stakeholders in the business and business association sector answered along national lines. US respondents did so positively, while those from the Canadian side did so negatively. It's important to note here how the stakeholders responded. While one American responded that all issues except those associated with railroad transportation were being handled well, the Canadian bus operators and tourism industry members responded strongly, saying "not really," "definitely not," and "not very well." Stakeholders in the community based organization sector all responded negatively citing that language and cultural barriers are not being handled well. A conclusion to be drawn from this is local and regional context—both demographically and physically—needs to be more effectively factored into border management processes.

PERCEIVED OBSTACLES TO IMPROVED BORDER MANAGEMENT

The next question (Question 10) dealt with perceived barriers to implementing programs and policies aimed at improving what respondents considered deficiencies in border management. The most common response was funding, followed by misalignment of policy and objectives at different levels of government, both unilaterally and across the border (see Table 12).

Stakeholders from all sectors viewed the lack of funding as a barrier to implementing improved border programs and policies, though what they thought funding was needed for was not uniform. One stakeholder in policy, planning and administration noted that additional funding was needed for physical infrastructure improvements, while a law enforcement official stated there was too little funding for investment in new technologies. One stakeholder from the business and business associations sector suggested

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Table 12: Perceived Barriers

Perceived Barriers	Mentions
Funding (for Infrastructure, Trusted Traveler Programs, Staff, etc)	11
Misalignments of Policy/Laws/ Objectives across Government Levels and across Borders	6
Entrenched Mindset of Federal Agencies	3
Bureaucracy	3
Balancing Trade and Security	2
Employment Issues (Unions, Civil Service Rigidity)	2
Infrastructure and Staffing	2
No Clout	2
Different Regulatory Regimes	1
People Lacking Correct ID	1
Nothing	1
Lack of Efficiency in People Movement	1
Processes are Still Developing	1
Media Sensationalism in US	1
Complexity	1
Nothing Specific	1
Commitment	1
Attitude	1
Lack of Collective Tribal Focus on Border Issues	1
Lack of Awareness of Other Side's Policies	1
Not Effective Communication of Services Offered at Border	1
Nothing Mentioned	3

increased private sector involvement would improve the border. Another suggested shifting duties among officials: "One way would be to shift some of their duties that are clerical. Hire a clerk that you're paying $15 an hour instead of a $30 an hour customs officer. Get him out doing his work instead of driving the desk." Overall, stakeholders did not have workable solutions to funding issues.

Stakeholders also pointed to certain policies as barriers to improvement. One policy, planning and administration stakeholder working in economic development said misalignment of policy objectives across different government levels was the major barrier to be overcome. Another echoed this sentiment saying the misalignment of priorities between federal governments was the chief barrier. An elected official from the US pointed to different laws and practices on both sides of the border, citing the transport of guns as an example. A law enforcement official echoed this concern saying that assisting law enforcement on the opposite side of the border has been an issue for eight years, and it revolves around "cross border carrying of firearms." In the arena of environmental regulation, differences between the federal governments were also seen as a problem for one stakeholder from the community based organizations sector:

> "I think that as long as you have different regulatory regimes, you're going to have some sort of difference (in) enforcement. Enforcing the endangered species act in Canada is different than enforcing endangered species in the US. Fisheries regulations are different in certain respects. Canadian

fisheries law are more draconian … than certain aspects of Washington State fisheries laws which have to go through interminable hearings; all that kind of thing. You have apples, oranges and kumquats over shared resources. Those are barriers even though (we) speak the same language."

Solutions to obstacles ranged from the need for increased dialogue to having federal governments issuing passports or passport-like IDs at birth to overcome ID barriers. One stakeholder in the tourism industry suggested a less political style of leadership might help. He/she said a leader able to overcome the bureaucratic hurdles is "somebody that doesn't have a political bent and can make common sense decisions, who's willing to stick their neck out. Fear created it (presumably a thick border), what sustains it is bureaucracy and people unwilling; they saddle themselves and marry themselves to positions."

OUTREACH

The researchers asked stakeholders if the US and Canadian border agencies reached out to their groups. Then, depending on the answer, the researchers asked how to improve the efficacy of outreach, or what form outreach should take (Questions 11, 12, 13). The responses indicated that many thought outreach was occurring, though many of those answering in the affirmative said outreach was limited (see Table 13).

Table 13: Does CBP/ CBSA reach out to your stakeholder group?

	Yes	Limited	Almost Never	No
US	9	1	1	10
CA	8	6	1	6

Three informants did not answer this question; one answered yes in relation to CBP and limited in relation to CBSA. Both the lack of response and double responses are reflected above.

The answers from the US stakeholders tend to be more polarized as explicitly yes or no, while Canadian stakeholders accounted for the majority of the "limited" responses. One stakeholder described limited outreach as "attempted outreach," while another said that existing outreach was only to "inform and promote programs," with little in the way of collaborative outreach. One stakeholder noted the "different outlook" between bus operators and the border agencies and said the border agencies reach out occasionally while the bus operators "try to engage them and tell them what we think without being a nuisance. We recognize they have an extremely difficult job in a crazy world." Of those who answered no (that outreach was not occurring), one commercial freight operator said he/she hasn't "been contacted in a long, long time." An official working

with health issues said "as far as health, they don't really reach out. We're kind of an afterthought." He/she continued by warning against giving the wrong impression: "[It's] better now than 10 years ago." Of those who responded emphatically that outreach was non-existent, two stakeholders working in a community based organization asked "do you think they're going to change something? We've never been contacted. We've been working here for 10 -12 years." One stakeholder associated with an importing and exporting business, when asked the question of whether or not the border agencies reached out for his/her input, responded: "…almost never. Matter of fact I would say they avoid doing it because they don't have any real authority to process." For this stakeholder, outreach was dependent on resources and the ability to act. His/her contention was that local agencies did not reach out because they have little control in setting or modifying the broader border regime and the functions used in its management. Doing so would drain resources from other tasks over which they have control.

Some of those who said the border agencies reached out were enthusiastic in their response. One border official stated: "I know we reach out," and then went into a lengthy description of exactly how his organization reached out to affected stakeholders. Others were less unequivocal referring to the IMTC as the best mode of outreach, or specifying one border agency as doing a better job of outreach than the other. Interestingly, among those specifying one agency over another, Canadians said CBP did a better job of outreach, while Americans said CBSA did a better job.

If the interviewee answered that the border agencies do perform some form of outreach, he/she was asked a follow up question on how outreach could be conducted more effectively. Stakeholders generally wanted more contact time with border agencies through meetings, though several were content with the status quo. Several gave no specific answer (see Table 14).

Table 14: If the answer is yes, how can the outreach be made more effective?

How can outreach be made more effective	Mentions
Regular Contact through Meetings	7
No Specific Answer	5
Content with the Status Quo	3
Minimize Bureaucratic Constraints	2
Educate the Public	2
Collaborative Planning	1
Better Marketing of Trusted Traveler Programs	1
Reach out to Professional Associations	1

Stakeholders wanted to "meet on a regular basis," and have a "more consistent procedure where input from the business community could be provided." One stakeholder from

the professional service provider sector, in discussing trade associations, local chambers of commerce and the IMTC, said "the outlets exist; they need to be used more efficiently." A customs broker noted that "I don't know how they could do it, [but] everything can be done more effectively. (It's) in their benefit to reach out to trade." One Canadian commercial freight operator answered: "my short answer is you can always do more. I don't mean that negatively, not a complaint. Just saying outreach is always a positive thing."

Other substantive suggestions were to minimize bureaucratic constraints and to educate the public as to how border programs and policies work. One trucking operator from Canada said: "maybe that's part of the problem too. We don't understand why customs do things the way they do." A member of a Canadian business association suggested "a couple times a year those people [border agencies] should come out and talk to the general traveling public and trucking companies." Informants from both the enforcement sector and the professional service providers discussed the need to minimize the bureaucratic constraints on the border agencies. One stakeholder discussed the issue this way:

> "Here's the problem with what they do and how they do it: they punted on the questions that they used to have local jurisdiction over, and so I think with this hardening of the borders, a lot of the overall jurisdiction for decision-making has been pulled back to places like Ottawa and Washington DC, and so we've seen less and less ability to deal with reasonable local border officials, with local solutions to local problems. That's the issue. Now, the reason that we're told that they've done this, is for consistency. You don't want to have it perceived that the Blaine crossing is one of the easiest ones to get across, and the one at Champlain Heights in Montreal is a really tough one. You give "evil-doers" an option to find the weakest link in the fence to sneak through. And that's what it's all about, I guess. The chain of command here in Blaine is Blaine Seattle, Seattle, DC, and the Seattle CBP district extends to the west shore of Lake Superior, and so it's quite large."

A border official echoed that sentiment:

> "Typically, at the locations you end up in this big bureaucratic process trying to track down who you can talk to, but a group like [IMTC] it's one-at-one, and (that forum allows for) them (to) know where you're coming from and what your limitations are, and I know what theirs are. So, I like to think that we're trying to be amenable to other stakeholders. Again, sometimes we'll have to get back

to our mission and our goal, and sometimes what they're asking us is just not attainable because of the nature of our job and what we're having to do."

Those interviewees who answered that border agencies do not reach out to their stakeholder groups were asked if they would welcome outreach, and if so what form they would envisage it taking. All stakeholders answered they would welcome outreach though one showed some skepticism as to how effective the outreach would be. Similar to the previous question that asked how the existing outreach could be conducted more effectively, stakeholders who felt there was no outreach overwhelmingly suggested that it occur in the form of regular meetings, contact and dialogue. One businessperson envisioned regular meetings, as well as a "stakeholder database to be disseminating information and to bring in other information that would include electronic transmission and printed documents." A commercial freight operator thought it might be helpful "if before they [border agencies] made changes they would have workshops, get a bit of the trucking community insight to help in the decision making process." He/she realized the border agencies may not act on these suggestions, but nonetheless wanted to be part of the process. One stakeholder suggested meetings be held on a quarterly basis. Others envisioned occasional informal meetings. A caveat expressed by most of the stakeholders was that outreach had to be a sincere two-way dialog between stakeholders and government or it would not be worth investing the time.

The only other answer that produced a cluster was interaction through professional associations, not too different from the meetings suggestion (see Table 15).

Table 15: If they answer is no, what form do you envisage the outreach taking?

Form of Outreach Envisioned	Mentions
Regular Meetings, Contact and Dialogue	15
Interaction through Professional Associations	4
Border Ombudsman	1
Clear Communication of Border Regulations	1
Build Relationships	1
Community Workshops (Diversity Training)	1
Any Form	1
Skeptical of Efficacy of Outreach	1

Stakeholders from the community based organizations sector saw improved outreach in terms of deeper relationships within the border communities. Two Canadian respondents suggested some form of diversity training workshops to be held on a regular basis. A US stakeholder representing a community organization

said: "I don't know if I welcome their outreach. In order to do outreach you have to have some kind of relationship. First, approach the community about what is the best way for them to report to us. They work for us." It's important to note here that these sorts of relationships were perceived to exist in some communities, as indicated by the numerous references to IMTC and other public-private groups, but community based stakeholders envision a widening of that community.

LESSONS FROM DIFFERENT BORDER REGIONS

Stakeholders were asked what could be learned from different places in the world that would help improve the workings of the Cascade Corridor border region (Table 16).

The responses were as varied to this question as they were to any other question in the interview. Most stakeholders, citing a lack of knowledge of other border regions in the world, simply replied they didn't know. Stakeholders in this group cited a lack of travel to other regions or evaded the question with vague answers. Many stakeholders mentioned the European Union as a possible model for North America to emulate, though most were openly skeptical of whether or not North America could ever attain the EU's 'borderlessness.' Responses referring to the EU clustered around the lack of [border] impediments to the

Table 16: Lessons to be learned from border regions in different parts of the world.

Response	Mentions
Nothing Specific	14
Nothing	4
People Movement from EU	3
Perimeter from EU	3
Balance of Security and Mobility	2
Borderlessness from EU	2
EU, but Skeptical of N. American Applicability	2
Greater Integration from EU	1
EU, though Nothing Specific Mentioned	1
Empowered Regionalism from EU	1
Intermodal Transport from EU	1
Efficiency from EU	1

Response	Mentions
Minimalism from Sweden / Norway	1
Holistic Biosecurity from N. Zealand / Australia	1
Infrastructure Planning from Southern Border	1
Status Quo is OK	1
Tech Biometrics	1
Criminal Justice from Shengen	1
Welcoming Attitude from Caribbean	1
Simplified Customs from Ireland	1
Bus Accessibility from Mexico	1
Openness from EU	1
Greater Transborder Mindset (Gulf of Maine)	1

movement of people and goods, and the efficiency of movement in comparison to North America. One trucking operator answered: "No more borders. What a wonderful idea," but then went on to say, "…except, everybody hates the US" He/she, like several others, worried that the end of borders would pose a severe security threat to the US. Several stakeholders expressed a desire for an external perimeter, similar to that of the EU, where people and goods pass inspection before entering North America, thereby obviating the need for the continent's internal borders.

Still, other stakeholders spoke of the Cascade Corridor region's superiority over others. Stakeholders from half of the sectors (enforcement, professional service providers and business and business associations) made this observation in various ways. One border manager stated that CBP "as far as a customs agency, is on the cutting edge of technologies and in trying to accommodate and facilitate." A business leader of a border community said:

> "I don't know of anybody that does it better than us. We have four crossings. I don't know where anybody does it better. It's always flow, flow. If you can handle the flow and let the flow go in and you have a super host as a receptionist. If you got all that going for you, there isn't a better border, isn't a better crossing internationally."

He/she continued, qualifying his/her answer somewhat: "…except to eliminate the border itself. First choice." A customs broker said "the world is learning from us," explaining that many of the post-9/11 programs, as well as the US risk analysis model, have been copied by other countries. Although not a sharp division, Canadians referred to the advantages of 'borderlessness' as represented by the EU more than did Americans.

FINDINGS

The findings of this study are based on the above analysis of how stakeholders view the border and the similarities in perspective that can be seen across sectors. While border experiences of the 46 stakeholders are diverse, common threads are evident and grouped into six categories.

1. **The Canada-US border serves a vital security function.**
2. **Customer service is an important aspect of border management.**
3. **Coordination/collaboration is highly important and should be encouraged to the greatest extent possible.**
4. **Privacy issues relating to IDs and screening are not the impediment they are perceived to be.**
5. **Scale and perspective matters in policy thinking.**
6. **Border officials and bus company managers agree that bus processing issues need to be addressed.**

1. The border is viewed as vital to security. When beginning this project, the researchers assumed that stakeholders from sectors other than enforcement would be skeptical of the value of hardened security measures instituted on the Canada-US border since 9/11. They expected that many stakeholders would take issue with the idea that the border itself was a necessary security instrument. This was largely not the case. An overwhelming majority of the stakeholders cited the need for the border as a security measure without critically questioning the efficacy of the border in carrying out this mission. This suggests that border users don't necessarily interrogate the border's conventional justification. Rather, the researchers found nearly all of the stakeholders supportive (often highly so) of the idea of the border as a vital instrument for enabling the federal governments to accomplish their "priority missions."[48] Stakeholders directed their criticism at the ways in which the functions used to accomplish those missions were carried out. This finding suggests that CBP and CBSA, as agencies charged with border security, enjoy a significant level of community buy-in within the region. At the same time, the analysis makes clear that there is a perceived need for changes in the ways these agencies carry out their operations in order to optimize border performance and minimize conflicts produced via the security protocols. One key aspect of border management where change is desired is what the researchers call customer service.

2. Customer service is an important aspect of border management. Though the idea of customer service has connotations of private sector business, this report does not suggest a privatization of border related functions and processes. Rather, regional stakeholders feel that border officials need to pay more attention to who they represent and work for, and endeavor to serve that constituency with the greatest possible efficiency and professionalism. This finding favors neither the security nor the facilitation aspect of federal border agencies' efforts. Both can and should be viewed from the perspective of customer service: providing security to the national populous is a public service, as is courteously and efficiently conducting border functions critical to crossers wanting to visit and do business in the other country. It is apparent from the documentation available on CBP / CBSA websites (especially CBP's) that security is viewed as paramount, while the reference to serving the public (see CBP's mission statement) is articulated in a less forceful way. This report finds that stakeholders in the Cascade Corridor region of Washington and British Columbia, though highly supportive of the border agencies' primary mission, are quite critical of the way it is carried out by officers on the ground. As stakeholders direct their criticism primarily at local level practice

[48] Two interviewed stakeholders were critical of the need for the existence of the border and its efficacy in achieving federal border managers' stated goals. Additionally, one stakeholder from the community based organizations sector in Canada was openly hostile to the border's existence, so much so that he refused to be interviewed.

rather than national policy, workable solutions appear possible.

This idea of customer service, as articulated by the interviewees, can be elaborated along several lines, most notably:

a. Attitude of border officials
b. Consistency of rules
c. Knowledge of and responsiveness to the local community's characteristics and needs
d. Dissemination of information and provision of services (including staff and training)

a.) While support for security initiatives at the border is high, stakeholders raised significant concerns about officers' behavior in the performance of their duties. As discussed in the previous sections, crossers from different sectors viewed officer attitude as either an aspect of border management that is not being performed well, or a hindrance to improvement in the workings of the border. Attitudes of officials were described in terms such as "overly aggressive," "obstinance," too prone to "unnecessary dialogue," "do they intend to shock," and "personnel issues." Several respondents pointed to the difference between a professional welcoming style and a style viewed as offensive. In making this point, one interviewee noted that although both approaches accomplish the job, "the little federal agent with the big gun mentality" is unnecessary. No doubt, the sheer burden of questioning crossers for hours on end contributes to such perceived attitude issues. From a different perspective, the abrupt tone officers sometimes use when questioning border crossers could be viewed as inspectors trying to ask their required set of questions quickly so as to clear the crosser, but without compromising their security-focused mission. One border official explained that border managers:

> ". . . tell the officers, get those cars out of there, push them out. So people may take the perception that he's being rude or abrupt, but he isn't—he just wants to get you out of there, so will ask you direct questions: where've you been; where've you gone; how long you will be down there; okay have a nice day. Okay, boom. Next."

Border officials further stated that when waits are long, supervisors tell officers stationed in booths to "cut to the chase" and speed things up. This description of operating practice isn't congruent with the experiences of many border crossers interviewed. For example, one businessperson told how a certain border official lectured a crosser who buys lottery tickets that he "can't buy lottery tickets in the US." Another Canadian resident who crossed frequently to visit his/her recreation property complained about extraneous questions from officials about why he/she felt the need to spend several

weekends and holidays in the US. He/she was particularly irritated because he/she spends thousands of dollars in the US. The researchers, while crossing the border to conduct interviews were themselves asked a range of questions such as where they lived, where they worked, what was the purpose of their trip (as opposed to simple destination and time queries) as well as superfluous questions. For example, border officials asked one of the researchers who owned the vehicle he was in, what would he do with his university degree, and whether or not the restaurant he visited was a good one. To be fair, the line-up was not more than 35 minutes long at the time of these last three questions, so it is possible the official's behavior took that into account. In any case, the inspection process would run more smoothly and security would not be compromised if the interaction was routinely conducted in the most professional way possible.

b.) Several stakeholders expressed frustration at the amount of variability in the implementation of border functions and procedures such as personal inspections, interpretation of requirements and the application of new rules that often appear on short notice. Several stakeholders in the tourism industry noted inconsistency in the screening of casual crossers. One noted "it would be nice if all of the officers and agents looked at things the same. One guy will want to do it one way and the next guy is more gung ho and wants to do it a different way." Stakeholders involved in the service sector who do business across the border were particularly adamant about knowing what to expect. As one accountant said: "tell me what the rules are and help me get the information to do the right thing." A common refrain was that inconsistent rules discourage business travel and contribute to strained relations. Some pointed out that a border that throws up roadblocks to business opportunities was dangerous because the "new economy" depended on greater cross border service transactions, not fewer.

c.) An aspect of customer service that came up often was the need for border agencies to better know the characteristics and needs of the community in which they serve, and to be more responsive to those needs. This need to "know your community" was mentioned in different ways and in different tones. A transportation planner referred to it as an aspect of an effective border, where officials understand the flows and alter their operations to facilitate those flows. He/she said border managers "have to understand customers' needs" and that "reaching the customer with good information (via) marketing is important." For other stakeholders knowing the community was a matter of cultural sensitivity. These stakeholders were not merely concerned with the possibilities of individual officers

causing offense; it was a matter of security and inspection efficiency as well. Without proper knowledge of non-Anglo border crossers' customs, officers would be less able to interpret the likelihood that the crosser posed a threat. Uncertainty on the officers' part also results in greater scrutiny and thus a less efficient inspection process. For example, certain cultures, such as Korean or East Indian, pay respect to people in higher positions of power by not looking them in the eye. The border officer, not being aware of his or her status, interprets this gesture as trying to hide something, and seeks to discover what is being hidden. A better knowledge of the communities with which officers deal on a regular basis would improve their ability both to improve security and facilitate movement through POEs.

d.) Stakeholders felt that a better system of disseminating information among the public was needed, as was enhanced ability to provide the specialized services required at the border. Improving information dissemination is, in part, a technical issue involving better signage on border approach routes, accurate wait-time data and quicker and more efficient distribution of new rules and regulations to brokers and shippers. It is also a matter of better public education as to how different programs and policies work vis-à-vis the US and Canadian publics. Improving delivery of services at the border involves slightly different problems and has been made more complicated by the consolidation of functions within each nation's single border agency. Border officers are tasked with more responsibilities than they were before. Such consolidation of responsibilities requires more generalized cross training for each individual officer to be flexible enough to fulfill the roles needed at any given time. For the most part CBP has done this, with on-the-job training before and after official training at the CBP academy, though in the eyes of stakeholders, the present regime of training is inadequate. Citing the lack of specialized knowledge of details related to work visas, some stakeholders called for the reinstatement of specialists known as free trade officers. In the new unified border environment, border officers must be generalists, with knowledge about rules and regulations covering many different fields. As a result, specialized knowledge is no longer the rule. Although the extent to which this impacts stakeholders is unclear, stakeholders from the professional services sector described numerous instances of people being denied legal entry based on officials' lack of understanding of highly specialized rules. Stakeholders mentioning the reinstatement of free trade officers cited the previous relationship these specialists had with the community. Relationships and stakeholder involvement facilitate greater coordination among different

parts of the community; these "people processes" form a kind of social infrastructure stakeholders in the region value.

3. Coordination is vital and should be encouraged to the greatest extent possible. Related to the need for border agencies to know the communities in which they serve, nearly all stakeholders expressed, in one way or another, a need for more and better coordination among agencies and actors. Responses came in several forms, although most related to improvement of existing outreach and the form improved or new outreach might take. In this connection, stakeholders saw greater opportunities for coordination through increased multi-actor communication. Lack of "real" dialogue between border managers and stakeholders was a constant theme. There was near consensus that what is needed is genuine two-way dialogue—where stakeholders' input into policies and practices is seriously taken into consideration. Many interviewees criticized after-the-fact information sessions geared to informing stakeholders about new rules as not productive, patronizing and for many in the business community, a waste of time. It is important to point out here that this expressed desire for greater dialogue among stakeholders did not detract from the perceived success of IMTC. Many interviewees singled this out as an important stakeholder forum and commented on the value of the group in providing effective communication channels across bureaucratic structures, agencies and levels of government. There was a distinct view that similar collaboration and networking should be encouraged to a greater extent across a wider expanse of interests. For instance, several stakeholders were either not aware that a forum such as IMTC existed or believed IMTC did not sufficiently cater to their interests. For those who were not aware of the group's existence, perhaps greater dissemination of its current projects and research and enhanced opportunities for stakeholder input on the issues the group is facing would aid in bringing more stakeholders into the dialogue. This brings up the question of how to expand a successful regional forum without jeopardizing its success or limiting its efficacy. Although beyond the scope of this study, further research on this question is highly desirable.

Stakeholders with interests outside the purview of IMTC also shared a desire to be included in cross sector dialogues on border management issues, though several noted that appropriate institutional infrastructure is not yet present. When asked what kind of infrastructure was needed, respondents' answers were generally vague and unspecific. One stakeholder from an environmental advocacy group pointed to the momentum generated by a recent cross border research conference. He/she noted that "if there is going to be

something done about the border, you need to reconvene the people who are interested," but in doing so, the "major players" at all levels of government need to be present.

Several stakeholders noted the need for greater inter-governmental coordination in specific policy fields. Physical infrastructure was seen as an area in which working together would increase efficiency and save both governments money. Several people favored joint infrastructure projects, which they believed would increase efficiency and save money. A customs broker stated that "any expansion of any port facility should be done with the US and Canada." In terms of policy, interviewees noted that alignment of policy processes was especially important. For example, it was pointed out that a joint credentialing system for health workers and emergency responders would streamline processes that spanned the border. A stakeholder from a Canada-based environmental advocacy group pointed to discrepancies in environmental regulations between the two countries. He/she noted dumping regulations for marine vessels differed in a way that permitted discharge in waters where just 100 meters away it was not permitted. In this case, the imposition of no discharge regulations did little to stop currents carrying the pollutants to the other side. A transportation planner succinctly summed up these concerns by saying that agencies on both sides of the border "should work together to make the whole system work."

The NEXUS program was cited as an example of successful coordination between the US and Canadian federal agencies. Applicants must pass eligibility requirements and risk assessments required by both countries in common before being enrolled in the program. Theoretically, a more thorough yet quicker risk assessment is possible for the general public along the lines of the NEXUS model, though privacy issues have been perceived as a sticking point.

4. Privacy issues are less important than expected. At the outset of this project, the researchers assumed that strong concern would be expressed over privacy issues related to enhanced screening capabilities utilizing new technologies such as biometric and RFID-enabled identification documents. Granted, we did not interview the general public on this issue. Among many stakeholders whom we interviewed, privacy was less of a concern than mobility. We found implied agreement with US border czar, Alan Bersin, who at a regional meeting in Bellingham, Washington in 2009, told stakeholders "If you get us the information, we'll do the rest to make the border work." Although a question of this kind was not asked in the interviews, the fact that no stakeholder raised privacy issues as a problem

is significant. When privacy did come up, the researchers raised it as a possible impediment to technologically enhanced screening processes. Two Canadians offered their thinking on screening and privacy. The first, an elected municipal official, mentioned putting a chip in his car broadcasting information such as the vehicle's VIN number, owner, insurance, the other licensed drivers in the house, as well as crossing information such as frequency and time of day. The information could be used as part of the risk analysis before the traveler arrived at the border. With a certain amount of information, border agencies should know to a degree of certainty who is in the vehicle and what their record of crossing looks like. Such knowledge could theoretically rule out inspections for the majority of travelers. This same elected official went on to say, "if you're not screwing up or behaving badly you won't care about privacy concerns." A Canadian stakeholder from the policy, planning and administration sector suggested retinal scans would be in order if they actually facilitated easier movement between the two countries. We heard from these same two people their view that if travelers were not breaking the law, what should be the worry about giving personal background information to the border agencies.

None of this is meant to suggest that privacy issues are not important to people on both sides of the border. What this finding suggests is frustration about border inefficiencies is so intense within stakeholder communities that there may be more 'political room' for deployment of high-tech screening processes than is commonly thought.

5. Scale and perspective matters in policy thinking. The researchers were intrigued by the way scale was reflected in the thinking of stakeholders. Scalar perspective is the level or scale at which problems are defined and ultimately addressed. Conventionally, the notion of scale as used in consideration of border policy issues refers to the level of government deemed most appropriate for dealing with a specific problem (see, for example, Sands 2009). Our use of scale refers to the level and comprehensiveness of policy thinking. We were struck by how some interviewees focused on issues at the micro/practical level, or what in classic policy analysis is referred to as incremental, whereas others focused at the comprehensive/systematic level (see Lindblom 1959). Stakeholders in conceptualizing problems and thinking about solutions had mindsets that reflected these different scales. Some interviewees focused on specific practical improvements that might better facilitate movement through the POEs, such as the layout of the staff parking lot at Pacific Highway or the southbound commercial vehicle lane in Sumas. In contrast to these interviews, other respondents focused

*Donald K. Alper and
Bryant Hammond*

on the border as part of a larger system, where the system as a whole needed to be taken into account to optimize performance at the border. This latter group, whom we labeled 'systems thinkers,' came mostly from the community based organizations and the policy, planning and administration sectors. Dealing with border issues from a more comprehensive, systems scale, their perspectives differed from those stakeholders whose concerns centered on the day-to-day operations of their business, shopping or recreational concerns.[49] Stated this way, this finding seems self-evident. However, attention needs to be given to its implications. These differing perspectives imply differing needs, which in turn lead to conflicting ideas as to how to address border issues. Border planners and managers must successfully negotiate the two. On the one hand, border infrastructure needs to be maintained and enhanced in co-evolution with the community that uses it. On the other hand, merely adding more lanes or booths is only a short-term solution to a larger, long-term problem. These differences in policy perspectives divided stakeholders into those who viewed functions at the border as a cost to be overcome, and those who viewed them as a vehicle to achieve broader collaborative goals.

With this in mind several of the 'systems thinkers' referred to the border in terms of the larger structure of which it is a part. One transportation official referred to the border as only a single point on a supply chain, noting "we are quite unique in that we have everything we need in a small West coast vicinity. We do have the opportunity to try different things, make it work, a secure corridor superimposed on a smart corridor." In this view, the border was a critical part within a larger system of mobility and production rather than something to be endured and dealt with when needed. A port official from the US saw coordination between federal governments from a systems perspective:

> "We need institutionalized systems, regular collaborative environments, in the long term [we] need much more rigorous and fair ways of determining what technologies are needed on the border and when we deploy technologies, [and to ensure] both sides of the border have access. That's the kind of [approach]… if you have a system of exchanges, and ways in which you can raise these kinds of concerns and opportunities, that can deal with all the various decisions that go along with joint sharing of technologies, before you start sharing the technologies. Right now the system doesn't exist: [it's] chaotic, opportunistic about what technologies are chosen. They're being deluged with stuff, everyone has a new gig and both sides are doing different gigs; [the]

[49] The distinction between borders as 'spaces of flows' (Castells 1996) and borders as fixed points in space makes a similar point. Borders as spaces of flows are part of a social system constructed around flows of information, technology, organizational interactions and symbols. From this perspective, policy changes need to be considered with the entire system in mind.

> long term picture is not just to look at the Blaine crossing, but [at the] whole Canada-US border as a system: freight crossing at multiple locations and people crossing at multiple locations."

He/she went on to emphasize that coordination between different agencies, especially when deploying expensive new technological infrastructure, should be done with the entire regional system in mind. In his/her mind, a long-range plan doesn't presently exist as the deployment of new infrastructure is haphazard and carried out incrementally by whichever agency has the ability within its mandate. Likewise, a US transportation planner saw the border as part of a larger system of mobility and argued that the biggest hindrance to improved mobility is how we think of POEs. An environmental advocate from the US likened the border to a point of transition between governments and regulatory jurisdictions. As such, he/she saw the border as an opportunity for collaboration with different groups that may have different perspectives and resources at their disposal. His/her suggestion for what should be done in the long-term supports this:

> "The hope that there is the kind of leadership to—hopefully it's not based on some kind of natural disaster or awful collapse of natural resources—the kind of leadership that comes out of an understanding of how the border can really function as a positive opportunity to do natural resource protection and to bring the jurisdictions together. In the long run . . . we don't pass laws, we don't enforce laws for the sake of enforcing them. We do them to protect the resources."

Stakeholders with incremental perspectives for the most part suggested concrete immediate fixes rather than more synoptic ideas for thinking about how the region as a whole interacts with the border. These suggested fixes were down-to-earth and tangible, and predominantly focused on improved physical infrastructure, more staffing and increased funding for better technology.

Of course, federal, state and provincial officials undertake long range planning, but the incrementalism and silo thinking that characterizes most border policy is viewed by certain stakeholders as shortsighted and unresponsive to the challenges and opportunities inherent in the region.

The solutions proposed by both groups are not necessarily mutually opposed, though they do present a challenge for planners. How do you build and at the same time strengthen a regional system of which the border is an integral part that takes into account the array of complicated planning problems related to transportation,

*Donald K. Alper and
Bryant Hammond*

security, supply chains and the use and abuse of technologies? The division we found between incrementalists and systems thinkers will not make this question an easy one to answer.

6. Strong agreement in favor of improving bus screening. In the Cascade Gateway, consisting of the four crossings of Peace Arch/Douglas, Pacific Highway, Lynden/Aldergrove and Sumas/Huntington, one port serves as the primary bus crossing: Pacific Highway.[50] When traveling southbound into the United States, buses line up and eventually pull into a circle where all the passengers must disembark with their luggage for inspection. The inspection process is similar to that of customs in an airport: passengers present their identification to an officer at a counter and have their baggage run through an x-ray machine. While each bus is filing through, an agricultural specialist walks around with a canine sniffing for contraband. On busy days in the summer, buses filled with tourists can wait for hours before they arrive at the turnaround. Through interviews with border officials, bus operators and others involved in the tourist industry, we found broad agreement that something must be done to speed up the inspection process while ensuring adequate security. Bus operators focused on finding a suitable method of screening passengers before the bus arrived at the border, a process they termed pre-clearance. During our interviews, border officials from both sides of the border mentioned that actions would be taken to improve the problem. At the time of writing, the researchers are unaware of any program of 'pre-clearance' for bus operators.

CONCLUSION

This study is based on the premise that the perspectives of stakeholders should be a major factor in the development and guidance of border policy. Too little attention has been paid to the concerns of border users and on-the-ground border officials in defining problems and advancing solutions. This study, it is hoped, is a step toward identifying ongoing problems and incorporating greater stakeholder input into critical border processes and policies in the future.

Our findings indicate numerous problems, but they also suggest pathways to workable solutions. Stakeholders were strongly supportive of the border as an integral part of both nations' security missions. Few questioned the legitimacy of security functions at the Canada-US border, though most respondents wanted improved efficiency and better customer service in the carrying out of predominant border functions. In the case of screening, border users were not opposed to it. They wanted it streamlined to take the pressure off the inspections process. Regulations were not perceived as a problem as long

[50] *Buses also cross at Sumas/Huntington.*

as they were known and consistent. Surveillance was not questioned; indeed some stakeholders wanted more of it to gather usable data to improve efficiency. Much of what was suggested involved *practice* as opposed to *policy*. Attitude issues implied the need for greater professionalism. Staffing and training concerns suggested greater efforts to rationalize personnel resources. Efficiencies in bus and truck operations at the border, although constrained by infrastructure, appeared doable with better planning and communication between these sectors and CBP and CBSA officials. Perhaps most important, the attributes of border crossers who make up the vast majority of the crossings are fairly well known and thus operations can and should be better tailored to this reality.

The researchers were strongly convinced that improved efforts by enforcement agencies to "know their community" would actually enhance security while improving overall relationships. Perhaps more than anything else, what this study highlighted was the importance of the local/regional context for effective border management. Cross-border regions, and especially the Cascade Corridor, have proven to be vital "laboratories" for trying out new programs and policies (PACE/NEXUS; IBETS, EDL, to name the most important). But problem solving and innovation have been possible because of the well-developed networks of relationships that have sprung up across sectors and borders over many years. Border management is the carrying out of functions that enable the broader security missions of both countries, and border management is embedded in a set of relationships that have formed to make the border work. No policy changes are needed to further expand and deepen these relationships. What is needed is greater outreach to stakeholders, further building on IMTC successes, better ways to link agencies across the border, and determined efforts to reduce uncertainty for business travelers, tourists and the general traveling public.

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*Donald K. Alper and
Bryant Hammond*

APPENDICES

Dear _____,

Thank you for agreeing to participate in the *Regional Stakeholders' Views on Improving Border Management* study. Enclosed you will find a brief statement on the Goals of the study and the questions we will be using. Our hope is to allow up to 60 minutes for the interview. Recognizing that this represents a heavy commitment of time on your part, we will remain flexible when scheduling the interviews.

The principal investigator for the project is Dr. Donald Alper, Ph.D, Director of the Border Policy Research Institute and Center for Canadian-American Studies at Western Washington University. The project is funded by a grant received from the Government of Canada, Department of Foreign Affairs and International Trade. The results of the study will be published as an academic paper and as a research report to be disseminated to border stakeholder groups, governments and researchers in Canada and the United States.

Your responses will be kept confidential. We will identify responses according to stakeholder type (ie., business association, municipal government, etc.) and note which responses are from Canadian and American stakeholders.

The findings from this study will be important in helping policy makers and border managers make decisions that optimize border performance. Because the goal of the project is to elicit the thinking of those most affected by the border's functions and operations, the study will help to better align border policy with the requirements and concerns of border users. Although focused on the Cascadia region, the project can be easily adapted for use in other cross-border regions.

Again, thank you for your willingness to be a part of this study and for your interest in improving Canada-U.S. relations.

Sincerely,

Donald Alper
Professor and Director
Border Policy Research Institute and Center for Canadian-American Studies

APPENDICES Cont.

Goals of the Study

Concerns have been expressed about Canada-US border management for many years, including the years prior to 9/11. Border crossers have complained that U.S. and Canadian authorities have been too slow to develop an efficient and modern border capable of handling increased people and commodity flows following the Canada-US Free Trade Agreement and the NAFTA. Since 9/11, these concerns have dramatically increased. The two federal governments' efforts to assure secure borders have made for slower border crossings and increased frustration for travelers and companies. Although few studies have focused on the attitudes and perspectives of local and regional stakeholders about border management, there is a great deal of anecdotal evidence indicating deep dissatisfaction. **Rather than focusing on the negative, the purpose of this study is to collect and examine constructive criticism from regional border stakeholders about what specifically they would like changed, as well as what they would like retained, in the ways the border functions.**

As stakeholders are in a unique position because of their on-the-ground experience with border issues, their insights on border functions and operations are especially important in implementing effective border management.

The principal goals of the study are to: **1**) seek out the best thinking at the local and regional level about border management processes **2**) identify best practices and the conditions which make them possible; **3**) determine if there are common areas of agreement among stakeholder sectors (e.g., business groups, government officials, etc.) and **4**) cross compare the views of stakeholders on both sides of the border.

*Donald K. Alper and
Bryant Hammond*

APPENDICES Cont.

Please answer the questions from the perspective of your stakeholder group, taking care to explain the reasoning behind such views.

Functions of the border

1. With respect to the operations of your stakeholder group, what significant functions are now being handled at the border?
2. What functions now performed at the border could be *accomplished away* from the border, with equal or better effect?
3. What functions do you want performed at the land border, and why?

Views on what has been done; and what should be done

4. What functions now being conducted at the border are being performed well?
5. What functions now being conducted at the border are not being performed well?
6. What, in your view, is hindering the performance of desirable functions?
7. If you were to identify one priority to be included in "future border plans" what would it be?
8. What specific things (list up to 3) should be done in the near term (6 months) to improve the workings of the border? What should be done in the long term?

Views on border management

9. In your opinion, what are the most important factors that contribute to an effective border? With respect to this (Cascade Gateway) region, are there particular factors that contribute to effective border management? How is this region unique from others? Are the unique attributes being accommodated effectively?
10. What barriers, if any, do you see to implementing programs and policies aimed at improving those factors you just named? How can these barriers be ameliorated?
11. Does DHS and/or CBSA reach out to your group for input as to policies that affect you and similarly situated stakeholders?
12. >If the answer is yes, could they do this more effectively? (please describe)
13. >If your answer is no, would you welcome DHS and/or CBSA outreach to your group? What form do you envisage possible DHS/CBSA outreach could take?
14. What could we learn from other places in the world that would improve the management of the border in our region?

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