

Travelling to the United States of America

Guidance for equity
focused staff



EQUITY PRACTITIONERS
IN HIGHER EDUCATION
ASSOCIATION

Foreword

The Equity Practitioners in Higher Education Australasia (EPHEA) has prepared this guide to support equity, diversity, and inclusion (EDI) staff and others who may have specific considerations when travelling to the United States of America (USA). While most individuals travel without difficulty, recent policy shifts have prompted greater awareness of how some communities may experience travel differently.

This guide aims to support informed decision-making and confident travel. It is intended as a general information resource and should be used alongside institutional travel policies, government advisories, and individual planning. The advice contained in this guide should not be taken as legal advice. This guide was developed through a range of sources; however the situation is continually evolving and we suggest individuals contact a mitigation lawyer before travelling.

Institutions are encouraged to support staff through proactive communication and risk mitigation strategies. Individuals should engage in their local travel and risk processes for tailored advice.

Who may require additional consideration

Some travellers may benefit from extra preparation or awareness due to increased scrutiny or differing legal protections. This includes:

- Transgender, non-binary and gender-diverse individuals
- LGBTQIA+ individuals
- Individuals publicly engaged in social or political critique
- Individuals with prior visa overstays
- Individuals with a criminal record (even if minor or historic)
- Researchers or professionals working in:
 - Political science
 - Equity, diversity, and inclusion
 - Gender studies and human rights
 - Climate change
 - Disinformation or media studies

What to be aware of

Travellers have occasionally reported the following experiences when entering the USA:

- Enhanced questioning by U.S. Customs and Border Protection (CBP) or Transportation Security Administration (TSA)
- Screening of personal belongings and electronic devices
- Requests to access or unlock digital devices
- Issues where appearance and identification documents do not fully align

It is also useful to be mindful of varying laws across U.S. states. In some locations, local legislation may differ significantly from federal protections, particularly in relation to gender identity and LGBTQIA+ rights.

Understanding your rights

Travellers should be aware of their rights, while noting that asserting them may have implications for entry:

- You may decline to unlock your personal device (but may be denied entry)
- You can request a private screening or an officer of the same gender
- You may keep prosthetics or medical items during screening (ask for a supervisor if required)
- Legal counsel can be requested, though not always available prior to entry decisions

Visitors under the ESTA visa waiver are not permitted to work or study and waive certain rights to contest entry decisions.

Helpful preparation tips

To support a smooth and confident travel experience:

- Ensure all documentation aligns with your current name and appearance where possible
- Carry essential medications in original packaging, with supporting documentation
- Consider removing sensitive content from personal devices or using a temporary device
- Bring supporting documents such as name change certificates or court orders
- Inform your institution and a trusted contact of your travel plans and expected check-ins
- Make sure you have comprehensive travel insurance for the full duration of your trip.
- Keep a calm and courteous approach during any screening; request a supervisor if needed
- Avoid areas of civil protest or unrest during your visit
- Where possible, travel through an airport that offers pre-clearance.

Institutional support

EPHEA encourages institutions to:

- Offer pre-departure briefings for travellers who may have specific considerations
- Maintain contact protocols and wellbeing support during and after travel
- Reflect equity and inclusion in institutional travel and safety policies

Further information

- White House gender policy update [linked here](#).
- Fact sheet on DEI removal [linked here](#).
- [The Guardian article link](#) – traveller rights.
- [Nature article link](#) – border detentions:
- Smartraveller Consular Charter [website link](#).
- Australian embassies in the USA [linked here](#).
- New Zealand embassies in the USA [linked here](#).
- Information about pre-clearance [linked here](#).
- Equality Australia's travel guide [linked here](#).

Legal support contacts

- Australian Consular Helpline (free from USA): +61 2 6261 3305
- Transgender Law Center [linked here](#).
- National Center for Transgender Equality [linked here](#).
- Lambda Legal [linked here](#).
- Immigration Equality [linked here](#).

This guide was written as a collaboration between EPHEA executive members from the University of Auckland and the University of New South Wales.



EPHEA acknowledges the Traditional Owners throughout Australia and Aotearoa, and recognises their continuing connection to land, waters and community. We pay our respects to them and their cultures; and to elders past and present.