

United States Senate

WASHINGTON, DC 20510

June 11, 2007

The Honorable Condoleezza Rice
Secretary
U.S. Department of State
Washington, DC 20520

The Honorable Michael Chertoff
Secretary
U.S. Department of Homeland Security
Washington, DC 20528

Dear Secretary Rice and Secretary Chertoff:

As you know, on January 1, 2007, the Administration implemented a new requirement that all passengers traveling by air to and from the United States and Canada, Mexico, and the Caribbean must have a passport. As a direct result of this new requirement, thousands of travelers across the country have been discovering they cannot get their passports in time for their air flights and many have had to cancel their plane tickets and travel plans. Hundreds of Vermonters and Alaskans have been calling our offices for assistance, and we know that our Senate colleagues have experienced high levels of urgent requests from their constituents, as well. We have been doing what we can – passport by passport.

Despite Administration claims that the air rule implementation was proceeding smoothly, the U.S. Departments of State and Homeland Security announced last week a temporary delay in implementation of the air provisions of the Western Hemisphere Travel Initiative (WHTI) due to the logistical failure in processing passport applications nationwide. We feel this was a necessary adjustment in response to these backlogs.

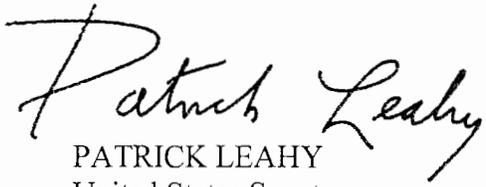
In light of this decision to delay implementation of the rule for air travelers, we hope your agencies now will take all the necessary time allowed under the law to implement the land and sea provisions properly. Air composes a fraction of the overall cross border travel between the United States and Canada, Mexico, and the Caribbean. There is another train wreck on the horizon if your agencies continue pushing forward with full implementation of the WHTI before the necessary policies and procedures are in place to handle the lengthy delays that are sure to come.

Since your agencies underestimated the passport demand with air implementation, we remain concerned that your continued public insistence on full implementation of the land and sea travel provisions in January 2008 is unrealistic and unachievable. Public comments by you, the U.S. Ambassador to Canada, and Department of Homeland Security spokespeople about the firmness of the January 2008 date for the land and sea deadline have not been constructive in informing the American people about the true status of the program. Instead, such statements have added confusion and chaos to the entire WHTI rollout, perhaps exacerbating the passport delays.

Therefore, we would urge that you and all your agency officials acknowledge that the WHTI needs additional time for successful implementation and cease pressing the January 2008 implementation date. We urge you to announce that your agencies will use the time allotted by Congress – until June 2009 under current law – to execute the WHTI sensibly. In addition, we hope that you will continue working to meet the certification requirements provided in the Leahy-Stevens amendment incorporated in the Fiscal Year 2007 Homeland Security Appropriations Bill. Your work to comply with these criteria has already produced a better-designed overall WHTI program for the future.

Thank you in advance for your consideration of these requests. We look forward to continuing our efforts to implement the WHTI in a reasonable and prudent manner.

Sincerely,

Handwritten signature of Patrick Leahy in cursive script.

PATRICK LEAHY
United States Senator

Handwritten signature of Ted Stevens in cursive script.

TED STEVENS
United States Senator