

May 9, 2007 - Provisions of Rep. Slaughter's WHTI Bill Included in DHS Authorization Act

Washington, DC - Rep. Louise M. Slaughter (D-NY-28), Chairwoman of the House Rules Committee, today announced that the Department of Homeland Security Authorization Act (HR 1684) included language she authored that will begin to fix the Western Hemisphere Travel Initiative (WHTI). The Chairman of the Homeland Security Committee included the WHTI provisions in the bill which passed the House last night by a vote of 296 - 126

FOR IMMEDIATE RELEASE

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"I am pleased that the House has taken an important first step toward fixing the Bush Administration's ill-conceived WHTI proposal. The provisions I authored will require the Department of Homeland Security to take the time to implement common-sense border policies that work for Western New York," said Rep. Slaughter. "We won't sit idly by while the local economies of Western New York are severely damaged by disastrous proposals like WHTI."

"I will continue to fight for smart implementation of WHTI, and today's action will not be the last opportunity to correct its many flaws. I would also like to thank Chairman Bennie Thompson for including my language in his amendment," Slaughter continued. "He understands the northern border and the potential impact of WHTI on Western New York's economy. Without his vision and hard work as Chair of the Homeland Security Committee, important provisions like these may have been overlooked."

The WHTI provisions Rep. Slaughter secured in the Homeland Security Authorization Act come from her H.R. 1061, the Protecting American Commerce and Travel Act (ACT).

BACKGROUND: A summary of the language authored by Rep. Slaughter and included in the Homeland Security Authorization Act is included below. The changes will improve both the Western Hemisphere Travel Initiative and expand low-risk travel programs.

The NEXUS and FAST programs expedite border crossings for low-risk travelers and commercial drivers. Although the 9/11 Commission reported that NEXUS and FAST are critical to greater security and efficiency at the northern border, DHS has been slow to fully utilize NEXUS and FAST and make them customer-friendly.

Language applying to WHTI:

- Requires DHS to complete an extensive cost-benefit analysis before implementing WHTI.

- Requires DHS to conduct trials on the passport card technology and share the results with Congress before issuing a final rule implementing WHTI. DHS has chosen a highly controversial technology for their proposed passport card. DHS has declined to share with Congress their plans to test the technology before issuing the passport card. Rep. Slaughter's language requires technology trials before DHS is allowed to implement WHTI.

- Requires DHS to develop a 6-month grace period for travelers who are not carrying the required WHTI documentation.

- Exempts children 15 and younger from the document requirements for land and sea travel, and authorizes flexibility for groups of children. Although DHS announced a children exemption in February, it is not legally binding and they did not specify if it will include both land and sea travel.

- Requires DHS to develop a public outreach plan in coordination with the travel and trade community.

- Requires DHS to report to Congress every 120 days on implementation of WHTI.

Language applying to NEXUS:

- This language will harmonize the NEXUS and FAST (commercial drivers) programs, expand NEXUS across the northern border, and dramatically improve NEXUS customer-service.

- Merges NEXUS Land, Air and Sea into one program with consistent guidelines.

FURTHER BACKGROUND: The Protecting American Commerce and Trade Act (PACT Act)

Congress must step-in and direct DHS and State to take the appropriate steps to implement WHTI in a practical manner. The PACT ACT will ensure that WHTI secures our borders without unintentionally freezing cross-border tourism and trade.

In September 2006, Congress extended the WHTI land and sea implementation deadline from January 2008 to June 2009. This extension came in part after the Government Accountability Office reported to Rep. Slaughter and Rep. McHugh in May that DHS and State were unlikely to meet the 2008 deadline. Their list of reasons was numerous. DHS did not request nor receive money in the FY 2007 Homeland Security Appropriations bill to purchase the infrastructure needed to support the PASS card at land ports-of-entry. DHS and State, after over a year and a half of internal discussions, have not chosen the technology for the PASS card. Finally, DHS and State have not completed a cost-benefit analysis as required under Executive Order 12866.

Given the importance of cross-border travel and trade to the economic vitality of both the US and Canada, it is imperative that DHS and State not push forward with an ill-advised WHTI plan. Rep. Slaughter has been the leader in Congress on improving the Western Hemisphere Travel Initiative (WHTI), and ensuring that the program when implemented will be done so correctly.

This legislation has the support of the Travel Industry of America and the US Chamber of Commerce, as well as the Niagara-based Binational Tourism Alliance.

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