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Western Hemisphere Travel Initiative

In response to the events of September 11, 2001, the United States Department of Homeland Security (DHS) has led the way on the implementation of procedures designed to strengthen US border security by requiring US citizens and legitimate foreign visitors to the United States to provide standardized documentation that will enable the quick and reliable identification of a traveler at a US port of entry. The Western Hemisphere Travel Initiative is a result of the Intelligence Reform and Prevention Act of 2004.

As of January 23, 2007 all persons traveling by air to the United States, Canada, Mexico and the Caribbean region (including Bermuda) now require a passport or other valid travel document to enter or re-enter the United States.

The next phase of the program will be initiated in the summer of 2008 and will require all persons entering the United States by land or sea to have a passport or other acceptable valid travel document to verify their identity. A specific date for the implementation of this requirement has not yet been set, however, US authorities indicate there will be a 60 day notice given to the public prior to implementation.

In addition to a valid passport, other acceptable documents will be a US passport card (still in development and not yet available); travel cards such as NEXUS, FAST, or SENTRI; Merchant Mariner Document; or a valid US Military Identification Card (when traveling on official orders). The Canadian government has not announced a travel document in lieu of a passport, but have implemented changes to application procedures for Canadian passports, especially with respect to those who have previously held passports, with a view to streamlining the process.

DHS announced in February 2007 that there would be significant flexibility regarding travel documents required for US and Canadian children as part of the Western Hemisphere Travel Initiative requirements for US land and sea border entry in 2008.

The impact of this program on cross-border land travel between Canada and United States has yet to be fully determined and realized. As governments on both sides of the border attempt to cope with a significant increase in demand for passports, delays in processing are mounting. It is now incumbent upon both governments to do everything in their power to streamline the examination process at the ports of entry and keep cross-border traffic flowing in the interest of the North American economy.

Canadian Experience Class

The Department of Citizenship and Immigration plans to implement, through regulatory amendment, a new permanent resident class called the Canadian Experience Class. This class contemplates two streams of applicants including foreign students educated in Canada and foreign workers in Canada. Students must have completed a postsecondary program at a qualifying institution and have at least a moderate language proficiency. Foreign workers must have at least two years work experience in a high skilled occupation as well as a moderate level language proficiency. The applications will be initially processed through Buffalo but finalized within Canada and permanent resident visas, once approved, will be issued through local CIC offices without requiring the individual to leave and re-enter Canada. The program will apparently be given priority processing status and is to be implemented in the summer of 2008.

To discuss how these new requirements could impact your business, please contact either:



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