

Travel Guidance for H-1B Employees

UB Immigration Services (UBIS) has been addressing a high volume of travel questions related to the [Presidential Proclamation](#) issued on September 19, 2025, as well as the [U.S. Citizenship and Immigration Services \(USCIS\)](#) and [U.S. Customs and Border Protection \(CBP\)](#) memoranda issued on September 20, 2025. In light of these concerns, we want to ensure that each department is fully apprised of our current guidance.

- Regarding travel, the most conservative approach would be to limit all nonessential and unnecessary international travel at this time. To the extent that employees commuting from Canada can remain in the U.S., we urge them to do so. Although the USCIS and CBP memoranda indicate that the proclamation does not impact current visa holders' ability to travel, it is impossible to guarantee the administration will not make further policy changes or there will not be inconsistent implementation by officers. As always, each time an H-1B employee enters the U.S., they will be considered an applicant for admission, and it is at the CBP officer's discretion to grant re-entry.
- If the H-1B employee is considering travel abroad, the following actions should be taken:
 - For any international travel, the H-1B employees must assess these risks in consultation with their Department Chair/Supervisor. The employee should develop a plan, in cooperation with their supervisor, to determine how their job responsibilities will be handled in case their return is delayed.
 - All business travel requires pre-approval through the Concur system, in accordance with university policy. H-1B employees are responsible for clearly identifying trips that include an international component in their Concur Request.
 - Supervisors of H-1B employees, including Departmental Chairs, among others, are asked to review new Concur Requests involving international travel by H-1B employees, as well as to revisit previously approved Concur Requests to verify that risks have been assessed.
 - Until further notice, the H-1B employee should advise UBIS of all travel plans that have been cleared by the Department Chair (cc'ing the Department Chair on the email).

Office of International Education

411 Capen Hall, Buffalo, NY 14260-1604 USA
716.645.2368 (F) 716.645.2528
vpinted@buffalo.edu

www.buffalo.edu/internationaleducation

- Upon re-entry, the H-1B employee must send UBIS a copy of their most recent Form I-94 no later than one week after that re-entry.

There have been no official updates from the federal government since our last update to the departments in an email dated 9/20/2025. To summarize our previous communication, effective Sunday, September 21, 2025, at 12:01 a.m. EDT, individuals filing new H-1B employment-based petitions are restricted from entering the U.S. without payment of a \$100,000 fee.

- The federal government has stated that the proclamation does not apply to the following:
 - H-1B beneficiaries of currently approved H-1B petitions.
 - H-1B petitions filed prior to the above-noted effective date.
 - H-1B beneficiaries with valid H-1B nonimmigrant visas.
 - H-1B “renewals,” which we believe is referring to H-1B extensions.
- We are still awaiting further clarification regarding the scope of the proclamation, including:
 - What the administration considers a “new” petition, such as petitions requesting a change of status, change of employer, or amendment.
 - If the proclamation applies to H-1B status holders already in the U.S. who need to travel abroad and apply for a new H-1B visa in their passport based on an H-1B petition approved either before or after the above-noted effective date (Sept. 21, 2025).
 - If the proclamation applies to cap-exempt petitions. However, the Department of Homeland Security's Notice of Proposed Rule Making, issued September 24, 2025, only considers cap-subject H-1B petitions. As such, we are hopeful the proclamation will not apply to cap-exempt petitions.

Given the lack of clarity around the new policy and the uncertainties relating to international travel, it is prudent to take a cautious approach for the time being. We are continuously monitoring new developments surrounding the proclamation and will provide updates as needed.

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