



Eastern Border Transportation Coalition

**House of Commons'
Standing Committee on Public Safety and National Security**

*Submission on Bill C-23, An Act respecting the preclearance of
persons and goods in Canada and the United States*

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EBTC does not speak directly for, or on behalf of, individual states or provinces.



The Eastern Border Transportation Coalition (EBTC) thanks the Committee on Public Safety and National Security for its work reviewing Bill C-23, *An Act respecting the preclearance of persons and goods in Canada and the United States*, and for this opportunity to comment.

The Importance of Efficient and Secure Cross-Border Trade to the U.S. and Canadian Economies

Canada-U.S. trade is critical for our businesses and our workers. Our two countries have the largest, two-way, balanced trading relationship in the world, with nearly \$700 billion (US) in goods and services traded in 2015. Canada is the most important foreign market for thirty-five U.S. states, and nearly \$2 billion in two-way trade flows across our shared border every day.

Nearly 75% of total Canada/U.S. surface trade passes through border crossings in the EBTC region, of which more than 60% has an origin or destination in a non-EBTC state or province. Overall, nearly 8.8 million trucks and more than 35.6 million passenger vehicles used EBTC border crossings in 2016.

Delays at the busiest border crossings result in lost opportunities to the economies of both countries in the form of billions of dollars in additional costs and fewer jobs. To address border delays, EBTC continues to support the implementation of initiatives, including those in the Canada-U.S. *Beyond the Border Action Plan*, that have the potential to improve the efficiency of our crossings while respecting the need for security. In particular, EBTC has been a strong supporter of the implementation of preclearance. While preclearance into the U.S. is currently available at a number of major Canadian airports, its expansion to other modes has the opportunity to provide economic benefits, while enhancing safety and security.

The Need for Preclearance: The EBTC Position

The Eastern Border Transportation Coalition strongly supports the concept of preclearance as an effective means of reducing border crossing times and improving the viability of all transportation modes, while also meeting safety and security goals for both countries.

Preclearance makes air travel easier for the millions of passengers moving between Canada and the U.S. each year by allowing them to be cleared for entry to the United States before departing from Canadian airports.

The U.S. has provided preclearance services in major Canadian airports for more than 40 years, operating under the provisions specified in the 1974 Canada-U.S. Air Transport Preclearance Agreement (last updated in 1999). Expanding the existing authority to all modes has the potential to reduce border clearance time for all modes, for passengers and freight, while also providing increased security for both countries through advance screening and interception of any high-risk travellers or cargo.

As the Committee will be aware, in March 2015, the *Agreement on Land, Rail, Marine and Air Transportation Preclearance Between the Government of Canada and the Government of the United States* was announced by Canada's Minister of Public Safety and Emergency Preparedness and the U.S. Secretary of Homeland Security. The agreement provides the legal framework to allow each nation's federal security agency to perform its duties in the other country. It would allow for consideration of requests for new preclearance locations across all modes.

As part of this agreement, several priority locations for expanded preclearance were agreed to in principle, including Billy Bishop (Toronto) and Jean Lesage (Quebec City) Airports, the Montreal train station (Central Station), and the Rocky Mountaineer train service in western Canada. Passage of Bill C-23 would authorize these initiatives to move forward.

In December 2016, the U.S. Congress passed the *Promoting Travel, Commerce, and National Security Act of 2016*, which provided the U.S. with extraterritorial jurisdiction over its preclearance officers. This completed the U.S. legislative process.

If passed by Parliament, Bill C-23 would enable the implementation of the Canada-U.S. preclearance agreement. Once the agreement enters into force, preclearance operations at new locations in the land, rail, marine and air modes, in Canada and the U.S., could be considered and implemented. There are, however, additional steps in the process before any specific location will be ready for preclearance. Border agencies will need to develop and approve operating rules and regulations, ensuring that all entities are in agreement with the process to be followed. In addition, each specific location requesting preclearance will be required to complete a business case demonstrating the economic value of preclearance, as well as identifying specific border staffing needs and infrastructure improvements.

Preclearance Benefits

Preclearance will improve mobility and reliability at border crossings while contributing to the safety and security goals for both countries. For example, expanding the existing authority to intercity passenger rail services would reduce border clearance time and expand the viability and success of international intercity passenger rail service while also ensuring increased

security for both countries through advance screening and interception of any high-risk travellers. The successful experience with the Amtrak's Cascades service between Seattle, Washington and Vancouver, British Columbia, which has some ability to pre-inspect (but not full preclearance) has demonstrated the feasibility for these changes.

Enactment of preclearance legislation would allow for the construction of a passenger rail preclearance facility at Central Station in Montreal. A preclearance facility in Montreal would improve travel times by at least an hour in each direction on Amtrak's Adirondack service, which runs between Montreal and New York City. Security inspections would occur in Central Station either before passengers board the train (en route to the U.S.) or before they exit the train into Canada, eliminating the current border inspections at Cantic, Quebec and Rouses Point, New York. Not only would this improve travel time and reliability, but it would increase security by allowing thorough and private inspection of passengers and their baggage. Further, more reliable service will open the possibility of improved connections for Amtrak passengers to VIA trains that serve cities in Eastern and Atlantic Canada. The improved network connectivity will enhance the reach and appeal of international train service for both Amtrak and VIA.

The preclearance facility at Central Station would also facilitate the return of Amtrak service between Montreal and Vermont. More competitive travel times and re-instated service will expand economic opportunities for travel and tourism between the largest cities in Canada and the U.S., and many popular points in between. The governments of Quebec, New York, and Vermont, and senior Amtrak staff, have been working collaboratively to plan for this initiative for several years.

Preclearance opportunities exist for other modes as well. For example, the Peace Bridge between Buffalo, New York, and Fort Erie, Ontario, was the site of a truck pre-inspection pilot between February 2014 and January 2015. The Peace Bridge is the second busiest northern border truck crossing, handling nearly \$60 billion in goods in 2016. The crossing faces significant delays at peak times, in part due to the constrained space at the Peace Bridge border facility. The pre-inspection pilot demonstrated the possibilities of using technology, collaboration and cooperation to make truck travel over this critical crossing more efficient. Trucks equipped with transponders were able to use a special lane and complete primary screening on the Canadian side of the crossing, where there is significantly more space. Pre-inspected trucks could either continue through the border for expedited passage through primary inspection, or were required to report to secondary inspection at the U.S. border. The pilot showed that wait times for trucks could be reduced using modern technologies, cooperation and collaboration, without compromising security.

The preclearance concept has previously received support from all New England states and the Atlantic Provinces by Resolution 39-2 of the New England Governors-Eastern Canadian Premiers conference.

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EBTC understands both the challenges and opportunities presented by Bill C-23. We respect and appreciate the work of this Committee in evaluating all aspects and needs associated with preclearance, and thank the committee members for their consideration of this submission as they review this important legislation.

About the Eastern Border Transportation Coalition (EBTC)

Formed in 1994, EBTC is a non-profit membership organization dedicated to improving the movement of people and goods between the United States and Canada. Its members are the transportation agencies of the states of Michigan, New York, Vermont and Maine and the provinces of Ontario, Quebec, New Brunswick, and Nova Scotia.

For the past 23 years, EBTC has been a strong advocate for the safe, secure, efficient, and environmentally responsible movement of people and goods between Canada and the U.S.

EBTC serves as a forum for U.S. states and Canadian provinces on the eastern border to work together to emphasize the importance of cross border movements. While EBTC does not speak directly for, or on behalf of, individual states or provinces, the Coalition works to develop common areas of interest which will lead to more efficient border crossings. Through coordination and collaboration, EBTC is an effective forum for pursuing members' shared objectives. EBTC is also an effective mechanism for approaching, coordinating and consulting with the United States and Canadian federal governments and border agencies on issues common to its member states and provinces.

EBTC believes that the most effective way to address border issues is through cooperation, ongoing dialogue and coordination between and among the border states and provinces, and federal departments and agencies.

Eastern Border Transportation Coalition

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