

Nexus Pass Appeal

Background

The Nexus pass for those travelling to the United States has been in effect for over five years and provides quick access for those who have passed an advanced security check on both sides of the border. This is supposed to ease the border-crossing process at land, air, and marine borders with the United States. However, it has come to our attention that the land border does pose some issues. We have received information regarding the NEXUS pass being taken away from individuals who have contravened the subsystem even in the slightest way. For example:

- Having a text book in the vehicle which may be construed as a commercial sample. As such, you cannot use the NEXUS lane and your pass is confiscated.
- Nexus card seized because driver's license information (from a recent license renewal) had not been updated as yet
- A returning family (including children) all of whom have Nexus cards having them seized because they volunteered to bring back one child's friend who did not have a Nexus pass
- Having a passenger in your car who does not have a NEXUS pass and needs to be dropped off well away from the station and re-join you after having crossed the border through the foot passenger entry point. One example was a handicapped person staying in the car until the station is reached, and then getting out. This is not allowed and the pass was confiscated.

These are just some examples of small issues that can cause seizure of the NEXUS pass on both sides of the border. To compound the issue, there is no formal appeal process to regain the NEXUS pass except by applying to the same station that took it away. Very seldom are the passes returned even after what are minor transgressions.

There is a need to have an effective route of appeal to regain a NEXUS pass where the reasoning for the seizure in the first place is minor in detail and/or may be due to a personality conflict.

Recommendation

That the federal governments set up an effective appeal process, which could include an independent review, for the assessment of seizure of NEXUS passes, the goal being to deal with the possible return of the cards in an expeditious manner.