ASIAN LAW CAUCUS

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KNOW YOUR RIGHTS AT THE AIRPORT

TSA now shares traveler information with immigration enforcement at some U.S. airports. Use this guide to prepare and understand your rights.

THIS IS GENERAL INFORMATION, NOT LEGAL ADVICE. PLEASE SPEAK TO AN ATTORNEY ABOUT YOUR SPECIFIC SITUATION.

If approached by ICE at the airport, you have a right to:

Remain silent

You do not have to answer questions such as where you were born, how you came to the U.S., or your immigration status. You can say:

"I choose to remain silent."

Refuse a search

Generally, ICE cannot search you or your belongings, including your phone, without a judicial warrant or your consent. You can say:

"I do not consent to a search."

Ask if you can leave

If an agent stops you, you can ask:

"Am I free to leave?"

If yes, walk away calmly. If not, stay calm and do not attempt to leave.

Request a lawyer

If you are detained, you do not need to sign anything before talking to a lawyer, and you should not sign documents you do not fully understand. You can say:

"I want to speak with a lawyer. I choose to remain silent."

If you do not have an immigration attorney, you may contact a rapid response network or call 2150# from a detention facility for assistance finding one.

These rights generally apply when you are approached by **Immigration and Customs Enforcement (ICE).** Your **rights are more limited** when interacting with the **Transportation Security Administration (TSA)** and **Customs and Border Protection (CBP)**.

QUESTIONS YOU MAY HAVE:

Is ICE detaining people at the airport right now?

BEFORE YOU DECIDE TO TRAVEL:

Determine whether ICE could have a **legal basis to detain you, and determine whether you are in any of the categories of travelers currently being targeted by ICE at airports**. The best way to do this is to **consult with an immigration attorney who is familiar with current ICE enforcement at airports**.

WHAT WE KNOW: ICE is currently detaining noncitizen travelers at airports, including travelers with old removal orders, travelers whose visas have expired, and travelers who have pending applications for immigration benefits or pending immigration court cases.

CHECK IF YOU HAVE A REMOVAL ORDER:

Call the **Executive Office of Immigration Review (EOIR) hotline at (800) 898-7180**, or visit acis.eoir.justice.gov/en/. Have your **A-number** ready.

What should I bring to the airport?

Bring legal identity and immigration documents that show you are legally allowed to enter and be present in the United States. These documents are important for international travel and required by law for some statuses. This is also recommended for domestic travel.

U.S. Citizens

- U.S. passport

Lawful Permanent Residents

- Foreign passport
- Permanent resident card ("green card")
- Form G-28 (from your immigration attorney)

Visa Holders

- Foreign passport + visa
- Form I-94 (arrival/departure record)
- Form I-20 (student visas)
- Form I-797 (visa approval notices)
- Form G-28 (from your immigration attorney)
- Any other immigration documents

BEFORE YOU LEAVE:

Send your itinerary and your immigration attorney's contact info to a trusted family member or friend.

Print your itinerary, your attorney's contact info, and your emergency contacts — and carry them with you.

Make any documents showing your immigration history and/or documents from an immigration case accessible to your family and immigration attorney.

How do I identify ICE / HSI agents at the airport?

- They may wear **plain clothes or tactical gear** and can be anywhere in the airport.
- Without a warrant, they need **reasonable suspicion** to stop you and **probable cause** to arrest you. Recently, noncitizen travelers have been arrested by immigration officials who have been waiting for them either at departures or arrivals at airports.
- They cannot search your bags, phone, or belongings without a **judicial warrant** or your **permission**.
- ICE is distinct from TSA (security screening) and CBP (entry into the U.S.)

How is TSA/CBP different from ICE?

- **TSA** handles security screening and may search you or your belongings. TSA is responsible for aviation safety, not immigration enforcement.
- **CBP** handles entry into the U.S. and may ask about your **immigration status**, pull you aside for questioning, and inspect **your luggage and electronic devices**.
- You **do not have to share your passwords**, but refusal may affect your **eligibility to enter**.

Learn more: visit **bit.ly/alc-airportkyr** or scan **QR code**