



Shifts in US Policy: Impacts at the Land Border

INTRODUCTION

For decades, the Canada – US land border has been affectionately referred to as the ‘world’s longest undefended border.’ While a misnomer, the sentiment reflects a broader binational approach by Canada and the US to manage their ‘shared’ border with policies and agreements that are grounded in joint management and coordination. The unique relationship between the two countries has facilitated cross-border travel through a variety of mechanisms.

This Border Policy Brief highlights some changes to US border policy – both proposed and implemented – focusing on the land border environment and the potential for these changes to ‘thicken’ the border crossing experience in the short term by increasing processing times and potentially wait times for travelers from Canada to the US. At the same time, these security measures may also lead to efficiency gains through increased funding for staffing and infrastructure.

BACKGROUND

There are many aspects of Canada – US border policy that illustrate how integrated border management facilitates secure cross-border travel, in both directions. Many of these efforts were expanded significantly in the post-9/11 years, when integrated monitoring and enforcement was pursued through the 2011 Beyond the Border declaration.¹ Programs such as NEXUS for Trusted Travelers and FAST for Trusted Traders dovetailed the need for increased security with increased efficiency - an approach widely hailed as a win-win for trade, travelers, and security. In addition, Canadians and Americans can also cross the land border without a passport, using alternate forms of ID such as an Enhanced Driver’s License, and certain work authorizations can be adjudicated upon arrival.

At the same time that Canada and the US have integrated and aligned some border crossing requirements, others have remained divergent. Both countries require electronic authorization for entry from visa-waiver countries, with nearly identical requirements. However, while the US requires an Electronic Secure Travel Authorization (ESTA) approval for entry at the land border, Canada’s Electronic Travel Authorization (ETA) approval is only required for air arrivals. Since 2023, the process to apply for a NEXUS trusted traveler card has diverged, and Canadians must now undergo a two-step interview process within Canada (or travel to a US enrollment center for one dual interview). There are numerous other examples of how the asymmetry between US and Canadian border policies can increase the time and energy it takes for travelers to cross the land border, particularly in both directions.

BORDER POLICY CHANGES

It will come as no surprise to many that the level of trust which has long defined the border relationship has changed considerably this past year. The unprecedented focus of the Trump Administration on illicit flows of people and drugs at the Canada – US land border, combined with a fundamental disruption to trade relations, is re-shaping cross-border dynamics. Many Canadians are boycotting travel to the US, and at the same time, US requirements are changing.

The following sections attempt to highlight some of those changes (both pending and proposed) to US border policy that we anticipate will have the greatest impact on land border travel between Canada and the US.

Biometric entry-exit requirement expansion. The US Department of Homeland Security (DHS) announced in late 2025 the publication of the Notice of Final Rule, “Collection of Biometric Data from Aliens Upon Entry to and Departure from the United States”.² This final rule, which took effect in December 2025 removes earlier exemptions including those for diplomats and most Canadian visitors. It authorizes US Customs and Border Protection (CBP) to photograph noncitizens and potentially collect other biometrics from all foreign nationals at entry and exit, including at land ports of entry.³ It also removes previous limitations of biometric collection upon exit to specific airports or pilot programs at land ports, expanding the scope to encompass any authorized point of entry or departure, including airports, seaports and land border crossings.

The rationale behind this expansion is to provide a legal framework for DHS to begin building a comprehensive entry/exit program (something Canada and the US have been doing for years) and ensure compliance with existing immigration laws.⁴ The inclusion of biometric entry/exit data collection at land ports poses questions of feasibility, particularly regarding collecting exit data at land ports due to lack of infrastructure and staffing to implement such a process, as well as the variable nature of land port traffic volumes. Implementing the program would be financially costly and could potentially cause delays in processing.

CBP One / CBP Home / CBP Link. CBP One was originally created in 2020 as a multi-purpose mobile app, including tools for commercial trucking companies to schedule cargo inspections and traveler services such as Form I-94 information.⁵ The functionality of the tool was expanded to allow asylum seekers to schedule appointments at ports of entry, primarily along the US-MX border. In January 2025, the Trump administration ended the appointment setting function and cancelled all pending appointments for asylum seekers.⁶

CBP Home was developed as a replacement for CBP One, but with significant changes. The new app retains some informational and compliance functions associated with travel; however, its new functionality is centered on exit compliance. It includes a voluntary departure feature that allows certain undocumented travelers to notify the government of their intent to depart the US, effectively formalizing a “self-deportation” process.⁷

In June 2025, CBP announced the development of CBP Link,⁸ a secondary app that is intended for lawful visitors entering the US. Like CBP Home, the app includes a function to apply and pay for I-94 forms up to a week before arrival. Additionally, it provides information related to border wait times, advanced manifests for bus operators, and requesting inspection for perishable cargo. However, the primary features of the app are centered on lawful entry compliance. The splitting of CBP One into CBP Home and CBP Link creates distinctly different, population-specific mechanisms for travelers to process their exit and entry requirements for the US.

Mandatory registration for stays longer than 30 days.

In April 2025, the US Citizenship and Immigration Services (USCIS) division of DHS updated compliance requirements for non-citizen visitors to the US who stay longer than 30 days.⁹ Mandatory registration for extended stays is not new; it has been a statutory requirement since 1952, through section 262 of the Immigration and Nationality Act (INA). That said, the DHS’ enhanced enforcement of this largely dormant requirement is new and was prompted through Executive Order 14159 “Protecting the American People Against Invasion,” which compels the DHS to fully enforce all provisions of the INA.¹⁰

The new registration requirement includes the following elements:

- All non-citizens 14 years old or older who were not fingerprinted when applying for a US visa and who are present in the US for 30 days or more must apply for registration and fingerprinting with USCIS.
- All non-citizens over 18 years old must carry evidence of registration at all times.
- Failure to comply will result in fines up to \$5,000 or other penalties.

Typically, Canadian citizens entering through the land border for extended stays, particularly those entering under B2 visitor status, had been effectively exempt from the registration requirement and not issued an I-94 form.¹¹ This enforcement change means that those Canadian citizens who intend to stay longer than 30 days will need to be registered if they did not complete the I-94 form. The enforcement of this statute has caused confusion and fear among Canadians who are increasingly avoiding crossing the border and spending time in the US.¹²

NEXUS “X” markers. While not a NEXUS-specific regulation, numerous news sites in Canada and the US, and Government of Canada travel advisories,¹⁶ have

FEDERAL-LEVEL EXECUTIVE DIRECTIVES AND LEGISLATION

H.R. 1 / “One Big Beautiful Bill Act” (BBB) passed by Congress in 2025 is a reconciliation bill that included increased funding for security, national defense, and immigration expenses. Below are provisions that may have material impacts on the Canada-US border.

Visa Integrity fee. The Visa Integrity fee of \$250 USD may affect crossings at the land border as it applies to non-immigrant visa holders coming into the US by any mode, which, much like the proposed ESTA changes, will impact those crossing into the US via Canada.

Border Security Funding. The bill includes over \$170 billion USD in funding for immigration and border security activities. While a large portion of the funding (\$51.6 billion) is dedicated to building a border wall along the Southern border, the bill includes many border security funding provisions including funding for CBP checkpoints and facilities, increased training, staffing, increased surveillance, tech modernization and infrastructure that could be utilized at either land border and could lead to efficiency gains.¹⁵

Border-Specific Executive Orders. The first, “Imposing Duties to Address Illicit Flow of Drugs Across Northern Border” invokes emergency authorities of the International Emergency Economic Powers Act (IEEPA) and Trade Act provisions to levy tariffs against Canada to address illicit drug flows, primarily fentanyl. The EO was specifically designed to pressure Canada to invest more broadly in border security and drug interdiction.¹⁴ The second, “Securing Our Border” more specifically focuses on securitization of US borders through increased immigration enforcement, building of physical infrastructure, and deterrence mechanisms.¹⁵ While the primary focus of the latter EO is the US-MX border, it reflects an overall trend of heightened security and hardening of US borders.

reported that the NEXUS applications no longer allow travelers to select “X” as their gender marker when applying for the program, a change that has surprised Canadians that have sought to renew their NEXUS cards. It is important to note that while NEXUS is a jointly operated Trusted Traveler Program, the application process is managed by the US and is thus subject to US statutory requirements.¹⁷ The option to select “X” on NEXUS applications had been available since 2023, a change that CBP made to align with Department of State’s (DOS) passport options.¹⁸ In a similar fashion, the removal of the gender marker option from the NEXUS application occurred in alignment with the DOS removal for passports, prompted by EO 14168 “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government” issued in early 2025.¹⁹ Existing NEXUS cards with the “X” gender marker are still valid until expiration. This change will disproportionately affect Canadian travelers, as they are the largest users of the NEXUS program.

ESTA & I-94 proposed changes. CBP published a 60-day notice in the Federal Register on December 10, 2025²⁰ seeking comments on “Agency Information Collection Activities; Revision; Arrival and Departure Record (Form I-94) and Electronic System for Travel Authorization (ESTA),” a Paper Reduction Act request on proposed revisions to the information collected on both I-94 forms and ESTA applications.²¹ The changes sought after include:

- A mobile app feature in CBP Home for I-94 recipients that allows them to confirm departure with geolocation and facial recognition, using “liveness detection” to verify the photo.
- For ESTA applicants, CBP aims to decommission applications on the website, transitioning to a mobile-only process. A photo upload would be required for third party submissions, and finally as a response to EO 14161, CBP aims to revise data collection to include more detailed contact information along with a new social media requirement that prompts applicants to provide social media from the last 5 years.

The proposed changes to the I-94 and ESTA do not directly affect most Canadian citizens crossing the border, who are not issued I-94s for short states and do not require ESTAs, however the changes are relevant to Canadian permanent residents and foreign nationals entering the US via Canada for whom arrival, departure and exit confirmation processes are required. These proposed changes are particularly salient given the rapidly approaching FIFA Men’s World Cup games in summer 2026 and the geographic proximity of the border to the games in Seattle, WA and Vancouver, BC.

POLICY IMPLICATIONS

1. **Increased Uncertainty.** By removing exceptions for Canadian travelers and increasing biometric requirements, the US is signaling a shift away from treating Canadians as trusted exceptions, and instead, more in line with other foreign nationals. Canadians perceive increased scrutiny and unpredictability with uncertainty, which may lead to further avoidance of crossing the border into the US.
2. **Uneven Impacts.** Border communities rely on a seamless border and low-friction mobility to maintain family, cultural, and economic ties across the border. Changes in federal policies, border crossing procedures, and trade dynamics have disrupted travel, impacted operations for businesses that rely on Canadian tourism, and weakened longstanding relationships and partnerships.
3. **Opportunities for Enhanced Efficiency and Security.** While recent changes in US border policy may lead to increased friction in the border crossing experience for many travelers entering the US, at least in the short term, they also point to potential opportunities. If implemented in a coordinated manner, Advanced Passenger Information at the land border may lead to improved border crossing experiences, as well as enhanced security and efficiency. Funding allocated in the OBBB could also lead to real efficiency gains at the northern border through increased staffing and improved infrastructure.

CONCLUSION

In the last year, changes in US border policy suggest a shift toward heightened securitization and more unilateral enforcement at the northern border, a departure from the integrated binational approach historically employed by Canada and the US to manage their 'shared' border. These changes include increased biometric collection and digital requirements and removal of exemptions for certain types of Canadian travelers. These aforementioned changes could lead to further erosion of trust between Canada and the United States that threatens to upend longstanding relationships and collaboration between the two countries, the fallout of which will be experienced more acutely by border communities. At the same time, there is an opportunity to mutually improve security and efficiency through Advanced Passenger Information with a jointly managed and coordinated approach. Additionally, increased funding that improves infrastructure and increases staffing may substantially benefit the flow of both travelers and goods across the Canada-US land border.



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