

## Is it Time to Apply (or Reapply) for NEXUS?



# Immigration Blog

By Elizabeth M. Klarin

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The Trusted Traveler program is a boon to international travelers, whether you're crossing a few times a year or every week. In its own words, CBP notes on its website that "the binational NEXUS program benefits communities on both sides of the Canada-U.S. border by supporting economic growth and trade, reducing border congestion, and expediting the crossing of low-risk, pre-approved travelers." But government shutdowns impacting border operations have obstructed the efficient processing of NEXUS applications, resulting in extensive delays in obtaining or renewing NEXUS status. As of this posting, the Department of Homeland Security's Trusted Traveler Program website states that the *average* wait time for NEXUS status is 12-14 months—and in reality, this estimate likely vastly underestimates the timeline for most applicants.

The good news is mostly for those who already have NEXUS trusted traveler status. If you [submit a renewal application](#) before your membership expires, you will be able to [continue to use benefits](#) after your membership expiration date. You can and should submit your renewal application up to a year before your status expires. This will give you a head-start on all the folks who hit the month (or week) before their status expires and finally say, "Yeah, I really have to do that NOW!" If you do submit a year or even a day before your NEXUS status expires, you automatically have five years to complete the interview and receive a new card. In the meantime, you can continue

using your NEXUS as before. That said, you should absolutely log in to check whether you can schedule an interview frequently, as there are years-long waits for an interview, and you *only* have the five years from conditional approval to attend an interview, before your NEXUS approval is canceled.

While you're likely in for a wait as either a new or renewing applicant, the wait is undoubtedly worth it, for those who qualify. Dedicated NEXUS lines at many U.S. land borders mean a significantly reduced wait, or no wait at all, compared to regular lines.

A few words of caution. Keep the following in mind, since once a customs officer has revoked your NEXUS status, it is nearly impossible to get back, since the program is discretionary:

1. **Know the rules.** No one will care if your violation of the Trusted Traveler rules is inadvertent. They will yank your status just as fast, whether you've committed a triple homicide or simply tried to enter through a NEXUS lane with someone in the car who does not also have NEXUS. Most people I speak with who have had their NEXUS status revoked feel frustrated and as though they have been accused of being a master criminal.
2. **Be respectful.** Come on, folks... this is a no brainer. Put your temper and your pride in your back pocket, and smile and be nice, even if the officer you are speaking with clearly has not had their triple espresso yet for the day.
3. **Don't take chances.** Double check that there is nothing in your car or luggage that could be seen as contraband. Even leaving an apple on the back seat floor could get you in deep water, resulting in the loss of your NEXUS trusted traveler status. Click on these links to find out [what you are not allowed to bring into Canada](#) from abroad, and [what you are not allowed to bring into the U.S.](#) from abroad.
4. **Be prepared for random searches to verify your continued eligibility.** Both Canada Border Services Agency and U.S. Customs and Border Protection officers have broad regulatory authority to inspect the person or property of anyone seeking admission. Although the chance of being randomly selected for an inspection is slim, you have hopefully followed recommendation #s 1, 2 and 3 above, if you or your property are searched for any reason.

While no immigration professional can offer any shortcuts to obtaining Trusted Traveler status faster, it might be worth speaking with someone if you feel that your NEXUS status was unjustly revoked. Sometimes customs officers do not tell the traveler why they have revoked their Trusted Traveler status—leaving people frustrated, angry and confused. It may be possible to file information requests to obtain this information and to request reconsideration. In some instances, it is possible to get your NEXUS status reinstated. Please reach out to any of the immigration professionals on our team with questions about how to proceed, if you feel you have been the target of an unjust NEXUS revocation.

For more information on this topic or any other Immigration matter please contact [Elizabeth M. Klarin](#) ([eklarin@lippes.com](mailto:eklarin@lippes.com)) or a member of the Lippes Mathias [Immigration](#) practice team.

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