

U.S. Government Increases Its Social Media Screening of Visa Applicants

By [Elizabeth M. Klarin](#)

June 3, 2019 | **IMMIGRATION**

The U.S. Department of State is now requiring nearly all applicants for U.S. visas to submit their social media usernames, handles, screen names, or other identifiers associated with social media profiles—along with previous email addresses and phone numbers used in the past five years. These accounts will give the government access to photos; locations; family, friend and acquaintance names; dates of birth; and many other personal identifiers and data shared on social media.

While this move may seem to require an alarming level of information from visa applicants, it should not come entirely as a surprise. In 2017, the Department of Homeland Security began requiring some U.S. visa or status applicants to disclose their social media history before entering the country, as part of the Trump Administration’s “extreme vetting” at the borders. Border agents also have been searching the phones and other electronic devices of foreigners requesting admission to the U.S. over the past two years, conducting “digital strip searches” likely focused on identifying terrorists and rooting out immigration fraud, misrepresentation or any activities that might make someone inadmissible to the U.S. This latest move by the Department of State was actually proposed more than a year ago, in March 2018. Even dating back to the Obama administration, the U.S. Department of State began asking visa applicants to voluntarily submit their social media information.

It certainly shouldn’t be surprising to those who have been crossing the border over the past two years and have witnessed first-hand the shift in policies and practices pertaining to the admission of non-U.S. citizens. That said, not everyone is traveling frequently—and despite all the warning signs, many individuals worldwide continue to advertise their thoughts and activities on social media accounts. This poses a continued danger in gaining admissibility to the U.S., since as we all know, perception is not always reality. If a government official with the U.S. Department of Homeland Security or U.S. Department of State has reason to believe that you have committed (or will commit) an act that makes you inadmissible to the U.S., your ability to travel to America becomes markedly more difficult, or impossible. You may have to overcome perceptions and assumptions that could delay or derail your planned visitor or business activities in the States.

Actions or affiliations published online can have far-reaching—even previously unimaginable—consequences in today’s heated U.S. immigration environment. For example, take the case of the recent American reporters, attorneys and activists who were labeled “suspected organizers, coordinators, instigators, and media” warranting being pulled aside and questioned when crossing the U.S.-Mexico border. CBP had also compiled dossiers on some of the 52 individuals, with the help of intelligence from Mexican officials, according to news reports.

In the Digital Age, it’s amazing how quickly personal practices that used to be common sense have become educational imperatives. LMWF advises caution in all cases when it comes to social media use. While immigration is certainly not the #1 reason for most people to be careful online (or perhaps, even in your top 10!), it’s certainly something that should be on your radar, even from a young age. Don’t say or disclose something online that you wouldn’t want the whole world—including the U.S. Department of State or U.S. Customs and Border Protection—

knowing. Now or ever.

The full list of social media platforms currently being referenced in the Department of State immigrant and nonimmigrant visa applications includes the following:

- ASK.FM
- DOUBAN
- FACEBOOK
- FLICKR
- GOOGLE+
- INSTAGRAM
- LINKEDIN
- MYSPACE
- PINTREST
- QZONE (QQ)
- REDDIT
- SINA WEIBO
- TENCENT WEIBO
- TUMBLR
- TWITTER
- TWOO
- VINE
- VKONTAKTE (VK)
- YOUKU
- YOUTUBE

Disclaimer: *The information in this post is provided for general informational purposes only, and may not reflect the current law in your jurisdiction. No information contained in this post should be construed as legal advice from our firm or the individual author, nor is it intended to be a substitute for legal counsel on any subject matter. No reader of this post should act or refrain from acting on the basis of any information included in, or accessible through, this post without seeking the appropriate legal or other professional advice on the particular facts and circumstances at issue from a lawyer licensed in the recipient's state, country or other appropriate licensing jurisdiction.*



ALBANY | 54 State Street, Suite 1001 • Albany, NY 12207 • 518.462.0110

BUFFALO | 50 Fountain Plaza, Suite 1700 • Buffalo, NY 14202 • 716.853.5100

CHICAGO | 332 S. Michigan Ave., 9th Floor • Chicago, IL 60604 • 872.254.5500

GREATER TORONTO AREA (PRACTICE FOCUSED ON U.S. LAW) | 1100 Burloak Drive, Suite 300 • Burlington, ON L7L 6B2 • 905.319.8964

JACKSONVILLE | 10151 Deerwood Park Blvd., Bldg. 300, Suite 300 • Jacksonville, FL 32256 • 904.660.0020

NEW YORK CITY | 477 Madison Avenue, 6th Floor • New York City, NY 10022 • 646.673.8633

WASHINGTON, D.C. | 1900 K Street, NW, Suite 730 • Washington, DC 20006 • 202.888.7610