

With Immigration: The Advent of Global Entry

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Since its creation six years ago, **the Global Entry program** has been a success **in the international travel environment**, with significant growth and expansion year after year. The program, which allows pre-approved, low-risk travelers to receive expedited clearance upon entry to the United States, is part of U.S. Customs and Border Protection's (CBP) efforts to provide a quicker, more efficient process for arrival while enhancing border security.

By way of background, Global Entry was launched in 2008, as a pilot program operating at three U.S. airports: Houston's George Bush International, Washington's Dulles International and New York City's John F. Kennedy International. At the time, the program was only available to U.S. Citizens and Lawful Permanent Residents. Following a strong reception by travelers, the program was expanded to additional

U.S. airports, and was made available to citizens of the Netherlands (who are members of Privium) and Mexican nationals. In 2012, the program became a permanent initiative operating in 24 U.S. airports. By 2013, however, Global Entry availability had increased to 34 U.S. airports and 10 CBP pre-clearance locations in Ireland and Canada. Most notably, in August 2013, Global Entry eligibility was expanded to include citizens of South Korea (who are enrolled in the Korean Smart Entry Service [SES]) program); citizens of Germany (who are enrolled in Germany's Automated and Biometrics-Supported Border Controls Plus travel program); certain citizens of the State of Qatar; and certain citizens of the United Kingdom.

As a result of this rapid expansion, there are approximately 1.4 million people that have been given the designation of a "trusted traveler" through the Global Entry program. CBP estimates that continued expansion will result in over 630,000 annual applicants and a total of 2.2 million participants.

The Benefits of Global Entry

Global Entry is one of CBP's Trusted Travelers programs. Travelers with Global Entry may enter the United States by using automated kiosks located at select airports rather than waiting in line for border and customs clearance. There, travelers present their machine-readable passport or U.S. permanent-resident card, place their fingertips on a scanner for verification, and make a customs declaration.

The benefits of Global Entry include reduced wait times, no paperwork and automatic qualification for TSA PreCheck. Additionally, U.S. citizens who participate in Global Entry may apply for membership in participating countries' respective trusted travel programs.

The Application Process

First, applications for enrollment in the Global Entry program are submitted through the Global Online Enrollment System (GOES) with a non-refundable \$100 application fee. Second, CBP officers review applications and conduct a rigorous background check. Finally, applicants are notified whether they are conditionally approved, and if conditionally approved applicants have 30 days to schedule an interview with CBP officers at an enrollment center. If an application is approved for Global Entry, membership will be valid for five years unless it is revoked.

Note however, that the above application process may vary for citizens of participating foreign countries. For instance, Korean citizens may apply for Global Entry, but must first enroll in the SES program operated by the Korean Immigration Service. Further, the Korean citizens submit Global Entry applications through the Korean Government's website. After submitting the Global Entry application, they then create a GOES account, and follow the steps described above.

If an application is denied, applicants may request reconsideration by the Ombudsman's office. As part of this process, it is advised that applicants present supporting information that can demonstrate that the denial was based on inaccurate information. Note that requests for reconsideration take approximately six months to process.

Eligibility Concerns

There are certain facts that will disqualify an applicant from obtaining approval for participation in Global Entry. According to CBP's FAQ, applicants may not qualify for Global Entry participation if they:

- Provide false or incomplete information on the application;
- Have been convicted of any criminal offense or have pending criminal charges, including outstanding warrants;
- Have been found in violation of any customs, immigration or agriculture regulations or laws in any country;
- Are subjects of an investigation by any federal, state, or local law enforcement agency;
- Are inadmissible to the U.S. under immigration regulation, including applicants with approved waivers of inadmissibility or parole documentation; or if they
- Cannot satisfy CBP of their low-risk status or meet other program requirements.

Generally, CBP is looking for low risk travelers who have demonstrated past compliance with laws and regulations. Any type of criminal incident has the potential to disqualify an applicant. That being said, CBP conducts an overall assessment of the applicant's risk status, reviewing the facts and circumstances of each particular case to determine whether a criminal incident would lead to disqualification. It is utmost importance is for applicants to be honest when completing their applications. Failure to disclose an incident, even if minor, will result in disqualification. Applicants with a criminal history should be prepared to provide information and documentation as evidence that they are "low risk".

Finally, in considering whether to submit an application for Global Entry, applicants should keep in mind that the background check can have consequences beyond mere disqualification from Trusted Traveler status. For instance, on May 20, 2014, CBP detained a U.S. Citizen after discovering an arrest warrant for assault and bodily injury in applicant's background check. CBP turned the applicant over to the appropriate local authorities. Since, CBP issued a statement providing that whenever CBP comes into contact with persons wanted by law enforcement agencies, CBP will exercise their authority as a federal law enforcement agency.

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