



**Homeland
Security**

Frequently Asked Questions

Publication of Western Hemisphere Travel Initiative (WHTI) Land and Sea Final Rule

What is the Western Hemisphere Travel Initiative?

The Western Hemisphere Travel Initiative (WHTI) will require all travelers to and from Canada, Mexico, the Caribbean and Bermuda who have historically been exempt from passport requirements, to present a passport or other approved document that establishes the bearer's identity and citizenship in order to enter or re-enter the United States. WHTI is designed to strengthen border security and facilitate entry into the United States for U.S. citizens and legitimate international visitors while minimizing the social and commercial impacts on international travelers and U.S. citizens, particularly residents living along the border.

Why is the U.S. government implementing the travel initiative?

WHTI is a joint Department of Homeland Security (DHS) and Department of State (DOS) plan that implements both a 9/11 Commission Recommendation and a Congressional mandate that will close a significant security vulnerability. The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), as amended, mandates that DHS and DOS develop and implement a plan to require U.S. citizens and foreign nationals to present a passport or other appropriate identity and citizenship documentation when entering the United States from within the Western Hemisphere.

For many years, U.S. and Canadian citizens were exempt from the presentation of a passport or other document to enter the United States. On January 31, 2008, U.S. Customs and Border Protection (CBP), using its existing authority, ended the practice of accepting oral declarations of citizenship and identity alone at the land and sea ports of entry to address a security vulnerability that has existed for years at the border.

CBP officers have intercepted over 129,000 fraudulent documents since January 2005 and apprehended over 118,340 individuals at the ports of entry trying to cross the border with fraudulent claims of citizenship or documents. The challenge at the borders is how

to determine the admissibility of individual travelers, based on the documents they present, without significantly slowing the processing time for admission into the United States. Implementation of WHTI, which will further narrow the types of documents accepted to prove identity and citizenship, is a critical step towards meeting this challenge.

When will implementation of the new requirements occur?

Implementation will occur on June 1, 2009. Upon implementation, only a passport or other WHTI-compliant document will be accepted for entry into the United States.

If these new requirements won't go into effect until June 1, 2009, why is the government announcing them now?

DHS is publishing this rule more than a year in advance of its implementation to give the public ample notice and time to obtain the WHTI-compliant documents they will need to enter or re-enter the United States beginning June 1, 2009. By publishing the rule now, travelers who don't already have WHTI-compliant documents (and many do have them) will know exactly which documents they will need and plenty of time to obtain them.

Who is affected by this change?

This change affects all U.S. citizens entering or re-entering the United States by land or sea – including by pleasure vessel or ferry. It also affects certain foreign nationals, who have been exempt from a document requirement, namely citizens of Canada and Bermuda. Most travelers will require one of the following documents:

- **U.S. citizens:** A passport issued by the U.S. Government, a passport card, a valid trusted traveler program card (FAST, NEXUS, or SENTRI), an enhanced driver's license (EDL), a Military ID with official travel orders, or a U.S. Merchant Mariner Document.
- **Canadian citizens:** A passport issued by the Government of Canada, a valid trusted traveler program card (FAST, NEXUS, or SENTRI), or an EDL.
 - U.S. and Canadian children under the age of 16 will be able to present a birth certificate or other proof of citizenship. See the CBP website for more information about children traveling with a school or religious group, social organization, or sports team.
- **Bermudians:** A passport issued by the Government of Bermuda or the United Kingdom.
- **Mexican citizens:** Mexican citizens, including children, are currently required to present a passport with visa or a laser visa border crossing card, and therefore there is little to no expectation of change under these new requirements.

How will travelers know what documents to get and when to get them?

Over the next 14 months, DHS and DOS will be conducting public information campaigns to inform travelers about the new document requirements. These campaigns will include special outreach toward residents of border communities who may be most impacted by the new document requirements. DHS and DOS are working with the Canadian government to ensure widespread and consistent communications on both sides of our land borders.

What is currently required at land and sea borders?

As of January 31, 2008, oral declarations of citizenship alone are no longer sufficient to establish identity and citizenship for entry into the United States. U.S. and Canadian citizens ages 19 and older are asked to present a government-issued photo ID, such as a driver's license, along with proof of citizenship, such as a birth certificate or naturalization certificate. Children ages 18 and under are currently asked only to present proof of citizenship, such as a birth certificate. Passports and trusted traveler cards, such as NEXUS, SENTRI and FAST, are considered WHTI-compliant documents and are accepted for cross-border travel.

The period between publication of the final rule and June 1, 2009, is designed to lessen the impact on individuals and allow time for travelers to become accustomed to the change and obtain the appropriate documents. Implementation of WHTI, which will further narrow the types of accepted documents, will take place on June 1, 2009.

What are the NEXUS, SENTRI and FAST programs?

These cross-border travel programs are voluntary, and members must meet certain eligibility requirements and pay a 5-year membership fee. NEXUS (the northern border program) and SENTRI (the southern border program) are for passengers; FAST (Free and Secure Trade) is the commercial equivalent for truck drivers.

For a complete list of participating locations, eligibility requirements, and application information, please visit the "Travel" link at www.cbp.gov and click "Trusted Traveler Programs."

Where can I go to obtain a traditional passport?

Visit www.travel.state.gov for a complete list of more than 9,300 passport acceptance locations nationwide, including U.S. Postal Offices. To apply for your passport, you will need a passport application, proof of U.S. citizenship (such as a certified birth certificate or Naturalization Certificate), government issued photo ID (such as a driver's license) two color 2" x 2" current photographs, and a check or money order for the passport fee.

What is the cost of obtaining a traditional passport book or the new passport card?

If you are age 16 or older and applying for the first time, a passport book costs \$100 and is good for ten years. Passport books for children under age 16 are \$85 and are valid for five years. Adults renewing their passports pay a \$75 fee. Expedited processing is available for an additional \$60.

The Department of State is accepting applications for the new passport card that will be issued later this Spring. For applicants who do not already have a passport book, the costs for the passport card are \$45 for ages 16 and older and \$35 for children under age 16. For those with valid passport books, the passport card fee is \$20 for those ages 16 and over. Passport cards carry the same periods of validity as passport books.

Complete information is available at www.travel.state.gov/passport.

Where can I go to obtain a birth certificate?

You may obtain a birth certificate by contacting your state's Department of Vital Records or through the National Center for Health Statistics at www.cdc.gov/nchs.

Other Acceptable Travel Documents

Will there be other accepted documents?

Several states have agreed to issue enhanced driver's licenses (EDLs) through a partnership with DHS. Washington State has already begun to issue EDLs, and Vermont, New York, and Arizona are working with DHS to develop EDLs for U.S. citizens residing in their states. These documents will denote both citizenship and identity and will contain security features to help prevent counterfeiting and facilitate the entry process at land and sea ports of entry.

Additional documents that will be accepted at land and sea ports of entry include:

- Lawful Permanent Resident Card (Form I-551);
- Merchant Mariner Document when traveling in conjunction with official maritime business;
- U.S. Military identification card when traveling on official orders; and
- Kickapoo Band Members of the Kickapoo Band of Texas and Tribe of Oklahoma are permitted to present the Form I-872 American Indian Card in lieu of a passport, as they do currently.

Mexican citizens, including children, are currently required to present documents, which include a valid passport and visa or a laser visa/Border Crossing Card (including SENTRI program members); there is little to no change expected for these travelers.

What will happen on June 1, 2009?

The Departments of Homeland Security and State will implement the Western Hemisphere Travel Initiative, as outlined in the final WHTI land and sea rule published in the Federal Register. At that time, only a passport or other WHTI-compliant document will be accepted for cross-border travel through land and sea ports of entry.

Will I be able to use an enhanced driver's license (EDL) at locations outside of my state?

Yes. EDLs will be accepted for entry into the U.S. from Canada, Mexico, Bermuda, and the Caribbean at any land or sea port of entry.

How do these requirements affect Native Americans?

The Indian and North Affairs Canada Card and Tribal Enrollment Cards with a photo affixed to the card will be accepted until June 1, 2009.

We expect that, in order to be designated as WHTI-compliant, many Native American tribes will have to enhance their tribal enrollment and identification cards. As noted in the final rule, we are open to such conversations and will continue outreach with interested federally recognized Native American tribes to develop a WHTI-compliant enhanced tribal card.

The proposed new Indian and Northern Affairs Canada (INAC) card, if designated by the Secretary of Homeland Security, may also be presented as evidence of citizenship and identity by Canadian Indians when they seek to enter the United States.

Members of the Kickapoo Band of Texas and Tribe of Oklahoma would be permitted to present the Form I-872 American Indian Card in lieu of a passport, as they do currently.

I am a (sports coach/group leader/chaperone) that regularly takes groups of students across the border for events. What should I do to ensure that all of my students can cross?

Please ensure that all members of the club/team/youth group have birth certificates or other valid proof of citizenship. U.S. and Canadian children ages 18 and under who are part of the group will be able to enter the country with their birth certificate or other proof of citizenship, such as a naturalization certificate or citizenship card.

Additional requirements will take effect for groups of children after implementation of WHTI on June 1, 2009. See the CBP website for more information.

Does my birth certificate need to be a certified, original copy?

No, we will accept an, original, copy or certified copy of your birth certificate.

Traveling by Sea

How will the final WHTI requirements affect passengers going on cruises?

U.S. citizens on closed-loop cruises (cruises that begin and end at the same port in the U.S.) will be able to enter or depart the country with proof of citizenship, such as a birth certificate and government-issued photo ID. A U.S. citizen under the age of 16 will be able to present either an original or a copy of his or her birth certificate, a Consular Report of Birth Abroad issued by DOS, or a Certificate of Naturalization issued by U.S. Citizenship and Immigration Services.

Please be aware that you may still be required to present a passport when you dock at a foreign port, depending on the islands or countries that your cruise ship is visiting. Check with your cruise line to ensure you have the appropriate documents for the stops you'll be making on your cruise.

How are ferries and small boats (pleasure vessels) affected?

Ferries and small boats are processed much like land travel, and all individuals traveling by these modes of travel are subject to the new requirements.

What if I have an I-68 registration? Will I still need a passport?

Yes, boaters who have an I-68 form will still be required to abide by the new travel document requirements. Bear in mind that a NEXUS card is an alternative to a passport, and ensuring that you have either a NEXUS card or a passport will enable you to continue to utilize telephonic clearance procedures currently in place for I-68 holders.

An I-68 form is similar to a vehicle registration, and is not an identity document or a travel document.

What about commercial or charter vessels that enter international waters but do not dock at a foreign port? Are its passengers required to present passports upon returning to the United States?

No. As long as a vessel does not call at a foreign port, immigration law does not consider this a "departure" from the United States and therefore upon return, is not considered an entry that would require a passport. Therefore, passports or other designated documents would not be required for those, including commercial fishermen traveling on a vessel that sails from a U.S. port and returns without calling at a foreign port.

What are the requirements for entry into foreign countries?

In most situations, a U.S. passport should allow you to enter your country of destination. You should always check with your air carrier, cruise ship, travel agent, and/or destination country to confirm the requirements for entry at your destination.

What About... *Lost Passports, Special Groups, & Other Exceptions to the Rule*

What happens if I don't have any documents when I cross the border at a land or sea port of entry?

You will be delayed as U.S. Customs and Border Protection officers attempt to verify your citizenship and identity.

I lost my passport while traveling overseas. What steps should I take?

If your passport is lost or stolen while traveling overseas, report it immediately to the nearest U.S. embassy or consulate. You will need to fill out form DS-64, Statement regarding a Lost or Stolen Passport. For information on obtaining a U.S. Passport, visit www.travel.state.gov or call 1-877-487-2778.

Will travelers from U.S. territories need to present a passport to enter the United States?

No. U.S. territories are considered a part of the United States. U.S. citizens returning directly from a U.S. territory are not considered to have left the country and do not need to present a passport. U.S. territories include the following: Guam, Puerto Rico, the U.S. Virgin Islands, American Samoa, Swains Island and the Commonwealth of the Northern Mariana Islands.

How do these requirements affect First Responders or medical emergency situations?

WHTI does not prevent CBP from continuing to allow first responders and patients having a medical emergency to enter the country using existing waiver and parole authorities to provide necessary expedited processing on a case-by-case basis for these individuals.

Special consideration will continue to be made for urgent medical issues, first responder situations, and cross-border emergency services; however obtaining a passport or other acceptable document is likely to be the most expedient means of crossing the border for emergency first response personnel who routinely cross the border.

Additional Background

There have been concerns within the travel and tourism industry about the effect that the WHTI travel requirements will have on the economy. How is this being addressed?

DHS has prepared a separate economic assessment, which is available in the Final Rule. The Rule and economic assessment have been reviewed by the Office of Management and Budget (OMB). DHS has determined that the benefits – facilitation of travel and increased security that would reduce the probability of a terrorist attack – are greater than the potential costs. In analyzing the costs and benefits of the Rule, DHS also considered a range of alternative documents.

How will the Departments of Homeland Security and State increase the security of our borders by proof of identity and citizenship without causing backups at the land borders?

DHS and DOS are utilizing Radio Frequency Identification (RFID) technology for documents to meet WHTI requirements. This technology helps facilitate processing at the border by eliminating manual data entry and queuing a traveler's information to the CBP officer as the traveler's vehicle approaches the inspection booth. The technology also supports automatic searches for any outstanding/arrest warrants and conducts standard criminal checks so that we can facilitate the processing of legitimate travelers while focusing our attention on higher-risk individuals.

This technology has been used in the trusted traveler programs since 1995, and is also used in everyday applications such as toll tags, metro cards, and building passes.

How is the United States working with Canada and Mexico to further this initiative?

The Secretaries of the Departments of Homeland Security and State have worked closely with the Canadian and Mexican governments on numerous fronts, including the Security and Prosperity Partnership (SPP) of North America, the Smart Border Declaration, and the Shared Border Accord. The objectives of the initiatives are to establish a common approach to security to protect North America from external threats, prevent and respond to threats within North America, and further streamline the secure and efficient movement of legitimate traffic across our shared borders. The Secretaries are committed to working with our international partners to establish a common security strategy that also emphasizes the importance of facilitating legitimate trade and travel on our shared borders.