

Business Travelers, Beware the Customs Desk

Posted By [Ben Worthen](#) On May 29, 2008 @ 8:42 am In [Business](#) | [14 Comments](#)

Business travelers coming into the U.S. need to be careful what information they keep on their computers.



Customs officers may have it out for your laptop

A U.S. Appeals Court ruled recently that customs officials could search through the information stored on laptops and other devices without needing probable cause. The decision hinged on the judges' conclusion that information stored in digital form counts as luggage—no different from the contents of a suitcase—and aren't an extension of a travelers thoughts.

This means that execs returning from business meetings abroad could have their laptops—or the information contained on the machines—seized at the border. In a worst-case scenario, travelers could lose the use of their devices and sensitive information could be leaked by Customs and Border Protection employees. (An unlikely scenario, sure, but still worth thinking about.)

Lynn Hollinger, a Customs and Border Protection spokeswoman tells us that "It is not CBP's intent to subject legitimate business travelers to undue scrutiny." She says that Customs officers "have the responsibility to check items such as laptops and other personal electronic devices to ensure that any item brought into the country complies with applicable law and is not a threat to the American public," and that "laptop computers and other personal electronic devices may be detained for violations of law including child pornography, intellectual property offenses, ties to terrorism, or other

violations of law."

Sounds reasonable. But Susan Gurley, executive director of the Association of Corporate Travel Executives, an advocacy group for the business-travel industry, tells us that the problem isn't that Customs can now conduct these searches, but that Customs hasn't made public its policies regarding how it handles the data it confiscates. For example, Gurley asks, how long will Customs keep a laptop? What happens to data once Customs is finished inspecting them? And how will Customs ensure that confidential information doesn't leak out?

We tried for a week to get answers to those questions. The closest we came was an assurance from Hollinger that Customs and Border Protection handles all information as required by law.

Our pure-speculation translation: Customs is making this stuff up as it goes along.

In the meantime, Gurley suggests that travelers who are worried about having confidential information seized simply email it to themselves or store an encrypted version on the Web. And because Customs officers may want to inspect the contents of your computer, you may want to not bring it into the country in the first place.

-Ben Worthen

Article printed from Business Technology: <http://blogs.wsj.com/biztech>

URL to article: <http://blogs.wsj.com/biztech/2008/05/29/business-travelers-beware-the-customs-desk/>