

# Know Your Rights

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Stay Informed and Protected

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**Rights of US  
Citizens**

**Lawful  
Permanent  
Residents**

**Non-  
Immigrant  
Visa Holders**

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# Legal Disclaimer

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*The material covered in this presentation is intended only to educate and does **not** constitute legal advice. Viewers should not act on the information provided without seeking any professional legal counsel. Neither transmission nor receipt of these materials creates an attorney-client relationship between the author and the receiver.*

# Overview of Topics for Discussion

- History/Visa Types
  - Travel Bans
- What is happening at US Customs Border

- Your Rights At Airport
- Practical Tips Before You Travel

- FBI Interaction
- ICE Interaction

# Overview of U.S. Travel Bans (November/ December 2025)

Recent executive actions introduced expanded travel restrictions.



Two major phases: November Travel Ban and December Expansion.



Significant impact on family-based, employment, and humanitarian cases.



# Who Is Covered by the 39 Country Travel Ban?

Initial announcement targeting 39 countries.

Focused on visa issuance restrictions and enhanced vetting.

Applied to immigrant and certain non-immigrant visa categories.

Created delays at embassies and consulates worldwide.

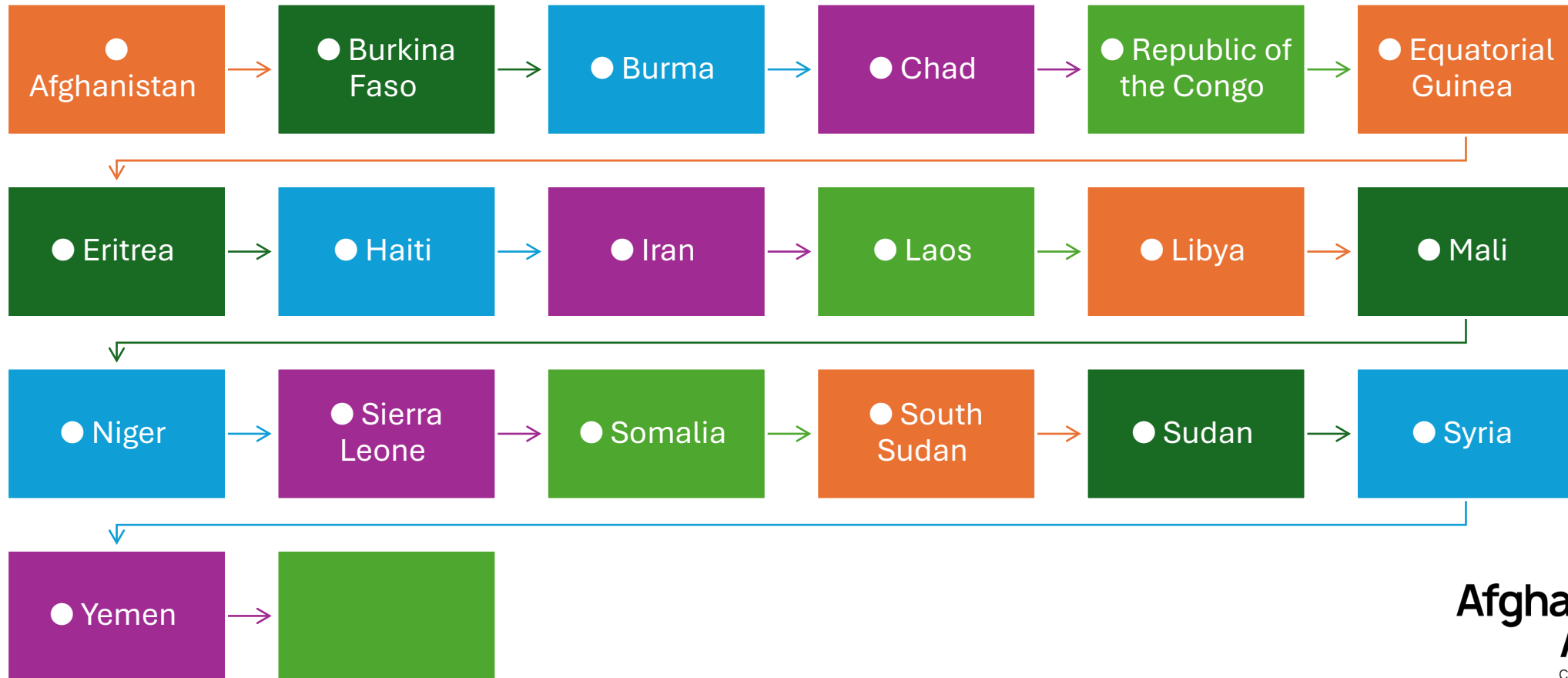
# Who Is Covered by the 39 Country Travel Ban?

As of January 1, 2026, the expanded ban prohibits entry of immigrants and, with the exception of Turkmenistan, also bans the entry of nonimmigrants with B-1, B-2, B-1/B-2, F, M, and J visas, of nationals of the following twenty countries:

# 19 Travel Ban Countries – Full Ban

The expanded ban prohibits the entry of immigrants and non-immigrants into the U.S. of individuals seeking to enter on travel documents issued or endorsed by the Palestinian Authority. Includes following 19 countries:

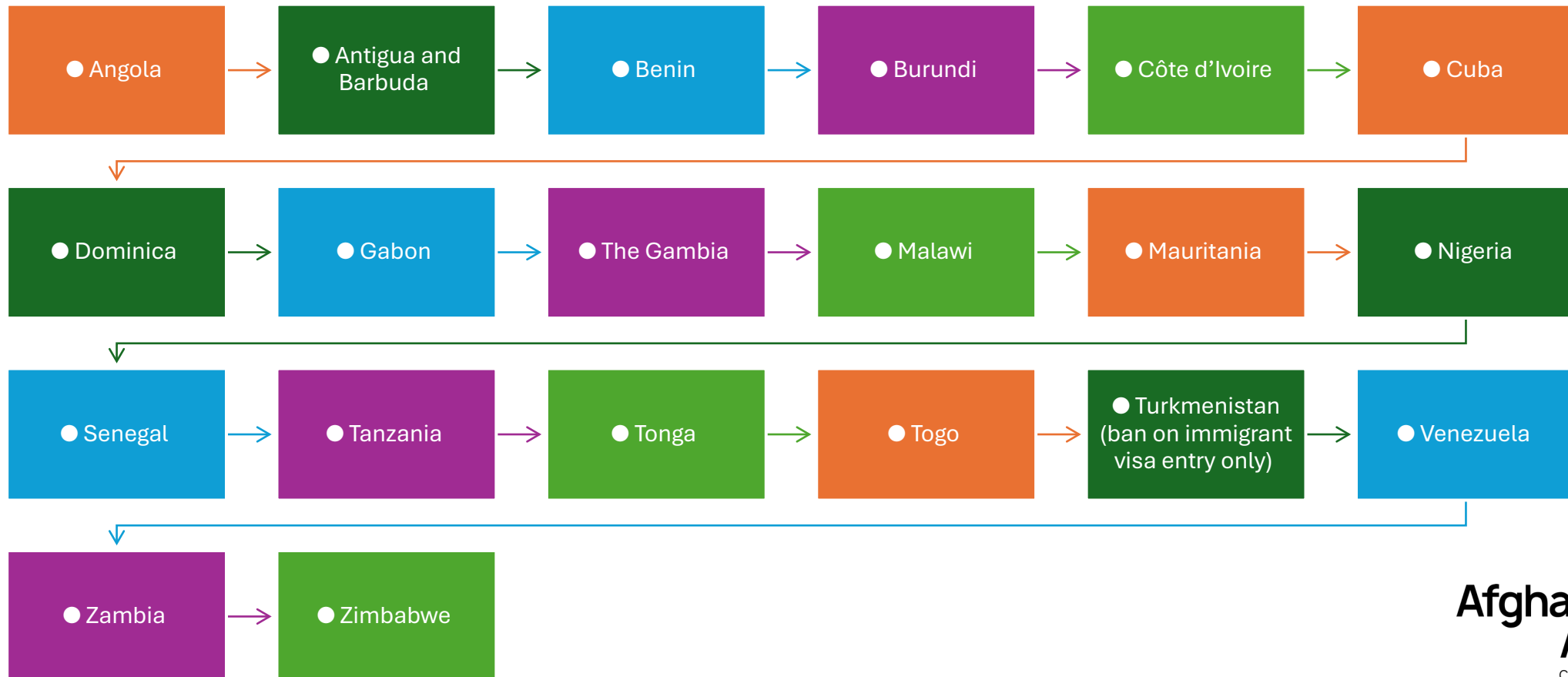
# 19 Countries Facing full Restricted Travel Suspension – Immigrant and Nonimmigrant



## 20 Travel Ban Countries- Partial Ban

For the countries below subject to partial bans on nonimmigrant visa entry (all but Turkmenistan), the ban also directs consular officers to reduce the validity of any other non-immigrant visas to the extent permitted by law.

# 20 Countries Facing Partially Restricted Travel Suspension



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On January 14, 2026, the U.S. Department of State Announced that it is halting immigrant visa processing for nationals of 75 countries, beginning on January 21, 2026.

The 75 countries listed are as follows:

# State Department Halting Immigrant visas for the following 75 Countries:



U.S. Citizenship and Immigration Services (USCIS) has not announced a pause in adjudication of I-485 applications for adjustment of status for nationals of the 75 countries. Thus, barring additional guidance from USCIS, those who are physically present in the U.S. and legally eligible to adjust status may still become permanent residents during the immigrant visa ban.



The visa ban applies only to immigrant visas and does not apply to nonimmigrant visas (such as visitor and work visas) for nationals of the same countries. However, the Department of State's guidance is premised on the notion that nationals of the 75 countries are, based solely on their nationality, more likely to become a public charge, and that the public charge ground of inadmissibility applies to immigrants and nonimmigrants alike.

# What's happening at U.S. Customs Border?

These Practices were always in place, but now harsher Border Enforcement Practices

Minor visa issues now lead to detention and deportation

Aggressive CBP tactics: shackling, harsh questioning, limited oversight

Detention centers are used even for tourists with small violations

Travelers are forced to buy expensive open-ended tickets to leave

Social media and device searches have intensified

Few rights for U.S. citizens, even fewer for non-citizens, Visa holders

CBP officials are openly proud of strict enforcement under past executive orders

# Your rights at airports and borders: Types of officers you could encounter when entering the US?

- Department of Homeland Security:
  - Customs and Border Protection (CBP)
  - Transportation Security Administration (TSA)
  - Immigration and Customs Enforcement (ICE)
  - Homeland Security Investigations (HSI)
  - Federal Bureau of Investigation (FBI)



# Your rights at airports and borders as a US Citizens

## Absolute Right to Re-enter

U.S. citizens cannot be denied entry

## Questioning Limitations

May be questioned but entry guaranteed

## Valid Passport Required

Must show proper documentation



# Your rights at airports and borders: What Agents Can and Can't Do

## Can Do

- Search luggage and belongings without warrant
- Ask questions that establish your identity and citizenship status
- Take your electronic devices and perform basic searches
  - Advanced searches require reasonable suspicion

## Cannot Do

- Detain indefinitely
- Target based on religion/race
- Infringe on your First Amendment rights

# Your rights at airports and borders: Questioning

## Must Answer

Identity and citizenship questions  
questions

## Can Decline

Religious, political, social views  
questions

## Key Question

"Am I free to go?" If not, you're detained

## Key Consideration

Lying to federal agents is a criminal offense



# Your rights as a LPR or Nonimmigrant

## What happens when you exercise your rights as a non-US Citizen

### For Lawful Permanent Residents (LPR)

- Delay
- Can't deny you entry
- Could be detained if CBP suspect you violate certain immigration law
- Have due process rights
- Only Immigration Judge can revoke your LPR status
- CBP can't revoke your status

### For non-immigrant visas holders

- Denied admission
- Detained and deported
- Ask for asylum if you are afraid to return to your home country



# Practical Tips Before You Travel

1

**Minimize local data** (delete sensitive files or use a “travel” device).

2

**Back up & encrypt** your phone/laptop; power it off before landing.

3

**Use a strong passcode, not biometrics**

4

**State politely that you do not consent** to the search, but comply if you choose to avoid seizure.

5

**Document the encounter** (names, time, receipt) in case you need legal follow-up.

# Protecting your digital privacy and devices



## Password Protection

Not required to provide, may face device confiscation.

Think twice about giving consent



## Basic Searches

Can occur without need for reasonable suspicion



## Advanced Searches

Require reasonable suspicion under CBP Policy

### PRIVELEGED INFORMATION

If you are in a position where you have legally privileged information on your device, such as device, such as client information if you are a lawyer, you should assert that privilege over privilege over the sensitive information

# Protecting your digital privacy and devices: Data Protection Tips



## Secure Messaging And Encryption

Use Signal or ProtonMail.



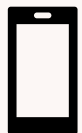
## Social Media and Email

Log out of social media apps.



## Two-Factor Authentication

Enable two-factor authentication.



## Remove Private Data and Use Travel Devices



# Traveling with Travel Documents

- You need a valid passport, visa and/or travel document to enter other countries.
- Each countries has their own requirements.
- The travel document that DHS issues you is for the purpose of you returning to the US – not valid to use to enter other countries.
- Too risky to travel
- Consider the risk and the reasons for travel
- Consult with immigration attorney to understand the risks



## Social Media Risk for LPR and Non-Immigrant Visa Holders

- Can search your social media
- Could be questioned
- Non-Immigrants: could be denied admission based on what they find
- LPR: risk of detention depends on whether they can connect content to a provision that allows them to revoke your LPR status



# FBI Interaction

- Various reason why they want to talk to you
- It has been reported that they have contacted many Afghans who are US citizens or have various immigration status
- Right to remain silent – 5<sup>th</sup> Amendment
- Right to privacy – 4<sup>th</sup> Amendment
- Right to deny them entry to your home if they don't have a valid warrant
- Seek advice from attorney before you answer any questions or sign any documents



# FBI Interaction – Noncitizen

- Could delay your pending immigration application
- Recommend to consult with an attorney to assess your history to see if there are issues that could make you ineligible for whatever application you submitted
- Risk of providing information that could be used against you in your application



# ICE Interaction – Noncitizen

- People at risk of being detained & deported by ICE are:
  - People that have legal status, prior removal order, have been here for less than two years and don't have anything pending, and have been arrested or convicted of a crime
- ICE could come to your home, work, school, and other places
- They need a warrant to come inside your home or other restricted areas
  - Can DENY entry if there is no warrant
- If you have legal status, you should carry proof of that and show it to the ICE officer if they question you while out in public



# ICE Interaction – Noncitizen

## General Tips:

1. Remain calm
  - Don't run if you are in public
  - Don't open the door if you are in a private place such as your home
2. Don't open the door
3. Don't answer any questions. If you do answer questions, don't lie.
  - Unless you are in public and are at risk of being detained
    - Provide proof of your status
    - Provide proof that you have been in the US for over two years you don't have status
4. Don't sign anything
5. Ask for a translator
6. Call an attorney as soon as you can.
7. If an agent approaches you outside of your home, ask if you are free to leave. If yes, then walk away. If no, then assert your rights.



# Warrants

## JUDICIAL WARRANTS v. IMMIGRATION WARRANTS

AO 93 (Rev. 12/09) Search and Seizure Warrant

**UNITED STATES DISTRICT COURT**  
for the  
Eastern District of California

In the Matter of the Search of \_\_\_\_\_  
(Briefly describe the property to be searched  
or identify the person by name and address)  
\_\_\_\_\_ ) Case No. \_\_\_\_\_  
Devis, California 95616 )

**SEARCH AND SEIZURE WARRANT**

To: Any authorized law enforcement officer **211-SW-0161 EFB**

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the EASTERN District of CALIFORNIA  
(Identify the person or describe the property to be searched and give its location):  
SEE ATTACHMENT A, ATTACHED HERETO AND INCORPORATED BY REFERENCE

The person or property to be searched, described above, is believed to conceal (Identify the person or describe the property to be seized):  
SEE ATTACHEMNT B, ATTACHED HERETO AND INCORPORATED BY REFERENCE

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before 5-9-2011  
(not to exceed 14 days)

in the daytime 6:00 a.m. to 10 p.m.  at any time in the day or night as I find reasonable cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge \_\_\_\_\_  
(name)

I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)  for \_\_\_\_\_ days (not to exceed 30).  
 Until, the facts justifying, the later specific date of \_\_\_\_\_

Date and time issued: 4-25-2011  
9:10:00 AM

City and state: SACRAMENTO, CALIFORNIA Edmund F. Brennan  
EDMUND F. BRENNAN, U.S. MAGISTRATE JUDGE  
(Printed name and title)

Is this the right address?

Is it still current?

Note: only the person, property, & areas specified may be searched

Is it actually signed by a judge?

IF THE ANSWER TO ALL OF THESE IS YES, THEN IT IS LIKELY A VALID JUDICIAL WARRANT

DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement  
**WARRANT OF REMOVAL/DEPORTATION**

File No: \_\_\_\_\_  
Date: \_\_\_\_\_

To any immigration officer of the United States Department of Homeland Security:

\_\_\_\_\_ (Full name of alien)  
who entered the United States at \_\_\_\_\_ on \_\_\_\_\_  
(Place of entry) (Date of entry)

is subject to removal/deportation from the United States based upon a final order by:

an immigration judge in exclusion, deportation, or removal proceedings  
 a designated official  
 the Board of Immigration Appeals  
 a United States District or Magistrate Court Judge

and pursuant to the following provisions of the Immigration and Nationality Act:

I, the undersigned officer of the United States, by virtue of the power and authority vested in the Secretary of Homeland Security under the laws of the United States and by his or her direction, command you to take into custody and remove from the United States the above-named alien, pursuant to law, at the expense of:

\_\_\_\_\_  
(Signature of immigration officer)  
\_\_\_\_\_  
(Title of immigration officer)

THESE ARE VISUAL CUES THAT THIS IS AN IMMIGRATION WARRANT



# Final Tip

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- Know your rights, but exercise them with awareness
- Keep critical documents and a legal contact ready  
(See Document checklist)
- Use caution on social media and in public demonstrations
- Reach out to legal aid (e.g., CAIR, AILA) for guidance
  - CA.CAIR.COM/SFBA 408 986 9874
- Stay informed—laws and policies are changing quickly