

Considerations for Employers and Foreign Nationals When Travelling to the United States

The current Administration's restrictive immigration policies are raising many concerns and questions for business travelers as well as those who live and work or study in the U.S. in a valid work or student visa status. The following are answers to frequently asked questions (FAQs) about the international travel and reentry to the United States. These FAQs will be updated as policies and requirements change.

Frequently Asked Questions

1. Is there a new Travel Ban?

As of March 25, 2025, the U.S. government has not announced entry restrictions. However, travel bans are anticipated in the near future. On March 14, 2025, [The New York Times](#) published a draft list of countries as part of a new Travel Ban. Please see below a table of anticipated countries.

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

Although there is no new travel ban at this time, all foreign nationals should take caution and be prepared for sudden changes in travel conditions. All travelers should be prepared for enhanced screening at the airport or port of entry.

2. I have a valid nonimmigrant visa (e.g. H-1B) and I need to travel internationally for business or personal reasons. Should I cancel my trip?

All foreign nationals should plan carefully and prepare for the possibility of sudden changes in travel conditions.

You should take extra caution with international travel, if the following applies to you:

- You are a citizen/national of one of the countries that were subject to entry restrictions in the past or are anticipated to be on a future Travel Ban or you must travel to or transit through or have travelled to or transited through one of these countries.
- You have previous criminal history including arrests, citations, criminal charges or convictions, even if the charges were dropped or records were expunged.
- You have participated in protests, written blogs or articles on political topics or posted photos of protests and political statements on social media. The January 20, 2025 Executive Order directs the authorities to screen foreign nationals “to the maximum degree possible” and targets individuals who support “hostile attitudes towards [U.S.] citizens, culture, government, institutions, or founding principles.”

If you are not a national of a previously or anticipated banned country and you possess a valid U.S. nonimmigrant visa and other required travel documents, your risks associated with international travel are lower. However, it is possible to encounter more intense screening by the U.S. Customs and Border Protection Agency (CBP) when entering the U.S.

3. What kinds of screening can travelers expect at the airport or port of entry?

The January 20 Executive Order does not identify specific screening practices, but it directs government agencies to develop enhanced security screening standards and procedures that are consistent with the “[Heightened Screening and Vetting](#)” practices that were in place during the first Trump Administration.

All foreign nationals who apply for visas, immigration benefits, or admission to the U.S. are subject to security screening. You may encounter questioning about various aspects of your background including but not limited to your immigration status, travel history, educational and professional background, employment status, and purpose of your travel, among others.

The CBP officer at the airport or port of entry can send the traveler to a separate interview area known as "secondary inspection" for additional questions.

All persons including U.S. citizens are subject to searches at the airport or port of entry. CBP may search your luggage and electronic devices.

4. What should I do if I'm sent to the secondary inspection or detained at the airport or port of entry?

It is impossible to know how long it will take to complete the interview at the secondary inspection. You should remain calm and patient and answer questions truthfully. However, if you do not understand the questions, request clarifications. Do not answer questions that you do not understand. Do not provide false information. Omitting or misrepresenting information can result in denial of entry, removal from the U.S., a future bar to admission to the U.S., or even possible criminal penalties. Please also keep in mind:

- Foreign nationals including permanent residents do not have the right to an attorney when being questioned on the subject of immigration status.
- Attorneys may not be allowed in and may not be allowed to contact the client.
- US citizens have the right to an attorney and should not be denied entry.
- Attorneys can contact CBP, Congressional liaison, and others, to try to expedite release but results are not guaranteed.
- You may be permitted one phone call to inform a family member, friend, or your attorney that you are in secondary inspection. Lengthy calls at secondary inspection will not be permitted. If your request for a phone call is denied, please remain calm and ask to speak with a supervisor. We recommend that you arrange an emergency contact person in the U.S. who can reach the immigration legal team.
- If you are a foreign national with a valid visa, or you are traveling under the visa waiver program and you are refused admission, inform the CBP officer that you wish to voluntarily withdraw your application for admission and avoid expedited removal, which can affect your ability to enter the U.S. in the future.
- Permanent residents ("green card holders") should not surrender their green cards. Permanent residents, who have no intention to abandon U.S. permanent residency,

should not sign Form I-407, even if CBP pressures you to do so. Lawful permanent residents have the right to a hearing before an immigration judge.

5. What should I know about electronic device searches?

CBP can search electronic devices belonging to anyone entering the U.S. without a warrant or reasonable suspicion. If you refuse to provide access, CBP can seize your device and can deny entry to the U.S. for foreign nationals. For more information, please review our [memo on electronic device searches](#).

6. I have a nonimmigrant work, cultural exchange, or student visa. What documents do I need to carry with me when returning to the U.S. from an international trip?

Requirements are different based on the type of visa you hold. Please review our [memo](#).

7. I need to come to the U.S. for business or for personal reasons (e.g. seeing family and friends or vacation). What documents do I need to carry with me when visiting the U.S.? What should I expect at the airport or port of entry?

All foreign national visitors must have an unexpired passport (or appropriate Travel Document) and a valid visa or electronic travel authorization (ESTA) for eligible travelers under the [Visa Waiver Program](#). If you are a [Canadian or Bermudian passport holder](#), you do not require a nonimmigrant visa except for certain visa categories.

Even if your nationality qualifies you for the Visa Waiver Program and you have a valid ESTA registration, you may be required to obtain a B-1/B-2 visa if the following applies:

- You have travelled to Iran, Libya, North Korea, Somalia, Sudan, Syria, Yemen or other country designated by the Department of Homeland Security since March 1, 2011 or to Cuba since January 12, 2021.
- You are a dual national of a VWP country and Cuba, Iran, Iraq, North Korea, Sudan, Syria, Yemen or other country designated by the Department of Homeland Security.

In general, your passport should be valid for at least six months beyond the expiration of your period of admission to the U.S. However, there are exceptions. Nationals of [certain countries](#) are allowed to present unexpired passports that have a less than six month validity period.

8. My non-U.S. passport has an "X" gender marker. My non-U.S. passport lists a sex that is different from my sex assigned at birth. How does the Trump Administration's policy affect my travel to the U.S.?

All foreign passports with an "X" marker or listing a sex different from your sex at birth are valid for travel. However, when applying for a U.S. visa, applicants must indicate sex assigned at birth, even if it is different from the gender marker on your passport. If you hold a valid U.S. visa bearing a sex that is different from your sex at birth but is aligned with your gender identity in your passport, the visa remains valid until it expires and you do not need to apply for a new visa solely to change your sex on the visa.

It is possible to encounter additional screening. If the gender marker on your passport does not match how the officer perceives your gender presentation is or gender listed on visa or other travel documents, you may be asked questions or sent to secondary inspection. For airport security screening, you are allowed to request a pat-down instead of Advanced Imaging Technology screening, but the pat-down may be very thorough. You can also request a private screening. Please see [TSA's current guidance](#).

9. What is the requirement to carry immigration documents?

All foreign nationals who are 18 years or older must carry documentation of their registration as a foreign national while in the U.S. These documents include:

- Unexpired Form I-94 admissions record;
- Admission stamp in the passport issued by CBP;
- Form I-551 Permanent Resident Card ("green card");
- Form I-766 Employment Authorization Document (EAD);
- Form I-185/I-186 Border Crossing Card for Canadians and Mexicans

Failure to carry appropriate documentation is a misdemeanor with fines up to \$5,000 or jail time up to 30 days or both.

10. I was arrested. It was not a big deal and the charges were dismissed. I was charged and convicted with a minor crime a long time ago. Will this impact my reentry or travel to the U.S.?

If you have been arrested or charged with any crime, no matter how minor the offense, you must consult with an immigrant attorney. There may be immigration consequences

even if a charge or conviction has been dismissed, expunged or sealed or even a pardon has been granted.

An arrest or conviction may result in the revocation of your visa and you may be required to undergo an examination by a Department of State designated physician in order to apply for a new visa.

Criminal records can have severe immigration consequences such as removal, being barred from entering the U.S., denial of applications for visa, permanent residency, or naturalization.

11. What is the new registration requirement? Do I have to register after I enter the U.S.?

All foreign nationals aged 14 and older, who were not fingerprinted or registered when applying for a U.S. visa and who remain in the U.S. for 30 days or longer, must apply for registration and fingerprinting by submitting [Form G-325R](#). Parents and guardians are responsible for registering their children and must re-register children within 30 days of their 14th birthday. Failure to comply can lead to criminal prosecution and fines or imprisonment.

- Who is exempt or already considered to be registered and do not need to apply for registration after entry?
 - Exempt individuals
 - A or G visa status holders
 - Foreign national who will be in the U.S. for less than 30 days
 - Certain Native Americans born in the U.S.
 - Who's considered to be registered and do not need to take additional actions?
 - Permanent residents (green card holders)
 - Individuals who are issued Form I-94, Arrival-Departure Record
 - Parolees
 - Recipients of Form I-766 Employment Authorization Document (EAD)
 - Recipients of Form I-185/I-186 Border Crossing Cards for Canadians and Mexicans
 - Individuals who have valid, unexpired nonimmigrant DHS admission or parole stamp in their passports.
 - Individuals in removal proceedings