

United States Senate
WASHINGTON, DC 20510

July 9, 2020

The Honorable Chad Wolf
Acting Secretary
U.S. Department of Homeland Security
301 7th Street, S.W.
Washington, D.C. 20528

Dear Acting Secretary Wolf:

We write to gather information about the United States government's implementation of U.S.-Canada border restrictions at land ports of entry. In our home state of Michigan – which has high-volume crossings and active border communities – we have heard concerns from constituents about the real-world implications of these restrictions. We urge you to consider these impacts as you continue to evaluate border restriction policies.

We appreciate the swift action of the Department of Homeland Security (DHS) to coordinate with Canadian counterparts and implement the border restrictions that went into effect on March 21, 2020. Data shows that these restrictions have been effective in decreasing discretionary travel while continuing to support essential trade and services critical to the COVID-19 response and overall U.S. and Canadian economies. This has been particularly important in Detroit, where thousands of nurses cross the border each day to serve in hospitals within the city.

The efficacy of continued restrictions on cross-border travel to prevent the spread of COVID-19 is clear. However, as the restrictions become longer-term policies, DHS must consider the need to adjust and clarify what is considered “essential” activity. In Michigan, immediate family members live on opposite sides of the border, students at Michigan colleges and universities cross the border to attend school, and citizens of one country own homes in the other for recreation. The border restrictions have made it more challenging for these individuals to fulfill obligations and continue daily life. For example, the high water levels on the Great Lakes are posing potential risks for some property owners, who have been unable to reach their homes to address or mitigate disaster damage across the border. As stay at home orders are relaxed in communities, these impacted individuals deserve clarification on continued border policies.

We urge DHS to consider how restrictions may be clarified or adjusted to address the concerns of cross-border communities as you continue to work with the Canadian government to evaluate border restrictions. We understand that implementation of the restrictions is ultimately subject to the discretion of Customs and Border Protection (CBP) officers on the front lines, who must take into consideration the information presented to them to protect the health and safety of Americans. However, more clarity on these policies would be helpful for affected communities

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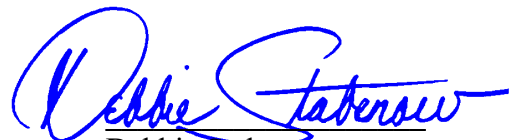
as we continue to respond to this crisis. To better understand how the U.S. is applying U.S.-Canada border restrictions at land ports of entry, please respond to the following questions:

1. What was the process for developing the essential and non-essential categories agreed upon by both nations?
2. In the event that entry criteria is adjusted by either country:
 - a. Is there an official process by which one country notifies the other?
 - b. If Canada adjusts their entry criteria, is there an official process by which the U.S. reviews and potentially implements reciprocal criteria?
3. Does CBP consider a Canadian citizen or legal permanent resident traveling from Canada to property in the U.S. that is at risk of damage due to flooding due to high water levels on the Great Lakes essential or non-essential travel?
 - a. Has CBP encountered Canadians who seek to enter the U.S. for this reason and granted entry?
4. On June 8, 2020, Canadian Prime Minister Justin Trudeau announced that Canada would permit immediate family members of Canadian citizens or legal permanent residents to enter Canada if they self-quarantine for fourteen days. Does the U.S. plan to implement a reciprocal policy?
 - a. If so, when will this be implemented?
 - b. If not, why not?
5. Border crossings for students appear to be essential travel. As colleges and universities resume classes in the fall, will students be able to travel across the border as needed?

Sincerely,



Gary C. Peters
United States Senator



Debbie Stabenow
United States Senator