To: Caltech faculty and international scholars
From: Kaushik Bhattacharya
Date: 10 December 2020
Subject: Travel Advisory for International Scholars

It has come to the attention of the Institute that international scholars traveling abroad from the United States have been subject to search at U.S. borders and airports while exiting the country by U.S. Customs and Border Protection (CBP). In some instances, we understand that electronic devices have been confiscated so that CBP can conduct a forensic search of their contents. We understand that these searches have been motivated by the concerns over theft of intellectual property and other national security concerns.

All members of the Caltech community should be aware that CBP agents have broad authority to search and seize your possessions, including electronic devices, when anyone enters or departs the country. Indeed, CBP does not need a warrant to conduct searches at the border.

If you need to travel internationally, ensure that your devices do not contain any export controlled information or restricted government information. Further, if possible, avoid carrying proprietary data or other information that may be regarded as sensitive such as unpublished data. If this is not possible and you have to travel with proprietary (but not restricted) information, it is recommended that you take measures that ensure preservation of the information and minimize the risk of raising suspicion:

- Ensure that all data on your electronic devices is securely backed up;
- Caltech faculty may provide a letter prepared on Caltech letterhead with an inventory of presentations, research data and other information that they have authorized the person to carry on their electronic devices or any other media. (A template letter is provided);
- If applicable, provide a link to a platform where the data is publicly available or cite the export license authority. For additional guidance on the latter, please contact Adilia F. Koch, Export Compliance Office before traveling with technical data;
- Consult with the resources listed below.

If your device is seized, make sure you get a receipt, which should include information about your device and contact information allowing you to follow up. If Customs and Border Protection or law enforcement has seized or confiscated your device, please contact the Office of General Counsel who will engage the appropriate campus personnel to assist you.
Contacts and resources:

Office of General Counsel
https://www.ogc.caltech.edu/

Export Compliance Office
http://researchadministration.caltech.edu/export

Vice Provost for Research
https://provost.caltech.edu/

Caltech advisories:

https://international.caltech.edu/travel-new/arrival-us/inspection-upon-entering-united-states

https://international.caltech.edu/travel-new/arrival-us/travel-advice

http://researchadministration.caltech.edu/export/travel

Additional information:

What Travelers Should Know About New Restrictions on Devices

Crossing the Border? Here’s How to Safeguard Your Data From Searches

Office of the Director of National Intelligence
Letter of Explanation – Travel

To: Customs Border Protection/To Whom it May Concern:

Traveler Name and Title: ____________________________

This letter of explanation is being submitted on behalf of ______________, a California Institute of Technology (Caltech) researcher traveling to ________________.

1. Caltech is a private, nonprofit institution of higher education located at 1200 East California Boulevard, Pasadena, California 91125, USA. It maintains a strong emphasis on the natural sciences and engineering.

2. I am (position) _____________ and my research group conducts research in (area) ________________.

3. I am aware that (traveler’s name)__________ will be traveling internationally (provide details of trip) _________________. (Name or Pronoun) was/is a member of my research group ________ (name)/has/had a (position)______________ during (dates)_____________.

4. (Name) is carrying electronic devices with the research data listed below. I have authorized (name) to travel with this data to enable (reasons: presentation at international conferences, continued collaboration on research papers, etc.) _________________.

(Example:)

<table>
<thead>
<tr>
<th>Media Type</th>
<th>Title</th>
<th>Description</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laptop</td>
<td>-“xxxxx” slides</td>
<td>Publicly available information/information is intended to be published/Caltech fundamental research results/JPL – “unlimited release” information/not export controlled (Website link/publication link if available:)</td>
<td></td>
</tr>
<tr>
<td>Memory Device</td>
<td>“Surface of Mars” data cache</td>
<td>Research science data regarding the surface of mars.</td>
<td>Telemetry data (not export controlled) (Website link/publication link if available:)</td>
</tr>
<tr>
<td>Laptop</td>
<td>file name</td>
<td>Raw research data from experiments</td>
<td>____ will continue to analyze this data and draft a journal publication based on this data while travelling.</td>
</tr>
</tbody>
</table>
If you have any questions, please contact me.

(Signature)

Faculty Name: ___________________________

Division/Research Group/website: ___________

Contact Information: (email/phone #)____________________