

PRE-TRAVEL PREPARATION

Ensure you have the following documentation on hand prior to traveling:

- Valid Passport (with at least 6 months of validity beyond your travel dates)
- Valid visa or ESTA approval
 - Note: Canadian citizens do not require a visa or ESTA approval to enter the U.S. to attend the conference and can do so utilizing only their passport. Canadian citizens can also present valid NEXUS cards for air travel, as well as FAST/EXPRES and SENTRI cards if traveling by land.
- Travel and Conference Itinerary (flight details, hotel reservations, and conference registration and schedule information may be requested at customs)
- Evidence of continued ties to your home country may also be requested but are typically not required. This can include employment pay slips, lease/mortgage documentation, evidence of business ownership, familial ties, etc. It is advisable to have some of these documents accessible electronically in the event that they are requested.

ENTERING THE U.S. - WHAT TO EXPECT

Enhanced Screening

- Upon entry (or at pre-clearance) to the U.S., be prepared for enhanced screening procedures, including questioning and potential device searches. In general, you are not permitted to utilize or access your phone in the inspection area.
- Primary inspection is the initial screening conducted by U.S. Customs and Border Protection (“CBP”) in which your travel documents and identity are verified. CBP will ask questions to confirm the purpose of your trip and your potential intent to remain in the U.S. They may ask targeted questions to uncover any potential issues warranting secondary inspection.
 - Be prepared to explain the nature of your visit, where you will be staying, and who (if anyone other than yourself) is sponsoring the trip, and when you will be departing the U.S.
- Secondary inspection is the process of undergoing additional screening based on the CBP officer’s discretion after your primary inspection. Most travelers do not require secondary inspection. If selected, you will be asked to move into a secure room to await further questioning or while additional research is being conducted into your background. You may be waiting for a period of several minutes to a number of hours. In rare occasions, some have reported longer wait times.



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- Individuals may encounter additional heightened screening (secondary inspection) based on a variety of factors – including country of birth or nationality; criminal history; foreign military service; travel and immigration history; education or employment; or other biographical details, such as a name that is similar to one listed in a security database.
- If the CBP officers questions become intrusive or improper, you may ask to speak to a supervisor. While you are not entitled to an attorney during primary or secondary inspection, you are encouraged to have the telephone number of an attorney with you in the event that you feel your rights are being violated or if you have been detained for an unusually long period of time.
 - If you feel it necessary to make a phone call, you will need to ask the CBP officers if this is permissible before attempting to use your phone, as the use of cell phones is generally prohibited in these areas.

Electronic Devices and Social Media

- Customs and Border Protection (CBP) officials have broad authority to search your belongings and inspect your devices during immigration inspections.
 - This may include accessing social media, emails, messaging apps (WhatsApp), documents, and photos.
- If you refuse to provide CBP access to your personal devices, they may deny you entry into the country.
- If CBP asks that you unlock your device for viewing, you can first attempt to enter the passcode in yourself instead of giving the passcode to the officer.
 - If the CBP officer is insistent on getting the passcode, refusing to do so will likely result in the agents denying your entry into the U.S.
 - If you are made to provide any passwords (unlock passcode, social media passwords, email passwords, etc.) remember to change them as soon as you receive your device back.
- There have been increased reports of heavy questioning, and in some cases denial of entry, for individuals who have expressed views in opposition of the current administration. It is important to note that these situations are not common and may not have been the result of the political opinions of the foreign nationals.
- Online posts or messages related to your travel and planned activities while in the U.S. may also be carefully reviewed by CBP, and could impact their decision to allow you entry to the U.S.



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- If you are traveling in for the conference, but also plan to work throughout your stay, you will need to enter in a work authorized status. B-1/B-2 visas, ESTA, or tourism/business travel entries for Canadian citizens do not allow productive work to be performed while in the U.S.
 - Attending conferences or seminars, business meetings or trainings is typically permissible under these categories.
 - Providing services, conducting personal business for profit (such as makeup artist being paid to do someone's makeup) or working for a foreign employer while physically present in the U.S. are examples of impermissible activities that would require work authorization.
 - You do not need to be getting paid by a U.S. employer for an activity to be impermissible.
- There have been reports of denied entry for individuals who posted on social media about work activities they planned to engage in while in the U.S. that would be deemed impermissible based on their immigration status. This is the case even if the primary reason for travel is permissible – such as attending a conference.
- We would recommend thoroughly reviewing your digital footprint prior to travel and deleting any potentially triggering items. Please take particular note that U.S. immigration authorities will likely look for information or media that indicates prior drug use, even if that drug use occurred where it was legal. This is a frequent source of denials of entry to the U.S. from Canada.

BEST PRACTICES DURING TRAVEL

Travel Light

- Carry only the electronic devices you need and avoid transporting confidential or sensitive business or personal data if not necessary.
- Be intentional about the data you “pack” on your phone or laptop – know what is on your device and don't store anything you wouldn't feel comfortable displaying to a U.S. official.

Prepare for Delays

- Arrive early at the airport and allow extra time for potential delays due to screening procedures.

Remain Calm and Respectful

- Do not panic, try your best to keep calm and able to effectively answer questions.



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- Answer questions truthfully and comply with basic requests.
- If you do not understand a question being asked, ask the CBP officer to repeat it or clarify.
- Do not sign anything without reading it thoroughly and understanding it.

Document the Encounter

- If you are taken into secondary inspection, document the encounter after it concludes by writing down what occurred, the questions you were asked and the responses you gave. Try to be as detailed as you can.
- Write down officer names and badge numbers if you can.

Common Questions from CBP

- Why are you coming to the U.S.?
 - This is to determine the nature or purpose of your travel to the U.S. and can drive CBP's need to ask you follow up questions.
 - You should be prepared to state that you are entering to attend the WorldCon conference, which is a permissible purpose under all visitor/business traveler entry, as previously noted.
 - This may trigger further questions regarding the conference specifically – such as the subject matter to be discussed, the length of the event, and location.
- How long will you be in the U.S. for?
 - If you are staying beyond the duration of the conference, you should be prepared to describe your additional activities/ how you will be spending the rest of your time.
- Where will you be staying?
 - You can provide the city and if questioned further you may specify – in a hotel, Airbnb, with friends, etc. You do not need to provide the specific hotel, details about which family member or friend, etc., unless specifically asked.
- Have you traveled to any other countries recently? For what purpose, how long? etc.
 - This line of questioning is used to determine if you frequent or have recently traveled to any country or region of concern to the U.S. This can be a triggering factor that may lead to additional questioning in secondary inspection.

***Reminder:* Be truthful when responding but limit your response to only the question asked. Do not provide any additional information that is outside the scope of the question. The officer will ask other questions if they would like additional information.**



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AFTER ARRIVAL

- Check your passport or electronic I-94 (<https://i94.cbp.dhs.gov/>) to confirm the correct visa classification and duration of stay was entered by CBP.
- Do not overstay the authorized period of stay listed on your I-94 document.
- Ensure you comply with the requirements of your specific visa classification and do not perform productive work (as described above) while in the U.S. for tourism, business, or as a visitor.

ADDITIONAL RESOURCES

If you would like more information on this topic, you may find the following resources helpful in preparing for your travel:

[McEntee Law Group – Travel Tips During the Second Trump Administration](#)

[ACLU - Can Border Agents Search your Electronic Devices?](#)

[Journalist Security Checklist - Preparing Devices for Travel](#)

For any questions regarding your travel status or concerns about potential inspection issues, consult with legal counsel before your trip – especially if you have issues that may impact your ability to enter the U.S. (e.g., arrests, visa issues, etc.).

Legal Disclaimer

This guidance memo is intended solely for informational purposes and to assist conference attendees in understanding general considerations related to entry into the United States. It does not constitute legal advice, nor should it be relied upon as a substitute for consultation with qualified immigration attorney.

U.S. immigration laws and procedures are complex and subject to change. Each traveler's circumstances are unique, and this document does not account for all possible factors that may affect entry or admissibility. Receipt of this memo does not create an attorney-client relationship between you and McEntee Law Group, P.C.

