

**JOINT STATEMENT**

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**Before**

**The House Committee on Homeland Security**  
**Subcommittee on Border, Maritime and Global Counterterrorism**  
**“Implementing the Western Hemisphere Travel Initiative at the**  
**Land and Sea Ports of Entry: Are We Ready?”**

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Chairwoman Sanchez, Ranking Member Souder, and other distinguished Members of the Committee. We are pleased to appear before you today to discuss how we will implement the second phase of the Western Hemisphere Travel Initiative (WHTI), which is both a statutory mandate of the Intelligence Reform and Terrorism Prevention Act (IRTPA) of 2004 and a 9/11 Commission recommendation, to designate specific identity and citizenship documents that can be used to gain entry at our land, sea, and air ports of entry. Secretary Napolitano, along with her partners in other agencies and departments, is working to secure our homeland by strengthening our ability to accurately identify all persons – U.S. citizens and visitors alike – before they enter the United States. Our approach to implementing WHTI has been, and will continue to be, both pragmatic and flexible as we work to achieve the goal of increased security while significantly facilitating the flow of legitimate trade and travel.

The initial phase of WHTI was successfully implemented for air travel on January 23, 2007. Since then, compliance has been and continues to be high – over 99 percent. This compliance was the result of the collaborative planning process on behalf of DHS and DOS, working closely with the airline industry, travel industry and the public, well in advance of implementation.

We are prepared to complete this effort by successfully and efficiently implementing WHTI at all land and sea ports of entry on June 1, 2009. On February 26, 2009, the secretaries of DHS and DOS jointly certified to Congress that all statutory criteria had been met prior to implementing the WHTI at land and sea borders on June 1, 2009.

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."

On January 31, 2008, we added another layer to create a more secure border – a border that continues to welcome legitimate travelers and efficiently facilitate entry into the country. It also is a border that inhibits entry of individuals who cannot confirm their identity and citizenship. In spite of warnings that taking such measures would bring travel and trade to a standstill, we implemented these changes in travel document requirements – requiring a government issued photo identification and proof of citizenship – without causing discernable increases in wait times at the land and sea borders. Compliance rates since requirements were initiated January 31, 2008, remain consistently high – well over 93 percent for United States and Canadian citizens queried. In fact, our surveys showed that more than six weeks in advance of scheduled January WHTI implementation, roughly 80 percent of U.S. and Canadian citizens exceeded the January 2008 requirements and were presenting WHTI-compliant documents when crossing the border.

Our layered security strategy involves identifying and interdicting individuals attempting to harm or illegally enter the country as early as possible – if not before they enter our country, then at our ports of entry. Through its requirement that individuals carry a passport or other limited set of acceptable documents, WHTI will greatly reduce the opportunities for identity fraud or misrepresentation. Travel documents that were developed or enhanced specifically in response to WHTI include embedded, advanced technology with appropriate privacy protections and infrastructure. These documents allow DHS the ability to verify an individual's identity and perform real-time queries against lookout databases even before the traveler arrives at our U.S. Customs and Border Protection (CBP) officers' inspection booths. By eliminating the need to manually input data and by automating part of the process, implementation of WHTI allows our officers more time to focus greater attention on each individual traveler. WHTI provides the platform to implement an integrated secure land border system, and we have taken every step to take full advantage of that opportunity.

The WHTI Land and Sea Final Rule, published on April 3, 2008, in the *Federal Register*, was developed after extensive consultation and constructive dialogue with various stakeholders, including communities and officials on both sides of our borders, and after carefully considering the more than 1,300 comments received during the public comment period for the Notice of Proposed Rulemaking. The policy decisions in this Final Rule, such as the development of special provisions for children and cruise lines and our approach to working with Native American communities on the development of a WHTI-compliant enhanced tribal document, reflect the valuable input we received from the public and stakeholders.

In preparation for June 1, 2009, Secretary Napolitano has ensured that DHS has focused on three main areas – availability of documents; infrastructure and technology; and communications and outreach.

### **Availability of Documents**

WHTI compliance is not limited to a passport. DHS, through CBP, and DOS have offered alternatives to the traditional passport from which the traveling public can choose the one that best meets their travel needs. In addition to a U.S. passport, the vast majority of U.S. citizens will be able to present the following WHTI-compliant documents to enter the United States through a land or sea port of entry from within the Western Hemisphere: a passport card; an enhanced driver's license from an issuing state, territory or province, issued pursuant to an agreement with DHS; or a trusted traveler program (NEXUS, SENTRI, FAST) card. U.S. citizens may also present a U.S. military ID with travel orders, an enhanced tribal card issued by a qualifying tribal entity, or a merchant mariner document if on official business.

The flexibility of the number of secure, WHTI-compliant documents addresses the needs of different travelers, while providing CBP officers at primary inspections with advance information and the ability to verify the information on the document with the issuing agency. Some citizens who already have a traditional passport book for travel

overseas may benefit from getting a passport card as well if they live near one of our land borders and make frequent trips across the border. Individuals who frequently cross the southern border may be best served by obtaining a Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card that will give them access to SENTRI-only lanes. Some U.S. citizen border crossers might choose an enhanced driver's license that offers the benefits of a traditional driver's license but also serves as a limited use travel document.

Most of our cross border travelers already have WHTI-compliant documents – more than 92 million Americans now hold a passport or passport card. The states of Washington, New York, Vermont, and Michigan have issued more than 120,000 enhanced driver's licenses (EDLs). The Canadian provinces of British Columbia and Quebec are already issuing EDLs and the provinces of Manitoba and Ontario will begin issuing EDLs by the end of May 2009. Our trusted traveler programs, NEXUS, SENTRI, and Free and Secure Trade (FAST), have more than 585,000 members.

We have sent out over 600 letters to all the federally recognized Native American tribes and offered to work with them toward developing a WHTI-compliant enhanced tribal document. On March 3, 2009, CBP signed a memorandum of agreement with the Kootenai Tribe of Idaho to develop an enhanced tribal card. Upon successful development, testing and issuance, this document will be available to members of the Kootenai Tribe of Idaho to establish their identity, tribal membership and United States or Canadian citizenship for the purposes of border crossing. We look forward to working with other Native American tribes to develop enhanced tribal cards. This partnership is critical to the success of WHTI and demonstrates our commitment to listening to the concerns and ideas expressed by the Native American and other communities.

### **Infrastructure and Technology**

In preparation for full WHTI implementation, DHS awarded a contract on January 10, 2008, to begin the process of deploying vicinity radio frequency identification (RFID) facilitative technology and infrastructure to 354 vehicle primary lanes at 39 high-volume land ports, which process 95 percent of land border traveler crossings. As of April 30, 2009, RFID technology has been successfully installed and operational at 33 of the 39 high-volume land ports. We remain on time, on budget, and on track to implement WHTI as planned on June 1, 2009. At the remaining land and sea ports of entry, lanes are equipped with optical character reader technology. This technology will read any travel document with a machine-readable zone (MRZ), including passports, border crossing cards, trusted traveler cards, enhanced drivers licenses, passport cards, and lawful permanent resident cards.

### **Communications and Outreach**

CBP launched a multi-media communications campaign in September 2008, "Let's Get You Home," designed to educate the traveling public about new travel document requirements that will go into effect on June 1, 2009. We are now executing the third phase of our comprehensive press, stakeholder, and traveler outreach effort,

concentrating on 12 major border media markets. To date, television and radio spots have aired more than 21,000 times and we have published 8 print advertisements, which have run more than 124 times. We have created a web site ([www.getyouhome.gov](http://www.getyouhome.gov)) to serve as the primary source of information on WHTI documents and have distributed over 6 million educational tear sheets to travelers as they cross the border. In the last year, we have issued approximately 125 press releases; provided more than 200 media interviews; generated over 2,000 media clips; produced 8 television commercials in English, French and Spanish; and produced two public service announcements, which have aired on 280 radio stations more than 11,700 times. We have focused on WHTI at 12 trade shows and conduct, on average, 50 WHTI-related outreach events per month across the country.

As we approach June 1, 2009, we are in the midst of conducting press events at every land border port, reminding the traveling public to apply for their secure, WHTI-compliant documents now so that they will have them for June 1.

### **Operations on June 1, 2009**

DHS is committed to implementing WHTI in a commonsense, flexible way that facilitates the flow of legitimate travelers and improves the security of U.S. borders. DHS will be practical and adaptable in its approach, using the same approach of informed compliance instituted successfully during other major changes at the borders over the last two years, including the January 2007 implementation of WHTI in the air environment, and the January 2008 end to acceptance of oral declarations of citizenship at the land and sea ports.

DHS anticipates that some travelers will not have appropriate documents—a fact that CBP deals with on a daily basis. CBP has steps in place to deal with those scenarios. We expect to use our full range of authorities to be flexible in accommodating U.S. and Canadian citizens without WHTI-complaint documents in the initial phase of implementation.

CBP is prepared to implement WHTI requirements on June 1, 2009, and we have taken the steps to ensure operational readiness on a national scale.

Just last week, CBP brought together trainers, operations specialists, and public affairs officers from around the country to Arlington, Virginia, for a WHTI Implementation Conference. Our field personnel were thoroughly updated on policies and procedures for the June 1, 2009, implementation, and had the opportunity to discuss mitigation strategies for real-world situations that they are likely to encounter. In turn, these CBP trainers will ensure that all land border officers receive updated training and are prepared for implementation. A similar conference was conducted prior to January 31, 2008, and was highly successful in getting the message out to our frontline personnel.

On May 29, 2009, CBP will establish the WHTI Operations Center at CBP Headquarters. This operations center will be staffed 24 by 7 to continuously monitor port

operations before, during and after the June 1, 2009, implementation. The center will conduct daily teleconferences with the field and provide immediate response to questions and concerns. Daily reports will be provided to senior leadership on the successes and challenges. Senior managers will be working at the ports and uniformed public affairs officers will be on-site to provide accurate public affairs guidance.

### **Potential Impact of WHTI**

Concerns have been expressed about the potential impact of the WHTI documentation requirements on traveler wait times at our land ports of entry. Allow me to emphasize that under no circumstances will CBP deny admission to a United States citizen, even if he or she does not possess a WHTI-compliant document. The risk that document requirements will negatively impact ports of entry in June 2009 is minimal, as the majority of travelers have been presenting documents for inspection at the border for over 16 months. Since January 31, 2008, compliance rates have steadily improved – more than 93 percent of U.S. and Canadian citizens queried while crossing the land border are in compliance with document requirements. Most travelers are complying with the January 31, 2008, change in document procedures and will comply with WHTI requirements in June 2009. Preliminary data from on site observational audit studies conducted at three northern border ports and two southern border ports indicate approximately 80 percent of U.S. and Canadian citizens are already presenting WHTI compliant documents as required for June 1, 2009.

Our decision to adopt vicinity RFID technology for the land border was based on the need to process legitimate travelers as speedily as possible without impacting security. After extensive review of available and possible technologies, DHS selected vicinity RFID as the best technology for our land border management system – and the standard to which all future land border travel documents will comply. Vicinity RFID technology affords the most benefits for the facilitated movement of travelers. Facilitation requires the ability to read a travel document in advance, verify identity, pre-position information, and, most importantly, perform automated watch list queries without impeding the flow of traffic. Our research and testing indicates that RFID technology is able to accomplish each of these requirements.

DHS and CBP have instituted best practices for the collection, protection, and use of personal information for WHTI. No personal identifying information is stored on the RFID tag and all data is stored at remote locations on secure storage devices that can only be accessed via DHS's secure, encrypted networks. Issuance of an attenuating sleeve by DOS for the passport card and the states for the EDL will protect the tags from unauthorized reads when not in use at the border. Implementation of a card specific tag identifier number will ensure that a card cannot be cloned or duplicated.

On average, the use of RFID technology saves six to eight seconds of processing time per passenger. Although we expect to quickly process the documents of most travelers, we will not focus on speed as the singular measure of success. Speeding up the document querying and authentication process gives more time for our CBP officers to

ask questions and conduct inspections of those who require additional scrutiny. Time now spent examining a document will instead be used to probe those seeking to enter the United States who may present a higher risk.

While the new document requirements and the implementation of WHTI are anticipated to have minimal negative impact on current wait times, other factors such as port design, infrastructure, traffic volume, and vehicle mix greatly affect border wait times. DHS and CBP are taking advantage of WHTI implementation to improve port infrastructure, but some challenges such as physical limitations will not be resolved in advance of WHTI implementation. Wait times are monitored on an hourly basis and proactive measures are taken to reduce wait times to the greatest extent possible using a variety of mitigation strategies and staff and lane utilization.

Both DHS and DOS have worked closely with the Canadian and Mexican governments on numerous fronts, including the Smart Border Declaration and the Shared Border Accord. The objectives of these initiatives are to establish a common security approach to protecting North America from external threats, and to streamline the secure and efficient movement of travel and trade. We remain committed to such consultations that have fostered WHTI accomplishments. In particular, DHS has been involved in clear, action-driven plans with our Canadian counterparts regarding secure alternative documents that are available to Canadian citizens for WHTI purposes, including the issuance and production of EDLs for Canadian citizens as an alternative to the Canadian passport.

We recognize that concerns remain about the impact of WHTI on border communities. We acknowledge that WHTI represents a social and cultural change, but assure the American people and Congress that WHTI will provide substantive enhancements to border security. The investments made at the ports of entry and to CBP systems are providing significant benefits to communities on both sides of the border and facilitate the legitimate flow of people and trade. WHTI is a key step in creating an effective and more efficient twenty-first century border. Our experience, to date, with both WHTI air implementation and the January 31, 2008, transition has been positive with no discernable negative impacts to the borders. We are confident that the deliberate, practical approach we have taken for the next phase of WHTI implementation will afford us the same results. WHTI conforms to our future vision of the land border in a way that meets our national security needs, our economic imperatives, and the public's trust.

## **Conclusion**

Chairwoman Sanchez, Ranking Member Souder and Members of the Committee, WHTI is on time, on budget, and on track to complete implementation at the land and sea ports of entry on June 1, 2009. We continue to move in the right direction of increasing identity document security, increasing information sharing among partners, and deploying the necessary resources to protect the border. Strong borders are a pillar of national security and WHTI is a key cornerstone supporting that pillar.

Thank you again for this opportunity to testify, we will be happy to answer any of your questions.