

## Travel Guidance for Non U.S. Citizen Employees

This document contains general information and recommendations for employee who are not citizens of the United States and is provided in light of recent developments in immigration policies and enforcement. does not constitute legal advice. If you have questions about your specific situation, please contact Carter Law Group, LLC or visit [cartervisalaw.com](http://cartervisalaw.com)

### Key Travel Considerations

1. Travel Requiring a New Visa Stamp - Reconsider Travel
2. Travel with a Valid Visa Stamp
3. Travel with Advanced Parole - Reconsider Travel
4. Travel With a Green Card
5. Special Considerations for Citizens of Certain Countries
6. Protecting Yourself While Traveling

#### 1. Travel Requiring a New Visa Stamp – Reconsider Travel

If your prior visa stamp has expired, you will need to obtain a new visa stamp from a consulate abroad before returning to the U.S. This is true even if you have valid status in the U.S. (such as H-1B or F-1 OPT), as a valid visa is required for entry into the United States.

Employees who will need new visa stamps should consider delaying or cancelling travel plans, as visa processing times are expected to lengthen, and applicants may face extended stays outside of the United States waiting for visa issuance.

##### *Applying for a New Visa Stamp*

If you decide to travel and obtain a new visa stamp, it is important to understand that consulates are using ‘extreme vetting’ to scrutinize visa applicants. This vetting includes review of applicants’ social media profiles. Consider reviewing your social media profiles before applying for any visa stamp. Past social media posts that support Palestinian rights, or are critical of the war in Gaza, Israel, or even the U.S. generally, may be red flags leading to the denial of the visa stamp.

Applicants should also carefully review their answers on the DS-160 visa application for accuracy and contact an immigration attorney with any specific questions.

#### 2. Travel with a Valid Visa Stamp

If you already have a valid visa stamp, then you will not face the delay of waiting for a new visa nor ‘extreme vetting’ of your visa application. However, U.S. immigration officers will inspect you at the airport or port of entry. See Sections 5 and 6 for additional considerations and precautions.

### **3. Travel with Advanced Parole – Reconsider Travel**

Advance parole is a travel document that the U.S. government may issue in variety of situations, like for individuals with Temporary Protected Status, a pending green card application, or humanitarian parole. Given recent policy changes, some of these programs may be terminated, potentially affecting the validity of the Advanced Parole travel document. Consider canceling or delaying your trip, or consult an immigration attorney before traveling.

### **4. Travel With a Green Card**

Green card holders are generally readmitted to the United States without any issues. However, some activities could cause a green card holder to face difficulties, such as:

- Spending more than 6 consecutive months outside of the U.S.
- Convictions for certain crimes
- Engaging in illegal activities while outside the United States.

Additionally, recent government actions have targeted green card holders who have publicly protested the war in Gaza.

Green card holders should reconsider travel and consult with an immigration attorney if any of these situations apply.

### **5. Special Considerations for Citizens of Certain Countries**

The current administration has signaled that it will impose a travel ban, barring at least some citizens of certain countries from entering the United States. The full details remain unknown, but a draft list of countries was made available in March 2025. If you are a citizen of one of the countries on the draft list and are not a green card holder or dual U.S. citizen, consider delaying travel until more information becomes available.

## **6. Protecting Yourself While Traveling**

### ***Documentation***

Travelers should ensure that they have all required documents with them when they arrive to the airport or port of entry in the United States, including a valid passport, valid visa, and Form I-20 for F-1 visa holders. Individuals with OPT or H-1B status should also travel with proof of employment, such as an employer letter and/or recent paystubs.

### ***Compliance with Immigration Status***

International employees should fully understand and comply with the terms of their immigration status. When returning to the U.S. after travel abroad, take care to answer the immigration officer's questions appropriately. A traveler may be refused admission to the U.S. or even detained if questioning at the airport reveals a prior violation, for example by engaging in unauthorized employment. An F-1 visa holder may also be refused admission if the immigration officer determines that the traveler intends to remain permanently in the United States.

### ***Securing Electronic Devices***

The Department of Homeland Security and the Department of State have recently sought to revoke the immigration status of individuals who have criticized Israel and the war in Gaza either through protest or other public comments. There are also reports that visa holders have been turned away or detained at U.S. airports for having messages on their electronic devices that are critical of the current administration.

Immigration officers at airports and ports of entry may search and seize travelers' electronic devices. To protect your devices and personal information, consider:

- Review your social media profiles and other public comments before any international travel
- Traveling without personal devices – leave them in the U.S.
- Deleting potentially problematic or sensitive data
- Encrypting data.

Various online resources provide information and recommendations about how to protect yourself and your devices prior to travel.

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**For additional information, please go to [CarterVisaLaw.com](https://www.cartervisalaw.com) or schedule an appointment by contacting [Carrie@CarterVisaLaw.com](mailto:Carrie@CarterVisaLaw.com) or call (508) 532-0760**

## **Experience, Competence, and Focus**

Immigration is one of the most complex and confusing areas of the law. While some lawyers try to be all things to all people, we concentrate our practice on immigration law. The attorneys at Carter Law Group, LLC are proud members of the American Immigration Lawyers Association (AILA), the nation's largest and most influential organization of immigration professionals.

Attorneys Carter and Lebeaux have more than 35 years of combined experience helping countless businesses secure the resources they need and have helped thousands of individuals from more than 50 countries across the globe achieve their goals. Our high-level ethics and competence have been recognized by a variety of organizations, including the following:

- Members of the American Immigration Lawyers Association, and American Bar Association
- Recognized Best Lawyer in the area of immigration by U.S. News and World Report – Attorney Carter 2023, 2024
- Recognized as a “Rising Star” by SuperLawyers™ – Attorney Lebeaux
- Peer recognized to have the highest ethics per Martindale & Hubbell for more than 25 years – Attorney Carter

*NOTE: This information is intended as a quick reference for general purposes. It is not comprehensive and should not be considered legal advice. Consult an immigration attorney for case-specific legal advice.*