



“Border chaos to border triage.

Ensuring vital cross-border shipments during a crisis.”

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**to the Ontario Hospital Association’s
*360 Degree Business Resiliency Conference***

**Toronto,
September 24, 2008**

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Ensuring vital cross-border shipments during a crisis.”

Good afternoon.

You might recall a couple of incidents reported in the media last November that drive home the point about the challenges of crossing the Canada-U.S. border.

A Windsor-based ambulance rushing a heart attack patient was held up in Detroit before being able to proceed. The ambulance was flagged for secondary inspection despite having a police escort and a pre-clearance arrangement. The patient was asked to verbally identify himself.

Another incident occurred the week before. Quebec-based fire-fighters were going to assist in fighting a fire at an inn in the state of New York and were detained at the border. This was despite the fact that a bilateral agreement apparently exist allowing fire fighters to respond to emergencies across the border.

Reportedly, the patient survived the ordeal but the inn burned to the ground.¹

These cases appear to be exceptions but they illuminate a point: despite the intuitive need and urgency to cross the border, and even with arrangements in place to facilitate such crossings, the “system” can throw up apparent roadblocks.

Now, what if there is a major border event? What if the border is closed for a prolonged period? Should there be a major border disruption, what assurances do we have that life-critical or essential goods, and people, could move across the border to respond to any number of emergencies?

A catalytic event could be related to a security incident. Even an alleged incident could have a similar effect of shutting down the border. A major natural catastrophe could hinder border traffic across an entire region on both sides of the 49th parallel; or, as we saw during the SARS outbreak, health scares can disrupt cross-border traffic.

The North American economies are intertwined by just-in-time inventory and just-in-time delivery demands. Preventing major supply chain disruptions is a matter of national interest and population health. The implications of not being able to get important goods across the border can be far-reaching.

Here’s one example. Our company produces products that simply can’t – or shouldn’t – be held up.

Patients undergoing cancer treatments or diagnostic scans to determine if a heart attack has occurred, for instance, depend on the regular, and often daily, supply of medical isotopes. These highly-short-lived materials can not be stored.

The other reality is the nature of this supply chain. Canada is the pre-eminent supplier of this material to the world. The U.S. depends on Canada for over half of that country’s daily supply. But final processing into radiopharmaceuticals is done in the U.S. Much of Canada’s supply, in turn, depends on re-importing this material back into Canada for distribution to hospitals.

One product specifically helps make the point. It treats non-Hodgkin’s lymphoma, a blood-borne cancer. This product faces a trio of logistic considerations: it is shipped in dry-ice to preserve the protein anti-body, it must be kept sterile as it is a pharmaceutical, and it must be expedited by air-transport because it naturally decays rapidly due to its short radioactive half-life. Any material delay can render this product useless.

Fortunately, leaders and government policy-makers have recognized the need to have a border contingency plan – and they are acting on it.

¹ “Ambulance carrying heart-attack patient delayed at U.S. border”, CBC News, November 2, 2007.

In 2005, the Security and Prosperity Partnership (SPP) put down a marker. The SPP is a far-reaching border management arrangement between Canada, the U.S. and Mexico. It embraced the importance of developing “coordinated business resumption protocols” in the event of a major border crisis.²

In August 2007, the North American Leaders issued a joint statement following the so-called Montebello Summit.³ It committed their governments to develop a process for managing the movement of goods and people, including emergency responders, across the border during and following an emergency. The statement also committed governments to improve communications among themselves and between government and industry, particularly at times of increased threat.

The 2008 North American Leaders Summit again signalled the importance of this border issue. Last April, the leaders declared that they have made “...significant progress in discussions for new bilateral emergency management agreements to help manage the movement of goods and people across the border during and after an emergency.”⁴

So, what has been done?

To its credit, Canada has taken the lead on the file and notably with the guidance of the Canada Border Services Agency (CBSA) and Public Safety Canada.

A Director General Working Group on Border Management was set up to develop a business resumption plan – essentially a triage process that will allow government and industry to work together to identify essential shipments and key personnel during and following an emergency.

The plan has three interdependent objectives:

1. Define a triage methodology to determine which goods are most urgently required and the relative importance of each category of goods;
2. Establish a process of communicating with stakeholders, both to receive key information about what should be considered for triage, and to communicate the decisions of government; and,
3. Develop a process to physically move the goods across the border based on the established prioritization.

While the plan is not yet publicly available, I can share with you some of the input provided to government by the Canadian Chamber of Commerce. The Chamber’s own Border Contingency Task Force was invited by the Director General Working Group to be part of a joint public/private sector committee to help shape this border resumption protocol and particularly on the first two objectives.

I’ll loosely categorize the feedback and our discussions under three general themes:

1. *Border contingency planning starts not at the border but in Ottawa, Washington, and with you, at your head-office.*
2. *If everything is a priority, then nothing is.*
3. *A decision is not a decision until all decide it is.*

Taking each in turn:

1. Border contingency planning starts not at the border but in Ottawa, Washington, and with you, at your head-office.

² *The Security and Prosperity Partnership*, Report to Leaders, June 2005.

³ Joint Statement by North American Leaders at the Montebello Summit on August 21, 2007,

⁴ Joint Statement by President Bush, President Calderon, Prime Minister Harper, Press Release, April 22, 2008.

Approaching the border is not the time to find out whether you can or can't be waved through.

Consequently, governments will be relying heavily on their respective supply chain security programs, C-TPAT and PIP⁵, to facilitate border crossings. In a heightened threat situation, they need to know that known, trusted shippers and drivers are crossing the border.

As an end-user, you want to know that your supply chain delivers and is seamless. Are those you depend upon to get your products to you compliant? This should be part of your own emergency preparedness planning.

Reliance on these programs flags a potential shortcoming. Being "pre-approved" under these programs does not mean being "prioritized". There are many thousands of registrants. Each one wants to get across the border, understandably.

Fortunately in a crisis situation, government is prepared to qualify and expedite specific supplies. We need to continue to work with government to address how these security programs can be utilized to help expedite prioritized shipments.

You can and should play a proactive role in other ways.

Shippers, and key exporters and importers, need to develop a good rapport with border agencies from head office to regional office. They need to know who you are and why your goods are essential.

Business goes by the adage of "know your customer". It should also adhere to the concept of "know your regulator". (The same applies to any organization.)

You should specifically engage the relevant government departments important to your organization about the process to follow should there be a major border disruption. Government departments would benefit from having some ideas about the range of critical products of key interest to you that are sourced from across the border, or that need to get across the border.

The federal government is stepping up to the plate, too. It will be testing its border resumption plan in a table-top exercise later this Fall. This should provide useful feedback on what works and what does not.

In short, facilitating border access starts well away from the actual border.

2. If everything is a priority, then nothing is.

The inevitable questions are: what are the priorities in a given crisis and how does government actually triage them?

It is clear that in the immediate time-period following an event, first responders need to have the priority. But in a prolonged event, what should get priority and who decides?

Every company, distributor, retailer and user feels their products are important. Given a truck passes across the Canada-U.S. border about every 1.5 seconds⁶, any major border event has the makings for serious border congestion!

In a crisis, businesses and shippers can help by self-selecting. Does a shipment absolutely need to go today or can it be held off until tomorrow?

⁵ C-TPAT: *Customs-Trade Partnership Against Terrorism* (U.S.); PIP: *Partners in Protection* (Canada). Also, the Free and Secure Trade (FAST) program validates drivers, carriers and importers.

⁶ Source: Canadian Chamber of Commerce, 2008.

The Canadian government will be looking to national associations especially as information conduits. Associations have well-oiled communication channels with member companies or organizations. They can advise on what is essential.

The plan is not about pre-selecting products today for some undefined event in the future. It's about having a workable process in place that can be triggered to assess needs at the time of a major incident.

The plan is based on sound principles: goods and people needed to respond to emergencies, preserve life and meet population health needs both during and following a major border event are acknowledged priorities.

Still, actually identifying urgent or priority goods to get across the border during a disruption or closure will not be easy. A national triage process (in fact, an international triage process) can only be possible if there are good, pre-defined communication linkages to and from government with associations, organizations and companies.

In a crisis, it will not be sufficient for government to post general messages on department websites about the status of a crisis – arguably better information on an event would just be available on *NewsWorld* or *CNN* in any case. The Canadian government has recognized this and is working on a meaningful communication process.

For a border triage plan to work, government communication must be tailored, timely and genuinely two-way. Government must “know its stakeholders”.

Further consultations will be conducted, I am told, which will help government refine its thinking on the communication aspects of the plan.

3. A decision is not a decision until all decide it is.

Joint planning is important but joint decisions are vital.

Canada and the U.S. have to agree. Period. One simply can't cross the border if both sides don't see eye to eye on what can – and should – get across. (And this applies to all transportation modes.)

Governments are working with this principle; three examples: Canada and the U.S. are in the process of reaching mutual recognition between the PIP and C-TPAT programs. CBSA and U.S. Customs and Border Protection are rolling out a joint communication plan to help to assess and describe the nature of border disruptions from a common template – a shared assessment of any situation is vital.⁷ And, Canada-U.S. pandemic influenza planning demonstrates how both sides can work closely together on health matters.

Whatever the initiative, all those in the decision-tree right down to the border officer at the gate need to be in synch – on both sides of the border.

If fire trucks and ambulances can't get across in a period of border calm, how can essential perishable health products, for instance, be assured of crossing in a period of border disruption?

The challenge goes further. If governments triage, how do shippers, businesses and end-users (such as hospitals) know what will or will not be deemed as a first priority?

It comes back again to having clearly-defined processes, effective communication and joint decisions. Achieving this depends on coordination.

⁷ Canada Border Services Agency and U.S. Customs and Border Protection are developing a joint Business Resumption Communication and Coordination Plan.

Coordination is vital within large complex government departments, across the many government departments, between all levels of government, between the Canadian and American governments and to and from governments and stakeholders in society, such as to you.

This is a lot to ask for but not insurmountable. The business resumption plan has made progress.

Canada's emergency response plan⁸ and the border resumption plan are linked. This establishes accountability. In other words, "the system" is authorized to assess the need to facilitate critical products and can make informed "go/no-go" decisions.

The Canadian plan is well on its way. It is expected to receive final senior management review and approval at key government agencies. Work with the U.S. on a joint-plan is underway.

Getting a plan in place on both sides of the border is one milestone. Having it actually work in practice – that is, enabled by joint decisions -- is the ultimate measure of success.

At the end of the day, a free-for-all is not an option. Too much is at stake to allow for an unstructured approach. The reason is simple and compelling.

Should there be a major border disruption, lives could be at risk on both sides of the border if we can't expeditiously import or export essential products and allow key people to cross.

Thank you.

⁸ The Federal Emergency Response Plan (FERP).