



**CORPORATE IMMIGRATION
LAW FIRM**

NEXUS: HIGH-TECH, TROUBLEFREE ENTRY TO THE U.S. OR PERMANENT EXCLUSION FROM THE UNITED STATES

On February 12, 2007 it was announced that NEXUS is now operational through automated self-service kiosks at Pearson International Airport and that the program will be expanding to Edmonton, Calgary, Winnipeg, Ottawa, Montreal and Halifax in the near future. In December 2006, NEXUS programs for air, land and marine were harmonized and merged into one NEXUS program to service the traveling public while maintaining safety and security.

An Alternative To A Passport For Low Risk Frequent Travellers

NEXUS membership meets the requirements of the Western Hemisphere Travel Initiative (WHTI, Air Rule) and a NEXUS membership card will serve as an alternative to a passport for traveling between Canada and the United States. The automated program is designed to streamline the movement of low risk passenger traffic and to reduce the pressure on Canadian and American border officials in the face of increasing passenger volumes. Frequent business travelers are particularly drawn to the program in their search for expedited processing at ports-of-entry. This is a high-tech program that uses non-invasive iris recognition technology to identify the traveler and verify his membership in the program. It is even more attractive today as a result of the WHTI US law that came into effect on January 23, 2007 requiring all air travelers to have a valid passport. NEXUS membership allows for the use of self-serve kiosk's at certain international airports; the use of dedicated traffic lanes at certain land borders and reporting to border officials by phone in the marine mode.

How You Can Become A NEXUS Member

To be eligible for NEXUS you must be a citizen or permanent resident of Canada or the United States and have lived in one of those countries continuously for the last 3 years. You must meet the requirements of admissibility under both Canadian and US immigration laws and you must meet all NEXUS requirements. You will be subject to an in-depth interview in addition to the application process and you will be required to provide documentary evidence to support your application. You will also be subjected to fingerprinting and full background checks. There are severe penalties for providing false or incomplete information on your application and if you have been convicted of a criminal offence, in any country, for which you have not received a pardon or if you have

been found in violation of customs or immigration laws in the past you will be refused. For US background checks, you may be questioned about full criminal history, including arrests and pardons, which will not only result in your exclusion from NEXUS but may also result in your being refused entry to the U.S.

Any Criminal Convictions Or Any Arrests In Your History

Both countries must approve your application and failure to meet any of the requirements will result in your application being denied. If you have any criminal convictions or any arrests in your history you should be extremely careful about making a NEXUS application even if you have been granted a pardon. Officers have been known to ask applicants whether they have ever committed a criminal offence in the past, whether or not the commission of the Act resulted in a conviction. For example, officers have asked people if they have ever tried marijuana at anytime in their life such as when they attend university in the 60s or 70s. Those who answer "yes" to such a question, even if they have never used marijuana since and have no convictions, they could be excluded from the United States as there is a zero tolerance policy with respect to narcotics.

Caution - A NEXUS Application Will Open Your Life To An Invasive Background Check

If your employment requires you to travel to the United States frequently, NEXUS may appear to be an attractive means of facilitating your entry to the United States and minimizing wait times at the border. However, if your employment is dependent on your ability to enter the United States, we suggest that you should proceed with caution. Careers have been destroyed as a result of an individual being barred from entry to the United States following an application for NEXUS membership. A NEXUS application will open your life to an invasive background check involving all personal details, so we recommend proceeding with caution and not applying without careful reflection on your personal history and circumstances.

To discuss how these new requirements could impact you or your business travel, please contact:



Barbara Jo (BJ) Caruso

Email:

caruso@cimmigrationlaw.com

T Direct: 416.368.6222



Harry Goslett

Email:

goslett@cimmigrationlaw.com

T Direct: 416.368.1222



Brenda Wong

Email:

wong@cimmigrationlaw.com

T Direct: 416.368.1222