

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6430

To amend section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2006

Mr. MANZULLO (for himself and Mr. PETERSON of Minnesota) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend section 7209 of the Intelligence Reform and Terrorism Prevention Act of 2004, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Northern Border Trav-  
5       el Facilitation Act”.

1 **SEC. 2. STATE DRIVER'S LICENSE AND IDENTIFICATION**  
2 **CARD ENROLLMENT PROGRAM.**

3 Section 7209 of the Intelligence Reform and Ter-  
4 rorism Prevention Act of 2004 (Public Law 108–458; 8  
5 U.S.C. 1185 note) is amended by adding at the end the  
6 following new subsection:

7 “(e) STATE DRIVER'S LICENSE AND IDENTIFICATION  
8 CARD ENROLLMENT PROGRAM.—

9 “(1) IN GENERAL.—Notwithstanding any other  
10 provision of law, the Secretary of State and the Sec-  
11 retary of Homeland Security shall establish a State  
12 Driver's License and Identification Card Enrollment  
13 Program as described in this subsection (hereinafter  
14 in this subsection referred to as the ‘Program’) and  
15 enter into a memorandum of understanding with an  
16 appropriate official of each State that elects to par-  
17 ticipate in the Program.

18 “(2) PURPOSE.—The purpose of the Program  
19 shall be to permit a citizen of the United States who  
20 produces a driver's license or identification card that  
21 meets the requirements of paragraph (3) or a citizen  
22 of Canada who produces a document described in  
23 paragraph (4) to enter the United States from Can-  
24 ada without providing any other documentation or  
25 evidence of citizenship.

1           “(3) ADMISSION OF CITIZENS OF THE UNITED  
2 STATES.—A driver’s license or identification card  
3 meets the requirements of this subparagraph if—

4           “(A) the license or card—

5           “(i) was issued by a State that is par-  
6 ticipating in the Program;

7           “(ii) meets the requirements of sec-  
8 tion 202 of the REAL ID Act of 2005 (di-  
9 vision B of Public Law 109–13; 49 U.S.C.  
10 30301 note); and

11           “(iii) includes the United States citi-  
12 zenship status of the individual to whom  
13 the license or card was issued; and

14           “(B) the State that issued the license or  
15 card—

16           “(i) has a mechanism that is approved  
17 by the Secretary of State to verify the  
18 United States citizenship status of an ap-  
19 plicant for such a license or card;

20           “(ii) does not require an individual to  
21 include the individual’s citizenship status  
22 on such a license or card; and

23           “(iii) manages all information regard-  
24 ing an applicant’s United States citizen-  
25 ship status in the same manner as such in-

1           formation collected through the United  
2           States passport application process and  
3           prohibits any other use or distribution of  
4           such information.

5           “(4) ADMISSION OF CITIZENS OF CANADA.—

6           “(A) IN GENERAL.—Notwithstanding any  
7           other provision of law, if the Secretary of State  
8           and the Secretary of Homeland Security deter-  
9           mine that an identification document issued by  
10          the Government of Canada or by the Govern-  
11          ment of a Province or Territory of Canada  
12          meets security and information requirements  
13          comparable to the requirements for a driver’s li-  
14          cense or identification card described in para-  
15          graph (3), the Secretary of Homeland Security  
16          shall permit a citizen of Canada to enter the  
17          United States from Canada using such a docu-  
18          ment without providing any other documenta-  
19          tion or evidence of Canadian citizenship.

20          “(B) TECHNOLOGY STANDARDS.—The  
21          Secretary of Homeland Security shall work, to  
22          the maximum extent possible, to ensure that an  
23          identification document issued by Canada that  
24          permits entry into the United States under sub-  
25          paragraph (A) utilizes technology similar to the

1           technology utilized by identification documents  
2           issued by the United States or any State.

3           “(5) ADMISSION OF CHILDREN.—Notwith-  
4           standing any other provision of law, the Secretary of  
5           Homeland Security shall permit an individual to  
6           enter the United States without providing any evi-  
7           dence of citizenship if, at the time of such entry—

8                   “(A) the individual—

9                           “(i) is younger than 16 years of age;

10                           “(ii) is accompanied by the individ-  
11                           ual’s legal guardian; and

12                           “(iii) is entering the United States  
13                           from Canada or another country if the  
14                           Secretary permits an individual to enter  
15                           the United States from that country under  
16                           the Program pursuant to paragraph  
17                           (6)(A); and

18                           “(B) such legal guardian provides a driv-  
19                           er’s license or identification card described in  
20                           paragraph (3), a document described in para-  
21                           graph (4), or other evidence of citizenship if the  
22                           Secretary permits an individual to enter the  
23                           United States using such evidence under the  
24                           Program pursuant to paragraph (6)(B).

1           “(6) AUTHORITY TO EXPAND.—Notwith-  
2 standing any other provision of law, the Secretary of  
3 State and the Secretary of Homeland Security may  
4 expand the Program to permit an individual to enter  
5 the United States—

6                   “(A) from a country other than Canada; or

7                   “(B) using evidence of citizenship other  
8 than a driver’s license or identification card de-  
9 scribed in paragraph (3) or a document de-  
10 scribed in paragraph (4).

11           “(7) RELATIONSHIP TO OTHER REQUIRE-  
12 MENTS.—Nothing in this subsection shall have the  
13 effect of creating a national identification card or a  
14 certification of citizenship for any purpose other  
15 than admission into the United States as described  
16 in this subsection.

17           “(8) STATE DEFINED.—In this subsection, the  
18 term ‘State’ means any of the several States of the  
19 United States, the Commonwealth of the Northern  
20 Mariana Islands, the Commonwealth of Puerto Rico,  
21 the District of Columbia, Guam, the Virgin Islands  
22 of the United States, or any other territory or pos-  
23 session of the United States.

24           “(9) SCHEDULE FOR IMPLEMENTATION.—

1           “(A) IN GENERAL.—The Secretary of  
2 Homeland Security and the Secretary of State  
3 shall implement the Program not later than De-  
4 cember 31, 2009.

5           “(B) ADMISSION PRIOR TO IMPLEMENTA-  
6 TION.—During the time period beginning on  
7 the date of the enactment of the Northern Bor-  
8 der Travel Facilitation Act and ending on the  
9 date that the Program is implemented, the Sec-  
10 retary of Homeland Security shall permit an in-  
11 dividual who is a citizen of the United States  
12 or Canada to enter the United States from  
13 Canada if that individual can demonstrate  
14 United States or Canadian citizenship to the  
15 satisfaction of the Secretary. Birth certificates  
16 issued by a State, or by the Government of  
17 Canada or by the Government of a Province or  
18 Territory of Canada, or a citizenship certificate  
19 or card issued by the Government of Canada  
20 shall be deemed to be a satisfactory demonstra-  
21 tion of citizenship under this subparagraph.”.

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