



Homeland Security

Fact Sheet

June 20, 2007

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Strengthening Border Security and Facilitating Entry into the United States

Moving Toward WHTI Implementation for Cross-Border Travel by Land and Sea

Access to our nation is critical for a terrorist to plan and carry out attacks on our homeland. As the 9/11 Commission's Final Report states, "For terrorists, travel documents are as important as weapons. Terrorists must travel clandestinely to meet, train, plan, case targets, and gain access to attack. To them, international travel presents great danger, because they must surface to pass through regulated channels to present themselves to border security officials, or attempt to circumvent inspection points."

The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) required the Department of Homeland Security (DHS) and Department of State (State) to develop and implement a plan to require all travelers, U.S. citizens and foreign nationals alike, to present a passport or other secure document or combination of documents that denote identity and citizenship when entering or re-entering the United States.

The Western Hemisphere Travel Initiative (WHTI) is the plan to implement this 9/11 Commission recommendation and Congressional mandate. This travel initiative is being implemented in phases. WHTI requirements are in effect, as of January 23, 2007, for air travel, and the departments are announcing the phases for land and sea compliance. The goal of WHTI is to strengthen border security and facilitate entry into the United States for U.S. citizens and legitimate international travelers.

A PHASED APPROACH

WHTI Air: Implemented on January 23, 2007, the WHTI regulation for air travel requires generally all U.S. citizens and citizens of Canada, Mexico and Bermuda traveling by air between the U.S. and Canada, Mexico, the Caribbean, and Bermuda to present a valid passport to enter, or re-enter, the U.S. As a result of close coordination with federal government partners, private sector travel, tourism industry and the air carriers, 99 percent of U.S. citizens and affected international travelers have complied with this new requirement.

DHS and State recently announced that U.S. citizens traveling to Canada, Mexico, the Caribbean, and Bermuda who have applied for but not yet received passports can nevertheless temporarily enter and depart from the United States by air with a government issued photo identification and Department of State official proof of application for a passport through Sept 30, 2007. The federal government is

making this accommodation for air travel due to longer than expected processing times for passport applications in the face of record-breaking demand.

WHTI Land/Sea Transition: Beginning Jan 31, 2008, DHS plans to begin initial elements of WHTI implementation at land and sea ports of entry by ending the routine practice of accepting oral declarations alone. At that point, U.S. and Canadian citizens will need to present either a WHTI-compliant document or a government-issued photo ID, such as a driver's license, plus proof of citizenship, such as a birth certificate. DHS also proposes to begin alternative procedures for U.S. and Canadian children in January, whereby children ages 15 and younger would be required to present certified copies of their birth certificates. Groups of U.S. and Canadian children ages 16 through 18, traveling with public or private school groups, religious groups, social or cultural organizations or teams associated with youth athletics organizations would also be able to enter, under adult supervision, with certified copies of their birth certificates.

WHTI Land and Sea: At a date to be determined by the Secretary of Homeland Security, in consultation with the Secretary of State, the Departments will implement the full requirements of the land and sea phase of WHTI. The implementation date will be determined based on a number of factors, including the progress of actions undertaken by the Department of Homeland Security to implement the WHTI requirements and the availability of WHTI compliant documents on both sides of the border. DHS and State expect the date of full WHTI implementation to be in the summer of 2008. The precise implementation date will be formally announced with at least 60 days notice.

A Notice of Proposed Rulemaking (NPRM) proposing new documentation requirements for U.S. citizens and certain nonimmigrant aliens entering the U.S. by land or sea from within the Western Hemisphere is now available at www.dhs.gov. These documents include: a U.S. passport; a U.S. passport card; a trusted traveler card (NEXUS, FAST, or SENTRI); a valid Border Crossing Card; a valid Merchant Mariner Document when traveling in conjunction with official maritime business; or a valid U.S. Military identification card when traveling on official orders or permit. The NPRM also outlines ongoing efforts to provide other alternative documents. The Departments welcome comments to the NPRM and note that it has been developed with consideration of extensive consultation and constructive dialogue with various stakeholders, members of Congress, border community residents, and officials on both sides of our nation's borders.

A SECURE, VERIFIABLE TRAVEL DOCUMENT

- Standardized, secure and reliable documentation will allow DHS to quickly, reliably and accurately identify a traveler.
- Currently, Customs and Border Protection (CBP) Officers must satisfy themselves that an individual who merely makes a verbal claim of U.S. or Canadian citizenship is in fact a citizen. These individuals provide whatever they have on their persons to support the claim – including more than 8,000 different documents. A CBP officer has to assess the authenticity of the document, regardless of when or where it was issued.
- The challenge at the borders is assessing individual travelers, based on the documents they present, without significantly slowing the processing time for admission into the United States. Limiting and standardizing the types of documents presented will result in a more secure and efficient border.

CERTIFICATIONS

Congress called for the DHS and State to fulfill specific certifications prior to implementing WHTI at land and sea ports of entry. These certifications and their status are outlined in the NPRM, and include:

National Institute of Standards and Technology (NIST) Certification:

- NIST certified that the Radio Frequency Identification (RFID) card architecture (security and privacy protection measures) to be incorporated in the proposed Passport Card met or exceeded accepted standards. RFID technology has been used successfully as a border management tool since 1995.

Flexible Treatment of Minors:

- DHS announced in February that it would propose a flexible approach to the new document requirements for children, permitting birth certificates as acceptable proof of identity and citizenship for minors age 15 and under, as well as for minors age 16 – 18 who meet certain requirements, such as traveling with school or youth groups.

Alternative Documents:

- NEXUS, SENTRI and FAST frequent traveler programs are all proposed alternative documents, and leverage RFID technology. With 300,000 members combined, CBP is expanding these programs to additional enrollment facilities to help meet growing demand.
- The Passport Card, to be produced by Department of State, is a secure, less costly document that represents a direct response to initial public concerns that passports were cost-prohibitive. State has developed an ambitious and aggressive schedule to begin issuing the Passport Card to the public as soon as possible in 2008.
- DHS announced in March its commitment to Washington State to accept the State's enhanced state driver's licenses as proof of identity and citizenship for WHTI purposes. DHS is encouraging other states to submit similar proposals to enhance their driver's licenses and identification documents for use at land and sea ports of entry. Several border States have commenced discussions with DHS to this end.

Consultation with Canadian and Mexican Officials:

- DHS and State have consulted with Canadian and Mexican officials regarding WHTI implementation since the enactment of IRTPA.
- We remain committed to such consultations. In particular, DHS officials have been involved in extensive discussions with their Canadian counterparts regarding alternative documents that could be available to Canadian citizens for WHTI purposes.

A detailed list of Frequently Asked Questions about WHTI is available at www.cbp.gov. Travelers are also encouraged to visit www.travel.state.gov for additional information on their destinations, as well as helpful resources provided by the Department of State's Bureau of Consular Affairs.

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