



# KNOW YOUR RIGHTS:

## Travel/CBP

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**ADC**  
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## Introduction

International travel involves interacting with U.S. Customs and Border Protection (CBP) at airports or land borders (ports of entry). Your rights at the border are more limited than inside the U.S. Travelers, particularly those of Arab descent, may sometimes face additional scrutiny or questioning. Knowing your rights and being prepared can help navigate these encounters.

## Know Before You Go

### 1. Before You Travel

- **Consult an Attorney:** If you have any concerns about your immigration status, past issues, pending applications, or admissibility to the U.S., consult with an immigration attorney before you travel.
- **Check Your Documents:** Ensure your passport, visa, Green Card (Lawful Permanent Resident card), Employment Authorization Document (EAD), Advance Parole document, or school forms (I-20/DS-2019) are valid and will not expire soon. Carry the originals with you. Keep secure copies (physical or digital) separate from the originals.
- **Secure Your Digital Devices:** Review your phone, laptop, and social media accounts for sensitive personal information, photos, videos, or messages. This may include texts, photos or posts that reflect a political perspective that you may not wish to disclose. CBP has the authority to search electronic devices at the border. Some travelers choose to use a brand new phone when traveling abroad.
- **Know Your Trip Details:** Be prepared to clearly and concisely explain the purpose of your trip (e.g., tourism, study, business, visiting family) and how long you plan to stay.
- **Have Help Ready:** If you are concerned about being detained, let someone know when you are expected to return and who to contact if they cannot get in touch with you.

### 2. At the Port of Entry (Airport/Border Crossing)

- **Stay Calm and Respectful:** Answer questions politely.
- **Have Documents Ready:** Present your passport and visa/Green Card/other required documents to the CBP officer.
- **Expect Questions and Searches:** Understand that CBP officers have broad authority to question travelers and search belongings to determine admissibility and enforce customs laws.

### 3. Questioning by CBP

- **Answer Truthfully:** You must answer questions about your identity, citizenship, immigration status, the purpose of your visit, and items you are bringing into the U.S. truthfully. Lying to a CBP officer is a serious offense with severe consequences.
- **Right to Remain Silent (Limited):** Unlike inside the U.S., your right to remain silent is very limited during the CBP inspection process. You generally must answer questions related to your admissibility and customs declarations. You can try stating you wish to remain silent regarding questions unrelated to these topics, but this may lead to delays, further questioning, or being sent to secondary inspection.
- **Potential for Profiling:** Be aware that you might face questions based on your name, national origin, religion, travel history (especially to certain countries), or appearance. Answer truthfully and concisely. Avoid arguing or volunteering unnecessary information.
- **Request an Interpreter:** If you do not understand English well, request an interpreter. CBP is required to provide one.

### 4. Searches (Luggage & Electronic Devices)

- **Luggage:** CBP can search your checked and carry-on luggage without a warrant or suspicion.
- **Electronic Devices (Phones, Laptops, Tablets):** CBP has the authority to search your electronic devices at the border, potentially including reviewing messages,

photos, emails, and social media apps.

- **Passwords:** CBP may ask for your device passwords. While you are not legally obligated to provide them, refusing can lead to your device being detained (kept by CBP for further inspection, sometimes for weeks or months) or potentially seized permanently. Weigh the risks of disclosure against the consequences of refusal.

## 5. If You Are Detained or Sent to Secondary Inspection

- **Stay Calm:** Being referred for additional questioning ("secondary inspection") happens for various reasons and doesn't automatically mean there's a major problem.
- **Ask Why:** Politely ask the reason for the delay or referral to secondary inspection.

## 6. Right to a Lawyer (Limited at Inspection):

- **Non-Citizens:** Generally, you do not have the right to have a lawyer present during the primary or secondary inspection process itself. The right to counsel usually attaches only if the questioning shifts to a criminal investigation.
- **U.S. Citizens:** You have the right to a lawyer if you are detained.
- **Lawful Permanent Residents (LPRs/Green Card Holders):** You have more rights than temporary visitors, including the right to a hearing before an immigration judge if CBP tries to take away your Green Card. You should request to speak to a lawyer if facing serious issues.
- **Requesting a Lawyer:** You can always ask to speak to a lawyer, but CBP may not allow it during the inspection phase for non-citizens.
- **Contact Your Consulate:** If you are not a U.S. citizen, you can ask CBP officers to notify your country's consulate that you have been detained.
- **Do Not Sign Forms You Don't Understand:** Be very careful about signing any documents, especially forms like Form I-407 (Abandonment of Lawful Permanent Resident Status) or Form I-275 (Withdrawal of Application for Admission). Signing these can mean giving up your right to enter or live in the U.S. Insist on speaking

with a lawyer before signing anything you're unsure about.

- **Document Details:** If you are detained for a long time or treated unfairly, try to remember or safely note details like officer names or badge numbers, the duration of detention, the questions asked, and whether you were denied food, water, or access to a restroom.

## **7. Important Reminders**

- Always be truthful when answering CBP questions about your admissibility and customs declarations.
- Never carry false documents.
- Understand that your rights are more limited at the border than inside the U.S.
- If you have any doubts or concerns about your ability to enter the U.S., consult an immigration attorney before you travel.

**Protect yourself, your family, and your community. Share this to spread awareness!**  
**Contact us at our 27/7 hotline at 844.ADC.9955 (844.232.9955).**



**Disclaimer:** *This information is for educational purposes only and does not constitute legal advice. Immigration laws, policies, and procedures can change. For advice on your specific situation, please consult with an immigration attorney.*