



EMPLOYEE TRAVEL: WHAT TO DO IF YOU PLAN TO TRAVEL OUTSIDE THE U.S.

A court order has temporarily stopped an executive order scheduled to go into effect on March 16 banning entry to the U.S. for nationals of Iran, Libya, Somalia, Sudan, Syria and Yemen for 90 days and for all refugees for 120 days. The new order does not apply to green card holders/lawful permanent residents, dual nationals with passports issued by a country that is not banned, anyone with a current valid visa to travel to the U.S., people already granted asylum or refugee status in the U.S. before March 16, or those refugees outside the U.S. who already have been approved for travel by the State Department.

However, existing immigration laws provide wide discretion for agents to refuse entry to the United States to anyone they determine has any irregularity with their lawfully issued passport or visa, or who they decide may be a security risk.

While there have been a few reports of travelers with valid visas being held for additional questioning on entry, you should be able to leave and re-enter the U.S. on your valid and current visa. Just be sure to observe these do's and don'ts.

- **Carry your passport:** Carry your valid travel documents. If you have dual nationality, use the passport from the country that has not been listed in the executive order. If you were born in one of the banned countries, you may still be questioned about your place of birth, your religion and your purpose in leaving and returning to the U.S. Your passport should be valid for at least six months beyond the date of your planned return to the U.S.
- **Use your current visa:** If you hold a current lawful-employment-related visa, use that visa for travel rather than Advance Parole.
- **Consult an attorney *before* leaving the U.S.:** If you have to travel outside the U.S. to renew your nonimmigrant visa, or apply for a new visa, make sure you consult with your employer's immigration counsel or your own immigration attorney before you depart the U.S. If you have had *any* prior criminal charges or convictions, consult with an immigration attorney *before* you travel.
- **Inform others:** If you are not traveling with family, friends or colleagues, be sure to provide your employer, family and/or friends in the U.S. a copy of your travel itinerary and the name of a lawyer to contact on your behalf in the event you have any problems on your return to the U.S.
- **Be prepared to answer questions about your work:** Take copies of your immigration petition and approval notice with you and be prepared to answer questions about your job, including your position, your employer and your area of expertise, when you return to the U.S. Answer all questions truthfully.

- **Think about your electronic devices:** Officials may seek to inspect the content on your electronic devices. You are *not* required to provide your passwords. However, be aware that Customs and Border Protection (CBP) officials may detain you for further questioning, and may temporarily confiscate your devices, if you do not allow access. If you are asked to provide access, you should assert your right to speak with your attorney or to call your employer. While U.S. citizens cannot be denied re-entry to the U.S., it is unclear whether people with immigrant and nonimmigrant visas can be denied entry if they refuse a request to inspect their devices. Consider carrying a minimum of data, or temporary, disposable devices, if you have concerns about the privacy of sensitive information. Be sure to consult with your employer before traveling with devices that contain (or can access) confidential company information.
- **Record information:** If you are selected for secondary inspection upon re-entering the U.S., be sure to write down the names and phone numbers of the officials who question you.
- **DO NOT SIGN ANY PAPERS WITHOUT SPEAKING WITH AN ATTORNEY:** Do not allow yourself to be pressured into signing any forms, especially those that indicate that you are withdrawing your application for admission to the U.S. or your lawful visa or permanent resident status. ***Insist on your right to speak with an attorney.***