

# **Ban on U.S. Entry: Individuals from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen - Parameters of Ban Evolving**

**January 30, 2017**

Pursuant to President Trump's Executive Order, the United States government is currently implementing a 90-day travel ban which applies to all individuals "from" 7 designated countries: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. The ban includes nonimmigrant visa holders, immigrant visa holders, refugees, derivative asylees, and Special Immigrant Visa holders (SIVs).

Anyone who holds a passport from a designated country is considered as being "from" the designated country. This includes dual citizens who hold passports from a designated country, as well as from a non-designated country.

Customs and Border Protection (CBP) at the airports will be processing people based on how they present themselves at primary inspection. This may mean that a dual national presenting himself/herself with a passport, NOT from one of the designated 7 countries, may be processed for admission. Note, that the Executive Order does NOT apply to people who merely traveled to designated countries.

Legal Permanent Residents (green card holders) will be processed for admission to the United States as announced by the White House. Applicants for admission can expect heightened scrutiny as CBP will be reviewing each applicant on a "case-by-case" basis to ensure they satisfy eligibility requirements for maintaining permanent resident status.

Nonimmigrants will be allowed to withdraw their application for admission and will be turned back overseas without officially being deported, although temporary restraining orders issued on Saturday, January 28, 2017, would appear to prevent CBP from compelling applicants to withdraw their requests for admission.

**All** refugees admissions have been suspended for a period of 120 days and refugees from Syria will not be accepted for an indefinite period of time. Overall refugee admissions have also be reduced from 110,000 to 50,000 annually.

All visa appointments in the designated countries have been cancelled as confirmed by the following State Department posting:

### **28 January, 2017**

Per U.S. Presidential Executive Order signed on January 27, 2017, visa issuance to aliens from the countries of Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen has been suspended effective immediately until further notification. If you are a national, or dual national, of one of these countries, please do not schedule a visa appointment or pay any visa fees at this time. If you already have an appointment scheduled, please DO NOT ATTEND your appointment as we will not be able to proceed with your visa interview. Please note that certain travel for official governmental purposes, related to official business at or on behalf of designated international organizations, on behalf of the North Atlantic Treaty Organization, or by certain officials is not subject to this suspension. Please contact [contactus@visaops.net](mailto:contactus@visaops.net) to inform them of your appointment time and date and request cancellation. Please continue to monitor <https://travel.state.gov> and <http://usvisa-info.com> for further updates.

### **Temporary Orders**

Temporary court orders issued in New York and Boston appear to prohibit CBP from removing applicants who have arrived at a port of entry but this is temporary and does not resolve their status. In addition, the Department of Homeland Security announced on Sunday (January 29, 2017) that "prohibited travel will remain prohibited" and that they will "implement President Trump's executive orders".

The practical implications of this announcement are uncertain.

**Individual in the United States who might be affected by the Executive Order are advised to refrain from traveling outside of the United States and those outside should consult legal counsel as the situation remains fluid.**