

Joint U.S.-Canada Agreement for Land Pre-Clearance Pilots

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Office of the Press Secretary
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The Government of the United States of America and the Government of Canada committed to building a more secure, efficient and modern border in signing the Smart Border Declaration. Substantial progress has been made in implementing the associated Action Plan. At the heart of the Smart Borders process is the recognition that public security and economic security can be achieved simultaneously and are mutually reinforcing. Pre-clearance at the land border is an excellent example of how the United States of America and Canada can advance the dual objectives of security and facilitation.

In signing the present framework, both Governments commit to move forward with land pre-clearance at the Buffalo-Fort Erie Peace Bridge. This pre-clearance pilot would involve the re-location of all U.S. primary and secondary border operations for both commercial and passenger traffic from Buffalo to Fort Erie. The Governments also commit to move forward to re-locate Canadian border inspection functions to the U.S. side of the border at a different location and are actively exploring crossings where this may be suitable, such as the Thousand Islands Bridge or Queenston-Lewiston.

The following policy principles will guide the negotiation of an agreement.

1. Both security and trade facilitation will be enhanced while minimizing adverse impacts on the surrounding community.
 2. Land pre-clearance will be reciprocal, in that it will be capable of accommodating U.S. officials operating on Canadian soil as well as Canadian officials operating on U.S. soil.
 3. The security of pre-clearance officials will be ensured.
 4. Consistency with the constitutional and legal frameworks of the host country, where the pre-clearance area is located.
 5. Expansion of the existing pre-clearance authorities, including required legislative changes, to ensure security and inspection processes that are comparable to those of the receiving country to the extent feasible and to the extent permitted under the host country's constitutional framework.
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- The two Governments will work to achieve comparable outcomes whether in the land pre-clearance operating environment or the regular border environment, by deepening our cooperation on the investigative and enforcement fronts.
 - The two Governments will explore the option of designating a specific Integrated Border Enforcement Team (IBET) to support land pre-clearance activities.
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1. The land pre-clearance model will be easily adaptable to different border crossings. The two countries will examine optimal solutions for addressing local considerations such as geographic constraints.

DEPUTY PRIME MINISTER
FOR THE GOVERNMENT OF CANADA

SECRETARY OF HOMELAND SECURITY
FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA

Detroit, Michigan – December 17, 2004