KNOW YOUR RIGHTS!
KNOW YOUR OPTIONS!

After 9/11, travel at airports and borders has become an especially stressful experience for many. This pamphlet provides information on your rights while traveling and tips on how to keep yourself safe.

WHAT SHOULD I DO BEFORE I TRAVEL?

If you have an immigration case, you should speak with an attorney before traveling. You can consult with CLEAR free of charge if you have any questions or concerns about international or domestic travel.

HOW TO SECURE YOUR ELECTRONICS:

- Customs & Border Protection (CBP) claims the authority to search, copy, or even seize electronic devices (including smartphones, laptops, and tablets) without a warrant.
- If possible, consider traveling without your electronic devices altogether or carry a device used only for travel.
- If that is not possible, secure your device:
    - activate full-disk encryption;
    - employ a strong password (15+ characters)
    - turn off facial/retina and fingerprint scan features.
- Deleting data will not ensure your privacy. Most government agencies are able to recover deleted data.

FLYING WHILE MUSLIM BLACK IMMIGRANT

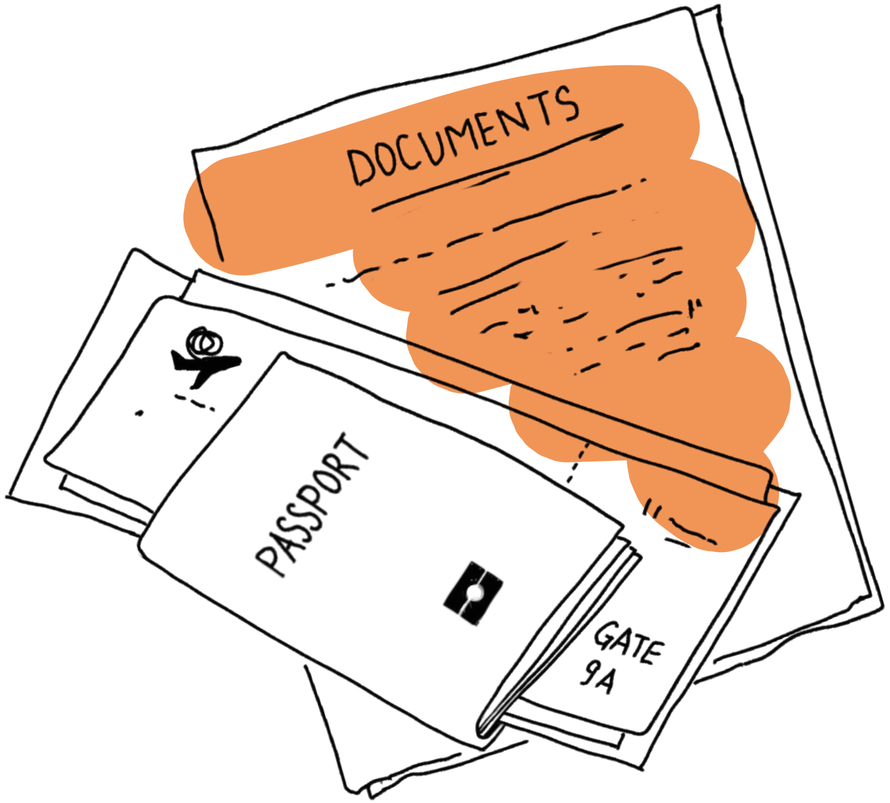


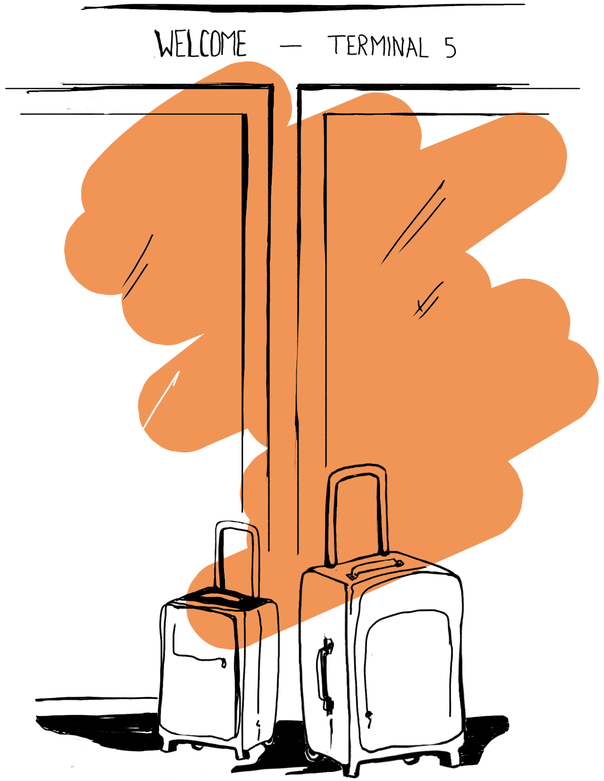
CLEAR

cunyclear.org
@CUNY_CLEAR
cunyclear@law.cuny.edu
718-340-4558

DOCUMENTS TO BRING WITH YOU:

• To fly **domestically**, travelers must show an accepted government-issued ID. An Enhanced or REAL ID, or a valid passport, will be accepted.
• To fly **internationally**, travelers must show a valid passport. Many countries require more than six months validity on a passport to allow entry.
• Non-citizens should carry their Green Card, visa, as well as any other relevant documents, such as an I-94 or I-20.
• We also recommend carrying a printout of your flight itinerary and your emergency contact information.





WHAT TO BRING AS CARRY-ON AND CHECK-IN LUGGAGE:

Everything on your person or in your luggage is subject to search by airport officials.

• If you are departing or entering the United States with $10,000 or more, you must always properly declare it to a U.S. customs official. If you are entering or departing the U.S. as part of a group, and the members of the group are cumulatively traveling with $10,000 or more, the same requirement applies. If you are considering traveling with $10,000 or more, please consult with CLEAR or another trusted attorney, to ensure compliance with applicable rules.

WHAT SHOULD I EXPECT WHILE TRAVELING?



QUESTIONING

✓ Airport officials may ask for your ID or question you about the basic details of your trip, such as its purpose, itinerary, destination, and duration. **You should answer these questions truthfully, but do not volunteer any additional information.**

✗ Airport officials or other law enforcement agents, including the FBI, may also try to pry into your religious or political views, and whether you know particular individuals. This may happen before you reach security, at the gate, or in secondary screening upon return from another country. These questions are inappropriate and beyond the scope of their authority.

You can refuse to answer these questions.
Say: "I'm not comfortable answering questions."

If officials insist that you answer such questions, ask to speak with your attorney. While the authorities are not obligated to allow your attorney to be by your side at the airport when you are being questioned, you may be able to speak to them over the phone. Contact CLEAR for free legal representation or a referral.

Airport officials may insinuate or even threaten that they will arrest you or hold you longer unless you answer their inappropriate questions. They cannot lawfully arrest you solely based on your refusal to answer.



SEARCHES

When officials are searching your belongings or your person, do not volunteer any information. Take careful note of the official conducting the search, and if any items are taken out of your field of vision. Ask for the official's full name, agency, badge number, and identification and write down that information.

For international flights, Customs & Border Protection (CBP) claims the authority to search, copy, or even seize electronic devices, including smartphones, laptops, and tablets, without a warrant.

SEARCHES OF YOUR BELONGINGS:

• Ask that airport officials search your belongings in front of you.
• If an officer seizes and retains your electronic devices, ask for a receipt and note the official's name as well as the date, time, and place.
• If an official asks you for passwords to your electronic devices or to unlock your devices, decline to do so. Providing the passwords potentially waives your rights regarding the personal information on your devices. The official may threaten to confiscate your devices unless you comply—you should still decline. Do not attempt to "remote erase" the device while it is in CBP custody.

YOU ARE NEVER REQUIRED TO DISCLOSE YOUR DEVICE PASSWORDS OR UNLOCK YOUR DEVICES. UNLOCKING YOUR DEVICE DOES NOT GUARANTEE CBP WILL SHORTEN YOUR SCREENING OR RETURN THE DEVICE BEFORE YOU LEAVE.





SEARCHES OF YOUR PERSON:

• All passengers must undergo a routine security search. You may be selected for an additional search.
• If the airport has full body scanners, you can choose between the scan or a pat-down by an agent of the same gender. You have the right to ask for that pat-down to be conducted in a private area. If you consent to the scan, you have the right to ask for an officer of the same gender to view your scan image.
• If you wish to be searched in a private area, you can ask that you be allowed to bring a family member or friend.
• If an official asks you to remove religious clothing, such as a hijab, you can ask the officer to use a wand over that area instead. If they still insist that you remove your hijab, you have the right to remove it only in a private area in front of an agent of the same gender.
• Officials may not conduct a strip search as a routine part of airport security.

WHAT CAN I DO IF I FEEL THAT I HAVE BEEN INAPPROPRIATELY QUESTIONED OR SEARCHED?

• Keep a record with all the details of the incident that you can remember, including names or identifying information of the officials involved, receipts for confiscated property, names and contact information of any witnesses.
• You can file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP) if you were improperly questioned, searched, detained, or denied boarding, or if you were harassed because of your religion, race, or national origin.
• If you have any questions about the TRIP process or need assistance filing a TRIP complaint. Contact CLEAR for a consultation. We can assist you in weighing your options and/or help you navigate the TRIP process.

WATCHLISTS

The U.S. government maintains many watchlists. A person on a watchlist may not be allowed to fly at all, or that person may be subjected to additional scrutiny and screening during travel.

If law enforcement agents or airport officials try to question you at this point, say politely: "I will not answer your questions at this time." If they insist, ask to speak with your attorney first, and contact CLEAR.

IMMIGRATION CONSEQUENCES

If you are a green card holder, the duration of your trip abroad may impact the level of scrutiny you face at the border and your immigration status. If you know that you will be abroad for longer than 6 months, consult an attorney about your options before traveling.

Immigration agents often detain undocumented individuals, even if they are traveling domestically. If this happens, do not answer any questions. If you have an immigration court case, you should carry a copy of your next hearing notice when you travel.

if you are traveling on a visa, CBP has broad discretion over whether to admit you. Consult an attorney before any travel if you have concerns about answering questions and/or unlocking your devices.

CONTACT US FOR LEGAL SUPPORT

CLEAR provides free legal support to clients, communities, and movements that are targeted by law enforcement under the guise of national security. Contact CLEAR if you seek free legal representation or advice, if you need support for organizing efforts, or if you wish to host a rights awareness workshop at your masjid, place of worship, organization, community center, or school.

cunyclear.org
@CUNY_CLEAR
cunyclear@law.cuny.edu
718-340-4558

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