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To:	
Subject:	FW: Call to Minister Kenney
Date:	2011/06/06 12:12:20
Priority:	Normal
Type:	Note.EnterpriseVault.PendingArchive

Drew Ledbetter
Secretary's Briefing Book
Office of the Secretary
Department of Homeland Security

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From: (b)(6)
Sent: Monday, June 06, 2011 12:09 PM
To: (b)(6)
Cc:
Subject: FW: Call to Minister Kenney

DCOS Gail Kaufman clears the attached briefing materials for PLCY.

Thanks,
Birch

Birch Faber
Office of Policy
U.S. Department of Homeland Security

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From: (b)(6)
Sent: Monday, June 06, 2011 11:14 AM
To: (b)(6)
Subject: Call to Minister Kenney

PLCY,

A call to Minister Kenney of Canada was added to the schedule this afternoon at 2:30. It is currently not confirmed but is on as a HOLD. Obviously we only have a matter of hours, but if the call does happen and if PLCY wanted to provide any type of materials please let me know. I will let you know as soon as I hear if the call is happening or not.

Drew Ledbetter

Secretary's Briefing Book
Office of the Secretary
Department of Homeland Security

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FOR IMMEDIATE RELEASE

February 4, 2011

**Beyond the Border:
A Shared Vision for Perimeter Security and Economic Competitiveness**

**A Declaration by
the President of the United States of America and
the Prime Minister of Canada**

The United States and Canada are staunch allies, vital economic partners, and steadfast friends. We share common values, deep links among our citizens, and deeply rooted ties. The extensive mobility of people, goods, capital, and information between our two countries has helped ensure that our societies remain open, democratic, and prosperous.

To preserve and extend the benefits our close relationship has helped bring to Americans and Canadians alike, we intend to pursue a perimeter approach to security, working together within, at, and away from the borders of our two countries to enhance our security and accelerate the legitimate flow of people, goods, and services between our two countries. We intend to do so in partnership, and in ways that support economic competitiveness, job creation, and prosperity.

We have advanced our prosperity through the *U.S.-Canada Free Trade Agreement* and the *North American Free Trade Agreement*. Over \$250 billion of direct investment by each country in the other, and bilateral trade of more than half-a-trillion dollars a year in goods and services create and sustain millions of jobs in both our countries. At the U.S.-Canada border, nearly one million dollars in goods and services cross every minute, as well as 300,000 people every day, who cross for business, pleasure, or to maintain family ties.

The United States and Canada share a long history of cooperation in defending our values and freedoms. We stand together to confront threats to our collective security as partners in the North Atlantic Treaty Organization. We work shoulder-to-shoulder in the defense of both our nations through the North American Aerospace Defense Command (NORAD).

We share responsibility for the safety, security, and resilience of the United States and of Canada in an increasingly integrated and globalized world. We intend to address security threats at the earliest point possible in a manner that respects privacy, civil liberties, and human rights.

I. Principles

We intend to work together in cooperation and partnership to develop, implement, manage, and monitor security initiatives, standards, and practices to fulfill our vision. We recognize that our efforts should accelerate job creation and economic growth through trade facilitation at our borders and contribute directly to the economic security and well-being of both the United States and Canada.

We intend to strengthen our resilience – our ability to mitigate, respond to, and recover from disruptions. Success depends on readiness at all levels of our governments, within our communities, and among private sector owners and operators of our infrastructure, systems, and networks. We rely on secure communications and transportation networks, including our civil aviation system, and we intend to work together to make them resilient enough to continue operating in the face of a natural disaster or attack.

We expect to use a risk management approach where compatible, interoperable, and – where possible – joint measures and technology should proportionately and effectively address the threats we share. Effective risk management should enable us to accelerate legitimate flows of people and goods into the United States and Canada and across our common border, while enhancing the physical security and economic competitiveness of our countries.

We build on the efforts of many partners – from police and other emergency workers to our armed forces – who continue to safeguard us from the complex threats we face.

We also recognize that cooperation across air, land, and maritime domains, as well as in space and cyberspace, our enduring bi-national defense relationship, and military support for civilian authorities engaged in disaster response efforts and critical infrastructure protection, have all contributed significantly to the security of our populations.

We recognize that greater sharing of information will strengthen our ability to achieve the goals of this vision.

We intend to work together to engage with all levels of government and with communities, non-governmental organizations, and the private sector, as well as with our citizens, on innovative approaches to security and competitiveness.

We value and respect our separate constitutional and legal frameworks that protect privacy, civil liberties, and human rights and provide for appropriate recourse and redress.

We recognize the sovereign right of each country to act independently in its own interest and in accordance with its laws.

We expect to work together with third countries and with international organizations, and intend to facilitate security sector reform and capacity building around the globe, to enhance standards that contribute to our overall security.

Key Areas of Cooperation

Addressing Threats Early

Collaborating to address threats before they reach our shores, we expect to develop a common understanding of the threat environment through improved intelligence and information sharing, as well as joint threat assessments to support informed risk management decisions.

We intend to develop an integrated strategy that would enable us to meet the threats and hazards that both our nations face, including natural disasters and man-made threats, including terrorism.

We expect to continue strengthening our health security partnership, through existing mechanisms for cooperation on health emergencies, and by further enhancing our collective preparedness and response capacity to a range of health security threats, including influenza pandemics.

We intend to work together to uncover and disrupt threats that endanger the security of both the United States and Canada and to establish those agreements or policies necessary to ensure timely sharing of information for combined efforts to counter the threats. We intend to ensure we have the ability to support one another as we prepare for, withstand, and rapidly recover from disruptions. We intend to make the *Agreement Between the Government of the United States of America and the Government of Canada on Emergency Management Cooperation*, updated in 2008, a cornerstone of these efforts.

To increase security, counter fraud, and improve efficiency, we intend to work together to establish and verify the identities of travelers and conduct screening at the earliest possible opportunity. We intend to work toward common technical standards for the collection, transmission, and matching of biometrics that enable the sharing of information on travelers in real time. This collaboration should facilitate combined United States and Canadian screening efforts and strengthen methods of threat notification.

In order to promote mobility between our two countries, we expect to work towards an integrated United States-Canada entry-exit system, including work towards the exchange of relevant entry information in the land environment so that documented entry into one country serves to verify exit from the other country.

We intend to cooperate to identify, prevent, and counter violent extremism in our two countries. By working cooperatively on research, sharing best practices, and emphasizing community-based and community-driven efforts, we will have a better understanding of this threat and an increased ability to address it effectively.

We intend to formulate jointly United States-Canada privacy protection principles that should inform and guide our work in relation to facilities, operations, programs, and other initiatives contemplated by this *Declaration*.

We intend to work together to promote the principles of human rights, privacy, and civil liberties as essential to the rule of law and effective management of our perimeter.

Trade Facilitation, Economic Growth, and Jobs

We intend to pursue creative and effective solutions to manage the flow of traffic between the United States and Canada. We will focus investment in modern infrastructure and technology at our busiest land ports of entry, which are essential to our economic well-being.

We will strive to ensure that our border crossings have the capacity to support the volume of commercial and passenger traffic inherent to economic growth and job creation on both sides of the border.

To enhance our risk management practices, we intend to continue planning together, organizing bi-national port of entry committees to coordinate planning and funding, building, expanding or modernizing shared border management facilities and border infrastructure where appropriate, and using information technology solutions.

We intend to look for opportunities to integrate our efforts and where practicable, to work together to develop joint facilities and programs – within and beyond the United States and Canada – to increase efficiency and effectiveness for both security and trade.

We aim to build on the success of current joint programs by expanding trusted traveler and trader programs, harmonizing existing programs, and automating processes at the land border to increase efficiency.

We will look for ways to reduce the cost of conducting legitimate business across the border by implementing, where practicable, common practices and streamlined procedures for customs processing and regulatory compliance.

We intend to work towards developing an integrated cargo security strategy that ensures compatible screening methods for goods and cargo before they depart foreign ports bound for the United States or Canada, so that once they enter the territory of either we can, together, accelerate subsequent crossings at land ports of entry between our two countries.

We recognize the importance of the *U.S.-Canada Framework for the movement of Goods and People across the Border During and Following an Emergency*, agreed to in 2009. It underscores the importance of coordinated, cooperative, and timely border management decision making to mitigate the impacts of disruptions on our citizens and economies.

Integrated Cross-border Law Enforcement

We intend to build on existing bilateral law enforcement programs to develop the next generation of integrated cross-border law enforcement operations that leverage cross-designated officers and resources to jointly identify, assess, and interdict persons and organizations involved in transnational crime.

We intend to seek further opportunities to pursue national security and transnational crime investigations together to maximize our ability to tackle the serious security threats that these organizations and individuals present.

We intend to improve the sharing among our law enforcement agencies of relevant information to better identify serious offenders and violent criminals on both sides of the border.

Critical Infrastructure and Cybersecurity

We intend to work together to prevent, respond to, and recover from physical and cyber disruptions of critical infrastructure and to implement a comprehensive cross-border approach to strengthen the resilience of our critical and cyber infrastructure with strong cross-border engagement.

The United States and Canada benefit from shared critical and cyber infrastructure. Our countries intend to strengthen cybersecurity to protect vital government and critical digital infrastructure of national importance, and to make cyberspace safer for all our citizens.

We intend to work together to defend and protect our use of air, land, sea, space, and cyberspace, and enhance the security of our integrated transportation and communications networks.

II. Implementation and Oversight

The United States and Canada intend to establish a Beyond the Border Working Group (BBWG) composed of representatives from the appropriate departments and offices of our respective federal governments.

Responsibility for ensuring inter-agency coordination will rest with the President and the Prime Minister and their respective officials.

We intend for the BBWG to report to their respective Leaders in the coming months, and after a period of consultation, with a joint Plan of Action to realize the goals of this declaration, that would, where appropriate, rely upon existing bilateral border-related groups, for implementation.

The BBWG will report on the implementation of this declaration to Leaders on an annual basis. The mandate of the BBWG will be reviewed after three years.

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Page 08 of 15

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act.

Page 09 of 15

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Page 10 of 15

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Page 11 of 15

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Page 12 of 15

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of the Freedom of Information and Privacy Act.

JASON KENNEY
Minister of Citizenship, Immigration and Multiculturalism



Jason Kenney was first elected to the House of Commons in 1997 and re-elected in 2000, 2004, 2006, 2008, and 2011. He was appointed Parliamentary Secretary to the Prime Minister in 2006, and Secretary of State (Multiculturalism and Canadian Identity) in 2007. In October 2008, Kenney was appointed Minister of Citizenship, Immigration and Multiculturalism.

Kenney was born in Ontario and raised in Saskatchewan, where he graduated from Notre Dame College. He did undergraduate studies in philosophy at the St. Ignatius Institute of the University of San Francisco.

Kenney is a former Chair of the House of Commons Subcommittee on International Human Rights. He served in a variety of positions in Opposition, including Finance Critic and Deputy House Leader.

Prior to seeking election, Kenney served as President and Chief Executive Officer of the Canadian Taxpayers Federation.

Congratulatory Call with Citizenship and Immigration Canada (CIC) Minister Jason Kenney
June 6, 2011

DECISION POINTS OR ASKS:

- Congratulate Minister Kenney on his re-election and reappointment as CIC Minister, and request Kenney's continued commitment to yearly bilateral meetings.
- Express your support of Kenney's May 4, 2011 statement that CIC will re-introduce The Preventing Human Smugglers from Abusing Canada's Immigration System Act.
- Express your commitment to developing Action Plan items for implementing the President and Prime Minister's *Beyond the Border Declaration (BTB)*, particularly those related to developing an entry/exit system and enhancing information sharing of biographic and biometric data to enhance system integrity and national security.
 - The USG and Government of Canada are making progress in outlining action items and will share bilateral work plans by June 7, 2011, in advance of a June 14 meeting between the BTB leads.
- Urge completion of negotiations to share visa refusal and inadmissibility information.
- Praise their efforts to begin biometric capture on visa applicants, but urge timely deployment and expansion to additional populations, including refugee applicants overseas, reiterating DHS willingness to provide technical and policy support.

KEY BACKGROUND INFORMATION:

Jason Kenney was appointed CIC Minister on October 30, 2008. He was re-appointed to the position on May 18, 2011, when he was also appointed chair of Government Operations Cabinet Committee (GOCC). The GOCC portfolio serves as the "gatekeeper" for political decision-making on key government policy and programs before going to PM for approval. This may make Kenny a critical player in a host of BTB issues.

You last met with Minister Kenney on July 8, 2010, in Washington, D.C. You and Minister Kenney discussed BTB, providing technical support to pursue a Canadian electronic system for travel (ESTA) and biometrics, refugee reform and legislation, and the Blue Campaign, and signed the Visa Policy Working Group's terms of reference. On April 11, 2011, Assistant Secretary for Policy David Heyman met with CIC Deputy Minister Neal Yeates at the Five Country Conference in Australia. Heyman articulated the U.S. government's position, following DHS and State Department consultation, not to further restrict the definition of "family member" under the Safe Third Country Agreement and not to renegotiate the agreement. They also discussed biometrics and the Visa Refusal Information Sharing.

Canadian Elections

On May 2, 2011, Prime Minister Stephen Harper's Conservatives won a third straight mandate to form a government and for the first time will hold a majority in the House of Commons. The New Democratic Party (NDP, social democratic) finished second and for the first time party leader Jack Layton is the new Official Opposition Leader. The Liberals, who have governed much of the twentieth century, finished third. With a majority government, Prime Minister Harper should be able to carry through his commitments in BTB.

Beyond the Border (BTB)

President Obama and Prime Minister Harper announced BTB on February 4, 2011 (**Tab A**). BTB commits both countries to identify and implement initiatives supporting four areas of cooperation: Addressing Threats Early; Trade Facilitation, Economic Growth, and Jobs; Integrated Cross-Border Law Enforcement; and Critical Infrastructure and Cybersecurity. The NSS is responsible for coordinating U.S. BTB efforts through an IPC process. Simon Kennedy, formerly of the Privy Council Office and Senior Associate Deputy Minister at Industry Canada, is the Canadian lead, along with a team of ten. Following the Canadian election, Kennedy met with the NSS on May 9, 2011 to discuss draft action items, and they will meet again on June 14, 2011 following submission of input by the interagencies in both countries. DHS has the lead or co-lead on the majority of items and has been heavily involved at the NSS's request.

Biometrics

In January 2011, Cabinet asked CIC to begin collecting biometrics from individuals requesting visas only, due to resource constraints. Under the new scope, CIC will begin biometric collection for visa applicants from a list of 20 currently unidentified "high risk" countries in 2013. The current scope will include confirmation of biometrics at secondary inspection on arrival, but does not include collection at primary inspection, or from visa exempt travelers or refugee applicants or other permanent immigrants. DHS continues to urge that limited resources should be focused on the greatest areas of risk, and properly support the BTB perimeter security concept. DHS continues to support the CIC biometric project and has deployed a liaison officer from US-VISIT to Canada to provide technical assistance on a long-term TDY.

IF ASKED:

- **Why will DHS not support changing the "family member" definition in the Safe Third Country Agreement (STCA)?**
 - We, along with the Department of State, very carefully considered your request. While we concur with the desired goal of minimizing fraud and abuse and are committed to working collaboratively with you to identify and combat such fraud, the U.S. government concluded this proposed change is not the best way to achieve the stated goal and also undercuts the U.S. goal of family reunification for asylum seekers.
- **How would you describe the prospects for U.S. comprehensive immigration reform?**
 - **Suggested response:** President Obama and I remain fully committed to achieving comprehensive immigration reform that: (1) bolsters border security and interior enforcement; (2) mandates a nationwide employment verification program to stem the demand for illegal immigration and hold employers accountable for hiring unauthorized workers; (3) provides a mechanism to help clear family and employment visa backlogs; (4) recasts the legal migration provisions to better match the needs of the twenty-first century, for both high-skill and low-skill workers; and which would (5) craft an earned legalization program to bring the millions of illegal immigrants out of the shadows.

ATTACHMENTS:

- A. *Beyond the Border* (Source: PLCY/OIA)
- B. STCA Information Memo (Source: PLCY/OIA)
- C. Jason Kenney's Biography (Source: PLCY/OIA)

Staff Responsible for Briefing Memo: PLCY/OIA Acting A/S N

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