

GOING SOUTH – EXPECT DELAYS

Canada and the United States are not the cozy cousins we used to be. Gone are the days that an Ontario driver's license would permit us entry into the sunny shopping malls to the south. Today, Canadians, of all backgrounds (although some more than others) should not be surprised to be vigorously questioned, fingerprinted, photographed, and presumed guilty until proven innocent.

Given the ongoing security concerns in the United States, and the frequency with which the US Department of Homeland Security issues border and security alerts, it is little wonder that there is constant confusion regarding what can be expected when Canadians enter the United States.

The first, and foremost, rule to remember is that entering a foreign country is a Privilege, not a Right. US Immigration Officers can refuse entry to anyone they want and there is little anyone can do about it. Arguing or complaining will have no effect. The best advice is to know what to expect, be prepared, and schedule for unreasonable delays.

The United States Department of Homeland Security, which replaced the INS (Immigration and Naturalization Service) in 2003, requires that citizens of all countries, except Canada, obtain a Visa and be process through the US-VISIT program. Canadian citizens who have dual citizenship must enter using their Canadian passport to be exempt from the Visa requirement. Canadian Permanent Residents require the requisite visa of their country of citizenship.

The US-VISIT program requires that all visitors the United States between the ages of 13 to 80 be fingerprinted and photographed when they obtain a Visitor Visa and again upon entry to the United States. Although US Immigration says that this process only takes a few minutes, most people can expect to wait much longer before the “few minutes” process begins. Immigration Border Officers also have the discretion to fingerprint and photograph anyone they feel whose entry may cause a concern – essentially they can fingerprint and photograph anyone they want for any reason. Refusal to be fingerprinted and photographed would likely create greater security concerns and result in arrest and extended interrogation.

The US-VISIT Entry program is active at most of the busiest airports and land borders. The Department of Homeland Security has also created a US-VISIT Exit program at some of the busier airports where visitors have to be fingerprinted and photographed when leaving the United States. It is their intention that all entry and exit points in the United States will soon be equipped with fingerprinting and photographing facilities and that all visitors will have to fingerprinted and photographed when entering and exiting. Failure to comply will result in criminal prosecution, imprisonment, deportation and a lifetime ban on entering the United States.

One draconian post-9/11 procedure, the alien “Registration”, that the Department of Homeland Security had implemented in September 2002 was suspended in December

2003. The Department of Homeland Security had required that all visitors from Afghanistan, Algeria, Bahrain, Bangladesh, Egypt, Eritrea, Indonesia, Iran, Iraq, Jordan, Kuwait, Libya, Lebanon, Morocco, North Korea, Oman, Pakistan, Qatar, Somalia, Saudi Arabia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen register with the Department of Homeland Security within 30 days of entering and every year thereafter. As this was a useless, expensive, and time consuming process, the Department of Homeland Security finally realized that only law-abiding people conformed with the process while security threats new enough to stay away.

Although many of the US security procedures have little effect, and often create more harm than security (such as denying entry into US airspace to an entire airplane of passengers because an enfant child has the same name as an adult security threat) there is little that we can do about it. As Canadians we have no influence with American security policies. Complaints that the United States is unfairly creating second-class Canadian citizens will continue to fall on deaf ears. All we can do as foreigners to the United States is arrange our travel accordingly, comply with their paranoid security policies, and hope that our country does go down the same expensive, obtrusive, and highly ineffective path when dealing with neighbours and visitors.

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