



Press Release

For Immediate Release:
June 2, 2009
Six Nations Council



U.S. Border Authority confirms current status card is accepted

WASHINGTON (01/06/09) – The current Indian and Northern Affairs Canada (INAC) status card with a photograph is acceptable identification for crossing the border by land or water, according to an American authority.

Technically the current status card is not compliant with the Western Hemisphere Travel Initiative (WHTI) but it will be accepted for a reasonable time, said Bryan Kegley of U.S. Customs and Border Protection. A bulletin on border identification for special audiences including Native Americans has been distributed personnel working at the border, he added.

The travel initiative was created after the United States government approved a terrorism protection law in 2004.

U.S. Customs and Border Protections and the Department of Homeland Security are working with the Canadian Border Service Agency and Indian and Northern Affairs Canada on the new Secure Certificate of Indian Status cards, confirmed Kegley. He is the program manager for enhanced identification cards for First Nations in Canada and Indian Tribes in the United States.

Official designation of the INAC secure certificate will be done by U.S. Customs and Border Protection through a Federal Register Notice.

If a person does not have an INAC card, a document of blood quantum will be accepted, said Kegley.

Under Section 289 of the U.S. Immigration and Nationality Act, American Indians born in Canada can cross the U.S. border if they possess documentary proof of at least 50 per centum of blood of the American Indian race. This status does not apply to a spouse or child whose membership is created by adoption unless they have 50 per cent or more of American Indian blood.

Kegley also said First Nations members who assert they are eligible to enter the U.S. under section 289 are processed at the border on a case by case basis. There is not one particular document required to demonstrate blood quantum and First Nations members can be admitted if they have such a document, he added. Those persons will be processed as a non-compliant traveler under the Western Hemisphere Travel Initiative.

The new INAC Secure Certificate of Indian Status will be compliant without proof of blood quantum, stated Kegley.

When asked about seizure of a few cards at the border, he stated that counterfeit cards or cards used by imposters will be seized. Legitimate cards will be mailed back to the issuing authority.

Six Nations Council staff uncovered contradicting information that might have caused confusion. On the Western Hemisphere Travel Initiative website, a notice stated that current cards are not valid after June 1, 2009.

On the same website, there is a link to the Indian and Northern Affairs Canada website where a notice states that current cards will be accepted for a reasonable time until the new cards are distributed. In early May, INAC reported that U.S. Customs and Border Protection has approved the business plan for the new certificate and is in the process of designating the card for traveling to the U.S. by land or water.

Other special circumstances for travel by land and water include children under 16 who only need a birth certificate. Children under 19 who are travelling with groups from schools, churches, and cultural organizations or sports teams can also use a birth certificate as identification. Trip organizers will be required to provide information about the group and about group members plus parental or legal guardian consent forms.

-30-

Spokesperson

Karen Best
kbest@sixnations.ca

Karen Best, Communications Officer
1695 Chiefswood Rd
Ohsweken ON, N0A 1M0
phone: 519 445- 2201 ext. 240
fax: 519 445-4208