

TRAVEL

6 TIPS FOR CANADIANS TRAVELLING TO THE U.S. IN THE TRUMP ERA

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From travel bans and social media scrutiny to what happens if you admit smoking marijuana or get caught in a lie, here are six things about U.S. border rules you should know.

With vacation season approaching, many Canadians are planning short getaways to celebrate the official (Canadian) start of summer. Typically, a jaunt south of the border is high on the list. But with recent news reports of Canadians turned away due to heavy-handed immigration practices, many people may be second-guessing the idea of a U.S. visit.

In the hopes of minimizing your vacation stress, here's a primer on what to

expect.

1. The Trump travel ban

The travel ban may be getting knocked down by U.S. state judges, but assume it is in force at the border. That means citizens of the seven Muslim-majority countries—Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen—are going to be denied entry.

Anyone holding a Canadian passport should theoretically be fine, but things could still be uncomfortable for a person born or raised in one of the banned countries who now is a Canadian citizen.

"We've already seen the experience of Canadians who are Muslims crossing in the U.S. having a hard time with some immigration officers," says Michael Greene, an immigration lawyer at Sherritt Greene. "It's not across the board, but some of them think they have a mandate now to really restrict travel or make it much more difficult."

2. Your life is an open book

The idea of giving a border guard your social media passwords might seem like a hill worth dying on. But unless you're willing to risk future access to the U.S., you should make peace with the idea that there are just no secrets at the border.

The fact is, border officials can ask you pretty much anything, including personal information, political leanings, and for access to phones and social media. If they do decide to look at your phone, what they find could trip you up if you haven't been entirely truthful with them, says Greene.

"It could be what's stored in the device in terms of email, or a calendar. Like if you say you're there for tourist purposes, but in your calendar you've got business meetings," he says.

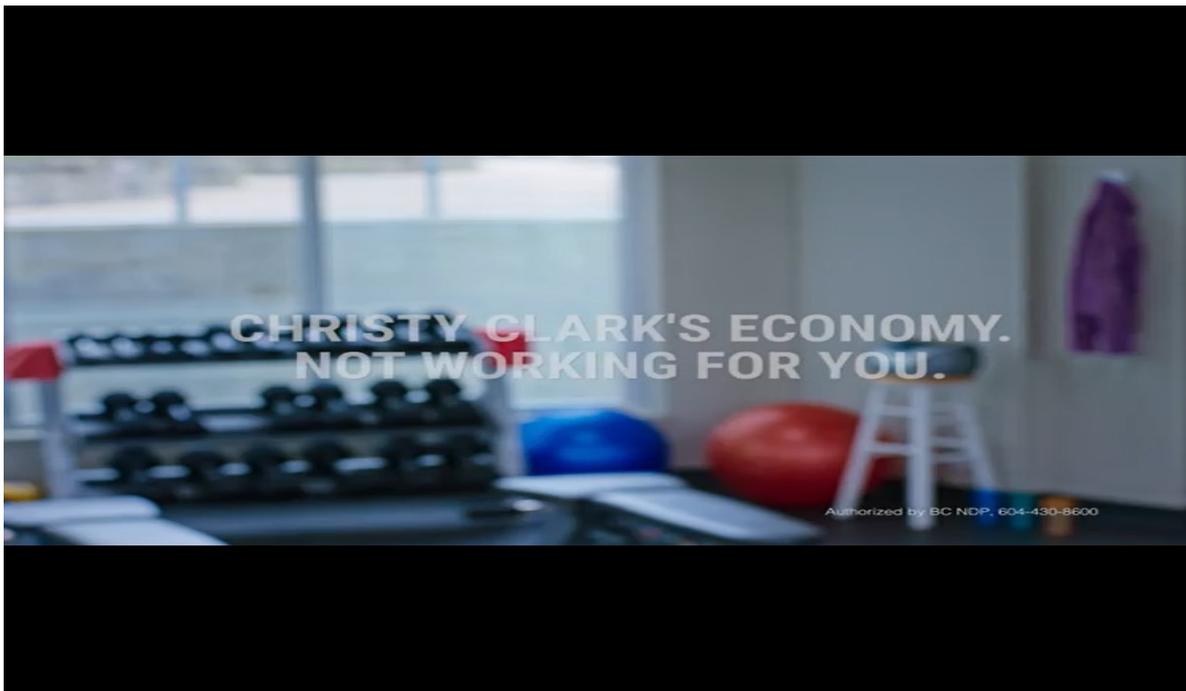
If you get caught in a lie, the consequences can be severe, which brings us to...

3. Don't get caught lying

If you get caught lying to a U.S. border official, chances are you'll be banned for life from entry. Somewhere down the line you might be able to obtain a waiver and get in, but it will be an expensive hassle.

So be truthful about why you're travelling, and assume the border guard knows everything about you. Information sharing between Canadian and U.S. authorities has increased, so if you have past arrests or convictions, the officer will know, even if you've received a pardon.

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If asked about it, tell the truth. You're better off being denied entry once because an officer doesn't like something about your past than forever because you weren't truthful about it.

4. The marijuana Catch-22

While lying could get you banned, there is also an increasingly common scenario where being truthful can do the same. A lesser-known border rule is that if you admit to the elements of what would be considered a crime in the U.S., you can be inadmissible for life.

So, admitting to having smoked marijuana, which is illegal under U.S. federal laws, could get you banned. This is the case even if you're entering a state where smoking pot is legal, such as Washington, since the borders are under federal jurisdiction.

"This is something that happens a lot," says Mark Belanger, a lawyer at Border Solutions Law Group. "It's a serious issue, because you're supposed to answer them truthfully, and if you don't, you've committed a fraud or a misrepresentation on a CBP officer."

The good news is you're unlikely to face this question unless the officer thinks there's reason to ask it, but the bad news is that could change pretty quickly once pot is legal in Canada.

"It's a major problem on the horizon. Guys like me are going to be busy," says Belanger.

5. Know your rights, or lack thereof

You do have some options if things become uncomfortable. If you've decided you don't want to answer certain questions or unlock your phone, you can simply withdraw your application to enter, and cancel your trip.

If you do this at a border pre-clearance check at a Canadian airport, you'll be free to leave (a bill under consideration could change that, but for now you can). But if you do this in the customs line at a U.S. airport or at a land crossing, they do have the option of detaining you, but you may avoid a lifetime ban.

And of course, it's important to remember that a non-U.S. national does not have the right to enter the United States. You can be turned away for any reason whatsoever.

6. The common sense part

Now that you're on the edge of panic about your U.S. trip, take a breath. The fact is that the vast majority of Canadians who try to cross into the United States do so with little or no problem. Canadians make more than 30 million cross-border trips a year, and the U.S. is in no hurry to turn away our tourism dollars.

Of course, there is the controversial seven-country ban, and nightmare stories of officials screening border applicants by race or religion. Sadly, the situation is the situation for now.

In the meantime, Belanger recommends a common sense approach: be polite,

have your documents in order, and have an itinerary ready with all hotel reservations.

"Extra scrutiny means perhaps a little more questioning about the purpose of your trip, about where you're going and when you're returning,"he says. "Be prepared to answer the questions asked of you with no hesitation."

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BY: CHERYL EMBRETT
