

Immigration Alert

New Passport Requirements

Effective June 1, 2009, the U.S. government completed implementation of the full requirements of the land and sea phase of the Western Hemisphere Travel Initiative (WHTI). WHTI is a result of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). The goal of WHTI is to facilitate entry for U.S. citizens and legitimate foreign visitors, while strengthening U.S. border security.

Now, U.S. citizens returning home from Canada, Mexico, the Caribbean or Bermuda, whether by land or sea, will be required to have documents that comply with the WHTI, most commonly a U.S. passport, a passport card, a trusted traveler program card such as NEXUS, SENTRI or FAST, or an enhanced driver's license (currently, states issuing WHTI-compliant enhanced driver's licenses include Michigan, New York, Vermont and Washington).

There are exceptions for special groups, including children, groups of children, Native Americans, "closed loop" cruises, U.S. lawful permanent residents (LPR), U.S. military, merchant mariners, ferries and small boats, and boaters. Specifically, U.S. citizen children under the age of 16 arriving by land or sea from contiguous territory may also present an original or copy of his or her birth certificate, a Consular Report of Birth Abroad, a Naturalization Certificate, or a Canadian Citizenship Card. In addition, document requirements for LPRs will not change under WHTI. LPRs can continue to use their permanent resident card (Form I-551) or other valid evidence of permanent residence status. Additional information can be obtained at http:// www.getyouhome.gov/html/lang_eng/ $eng_sa.html.$

For additional information or assistance, please contact your Vorys lawyer, or contact:

David W. Cook dwcook@vorys.com 614.464.5459

Robert A. Harris raharris@vorys.com 614.464.8373

Lisa M. Galvan lmgalvan@vorys.com 614.464.8284

This Client Alert is for general information purposes and should not be regarded as legal advice.