

US Port Of Entry And Admission Process

What can I expect when I arrive at a U.S. port of entry?

Upon arrival at a U.S. international airport, seaport, or land border crossing, all persons, including U.S. citizens, are subject to inspection by U.S. Customs and Border Protection (CBP). Anyone seeking to lawfully enter the U.S. must establish their admissibility to the satisfaction of the CBP officer. You must present your passport, visa, and other supporting documents. The CBP officer will review your travel documents to confirm your identity and nationality, and ask questions about your visit to the U.S. Most nonimmigrants will have their digital finger prints and photograph taken. If you are determined admissible, the CBP officer will place an admission stamp in your passport, specifying the date of entry, the visa class, and the duration of admission. For most travelers, the screening process takes no more than a few minutes.

What questions should I expect a CBP officer to ask at a U.S. port of entry?

During a primary inspection, a CBP officer will ask questions to verify your documentation, confirm the purpose of your visit, and determine whether you should be admitted into the U.S. The questions a CBP officer may ask include the following:

- (a) What is your country of citizenship?
- (b) Why are you coming to the U.S.?
- (c) How long do you plan to visit?
- (d) Where will you be staying?
- (e) What is your permanent residence abroad?
- (f) What means do you have to support yourself financially during your stay in the U.S.?

It is best to provide a direct and concise response to each question asked. **Do not lie.** Failing to answer truthfully may result in your being denied entry.

What authority do CBP officers have?

CBP officers are law enforcement officials who have the authority to search, interrogate, and arrest under federal law. Federal law provides that CBP officers may “interrogate any alien or person believed to be an alien as to his right to be or to remain in the U.S.” They have jurisdiction to decide whether or not you may enter the U.S., and ask any questions related to your nationality and travel that may be helpful in determining your admissibility. They also have the authority to search persons arriving at U.S. ports of entry and personal effects in their possession, including luggage, laptops, cell phones, or other devices. Such searches are conducted to determine if a person is violating customs or immigration regulations, smuggling contraband, or violating any other federal law.

What is secondary Inspection?

If CBP officers at a port of entry need more information to determine your admissibility into the U.S., you may be directed to an interview area known as secondary inspection. You could also be subjected to a secondary inspection as a result of a random search. Anyone, including U.S. citizens, may be subject to secondary inspection if the CBP officer has reservations about admitting him or her.

Secondary inspection is a more detailed inspection to determine admissibility. It allows CBP officers to conduct additional research to verify information without delaying other travelers. During a secondary inspection, the CBP officer may ask you detailed questions about your travel plans and immigration history. You may be asked to produce additional proof of

identification and detailed information about the purpose of your visit to the U.S. Both you and your belongings may be subject to a thorough search. Such inspections may include a search of all electronic information stored on your laptop, cell phone or other electronic device.

Generally, CBP officers can search your laptop files and make copies of information contained in the files. They may also ask to access your social media profiles or email; but whether you are legally required to provide your login and password information is unclear at this time. Refusal to cooperate in this regard, however, may result in your being found inadmissible. U.S. citizens have the right to an attorney present during any secondary inspection. Non-citizens generally do not have the right to an attorney, unless the questions relate to anything other than immigration status. Secondary inspection is much more comprehensive than a primary inspection and can take several hours to complete.

What will happen if I am denied entry into the U.S.?

If a CBP officer determines you are inadmissible, the most important thing to do is to remain calm. Arguing with the CBP officer will only undermine your case. You should kindly request the CBP officer to provide a reason for his or her decision to deny you entry. In some circumstances, the CBP officer may, in his or her discretion, permit you to withdraw your application for admission. This would avoid your having a determination of inadmissibility on your record, which can have an impact on your future admissibility. Take note of any instructions the CBP officer provides on what you must do to obtain entry into the U.S. You may also be issued an order of expedited removal or a notice to appear, which initiates removal proceedings against you and may lead to your possible detention. In certain circumstances, it may be advisable for you to return home and consult with a U.S. immigration attorney to ensure that you can re-enter the U.S. on a future date.

How can I prepare for my application for entry into the U.S.?

The best way to avoid being denied entry into the U.S. is to prevent it from taking place. You should obtain all of the proper authorization needed for your entry before you travel. If you have any concerns about your admissibility, you should speak with a U.S. immigration attorney before you travel. When traveling to the U.S., bring all of your relevant documentation, identification, and any information about the purpose of your visit