

Know Your Rights at the Airports

This fact sheet provides only general information. This fact sheet **does not provide legal advice** and is not a substitute for legal help. Each person's situation is different. Please consult an attorney for legal advice for your situation.

At airports and ports of entries, you may encounter federal agents and officers, including personnel affiliated with Customs and Border Protection (CBP), Homeland Security Investigations (HSI), or Transportation Security Administration (TSA). **You have rights when interacting with them.**



What happens when I arrive at an airport in the U.S. from abroad?

Once you arrive at the airport, you must first pass inspection by CBP. That inspection will take place in designated areas. To find it, after getting off the plane, follow signs to the immigration inspection area. There might be separate lines for U.S. citizens, lawful permanent residents ("LPRs"), and other travelers.

Because travelers are usually prohibited from using their phones in these areas, it is best practice to take precautions before your departure. It is recommended that you make sure to give your itinerary to a trusted person who is not travelling with you to the United States. After you land, confirm with your contact that you have arrived before making your way to the immigration inspection area. Tell your contact that you're about to go through CBP inspection and that they should contact your attorney if you're not released in 2-3 hours.

What questions will I be asked?

Immigration officers or border agents may ask questions about whether you have lawful status to determine if you can enter the country. This could include questions about your citizenship, immigration status, purpose for reentry, past countries visited, and amount of money you are bringing in. This does not include questions about your race, national origin, religion, sex, or political beliefs.

If you are a U.S. Citizen, you are generally only required to answer questions establishing your identity and citizenship.

Non-U.S. Citizen visa holders and visitors may be denied entry if they refuse to answer officers' questions. You generally do not have the right to have an attorney present when an officer is asking you questions about your immigration status.

If you are a Lawful Permanent Resident (LPR) who has maintained status, you are only required to answer questions establishing your identity and legal permanent residence.

Importantly, if you are a Lawful Permanent Resident, **DO NOT** sign any documents without consulting with an attorney. (Documents that could be presented to you include Form I-407, which you would use to voluntarily give up your lawful permanent resident status).

Regardless of your immigration status, if an immigration officer or border agent tells you that you are under arrest or it appears that he or she believes you have committed a crime, you have a right to remain silent, and if you intend to exercise that right, you should say so out loud. In these circumstances, you also have a right to speak to a lawyer before answering any further questions.

Regardless of your immigration status, refusing to answer other questions (e.g., about the purpose of your visit or travel) could expose you to delay or additional inspection.

¹ Although domestic travel is not usually subject to formal inspection by CBP, individuals may nonetheless encounter CBP agents and other federal immigration enforcement personnel while traveling domestically.

🔍 | You may be subject to a secondary inspection

At a secondary inspection, you will be asked more questions. If you need an interpreter in your language, you are able to request one.

Electronic Devices: Customs officers have sometimes asked travelers to provide their laptop passwords or unlock their mobile phones when they are entering or leaving the U.S. Your legal status in the country may inform what you decide to do if you're asked to unlock your device.

- For citizens, CBP takes [the position](#) they cannot deny you entry to the U.S. if you refuse to supply your password(s) or unlock your device. Refusal to comply might lead to delay, additional questioning, and/or officers seizing your device for further inspection. CBP has also [explained](#) that, for foreign nationals, noncompliance with a CBP request relating to inspection of electronic devices may be considered to deny them entry and/or subject them to law enforcement actions that CBP deems appropriate.



If an officer confiscates your electronic device, get a receipt and write down the officer's name, agency, and badge number.

✋ | What if I am detained at the airport?

- Do not attempt to resist arrest.
- You have the right to request to speak with an attorney. You can find a pro bono legal service provider at www.justice.gov/eoir/list-pro-bono-legal-service-providers.
- You do not have to say anything, answer any questions, make any decisions, or sign any documents before speaking with your attorney.
- You have the right to request an interpreter.
- If you are unsure whether and where your loved one is detained, you can try looking up their location using the ICE detainee locator here: locator.ice.gov/odls/#/search

Reminders:

- ✓ You have the right to seek asylum. If an officer tells you that you cannot enter and you are afraid of returning to your home country, tell the officer you are afraid.
- ✓ Do not sign any documentation without an attorney present.
- ✓ Check the Department of State website before entering the U.S. for any travel restrictions.
- ✓ All airports are ports of entry and open to inspections.
- ✓ Past interactions with law enforcement may impact your immigration status.



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