

BEFORE YOU TRAVEL

Before you travel, talk with an immigration attorney if you have any concerns, especially if you plan to travel out of the country. If you have an immigration case, have been arrested, or are under surveillance by law enforcement, you should speak with an attorney before traveling.

What to bring. Keep in mind everything on your person or in your luggage can be searched by airport officials.

Documents to bring with you:

- Passport
- Permanent Resident/"Green" Card
- Other documents, such as an I-94 or I-20
- Printout of your flight itinerary
- Emergency contact information
- If flying domestically, U.S. citizens have to show government-issued ID, such as a driver's license. If you are a non-citizen, you must carry proof of immigration status, such as your passport or Green Card.

What to bring as carry-on and check-in luggage:

- Bring as much as you need, but avoid carrying excessive baggage or too little baggage. Either extreme can raise suspicion.
- Check on the airline website for luggage and carry-on restrictions.
- If you are traveling with \$10,000 or more, you must declare it to a customs officer. It's better to travel with less money.

WHILE TRAVELING

Questioning. Airport officials can ask you questions about your identity, immigration status, and details of your trip. You should answer these questions politely and truthfully, but do not volunteer any additional information.

Airport officials may try to ask you questions about your religious or political views, and whether you know particular individuals. You do not have to answer these questions. You can refuse to answer these questions by saying, "I'm not going to answer any questions about my religious or political beliefs, or about who I know." If officials insist that you answer such questions, ask to speak with your attorney.

Searches. Airport officials can search your belongings and your person. However, you can take steps to make the search less intrusive. 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 an agent's full name, agency, badge number, and identification if they are not in uniform.

Searching your belongings:

- Ask that airport officials search your bags in front of you.
- If they ask to confiscate any property, ask for a receipt and note the agent's name.
- If an agent asks to copy or scan your electronic items, ask for a receipt and note the agent's name.

Searching your person:

- All passengers are required to undergo a routine search during security.
- You can be selected for an additional search, but it may not be solely because of your race or national origin.
- You have the right to ask for the search to be conducted in a private area.
- If asked to remove religious clothing, such as a *hijab*, you can ask the agent to use a wand over that area. If they insist that you remove your *hijab*, you have the right to remove it only in a private area and in front of an agent of the same gender.
- Agents may not conduct a strip search as a routine part of airport security.
- If the airport has full body scanners, you can choose between the scan or a pat-down by an agent of the same gender. If you do consent to the scan, you have a right to ask for an officer of the same gender to view your scan image, and ask that the image be deleted immediately.
- 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 you were improperly questioned or searched at the airport, file a complaint with the Department of Homeland Security's Traveler Redress Inquiry Program (TRIP). Contact information for TRIP is on the back of this pamphlet.

WATCH LISTS

The federal government maintains two watch lists—the No-Fly List and the Selectee List. If you are on a No-Fly List, you will not be given a boarding pass and will not be allowed to board the flight. If you are on a Selectee List, you will be subject to additional security screening but will be allowed to fly.

If you are told by an airline official that you are on a “list,” remain calm and ask for an explanation. Do not answer any additional questioning. If FBI or other agents ask to speak with you, say politely, “I will not answer your questions at this time.” If they insist, ask to speak with your attorney first.

If you are on either list, contact an attorney and file a complaint with TRIP.

IMMIGRATION CONSEQUENCES

If you are a Green Card holder, you are expected to live in the U.S. for at least 180 days each year, which is six months. If you are leaving the country, you should try to return from your trip within six months. If you know that you will be abroad for longer than six months, you can apply for a reentry permit.

If you are undocumented or out-of-status, you can be picked up by immigration agents even if you are traveling domestically. If you already have an immigration court case, you should carry a copy of your next hearing notice when you travel.

HOW TO FILE A TRIP COMPLAINT

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.

You can file a complaint online at:
<http://www.dhs.gov/>

You can also email TRIP at:
trip@dhs.gov

If you have any questions about the TRIP complaint process or need assistance filing a TRIP complaint, contact CUNY CLEAR.

LEGAL RESOURCES

If you need legal assistance or advice, you can contact a lawyer or one of the following organizations that provide free legal services:

CUNY CLEAR
cunyclear@mail.law.cuny.edu
(718) 340-4558

Council on American-Islamic Relations
(CAIR)
(212) 870-2002

Muslim Bar Assn of New York (MuBANY)
www.muslimbarny.org

Association of Muslim American Lawyers
(AMAL)
www.theamal.org

KNOW YOUR RIGHTS:

FLYING WHILE MUSLIM

After 9/11, travel can be an especially stressful experience for Muslims. This pamphlet provides information on your rights while traveling, and how you can make your travel experience safe and less stressful.

Presented By:



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