



UPDATE ON TRAVEL ALERT

FEBRUARY 2017

On February 3, the Federal District Court for the Western District of Washington entered a nationwide temporary restraining order on the enforcement of the Trump administration's ban on U.S. entry by citizens of 7 predominantly Muslim countries. As a result of the injunction, Customs and Border Patrol and U.S. Citizenship and Immigration Services immediately suspended enforcement of the executive order, which was issued by the Trump administration on January 27. The Department of Justice and the Trump administration signaled their intent to immediately appeal this ruling and filed an emergency request with the U.S. Court of Appeals for the Ninth Circuit, seeking to suspend the enforcement of the restraining order and reinstate the ban. On Saturday night, however, the Court of Appeals rejected the request. Because the restraining order remains in place, requests for immigrant and nonimmigrant visas and requests for admission from nationals of the 7 countries are being processed normally.

Insights:

1. The suspension of the travel ban allows affected students, employees, and all other travelers who are nationals of the affected countries to be inspected and admitted to the United States so long as they have a valid visa and travel document and are otherwise admissible.
2. The litigation over enforcement of this executive order is ongoing, and further legal proceedings before the U.S. Court of Appeals for the Ninth Circuit could result in resumed enforcement of the travel ban.
3. On February 1, the Department of State (DOS) announced that visas for citizens and nationals of the affected countries had been revoked. The restraining order also suspends this action, but it remains to be seen whether the DOS will continue to pursue such a policy in the event that the restraining order against the travel ban is lifted. Such a policy could impact the ability of citizens of those countries to remain in the United States, even if they were legally admitted.