

# **SMART BORDER ACTION PLAN STATUS REPORT**

On December 12, 2001, Canada and the United States signed the Smart Border Declaration and its companion 30-point Action Plan to enhance the security of our shared border while facilitating the legitimate flow of people and goods. The Action Plan has four pillars: the secure flow of people, the secure flow of goods, secure infrastructure, and information sharing and coordination in the enforcement of these objectives.

In September 2002, the Canadian Prime Minister and American President met to discuss progress on the Smart Border Action Plan and asked that the Smart Borders process be expanded to cover new areas of cooperation, such as biosecurity and science and technology.

This status report is the fifth since the signing of the Smart Border Declaration.

## **#1 BIOMETRICS**

Canada and the United States have agreed to develop common standards for the biometrics that we use and have also agreed to adopt interoperable and compatible technology to read these biometrics. In the interest of having cards that could be used across different modes of travel, we have agreed to use cards that are capable of storing multiple biometrics.

Our two countries have also worked with the International Civil Aviation Organization (ICAO) to approve and adopt international standards for the use of biometrics in travel documents. This international cooperation allowed ICAO to announce, on May 28, 2003, that the facial recognition biometric had been selected as the globally interoperable biometric. ICAO also certified two other biometrics for secondary use (iris recognition and fingerprints).

We have also begun to integrate biometric capabilities into new programs being deployed. To illustrate, the NEXUS-Air pilot program will evaluate iris recognition technology for facilitated entry to both countries and the Canadian Permanent Resident Card, designed with the capacity to store biometric images, is being evaluated to determine whether to add a biometric to it at this time. Further, Canada will begin issuing a "smart-chip" enabled passport, using facial recognition biometrics, by mid-2005. The United States has also made significant progress in deploying the US-VISIT program which uses fingerprint biometrics to identify foreign nationals traveling to the U.S. The US-VISIT program has been in place at all U.S. air and sea ports of entry since January 2004 and will be in place at the top 50 land border ports of entry by December 2004. The United States will begin pilot production of passports with embedded biometrics early in 2005. By the end of 2005, this important new security technology will be included in all new U.S. passports.

## **#2 PERMANENT RESIDENT CARDS**

On December 31, 2003, the Canadian permanent resident card became the proof of status document required by all Canadian permanent residents seeking to re-enter Canada. This card replaced the IMM 1000, which is no longer recognized as a document valid for travel to Canada by commercial means. The new Canadian permanent resident card contains a number of security features including laser-engraved photograph and signature that makes it one of the most fraud-resistant documents in the world. The card has been recognized by the International Card Manufacturers Association, winning the Elan Award for Technical Achievement.

### **#3 SINGLE ALTERNATIVE INSPECTION SYSTEM**

#### **NEXUS Highway**

The NEXUS Highway program is designed to simplify and expedite border crossings for pre-approved, low-risk travelers. As of February 1, 2005, the NEXUS Highway membership totaled approximately 75,213 participants. NEXUS Highway is currently operational at the following border locations:

- Douglas, British Columbia / Peace Arch, Washington
- Pacific Highway, British Columbia / Blaine, Washington
- Boundary Bay, British Columbia / Point Roberts, Washington
- Sarnia, Ontario / Port Huron, Michigan
  - A dedicated NEXUS-FAST lane on the Bluewater Bridge at Sarnia, Ontario / Port Huron, Michigan opened on January 5, 2004
- Windsor, Ontario / Detroit Michigan
  - Ambassador Bridge
  - International Tunnel
- Fort Erie, Ontario / Buffalo, New York
- Niagara Falls, Ontario / New York
  - Rainbow Bridge
  - Whirlpool Bridge (re-opened as a NEXUS-only crossing in March 2004)
- Lacolle, Quebec / Champlain, New York
- St. Armand-Phillipsburg, Quebec / Highgate Springs, Vermont

Two additional sites are scheduled for implementation, namely, Coutts, Alberta / Sweetgrass, Montana and the Queenston-Lewiston Bridge in Niagara Falls.

Plans are being developed to test the concept of urban enrollment centres in Seattle, Washington and Vancouver, British Columbia. To accommodate the need for modification of facilities, implementation is targeted for Spring 2005. In addition, hours of operation of NEXUS lanes and expansion of the program continue to be considered.

#### **NEXUS-Air**

On November 30, 2004, the two countries began piloting the NEXUS-Air program at Vancouver International Airport (VIA), British Columbia. NEXUS-Air uses iris recognition biometric technology (identifies an individual based on the unique pattern of their iris - the coloured ring around the pupil of the eye). NEXUS-Air shares the present CANPASS-Air enrolment centre at VIA, with minor modifications. These modifications include the addition of U.S. security systems for use by U.S. border officers during the interview process.

The CANPASS-Air kiosks already in place at the VIA Canadian pre-Primary Inspection Line will be shared by NEXUS-Air members to verify an individual's identity, their participation in the NEXUS-Air program and confirm their admissibility into Canada. NEXUS-Air has been installed at the U.S. preclearance area for use by NEXUS-Air members entering the United States. NEXUS-Air, as with NEXUS at the land border, is a program for pre-approved, low-risk travelers who are citizens or permanent residents of Canada or the United States.

#### NEXUS-Marine

The two countries are working to develop a NEXUS-Marine pilot in the Windsor/Detroit area for the Spring 2005 boating season. It is intended that pre-approved participants in the NEXUS-Marine program will be permitted expedited clearance when traveling by private boat into Canada and the United States.

### **#4 REFUGEE/ASYLUM PROCESSING**

In February 2003, Canada and the United States signed a Statement of Mutual Understanding (SMU) to allow the two countries to more effectively exchange information on immigration-related issues on a case-by-case basis. In August 2003, an Asylum Annex to the SMU was also signed to permit both countries to systematically share information on refugee/asylum claimants. This will help each country identify potential security and criminal threats and expose "forum shoppers" who seek asylum in both systems.

A bi-national working group has been meeting regularly to implement the systematic exchanges envisioned in the Asylum Annex. In August 2004, the working group agreed to study the feasibility of comparing biometric identifiers (fingerprints and facial recognition), in addition to a comparison of records based on biographical data. Detailed work to further define the requirements of a biometrics-based exchange is currently taking place. These exchanges of information will be in accordance with the privacy laws of both countries.

### **#5 MANAGING OF REFUGEE/ASYLUM CLAIMS**

The Safe Third Country Agreement which, once implemented, will allow both countries to more efficiently manage the flow of individuals seeking to access their respective refugee/asylum systems, will come into operation shortly. The Agreement covers two types of refugee/asylum claims: those made at land border ports of entry; and those made upon removal by one country while in-transit through the other country.

With respect to refugee/asylum claims made at land border ports of entry, the Agreement is bound by the principle of family re-unification in determining whether an individual would be exempted from the requirement of making a claim in the country of last presence. The Agreement also exempts unaccompanied minors arriving at land border ports of entry from being returned to the country of last presence. The Agreement clearly identifies that individuals making a claim in either country, whether in transit or at a land border port of entry, would not be removed to another country until a determination of that person's claim has been made.

Both countries have published their final Safe Third Country Regulations. Implementation of the Agreement will follow an exchange of diplomatic notes between the two countries.

## **#6 VISA POLICY COORDINATION**

Canada and the United States have agreed to enhance cooperation between our respective diplomatic and consular posts overseas, which will allow our officials to more routinely and more efficiently share information on intelligence and specific data concerning high-risk individuals. The two countries consult one another during the process of reviewing a third country for the purpose of either a visa imposition or visa exemption.

Canada and the United States share information to identify countries that pose security concerns with a view toward further cooperation on visa policy. In February 2002, the United States announced that nationals of Argentina would require a visa to travel to the United States. Since December 2001, Canada has announced that citizens of 11 countries, including Hungary, Saudi Arabia, Malaysia and Costa Rica, would require visas to travel to Canada. Canada has also modified the visa requirement for seafarers to deal with abuses. Currently, Canada and the United States have common visa policies for 175 countries, differing on only 18 countries.

Canada and the United States have initiated a comparison of non-immigrant visa processing. The goal of the comparison is to identify areas where convergence of the processes would enhance continental security and make corresponding recommendations on necessary changes.

## **#7 AIR PRECLEARANCE**

In support of the preclearance program, the two countries signed "The Agreement on Air Transport Preclearance between the Government of Canada and the Government of the United States of America" on January 18, 2001. It allows for the expansion of in-transit preclearance to other Canadian airports and also has provisions that modernize the regime governing preclearance.

Following a formal exchange of diplomatic notes on May 2, 2003, at a ceremony attended by the Canadian Ministers of Foreign Affairs and Transport and U.S. Ambassador Cellucci, the Canada-U.S. Agreement on Air Transport Preclearance was brought into force. The Agreement replaces the 1974 Air Transport Agreement and clearly identifies the authorities of U.S. preclearance officers.

Preclearance is currently offered at the following Canadian airports: Vancouver, Edmonton, Calgary, Winnipeg, Toronto, Ottawa, and Montreal. Canada and the United States have also determined that U.S. preclearance facilities will be expanded to the Halifax International Airport as soon as the new facilities are completed.

## **#8 ADVANCE PASSENGER INFORMATION / PASSENGER NAME RECORD**

Canada implemented its Passenger Information System (PAXIS) at Canadian airports on October 7, 2002, to collect Advance Passenger Information on individuals travelling to Canada and began the implementation of the Passenger Name Record (PNR) component of PAXIS on July 8, 2003.

Canada and the United States have agreed to share API and PNR information on high-risk travelers destined to either country using a jointly developed risk scoring mechanism. The first phase of this exchange was implemented on August 10, 2004. An automated process to share lookouts between the two countries was implemented on February 6, 2004. Work is underway to develop an automated process exchange of immigration lookouts between the two countries. Implementation is scheduled for Spring 2005. The sharing of lookout information is managed on a 24/7 basis through Canada's National Risk Assessment Centre (NRAC), which became operational in Ottawa, Ontario, on January 12, 2004 and the U.S. National Targeting Center (NTC) located in Washington, D.C.

#### **#9 JOINT PASSENGER ANALYSIS UNITS**

Canada and the United States agreed to a co-location of customs and immigration officers in pilot Joint Passenger Analysis Units (JPAU) to more intensively cooperate in identifying potentially high-risk travelers.

JPAU pilots located in Miami International Airport, Florida and Vancouver International Airport, British Columbia concluded in January 2004 when the National Risk Assessment Centre (NRAC) and the National Targeting Center (NTC) in Washington, D.C. assumed responsibility for the sharing of information activities.

#### **#10 MARITIME SECURITY AND FERRY TERMINALS**

In May 2002, Canada and the United States completed a marine benchmarking study to enhance Canadian and U.S. border security and contraband interception.

A joint Canada-U.S. team reviewed customs and immigration practices and procedures at the ports of Vancouver (British Columbia), Montreal (Quebec) and Halifax (Nova Scotia) in Canada and Seattle-Tacoma (Washington), Miami (Florida) and Newark (New Jersey) in the United States. The team developed 42 recommendations of varying complexity. As of early February 2004, each of the 42 recommendations, within the scope of the participating organizations, was confirmed as either in progress or entirely addressed.

On July 1, 2004, Canada and the United States began enforcing new marine security requirements under the International Maritime Organization's International Ship and Port Facility Security (ISPS) Code. The new requirements, which include the completion of security assessments and security plans, are aimed at protecting international shipping from the threat of terrorism.

Canada and the United States have worked closely to ensure the effective implementation of the new security requirements. In signing a bilateral agreement, the two countries have agreed to provide reciprocal recognition and acceptance of each other's approved vessel security plans. In practice, this means that Canadian-flagged vessels that meet Canadian security requirements can enter American harbours and American-flagged ships that meet American requirements can enter Canadian harbours. This harmonization not only enhances the safety and security of the two countries' transportation systems, but also serves to ensure the continued flow of goods across the border.

In addition, Canada and the United States have been working together to effectively operationalize the ISPS Code. A Memorandum of Understanding between the United States Coast Guard (USCG) and Transport Canada has allowed for USCG officers to observe the Canadian verification of foreign-flagged vessels at the Port of Montréal as they are entering the Great Lakes St. Lawrence Seaway system. This MOU aids in the flow of trade in the shared Seaway System, and will also promote the exchange of professional knowledge in operational matters and improve interoperability in the marine environment related to marine security.

#### **#11 COMPATIBLE IMMIGRATION DATABASES**

Canada and the United States have held a series of discussions on the creation of compatible immigration databases to facilitate systematic information exchange. The most recent such meeting took place in Ottawa in October 2004. The discussions have centered on the types of information to be shared and the supporting technological infrastructures. Canada has described how the development and system-wide implementation of a new Global Case Management System for processing clients across the immigration continuum will greatly improve its ability to manage immigration information. The United States has outlined their plans to improve its technical systems based on collaborative enterprise architecture.

#### **#12 IMMIGRATION OFFICERS OVERSEAS**

Canada has deployed 45 immigration officers, called Migration Integrity Officers (MIOs) to 39 key locations overseas. MIOs work with government departments, international departments, local immigration and law enforcement agencies and airlines to combat irregular migration including people smuggling and trafficking of illegal migrants to North America.

The work of these officers resulted in an interdiction rate of 72% in 2003. This means that of all attempted illegal entries by air, 72% (or over 6,000 individuals) were stopped before they reached Canada.

The United States recently announced a similar program, called the Immigration Security Initiative (ISI). The United States will place ISI officers overseas at specific airports in order to decrease the number of people arriving in the United States with false documents. To date, four ISI officers have been deployed on a temporary basis to Schiphol Airport in The Hague, Netherlands. Cooperation with Canadian MIOs is significant and beneficial.

Canadian and American immigration officers work with international partners overseas to collaborate on the interdiction of improperly documented travellers. In several higher risk airports around the world, arrangements are in place to ensure that airlines have constant support from immigration document specialists to enhance their screening of international travellers. Both Canadian and American overseas immigration officers operate under the guidelines for airline liaison officers developed by the International Air Transport Association / Control Authorities Working Group.

#### **#13 INTERNATIONAL COOPERATION**

Canada and the United States both recognize the importance of technical assistance to developing countries as a means to improving international security. For this reason, the

two countries continue to work together to provide technical assistance to developing nations in the form of improving document integrity, providing expertise on border controls, and joint training. Joint interdiction exercises and joint training programs assist countries in combating document fraud and irregular migration. In addition, Canada and the United States have conducted joint presentations to our partners to promote our border management strategy internationally.

Canada organized Border Management Symposiums for countries belonging to the Asia-Pacific Economic Cooperation (APEC) and the Organization of American States (OAS). The symposiums showcased aspects of Canada-U.S. border cooperation that could be applied internationally. Canada and the United States continue to cooperate to advance smart border principles internationally through various multi-lateral institutions, such as the G-8 Secure and Facilitated Travel Initiative (SAFTI), and the International Maritime Organization where Canada and the United States provided leadership in establishing the International Ship and Port Security Code now in force world-wide.

#### **#14 HARMONIZED COMMERCIAL PROCESSING**

Canada and the United States have established a joint program, known as the Free and Secure Trade (FAST) program, designed for pre-approved importers, carriers and drivers to expedite the movement of low-risk shipments across the border.

FAST is currently operational at 19 of the highest-volume land border crossings along the Canada-U.S. border:

- Stanstead (55), Quebec / Derby Line, Vermont
- St. Armand/Philipsburg, Quebec / Highgate Springs, Vermont
- Lacolle, Quebec / Champlain, New York (A southbound dedicated FAST lane opened on April 18, 2004.)
- Lansdowne, Ontario / Alexandria Bay, New York
- Queenston, Ontario / Lewiston, New York
- Fort Erie, Ontario / Buffalo, New York
- Windsor, Ontario / Detroit, Michigan (A dedicated FAST lane opened on the Ambassador Bridge on November 1, 2004)
- Sarnia, Ontario / Port Huron, Michigan (A dedicated NEXUS-FAST lane on the Bluewater Bridge at Sarnia, Ontario/Port Huron, Michigan opened on January 5, 2004.)
- Emerson, Manitoba / Pembina, North Dakota
- North Portal, Saskatchewan / Portal, North Dakota
- Coutts, Alberta / Sweetgrass, Montana
- Pacific Highway, British Columbia / Blaine, Washington (A southbound dedicated FAST lane opened on October 22, 2004.)
- Osoyoos, British Columbia / Orville, Washington
- Fort Frances, Ontario / International Falls-Ranier, Minnesota
- Cornwall, Ontario / Massena, New York
- Sault Ste Marie, Ontario / Sault Ste Marie, Michigan
- Prescott, Ontario / Ogdensburg, New York
- Woodstock, New Brunswick / Houlton, Maine
- St. Stephen, New Brunswick / Calais, Maine

In addition, discussions are ongoing on the creation of more dedicated FAST lanes at other key border crossings.

FAST driver enrolment centers are operational at the following ten locations:

- Woodstock, New Brunswick / Houlton, Maine
- Stanstead (55), Quebec / Derby Line, Vermont
- Lacolle, Quebec / Champlain, New York
- Windsor, Ontario / Detroit, Michigan
- Fort Erie, Ontario / Buffalo, New York
- Sarnia, Ontario / Port Huron, Michigan
- Emerson, Manitoba / Pembina North Dakota
- North Portal, Saskatchewan / Portal North Dakota
- Coutts, Alberta / Sweet Grass, Montana
- Pacific Highway, British Columbia / Blaine, Washington

To facilitate FAST driver enrollment, a mobile portable enrollment centre is being developed to allow FAST drivers to pick up their FAST cards at inland locations.

Advance cargo reporting is about getting the right information at the right time in order to make informed decisions about whether to examine shipments before they arrive in North America or at the first point of arrival. The United States and Canada have implemented 24-hour advance cargo notification for the marine mode. Roll-out of advance notice requirements to the other modes of transportation is underway.

Canada and the United States are working closely to harmonize commercial processing and risk assessment processes. To date, there has been significant harmonization on timeframes for advance cargo reporting, data elements and risk assessment methodologies, criteria and scoring. Canada and the United States are now working closely to ensure that Canada's Advance Commercial Information (ACI) initiative and the U.S. Container Security Initiative are harmonized to the greatest extent possible. In October 2004, Canada committed to partner with the United States in their Container Security Initiative, including the deployment of Canada Border Services Agency officials to a foreign marine port by April 2005 to assist in the targeting and verification of shipping containers destined to North America.

## **#15 CLEARANCE AWAY FROM THE BORDER**

### Land

In October 2004, Canada and the United States announced a joint plan to engage stakeholders in a discussion on commercial pre-screening that would enhance traffic flow and security at the Fort Erie-Buffalo Peace Bridge. The two countries have also agreed to work with stakeholders to examine a pilot on full preclearance at the same crossing, with appropriate legislative changes to enhance inspection authorities. These consultations have begun. The bilateral working group continues to make progress on this issue.

### Rail

The Canada Border Service Agency (CBSA) and the U.S. Customs and Border Protection (CBP) continue to work cooperatively with industry partners on the goal of



improving security and facilitating the flow of trade goods by rail. CBSA and CBP signed a Declaration of Principles with Canadian National Railway and Canadian Pacific Railways on April 2, 2003 that confirms roles and responsibilities. A Protocol Document was signed in February 2004 between the CBSA and CBP, which outlines the conditions under which the CBSA will undertake examinations on behalf of CBP. The 2003 Declaration of Principles sets out a framework for the installation of a total of nine examination points for cargo destined to the United States by rail using detection equipment known as Vehicle and Cargo Inspection System (VACIS). VACIS equipment has been installed at seven rail gates in the United States. Installation of the VACIS system in Canada at the Sarnia site was completed on October 31, 2004 and Windsor is expected to be completed in summer 2005.

## **#16 JOINT FACILITIES**

Joint facilities are shared Canadian and U.S. facilities that straddle the border. These facilities exemplify the partnership of the two countries and commitment to ensure that our shared border is efficient and secure. Decisions made with respect to joint facilities are closely linked to the initiatives of the Smart Border Action Plan item #15 Clearance Away from the Border.

Canada and the United States have established joint facilities at the following six locations:

- Noyan, Quebec / Alburg Springs, Vermont
- Climax, Saskatchewan / Turner, Montana
- Coutts, Alberta / Sweetgrass, Montana
- Carson, British Columbia / Danville, Washington
- Osoyoos, British Columbia / Orville, Washington
- Little Gold Creek, Yukon / Poker Creek, Alaska

Consideration is being given to other locations where joint facilities may be feasible, particularly small, remote ports of entry in rural areas.

## **#17 CUSTOMS DATA**

Canada and the United States are committed to sharing information to enhance protection and compliance and to facilitate trade while respecting the privacy rights of citizens and companies. Since the events of September 11, 2001, the two customs agencies have developed new or modified existing arrangements to the sharing of custom data.

- **Fraud Agreement:** In December 2001, Canadian and U.S. customs agencies signed the Co-operation Arrangement for the Exchange of Information for the Purposes of Inquiries Related to Customs Fraud.
- **NAFTA Agreement:** Co-operation was further extended on April 23, 2003 with the signature of the Memorandum of Understanding on the exchange of NAFTA data, including NAFTA-related advanced rulings, results of origin determination, audit plans, and audit reports.
- **Statistics Agreement:** In 1987, Canadian and U.S. statistical and customs agencies agreed to exchange data covering each country's imports from the other to permit the partner country to compile its export statistics. This MOU is being amended to allow for the exchange of in-transit data.

Both Canada and the United States continue to work toward further improving the processes for exchanging information to address security and enforcement needs.

### **#18 IN-TRANSIT CONTAINER TARGETING**

Inter-modal marine containers comprise approximately 90% of all cargo moved globally. Two hundred (200) million containers are presently in service worldwide. Approximately 500,000 Twenty-foot Equivalent Units (TEU's) imported into Canada continue in-transit to the United States. Approximately 200,000 TEU's imported into the United States move in-transit to Canada.

Canada and the United States are working together to improve container security by jointly targeting high-risk containers at the first point of arrival in North America. Joint targeting teams were created at five marine ports in March 2002. American customs inspectors are stationed at Vancouver, Halifax, and Montréal, and Canadian customs inspectors are stationed in Seattle-Tacoma and Newark.

Electronic transmission of advance manifest data using the U.S. Bureau of Customs and Border Protection Automated Targeting System (ATS) for the marine environment has been implemented in marine targeting units in both Canada and the United States. The data extracted from the system by the CBSA is provided to the United States for targeting in-transit shipments. This is an interim measure while Canada develops its own system, which is due to be released shortly. This will not only enhance our targeting capabilities and streamline our examination process but will also provide a valuable experience base for the development of the Canadian system.

### **#19 INFRASTRUCTURE IMPROVEMENTS**

Both the Canadian and American governments have committed significant funds for border infrastructure. The Government of Canada has provided \$665 million under the Border Infrastructure Fund and the Strategic Highway Infrastructure Program for physical and technological improvements at the six busiest border crossings (Windsor, Sarnia, Niagara Falls and Fort Erie in Ontario; Douglas, British Columbia; and Lacolle, Quebec), and other key regional crossings (e.g., St. Stephen, New Brunswick). The United States Transportation Efficiency Act for the 21st Century also funds transportation projects along U.S. corridors and at border points along the Canada-United States border.

New infrastructure investments will serve to facilitate the secure and efficient movement of people and goods across the border as well as amplify the benefits of the FAST and NEXUS programs, for example through dedicated lanes for commercial and passenger vehicles at key border crossings.

Canada and the United States are working together to model traffic flows at key border crossings through computer simulations. A bi-national border infrastructure/modeling group was established to analyze border congestion. Border modeling will ensure that border infrastructure investments are put to the most effective use.

### **#20 INTELLIGENT TRANSPORTATION SYSTEMS**

Technology is being leveraged wherever possible to ensure the free and secure movement of people and goods across our borders. From biometric readers, through automated targeting systems, to modeling traffic flows at the border, technology serves

as an important enabler for implementing the most efficient risk management approach to border security.

In addition, Canada and the United States have initiated the Border Information Flow Architecture that, when complete, will provide guidance to all agencies implicated in border activities on how they may ensure the integration of systems and advanced technologies being used by those agencies, where appropriate. Assuring that all systems can work together should help to improve the efficiency and effectiveness of border operations and, as well, could help reduce costs to both commercial carriers and border agencies alike through the reduction of duplication of systems and hardware. Canada and the United States are working towards mutual recognition of security clearances and credentials of transportation workers. For example, Canada and the United States are studying the possible use of the FAST Card as the credential for hauling of dangerous goods. Canada and the United States will also explore recognition of respective background checks as equivalent for the purpose of granting transportation security clearances.

## **#21 CRITICAL INFRASTRUCTURE PROTECTION**

Canada and the United States have created a bi-national steering committee and have developed a joint framework for cooperation on critical infrastructure protection (CIP) to assess threats to our shared critical infrastructure and ensure ongoing, high-level focus on the issue by both governments. The steering committee meets bi-annually bringing together Canadian and American representatives from key CIP sectors.

The Department of Public Safety and Emergency Preparedness Canada (PSEPC) and the U.S. Department of Homeland Security (DHS) have developed a joint framework for action, which includes specific CIP measures. The Canada-U.S. steering committee is the forum for addressing this action plan, including the conduct of joint vulnerability assessments, identification of trans-border critical infrastructure, and information sharing. At its meeting in October 2004, the steering committee agreed to restructure the sector working groups to focus on six key priority areas: energy, transportation, telecommunications, cyber security, interdependencies and threats and warning. Leveraging work already done, the working groups will identify priority tasks and clear deliverables for implementation of the action plan.

The Energy Working Group has conducted vulnerability assessments modeled after the DHS Site Assistance Visit methodology of shared oil and gas pipeline systems and electrical generation and transmission facilities. Four pilots were completed in 2004 and next steps include the development of a bi-national vulnerability assessment methodology using lessons learned from the pilot projects. Canada and the United States continue to work together to implement the recommendations resulting from the Canada - U.S. Power Outage Task Force addressing the 14 August 2003 blackout. Both governments have been working closely with the North American Electric Reliability Council (NERC) to take concrete measures to increase the reliability of the electricity infrastructure through the development and implementation of standards and addressing vulnerabilities. The collaboration between the two governments and the energy sector is a concrete example of the level of cooperation between Canada and the United States in Critical Infrastructure Protection and assurance.

Under the auspices of the CIP Steering Committee, Telecommunications Working Group, the Civil Emergency Planning Telecommunications Advisory Committee has fostered cross-border cooperation and planning for the protection and restoration of the telecommunications infrastructure. Several key initiatives have furthered these objectives, including the implementation of a wireless priority service in Canada with interoperability between the two nations, and expanded information sharing through the Critical Infrastructure Warning Information Network, and the expansion of the U.S. Government Emergency Telecommunication System (GETS) to include Canada. The CIP Steering Committee has now established a working group on cyber security. Co-chairs have been identified and a mission, work plan with specific objectives, and milestones will be drafted for submission to the Steering Committee. In close cooperation with the Telecommunications Working Group, the Cybersecurity Working Group will address common issues and will expand on collaborative international cyber security efforts already existing between the two countries with respect to the Organization of American States (OAS), the Asia Pacific Economic Cooperation (APEC), and Europe.

The Transportation Working Group has completed a pilot vulnerability assessment and is working towards developing a framework for the identification of land, air and sea critical infrastructure, sharing of tools and methodologies and the conduct of priority vulnerability assessments.

U.S. dam owners near the border are also working directly with their Canadian counterparts as the need arises. The state of Washington recently held a full-scale homeland security exercise involving a Seattle City and Light dam with Canadian participation. New York Power Authority (NYPA) also recently held a full-scale exercise with its counterparts at Ontario Power Generation (OPG) regarding security. NYPA and OPG share common facilities in the Niagara area and as such work together to ensure similar security coverage. These two organizations also coordinate operational activities along the St Lawrence River.

## **#22 AVIATION SECURITY**

Canada and the United States have agreed to recognize each other's national standards for security in airports and on board flights, and to coordinate measures that are essential to protecting our citizens. With the creation of the new federal transportation security agencies and the augmentation of existing departments, the two governments have strengthened their respective capacities to set regulations, review standards, and monitor and inspect all air security services. The two governments have also assumed direct responsibility for security standards, and will work to identify best practices with a view to improving them.

Advance Passenger Information/Passenger Name Record data is important to enhancing aviation security, and can be used to identify prospective passengers who present a risk to aviation security before they board a flight. Canada has recently passed legislation that enhances the government's capability to use airline passenger information, including development of a specified persons list for all flights - international and domestic. Importantly, the legislation contains provisions to protect privacy and assure appropriate accountability. As with immigration screening at our ports of entry,

Canada and the United States are cooperating in identifying high risk individuals who present a threat to aviation security.

The United States and Canada have created a bilateral steering committee and developed joint terms of reference for cooperation on transportation security issues and to ensure ongoing, high-level focus by both governments. The U.S./Canada Transportation Security Cooperation Group meets bi-annually to review ongoing work of bilateral working groups in areas such as aviation screening of precleared passengers and checked baggage, and air cargo security.

Canada and the United States have shared methodologies to address the issue of Man-Portable Air Defense Systems (MANPADS) - ground to air shoulder fired missiles. Vulnerability assessments have been conducted in both countries with combined teams. We are also working jointly to ensure compatible approaches to enhancing the security of air cargo. The United States and Canada continue an ongoing dialogue to share best practices.

### **#23 INTEGRATED BORDER AND MARINE ENFORCEMENT TEAMS**

The Integrated Border Enforcement Team (IBET) is a bi-national, multi-agency program that emphasizes a harmonized approach to Canada-U.S. efforts on targeting possible cross-border criminal and terrorist activities. IBETs combine law enforcement, customs and immigration representatives from both countries, as well as the U.S. Coast Guard. With the implementation of the new IBET in the Sault Ste Marie region announced in October, 2004, there are now 23 IBETs operating in 15 strategic geographic regions along the land border. These teams enhance the integrity of our shared border by identifying, investigating and interdicting persons and organizations that pose a threat to national security or are engaged in organized crime or other criminal activity.

In 2003-2004, forty-five national security cases came to light as result of IBET cooperation, which provided information to ongoing national security investigations. IBETs have also effectively disrupted smuggling rings, confiscated illegal drugs and weapons. Canada and the United States have chosen to co-locate intelligence units within their respective IBET teams at four sites, comprising two in each country. Dedicated intelligence staff from both countries are being posted to these four locations in order to provide timely and accurate information to other IBETs and federal agencies. A new governance approach is now being implemented through the International Joint Management Team. The team was designed to advance ongoing issues and to strengthen the coordination between Canadian and American enforcement agencies.

### **#24 JOINT ENFORCEMENT COORDINATION**

With the signing of the Letter of Intent on Radio Communication Interoperability on October 14, 2004, between the Department of Public Safety and Emergency Preparedness Canada and the Department of Homeland Security, the foundation is laid for greater cooperation and planning of interoperable radio communications for the purposes of Joint Enforcement Coordination. The Letter of Intent directs officials to seek improvements, enhance and initiate cross-border radio communication operations, thereby increasing public and officer safety.

The issue of cross-border radio communications was also addressed at the 8th annual Cross-Border Crime Forum (CBCF), which took place on October 21-22, 2004. The

Canadian Minister of Public Safety and Emergency Preparedness and the U.S. Attorney General continue to work with senior officials representing law enforcement agencies, prosecuting authorities, customs, immigration and intelligence agencies in addressing transnational crime problems such as smuggling, organized crime, mass marketing fraud and other emerging cross-border issues, including terrorism. The CBCF focuses on resolving obstacles and impediments, primarily with regards to policy, regulations, and legislation, faced by law enforcement and justice officials in successfully addressing cross-border crime.

At the October 2004 CBCF, several new initiatives were announced, including the preparation of a joint threat assessment on human trafficking and a working group aimed at streamlining access to records of financial institutions and Internet service providers for use in criminal investigations and prosecutions.

## **#25 INTEGRATED INTELLIGENCE**

The Government of Canada has established Integrated National Security Enforcement Teams (INSETs), which will include representatives from federal enforcement and intelligence agencies, as well as international law enforcement partners such as the United States, on a case-by-case basis. Canada has also been participating since April 9, 2002, in the U.S. Foreign Terrorist Tracking Task Force (FTTTF) in Washington, D.C., to detect, interdict, and remove foreign terrorist threats. Joint Terrorism Task Forces, led by the U.S. Attorney's Offices along the border, also work closely with Canadian authorities on appropriate matters of counter-terrorism strategy and national security interest.

Public Safety and Emergency Preparedness Canada (PSEPC) and the U.S. Department of Homeland Security (DHS) are working in coordination to establish and maintain secure voice, secure fax and secure video links. The U.S. Homeland Security Operations Center (HSOC) and the Canadian Government Operations Centre (GOC) successfully tested the interoperability of secure voice and fax in early October and will continue to do so on a monthly basis. The U.S. is developing a process to share terrorist threat information through the U.S. Homeland Security Information Network (HSIN) on the Joint Regional Information Exchange System (JRIES) international system.

## **#26 FINGERPRINTS**

Canada and the United States have shared fingerprint and criminal record information for over 50 years. With the signing of the Memorandum of Cooperation on December 17, 2002, the RCMP and the FBI have implemented an electronic system for the exchange of criminal records information, as well as fingerprints, using a standard communication interface. This new cutting edge technology allows fingerprints to be electronically recorded then transmitted and instantly verified against other databases in both countries. Testing of the new interface was a success and will enhance real time delivery of data in the future.

## **#27 REMOVAL OF DEPORTEES**

Canada and the United States continue to work closely together in removing high-risk individuals to source countries in an expeditious and effective manner. Since September 2001, Canada and the United States have conducted 12 joint operations, resulting in the removal of a total of 898 individuals from the two countries.

## **#28 COUNTER-TERRORISM LEGISLATION**

President Bush signed the Patriot Act on October 26, 2001. In Canada, the Anti-Terrorism Act came into force on December 24, 2001. In 2003, a Counter-Terrorism Subgroup was created under the auspices of the U.S.-Canada Cross-Border Crime Forum.

## **#29 FREEZING OF TERRORIST ASSETS**

Canada and the United States have a working process in place to share advance information on individuals and organizations that may be designated as terrorist in order to coordinate the freezing of their assets. To date, Canada and the United States have designated or listed over 483 individuals and organizations.

## **#30 JOINT TRAINING AND EXERCISES**

Canada and the United States are conducting more frequent cross-border counter-terrorism training activities. In 2003, Canada was invited to participate in TOPOFF2, a U.S.-led counter-terrorism exercise designed to improve domestic and cross-border preparedness for potential terrorist attacks using weapons of mass destruction.

Progress is well underway on implementation of recommendations coming out of this exercise, which involved, on the Canadian side, the participation of over 15 federal departments, and the province of British Columbia. Planning is now well underway for TOPOFF 3, scheduled for April 2005, and includes the active participation of the UK. This exercise will allow Canada and the United States to validate their new emergency response systems and maximize coordination of the two systems.

A bi-national exercise named Silver Links took place in November 2004 to confirm roles and responsibilities in dealing with incidents (cyber and physical) that would cause disruptions as a result of interdependencies and vulnerabilities across a number of key infrastructure sectors (e.g. banking and electricity).

The second exercise in the Blue Cascades series is being organized by the Pacific North West Economic Region (PNWER) with participation by both U.S. and Canadian governments, state and provincial governments, and the private sector and will focus on cyber security and its importance to the economy.

## **#31 BIOSECURITY**

A bi-national working group has developed an action plan for collaboration on biosecurity issues. This work will reinforce and modernize external borders against shared risks to the food supply, to human, plant and animal health and to the environment on which these depend. The working group is examining how to synchronize enforcement procedures for managing risks at the shared land border, and to enhance cooperation in domestic biosecurity management. Ultimately, these efforts are intended to identify low-risk food imports and expedite their movement.

Canada and the United States are committed to cooperating closely on the implementation of the rules on Prior Notice of Imported Food and Food Facility Registration pursuant to the U.S. Bioterrorism Act of 2002 in an effort to make these rules as effective as possible and in a manner that facilitates the flow of legitimate trade between the two countries.

### **#32 SCIENCE AND TECHNOLOGY COOPERATION**

The Canada-U.S. Agreement on Science and Technology Cooperation for Critical Infrastructure Protection and Border Security was signed on June 1, 2004, by the two governments. This agreement enables government scientists and designated private-sector researchers to collaborate on joint projects to advance security technologies and understanding. The agreement provides for a simplified process for developing and implementing cooperative activities that can be conducted on either a classified or unclassified basis. It also safeguards intellectual property developed in the course of cooperative activities. The Department of Homeland Security, Science and Technology Directorate, provides policy oversight and day-to-day management of the agreement for the United States. Defence Research and Development Canada (DRDC) manages the agreement for Canada.

Building on this agreement, Canada and the United States have collaboratively developed the Public Security Science and Technology Program encompassing four mission areas: CBRNE; disruption and interdiction; critical infrastructure protection; and systems integration, standards and analysis. There are currently 18 collaborative projects identified and initiated across all four mission areas. Examples include:

- examining the behaviour of exploded radiological dispersion devices with a view to designing effective response capabilities;
- jointly evaluating technologies to aid the work of Integrated Border Enforcement Teams; and,
- examining the security and interoperability of wireless technology.