AMERICAN IMMIGRATION LAWYERS ASSOCIATION

Domestic Travel Information for Visa Holders

Recently, ICE has begun detaining individuals at airports while traveling domestically based on passenger data, making it even more important for you to know your status before you travel. Many visa holders have traveled domestically without knowing they were out of status. This flyer will help you understand the risks of traveling domestically and how best to avoid them.

Identification and Other Important Documents for Domestic Travel

When flying, always carry your passport, I-94 printout, and I-797 approval notice.

- A valid foreign passport is accepted for travel, even without a current visa stamp. Your I-94 and I-797 approval notice are important to carry but cannot be used as TSA ID.
  - *Note: You may also use other documents as TSA ID when traveling domestically, including a state-issued REAL ID, state-issued Enhanced ID, Green Card, Employment Authorization Document (EAD), or other DHS issued IDs.*
- You should also have a digital or physical copy of these documents, in case your original documents are confiscated.
- A standard U.S. driver's license (marked "Federal Limits Apply") and the CBP One App are no longer accepted as ID for domestic travel.

Note: Under U.S. law, visa holders 18 years and older must always carry proof of their immigration status. This usually is satisfied by carrying a printed copy of your current I-94 at all times. F-1/J-1 students should also carry Form I-20 or DS-2019.

Your #1 Risk: An Expired I-94

Your I-94—not the visa stamp in your passport—is what controls how long you are allowed to stay in the United States. **Check your I-94 expiration date at i94.cbp.dhs.gov before making any travel plans. If your I-94 has expired, call your attorney before traveling.** Your I-94 may expire without you realizing. For example, you may fall out of status after:

- Changing employers without an approved H-1B transfer petition
- Dropping below full-time enrollment as an F-1 student
- Working without proper authorization or outside your approved job duties
- Remaining in the U.S. past the expiration date on the I-94, even if your visa stamp in your passport is still valid
- Having a pending application to change, extend, or adjust your status or asylum application after your I-94 has expired

Note: If your I-94 shows D/S (Duration of Status), you may stay in the U.S. as long as you follow the rules of your visa. Activity inconsistent with your visa type may put you out of status even with a D/S I-94.

Other Risk Factors

- **Criminal charges:** Certain crimes, such as a DUI or drug charge, can trigger removal proceedings even if you have a valid visa and I-94.
- **Traveling in high-risk states:** Certain states—such as Alabama, Texas, and Florida—have laws that create added risk and may result in immigration detention or arrest during a routine traffic stop. Consult your attorney before traveling through high-risk states if you have any status issues.

At the Airport: TSA Shares Your Data With ICE

The TSA shares domestic passenger information with ICE, which cross-references that information against records of people with final removal orders and sends agents to the airport to make arrests. ICE is already present at many airports across the United States. **If you are out of status, in a period of authorized stay, or have a removal order, do not fly without consulting your attorney.**

Facial Recognition Scans: You Have the Right to Opt Out

DHS is consolidating the biometric databases of TSA, ICE, CBP, and USCIS, including facial recognition, into a single unified platform. In early 2026, TSA expanded facial recognition to 65 airports. For domestic flights, you currently have the right to opt out. Say: "I am opting out of facial recognition. I would like manual ID verification." Ask for a supervisor if the agent refuses. **Note that prior facial recognition scans taken at the time of lawful entry may remain in the system even if you opt out later.**

If You Are Stopped, Questioned, or Detained

- **Stay calm**: Do not run, argue, or physically resist.
- **Present your passport if asked:** You may show your passport as ID. You are not required to disclose your visa category.
- **Opt out of facial scan:** Say, "I am opting out of facial recognition. I want manual ID verification."
- **Remain silent:** Say, "I am exercising my right to remain silent."
- **Ask for a lawyer:** Say, "I want to speak to an attorney." Repeat if necessary.
- **Do not sign anything:** Speak with your attorney before signing any immigration form.

This flyer is intended for general information purposes only and does not constitute legal advice. You should not act or rely on any information in this flyer without consulting a competent, licensed immigration attorney. If you do not have an immigration attorney, you may contact our office at 336-834-3244 or submit an inquiry through our website.

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