

CIR's Immigration FAQ 2026

HOW TO USE THIS FAQ

This is a general guide which is designed to answer common questions that Foreign Medical Graduates (FMGs) may have about immigration topics in light of the aggressive enforcement climate we find ourselves in. This guide is for educational purposes only and is not the final word as information may change at any point.

Always remember that if you have a specific legal question about your particular circumstances, you should speak with an immigration lawyer. Additionally, as an incoming resident at a CIR hospital, the union's Legal Department can provide guidance and resources for those facing immigration difficulties, including visa delays. You can contact us at legal@cirseiu.org. Please also see our Immigrant Justice [webpage](#) for developments on various immigration issues which impact physicians and their patients.

Legal Department, Committee of Interns and Residents
April 2026

PROOF OF IMMIGRATION STATUS REQUIREMENT

1. Do I have to carry my immigration papers with me?

Yes. This requirement comes from a registration law from 1940 that was not regularly enforced until the current administration. It requires that all noncitizens present in the US be 'registered' and carry proof of such registration. Simply put, you must carry proof of your immigration status. See #3 below for more information.

2. What if ICE stops me and asks for proof of my immigration status?

In the unlikely event you are stopped by a badged ICE officer and asked for proof of your immigration status, you must comply under law. Remain calm and do **not** walk away or ignore the officer. Noncompliance may lead to serious consequences such as fines and/or imprisonment. See # 3 below for details.

3. What immigration documents should I carry with me?

- **I-94.** It is best to carry a printed copy of your I-94 electronic record which is obtainable via the CBP website (<https://i94.cbp.dhs.gov/home>). Your I-94 alone is sufficient, but as an extra precaution we suggest you carry a paper copy of your *most recent* H-1B approval notice, DS-2019 (for J-1s) or I-20 (for F-1s). By having paper copies of these documents you have a better chance of avoiding handing over your cellphone to show digital copies (which could inadvertently lead to a cell phone search).
- **Green card holders.** Carry your original Permanent Resident card (Form I-551). A good practice is to keep color copies of it at home in case of loss or damage.

Useful tips:

- Carry a state issued identification card or driver's license that is valid (unexpired).
- *Keep your passport safe at home.* Because this is a precious document, store it in a safe place rather than carrying it around where it could be misplaced or stolen. While not legally required, a good alternative is to carry a color copy of your valid passport photo page, your visa stamp and

your last entry stamp.

If for whatever reason you are unprepared and unable to show your immigration documents (e.g. your smart phone dies) when asked by an Immigration official, remain calm and briefly explain the circumstances. A gentle reminder of the critical nature and time pressures of your work can be useful in this situation. You can offer to show your work ID and state identification or drivers license. Never lie to an Immigration official.

MOVING/CHANGING ADDRESS

4. Do I have to report my new address to USCIS when I move?

If you've recently moved — or plan to move — you are required by law to update your address with USCIS within 10 days using [Form AR-11](#). It's fast, easy and essential for protecting your immigration status. File online through your USCIS account or send by mail with tracking and proof of receipt. Just updating your address with the United States Postal Service (USPS) is not enough. Noncompliance can lead to serious consequences like fines, imprisonment, or removal. Again, your best defense is staying in compliance. Even if you have already moved, it's not too late to submit your AR-11.

SOCIAL MEDIA COMMON SENSE

5. Do I need to exercise caution when posting on social media?

When deciding to post *anything* on any social media, common sense should always be applied, especially in the fraught political climate we're in. In the immigration context, it's no different. Remember that online posts live on forever and could be discoverable by anyone looking for them like a potential employer, a USCIS or consular officer when reviewing an application, or a CBP inspection officer at the airport. For example, we know that online posts regarding the Israeli/Palestinian conflict is an area of scrutiny for the current administration. Also, you are not required to post your union activities in order to be an active union member (see question #7 for more on this topic.). The decision to post or not about *any* subject matter is entirely up to you. Your best defense is applying common sense *before* you post.

6. When I apply for a J-1 or H-1B visa, will the consulate look at my social media?

Yes. The government now requires that social media accounts be switched from private to public when applying for a J-1 or H-1B visa (including family dependents applying for J-2 or H-4 visas). Limited access to, or visibility of, an applicant's online presence could be seen as an effort to evade or hide certain activity. Consular officers are instructed to review the applicant's entire online presence, not just social media, in search of hostility toward the U.S., support for unlawful antisemitic harassment or violence, advocacy for designated foreign terrorist groups or any potentially derogatory information. Derogatory information includes any information inconsistent or contradictory to the visa sought.

UNION MEMBERSHIP AND ACTIVITY

7. Does joining a union or being active within the union put my immigration status at risk?

Union membership or activity is not a source of scrutiny by the U.S. government, even in this current aggressive immigration enforcement climate. There are different ways to take action with your union depending on your comfort level. If you don't feel comfortable speaking at rallies or marching in protests, there are other ways you can support your union. And if you would like to speak to reporters

but prefer to do so anonymously or not be named in our social media posts, our Comms Team can help coordinate that.

8. Do I have to inform USCIS that I am in a union?

For immigration purposes, there are no forms that ask if a foreign national is a union member. It's worth noting, however, certain situations where union membership can come up:

- For H-1Bs: Paperwork to apply for H-1B status requires an employer to list if the position they are seeking to fill is covered by a collective bargaining agreement.
- For J-1s: Renewal applications ask about your engagement in cross-cultural activities outside of the hospital. Since most union activities take place *inside* the hospital and union involvement occurs for workers around the world, disclosure of union membership/activities in this circumstance is not necessarily relevant.
- For Green Cards: Union membership is not a ground of inadmissibility but the green card application requires applicants to disclose any present or past membership, association, or involvement with organizations, and union membership would fall under this.

It is worth noting that your information with CIR is not shared with anyone but your hospital employer to facilitate the collection of union dues. So it's up to you whether to share with the outside world (via social media or otherwise) that you're a union member.

9. Can CIR help me if I face immigration issues with my employer?

CIR has extensive experience navigating visa and immigration issues directly with employers and beyond. When you sign a CIR membership form, you will have access to CIR legal resources, such as our Members Only Immigration Benefit, which covers up to two free immigration consultations per residency year, and our J-1 and H-1B annual webinars. Equally important, you are joining thousands of residents across the country who advocate for their fellow union members who are visa-holders.

MAINTAINING IMMIGRATION STATUS

10. Can USCIS revoke my H-1B or J-1 status?

This is an extreme step that USCIS has the discretion to take against *any* visa holder who is presently in the U.S. when they have disqualifying information about the parties like fraud or criminal activity. This is an unlikely occurrence for our members and hospital employers. For H-1B and J-1 visa holders, revocations are not instantaneous. USCIS is required to first notify the Petitioner (the employer) or Beneficiary (the employee) that they *intend* to revoke the status, the reasons for it, and provide an opportunity to respond.

11. Immigration has been really aggressive lately. how do I protect myself in this climate?

Your best defense is to stay in compliance with the terms and conditions of your immigration status, which for our interns, residents and fellows means:

- Following the terms and conditions of your employment at the hospital that sponsored your H-1B or J-1 status or is the basis for your F-1 OPT.
- Non-citizens must carry proof of immigration status as explained in #3 above.
- Keep your address current with USCIS as explained in #4 above.
- If you are renewing your H-1B status, make sure that your part of the required immigration paperwork is submitted to the immigration lawyer in a timely fashion.
- If you are experiencing issues at your workplace that could potentially affect your continued

employment, do not delay in speaking with your union representative to get their advice. Being proactive can increase your chances of a timely and satisfactory resolution.

- Avoid any and all arrests or negative interactions with law enforcement authorities.
- Use common sense when posting online.

TRAVELING ABROAD

12. Will the travel ban affect me?

First announced on June 9, 2025 and later expanded on January 1, 2026, the U.S. imposed a travel ban for citizens of 39 countries as well as individuals with Palestinian Authority-issued travel documents. A full ban was imposed on citizens of: Afghanistan, Burkina Faso, Burma (Myanmar), Chad, Republic of the Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Laos, Libya, Mali, Niger, Sierra Leone, Somalia, Sudan, South Sudan, Syria, Yemen and Palestinian Authority-issued travel document holders. A partial ban on J and F visa holders (and other nonimmigrant categories) from citizens of: Angola, Antigua and Barbuda, Benin, Burundi, Cote d'Ivoire, Cuba, Dominica, Gabon, The Gambia, Malawi, Mauritania, Nigeria, Senegal, Tanzania, Togo, Tonga, Venezuela, Zambia and Zimbabwe.

If your country is listed in the full ban list or in the partial ban list and you are presently in J or F status:

- Remain in the U.S. and do not travel abroad, including to Mexico or Canada.
- If for any reason you are still considering traveling abroad, we strongly recommend that you consult with an immigration attorney before departing the U.S.

13. What if my country is not on the travel ban list, is it safe to travel abroad?

Traveling abroad is a riskier proposition today given the aggressive enforcement climate we are in and the unpredictability of world events that can impact travel plans. Under normal circumstances, you should be able to return to the U.S. from a trip abroad so long as your visa stamp is valid and you are otherwise eligible to enter the country. Note that CBP officers have wide discretion in admitting or denying entry into the U.S. (for more on that see # 16 below), and in today's aggressive enforcement climate, visa-holders are cautioned *against* foreign travel if at all possible.

14. If my country is not on the travel ban list, does the H-1B Presidential Proclamation affect my ability to travel abroad?

As of September 21, 2025, the H-1B Proclamation imposes a \$100,000 fee on new H-1B petitions submitted on behalf of applicants who are outside of the U.S. For H-1B status holders already in the U.S., in possession of a valid H-1B visa and who seek re-entry into the U.S., they should not be subject to the H-1B Proclamation. For more information on the H-1B Presidential Proclamation see our CIR Immigrant Justice website [HERE](#).

15. My visa processing at a US embassy or consulate is delayed and I need to be back at work soon, what can I do?

In 2025 visa processing times became *longer* for H-1B and J-1 visa applicants due to the social media vetting requirements (see question #6). If you are abroad and encountering unusual delays with your visa processing, you can contact the CIR Legal Department legal@cirseiu.org. We will assess your situation and provide assistance wherever possible.

16. When I travel abroad to visit family, will I have problems re-entering the US?

Whenever you depart the U.S., upon return with a valid visa, you will be inspected by a CBP officer who has discretion to admit or deny your entry into the U.S. For example, CBP has the legal authority to search electronic devices (such as phones, laptops and tablets) of anyone entering the U.S. including noncitizens *and* U.S. citizens. Electronic device hygiene is paramount in today's political climate. While you are not required to provide your passwords to CBP officers, refusing to do so may result in possible consequences like device seizure or denial of entry.

Some tips to make it easier during inspection:

- Power off devices
- Prioritize password security (turn off face recognition) to protect your data.
- In the interest of protecting patient privacy, consider deleting any apps or programs that contain patient information.
- Delete social media apps

Other tips when being questioned by CBP officer:

- Stay calm, do not argue with CBP officers
- Keep your answers honest and short; never lie to CBP officers
- Respond to what is being asked, do not volunteer information

CBP must allow U.S. citizens (U.S. born or naturalized) to enter the country. For noncitizens, CBP has wide discretion in denying entry into the U.S. and combined with today's aggressive enforcement climate, **you are cautioned against foreign travel if at all possible**. If you have to travel outside of the country and you are concerned that you may be denied reentry into the U.S., it's best you consult with an immigration attorney before you depart.

17. If I decide to travel abroad, what best practices should I have in mind?

Traveling abroad is a riskier proposition today given the aggressive enforcement climate we are in and the unpredictability of world events that can impact travel plans. While entry into the U.S. for noncitizens can never be guaranteed, below are two best practices to keep in mind if you are planning a trip abroad.

- Compare your travel dates with your passport's expiration date.

Because you must have a passport valid through the end of your H-1B validity period, CBP can shorten your authorized period of stay to match your passport's expiration date. For this reason traveling with a passport valid for several years is ideal. Renew your passport *early* to ensure that your authorized period of stay is not shortened due to an insufficient passport validity period.

- After admission to the U.S. *immediately* check your electronic I-94 record for accuracy.

It is important to immediately check your I-94 for accuracy. You can view your most recent I-94 [here](#). CBP officers inspect about 1 million travelers daily so mistakes on an I-94 can and do happen, from misspelled names or wrong dates of birth to the wrong visa type or the wrong end date for an authorized period of stay. Remember that all information on an I-94 must be correct because the I-94 dictates your legal status, that is how long you are allowed to stay in the U.S. and whether you are authorized to work and for how long. For obvious input errors, you can contact CBP directly at their Deferred Inspection Office at your nearest [airport](#) to request a corrected I-94 generally within 30 days of your arrival. For any questions about your legal status, or if CBP does not correct your I-94, it is best to consult with an immigration attorney as soon as possible after your arrival.