

Massachusetts Muslims, Know Your Rights!

Advice for International Travelers

Many Muslim travelers already know what it is like to face extra scrutiny from Customs & Border Protection (CBP) when returning to the U.S. However, the situation has gotten more serious and for those who are not U.S. citizens, the risks are greater. PLEASE NOTE: This is general information; it is not legal advice. Contact an [immigration lawyer](#) for advice about your specific situation.

U.S. CITIZENS

Right to re-enter: You have an absolute right to return to the U.S. However, you may still encounter delays.

Searches of your property: CBP can search and even seize your phone, tablet, or laptop. It does not need a search warrant to do so.

- Do I need to give my password? No. But if you refuse to do so, it is more likely that CBP will seize your phone or other device, forcing you to leave the airport without it. Your phone or other device may be returned within a few days – after all your data has been downloaded – but maybe not. We have seen lengthy delays.
- How can I protect my personal information? If you must travel outside the U.S., consider what devices you bring. Here are some [practical tips](#) on protecting your personal information, including using cloud storage. You may also want to use a temporary device, such as a “burner” phone.

Questioning: CBP has the right to ask for basic information about where you traveled and for what reason. However, Muslim travelers are often asked more invasive questions about their jobs, their relatives, sometimes even their political or religious views. Calmly and politely state that you are uncomfortable with these questions and ask if you are free to go. Eventually, you must be allowed to leave the airport, although you could be delayed for several hours.

FBI follow up: Sometimes the FBI will follow up with a traveler to ask for more information. Call CAIR-MA if that happens. You have no legal obligation to voluntarily speak with the FBI. Please see our flyer on [FBI visits](#) for more information.

Non-U.S. citizens do not have an automatic right to return to the U.S. CAIR-MA strongly advises against international travel at this time, if possible. We want you to succeed in your studies or job, and not be separated from your family, if they are also in the U.S. Please do not risk being denied re-entry to the U.S.

LEGAL PERMANENT RESIDENTS (Green Card Holders)

Re-entering the U.S.: Legal Permanent Residents (LPR's) are generally allowed to re-enter, but you can be prevented if you have ever been arrested (conviction not required) and a few other reasons. *Speak with an [immigration lawyer](#) BEFORE you leave the U.S.*

Searches of your property: If you refuse to let CPB search your phone, you may be denied re-entry. Speak with an [immigration lawyer](#) about how to protect the privacy of your data without raising concerns by Customs.

If you are taken into custody:

- *No airport deportations.* LPR's cannot be deported at the airport, although you may be taken into custody. You can only be deported by an immigration court judge.
- *Don't sign anything,* especially the I-407 form, "Abandonment of Lawful Permanent Resident Status." If you do, you give up your right to have your case heard in immigration court. You can be deported immediately.
- *Don't answer any questions* about your immigration status, citizenship, where you were born, or how you entered the U.S. You have the right to remain silent. Speak with an [immigration lawyer](#) first.

ALL OTHER VISA HOLDERS (Students, Employees, Tourists, etc.)

Re-entering the U.S.: You do NOT have an automatic right to re-enter the U.S. You can be detained (taken into custody) or deported for a variety of reasons. If you must leave the U.S., *speak with an [immigration attorney](#) BEFORE you go.*

Searches of your property: If you refuse to let Customs search your phone or laptop, or refuse to provide passwords, you could be denied re-entry. Given the current risks when returning to the U.S., please carefully consider whether you need to leave the country.

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