



Homeland
Security

May 15, 2009

Heather Dawn Thompson
Director of Government Affairs
National Congress of American Indians
1301 Connecticut Avenue, NW, Suite 200
Washington, DC 20036

Dear Director Thompson:

As you are aware, the Department of Homeland Security (DHS) will implement the Western Hemisphere Travel Initiative (WHTI), established to meet the mandate of the Intelligence Reform and Terrorism Prevention Act of 2004, on Monday, June 1, 2009. On that day, travelers will be required to present a passport or other approved secure document denoting citizenship and identity for all land and sea travel into the United States.

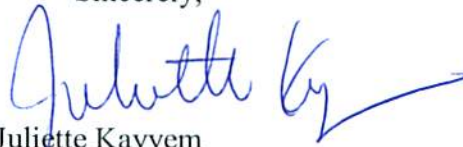
Over the course of the past year, DHS has been in discussions with Native American tribes who are interested in producing a tribal document that will meet WHTI requirements for entry into the United States through land and sea ports. It is imperative that these discussions continue and move forward. The opportunity for tribes to develop their own Enhanced Tribal Cards (ETC) would improve the security of all documents presented at the U.S. border and facilitate entry and compliance with WHTI.

Currently, the Indian and North Affairs Canada Card (INAC) and Tribal Enrollment Cards with a photo affixed to the card are accepted for entry into the United States. The Department realizes that there are U.S. Native Americans who still only have their photo-ID tribal cards and are in the process of obtaining WHTI compliant documents or anticipate obtaining an ETC. Further, DHS understands the concerns raised by Native Americans regarding the effective date and the perception that current tribal cards will not continue to be accepted. We want to assure you that the Department will be practical and flexible in implementing WHTI on June 1, 2009, as U.S. and Canadian citizens who do not have WHTI compliant documents are processed. This guidance has been communicated to our CBP officers through an extensive training program leading up to WHTI implementation and will continue to be emphasized during the transition period. As such, the current practice of accepting photo identification tribal cards will continue for a modest, but reasonable transition period. At some point, DHS will close this transition period, but we will notify NCAI when that will occur.

DHS values the relationship it has with the Native American community and wants to continue the dialogue with you as we work towards establishing WHTI compliant tribal documents. We

appreciate your interest in partnering with us in securing the homeland while at the same time facilitating travel for your tribal members.

Sincerely,

A handwritten signature in blue ink, appearing to read "Juliette Kayyem", with a long, sweeping horizontal stroke extending to the right.

Juliette Kayyem
Assistant Secretary for Intergovernmental Programs