Tips for CUNY Students When Traveling Internationally through U.S. Airports*

This page offers basic tips for CUNY Students who are traveling internationally through U.S. airports. It is not a substitute for legal advice. You should contact a reputable attorney if you encounter discrimination or harassment in an airport, or believe that your rights have been violated.

Advance Planning:
- Keep copies of immigration documents, criminal records, and other important documents in a safe place where a trusted friend or family member can access them if necessary. (Source: NDLO)
- Make sure your loved ones know your immigration number (A number) & how to find you if you are detained. (Source: NDLO)
- Share your flight details with someone who is NOT traveling with you.
- Keep a little notebook with phone-numbers and other contact info for your immigration lawyer (if you have one).

Electronic Devices:
- Read the latest about electronic device restrictions before travel. Contact your airline and/or review the TSA website prior to travel.
- Remove the battery from your laptop, if possible, before packing into checked luggage.
- If you don't want Customs and Border Protection officials to download the contents of your phone, you can choose to:
  1. Leave your phone at home before you travel
  2. Back up your photos/files to the cloud, then wipe your phone before you travel internationally. (Source: NYT)
  3. Delete any apps on your phone that might raise issues.
  4. FedEx your phone to your destination.

While in Transit:
- Do NOT sign I-407 forms (Record of Abandonment of Lawful Permanent Resident Status) on the plane or at the airport, without consulting a reputable legal advisor.
- The right to remain silent includes the right to refuse signing anything.

Undocumented Students:
- Do not go to the airport.

If your Rights Have Been Violated at the Airport, contact:
- Your lawyer, if you have one.
- CUNY CLEAR: cunyclear@law.cuny.edu or (718) 340-4558
- NoBanJFK email: JFKNeedaLawyer@gmail.com
- New York Civil Liberties Union: (212) 607-3300

Strategies When You Travel: (from CUNY CLEAR):

Question: Can I refuse to be searched at the airport?
Answer: Customs and Border Patrol (CBP)'s authority to search at the border is much broader than law enforcement's authority to search you on the street or at your home.

Searches: Your person
- Travelers are not required to go through the body scanners. You can ask for a pat-down instead.
- TSA can ask travelers to remove hijabs or other religious head coverings.
- You can ask: “Can I be searched in a private area?” or “Can you please use the wand first?”
- If any searches occur, write down the name, badge number, and agency of the person who conducted the search.

Searches: Electronics
- Customs and Border Patrol (CBP) claims the authority to search and seize your phone without any level of suspicion or a warrant.

How to Protect Your Electronics:

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<tr>
<th>DO</th>
<th>SAY</th>
<th>ASK</th>
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<tr>
<td>Password protect your phone.</td>
<td>“I do not feel comfortable giving you my password.”</td>
<td>If they take your phone, ask for a receipt.</td>
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<tr>
<td>Turn off the thumbprint ID</td>
<td>“My phone contains private information. I do not consent for you to search it.”</td>
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<tr>
<td>Encrypt your phone</td>
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Strategies When You Travel: (from CUNY CLEAR):

Questioning at the Airport:
- Unlike questioning at home, on the street, in your car, etc., there are certain questions you must answer if questioned at the airport. However, there are many questions that you are not required to answer.

Questions You Must Answer:
- Immigration status:
  - When did you get your green card?
  - What kind of visa did you have before you became a Legal Permanent Resident?
- Current travel:
  - Where did you go? How long did you stay?
  - What was the purpose of your trip? How much money are you carrying?
- Employment

Questions You Do Not Need to Answer:
If you are asked questions about religion, political views, prior travel, etc...
- Say: “I do not feel comfortable answering that question.” Or
- “I do not feel comfortable answering these questions without an attorney present.”
  (Please note: You will not be able to access an attorney in secondary screening.)

Further Resources:
- CUNY CLEAR: www.cunyclear.org and accessible via Facebook & Twitter
- Airport Lawyer: https://www.airportlawyer.org
- CUNY Citizenship Now: http://www1.cuny.edu/sites/citizenship-now/