



Guide for Traveling Outside and Re-entering the United States

Recent shifts in U.S. immigration policies have created significant challenges for travelers seeking to enter or re-enter the United States. These changes reflect a stricter approach to border security, visa issuance, and immigration enforcement, impacting noncitizens, legal permanent residents, and even U.S. citizens. This guide provides information to help travelers navigate these evolving circumstances.

Should You Travel? Immigrations lawyers currently recommend avoiding unnecessary international travel until there is more certainty about re-entry rules. If travel is essential, ensure thorough preparation and consult legal counsel for personalized advice. Do not depend exclusively on this guide for travel information.

1) Understand Your Rights Based on Immigration Status:

- U.S. Citizens: U.S. citizens have guaranteed access to the United States.
- Green Card Holders: Green card holders have procedural rights; only an immigration judge can revoke their status.
- Temporary Visa Holders: CBP officers have the final say on entry for temporary visa holders. They can deny entry if a visa holder refuses to answer questions or if there are other concerns. *(See more information about reasons for denial below.)*

2) Assess Your Risk:

- The Trump administration has PROPOSED expanded travel bans under Executive Order 14161, targeting nationals from various countries deemed high-risk for national security or public safety concerns. Countries are categorized into three tiers:
 - Red = Complete visa suspension
 - Orange= Partial visa restrictions for specific categories
 - Yellow = Countries given 60 days to address deficiencies or face restrictions

All Travel Banned (11 countries)	Visas Restricted (10 countries)	60 days to Review Concerns (22 countries)
Afghanistan	Belarus	Angola
Bhutan	Eritrea	Antigua and Barbuda
Cuba	Haiti	Benin
Iran	Laos	Burkina Faso
Libya	Myanmar	Cambodia
North Korea	Pakistan	Cameroon
Somalia	Russia	Cape Verde
Sudan	Sierra Leone	Chad
Syria	South Sudan	Republic of Congo
Venezuela	Turkmenistan	Democratic Republic of Congo
Yemen		Dominica
		Equatorial Guinea
		Gambia
		Liberia
		Malawi
		Mali
		Mauritania
		St. Kitts and Nevis
		St. Lucia
		Sao Tome and Principe
		Vanuatu
		Zimbabwe

- b. Re-entry may be denied due to:
 - 1. Criminal history
 - 2. Immigration violations
 - 3. Fraud or misrepresentation
 - 4. Activities deemed against national security or foreign policy interests
 - 5. Health-related grounds
 - 6. Political or social media activity
- ii. Note: These risk factors apply to green-card holders and visa holders. Any violations, no matter how minor, may affect your return or entry into the U.S.
- c. For Legal Permanent Residents (Green Card Holders): Failure to Maintain Residency
 - i. Extended stays outside the U.S. can raise concerns about your intent to maintain permanent residency, potentially resulting in challenges at re-entry and even denial of entry.
- d. For Nonimmigrant Visa Holders: Misalignment of Visa Purpose and Immigration Intent.
 - i. Each visa type has a specific purpose, and travelers must demonstrate that their reason for entering aligns with their visa's intended use or risk denial of entry. (i.e. F-1 Students: must enter for academic purposes at a designated institution; employment is restricted unless authorized under OPT or STEM OPT.)
- e. For U.S. Citizens: While U.S. citizens cannot be denied re-entry, activities raising national security or foreign policy concerns may lead to additional scrutiny. If your history includes such issues, consult legal counsel before traveling.

3) CBP Officers Can Search Your Electronic Devices

- a. Scope of Searches: CBP officers can inspect electronic devices, including those in checked luggage, to assess eligibility for U.S. entry. They may request devices be powered on for review and, in rare cases, connect them to external systems for a deeper examination.
- b. Purpose of Searches: These searches focus on identifying factors that could render a non-citizen inadmissible, such as criminal convictions, domestic violence, or support for terrorism. Social media posts and digital content are also reviewed for signs of visa fraud or misrepresentation.
- c. To protect your privacy:
 - i. Avoid traveling with sensitive data stored locally on devices.
 - ii. Use cloud storage for important files.
 - iii. Be mindful of social media activity that could raise concerns during inspections.
- d. Travelers should be aware that refusing to comply with device searches could result in device confiscation or denial of entry for non-citizens.

4) Essential Immigration Documents to Carry

- a. Download, check for accuracy, and carry Form I-94 after reentry (available at <https://i94.cbp.dhs.gov/home>). Keeping it accessible is recommended as it serves as proof of legal entry and current immigration status in the U.S.
- b. Green Card Holders: Always carry your green card with you as this is legally required.
- c. Note: While domestic travel within the U.S. does not typically involve immigration inspections, you must still carry your Green Card and should have a copy of your I-94 Form.
- d. Any discrepancies or expired documents may lead to delays or denial of re-entry.
- e. Make sure to have the approval notice issued from USCIS, a valid passport, a valid visa and proof of maintenance of status (i.e. school records, work letter, etc.) when traveling. Also, marriage/divorce decrees/Name change documentation.

5) Practical Tips For all Travelers

- a. Prepare Your Documents: Ensure passports, visas, and supporting documents are valid and organized. Apply for necessary travel documents like reentry permits if needed.
- b. Be Truthful: Answer all questions honestly during inspections.
- c. Stay Updated: Regularly check government websites like CBP and USCIS for updates on travel requirements.