

Wednesday, September 10, 2008

Immigration Update: Surf or Turf? It's a Good Time to Get That Passport

By Nancy-Jo Merritt and Matthew J. Martinez

If you were watching the Giants beat the Redskins in the NFL season opener, you may have seen the "America the Beautiful" ad campaign announced by the U.S. Customs & Border Protection agency. The campaign is intended to boost awareness of the deadline for implementation of the second and final phase of the agency's Western Hemisphere Travel Initiative (WHTI), or the "Land/Sea" phase.

The WHTI has been deployed in two phases. Phase I, Air Travel requirements, went into effect on January 23, 2007 and now all travelers, including children, must present a passport or secure travel document when entering the United States by air. Phase II, Land/Sea requirements, will complete the transition toward standard and consistent documents for all travelers entering the country.

The full requirements of the Land/Sea phase will be implemented on June 1, 2009, and will involve 39 ports of entry and more than 350 highway lanes that run across the U.S. borders with Canada and Mexico. U.S. citizens entering the United States at sea or land ports of entry will be required to have a passport, passport card, or WHTI-compliant document.

With respect to WHTI-Compliant Travel Documents, the list currently includes:

- Trusted Traveler Cards (NEXUS, SENTRI, or FAST);
- State Issued Enhanced Driver's Licenses (when available);
- Enhanced Tribal Cards (when available);
- U.S. Military Identification with Military Travel Orders;
- U.S. Merchant Mariner Document when traveling in conjunction with official maritime business;
- Native American Tribal Photo Identification Cards; and
- Form I-872 American Indian Cards.

While the new passport cards are very convenient, you should be aware that they will be valid only for land and sea travel (not air travel) between the U.S. and Canada, Mexico, the Caribbean region, and Bermuda.

Note that the passport requirement does not apply to U.S. citizens traveling to or returning directly from a U.S. territory. Also, permanent residents may continue to present their Form I-551, Permanent Resident Card.

quick links

- [Immigration Practice](#)
- [Labor and Employment Practice](#)
- [Unsubscribe](#)
- [Acrobat Reader](#)

Phoenix
3003 N. Central Ave.
Suite 2600
Phoenix, AZ 85012
(602) 916-5000

Tucson
One S. Church Ave.
Suite 1000
Tucson, AZ 85701
(520) 879-6800

Nogales
420 W. Mariposa Rd.
Suite 200
Nogales, AZ 85621
(520) 281-3480

Las Vegas
300 S. Fourth St.
Suite 1400
Las Vegas, NV 89101
(702) 692-8000

Denver
1700 Lincoln St.
Suite 2900
Denver, CO 80203
(303) 291-3200



Nancy-Jo Merritt
Director
602.916.5411
nmerritt@fclaw.com



Matthew J. Martinez
Associate
602.916.5446
mmartinez@fclaw.com