

Declaration by The Government Of The United States Of America and The Government Of The United Mexican States Concerning Twenty-First Century Border Management

The Government of the United States of America and the Government of the United Mexican States, hereinafter referred to collectively as the "Participants,"

Acknowledging their shared interest in creating a border that promotes their economic competitiveness and enhances their security through the secure, efficient, rapid, and lawful movement of goods and people;

Expressing a desire to fundamentally restructure the way in which the shared border between Mexico and the United States is managed to enhance public safety, welcome lawful visitors, encourage trade, strengthen cultural ties, and reduce the cost of doing business in North America;

Recognizing the importance of securing and facilitating the lawful flow of goods, services, and people between their countries;

Understanding that joint and collaborative administration of their common border is critical to transforming management of the border to enhance security and efficiency;

Recognizing the potential value, both in terms of enhancing security and reducing congestion, of shifting certain screening and inspection activities, traditionally performed at the immediate border, to geographic departure and transit zones away from the border and of considering other non-traditional border crossing concepts;

Appreciating that enhancing the flow of information needed for effective shared border management requires professionalism in law enforcement, strong institutional capacity, and effective interagency coordination in and between both countries;

Recognizing that transnational criminal organizations threaten the economies and security of both the United States and Mexico and that both countries share responsibility for the conditions that give rise to these criminal organizations and that allow them to endure, as well as shared responsibility for remedying those conditions;

Understanding that law enforcement coordination between the Participants is essential to preventing crime and to disrupting and dismantling transnational criminal organizations;

Sharing an interest in ensuring a legal, orderly system for managing migration between their countries and developing coordinated procedures for managing repatriation and ensuring that it remains safe and humane;

Hereby express their commitment to strengthen cooperation in:

- Enhancing economic competitiveness by expediting lawful trade, while preventing the transit of illegal merchandise between their two countries,
- Facilitating lawful travel in a manner that also prevents the illegal movement of people between their two countries,
- Sharing information that enhances secure flows of goods and people, and
- Disrupting and dismantling transnational criminal organizations and punishing their members and supporters.

I. AREAS OF COLLABORATION

In light of these mutual understandings, the Participants expect to work in a collaborative and coordinated fashion across a wide-range of border-related activities, including:

- Programs focused on reducing congestion and delays in cross-border traffic entering both Mexico and the United States, building a foundation for efficient border and expanded economic growth, improving community safety and quality of life, and reducing unhealthy emissions from idling vehicles;
- The creation, expansion, or mutual recognition of “trusted shipper” programs such as FAST and C-TPAT and “trusted traveler” programs such as SENTRI and Global Entry, allowing enforcement authorities to concentrate their efforts where they are most needed to stop illicit border flows;
- Pre-screening, pre-clearance, and pre-inspection of people, goods, and products, particularly where such activities increase the Participants’ abilities to intercept dangerous individuals, hazardous goods, and contraband before they cause harm and to alleviate congestion at ports of entry;
- The enhancement of the repatriation processes through the exchange of information and close bilateral cooperation, with special attention to vulnerable people such as unaccompanied minors, pregnant women, and the sick and elderly.
- The improvement of bilateral mechanisms to share information related to aviation security and border security.
- The development of complementary risk management strategies aimed at separating high-risk and low-risk shipments, as well as high-risk and low-risk individuals, including specific procedures for repatriation of individuals with criminal records;
- The standardized collection and single entry of trade data, so that importers and exporters are asked for a given piece of information only once, reducing the administrative burden of compliance and therefore the cost of trade;
- Improved bi-national coordination in planning, financing, permitting, designing, building, and operating ports of entry, as well as optimal staffing of ports of entry;
- Promotion of a closer partnership with the private sector, the trade community, and international partners to secure supply chains;
- Development of shared priorities for public investments in ports of entry along the border, planned in coordination with the infrastructure feeding into them, as well as funding mechanisms for such projects, including private sector participation;
- Joint assessments of threats, development of a common understanding of the operating environment, and joint identification of geographic areas of focus for law enforcement operations;
- Augmentation of their collection, analysis, and sharing of information from interdictions, investigations, and prosecutions to disrupt “criminal flows” and enhance public safety; and

- Bringing together border communities and relevant stakeholders as partners in efforts to, protect public safety by integrating law enforcement efforts with other government functions including social assistance, community outreach, and responsiveness to citizen concerns.

II. IMPLEMENTATION AND OVERSIGHT

To coordinate and facilitate work aimed at furthering the goals noted in this Declaration, the Participants intend to establish a Twenty-First Century Border Bilateral Executive Steering Committee (ESC) composed of representatives from the appropriate federal government departments and offices. For the United States, this includes representatives from the Departments of State, Homeland Security, Justice, Transportation, Agriculture, Commerce, Interior, Defense, and the Office of the United State Trade Representative, and for Mexico includes representatives from the Secretariats of Foreign Relations, Interior, Finance and Public Credit, Economy, Public Security, Communications and Transportation, Agriculture, and the Office of the Attorney General of the Republic. Each Participant should integrate its own section of the ESC section into the relevant interagency processes to achieve better bilateral coordination.

It is expected that the inaugural meeting of the ESC, to be convened no later than August 19, 2010, will develop a mutually accepted action plan to realize the goals of this Declaration and identify working groups, drawing, where appropriate, upon existing bilateral, border-related groups, to implement the action plan.

III. GENERAL PRINCIPLES

This Declaration represents an understanding between the Participants and does not constitute a legally binding agreement. The Participants understand that activities in support of the goals mentioned in this Declaration are to be carried out in accordance with the laws and regulations of the Participants' countries, and applicable international agreements to which the Participants' countries are parties. The Participants are expected to bear their own costs in engaging in any such activities. All such activities are subject to the availability of funds and human resources.

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