



LEGAL ALERT FROM THE OFFICE OF THE GENERAL COUNSEL

On June 26, 2018 the United States Supreme Court upheld the September 2017 Presidential Proclamation that indefinitely suspends travel to the U.S. for nationals from Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen (the “Seven Countries”). The Court’s ruling does not change or amend the travel restrictions in effect since September 2017. This OGC Alert is an update on information sent to campus partners following the September Proclamation, aka travel ban three.

The Court’s ruling does not affect individuals from the Seven Countries who are currently in the U.S. with valid status, whether nonimmigrant (temporary) or immigrant (permanent); however future international travel may be impacted, see below. Nor does it impact adjudication by U.S. Citizenship and Immigration Services of existing immigration benefits such as H1B, OPT, or immigrant (permanent residence) applications.

International students and exchange visitors from Iran, Libya, Somalia, Venezuela, and Yemen are exempt from the travel restrictions, and indications are that the Dept. of State (DOS) continues to issue F-1 and J-1 visas for prospective students and scholars from these countries. All potential new international students, employees, and visitors from the Seven Countries requesting entry - who are not exempt or have a waiver - will continue to be barred from travel the U.S. due to non-issuance of an entry visa.

Nationals from the Seven Countries remain subject to the following U.S. **entry/travel limitations** unless otherwise exempt or granted a waiver. A red “**X**” means that type of visa will not be issued unless the applicant qualifies for a waiver; waivers continue to be granted on a limited basis. A blue “**O**” indicates that the visa should be issued, although there may be enhanced screening.

	Immigrant	B-1/B-2	H-1B	O-1	F-1	J-1	Other
Iran	X	X	X	X	O*	O*	X
Libya	X	X	O	O	O	O	O
North Korea	X	X	X	X	X	X	X
Somalia	X	O*	O*	O*	O*	O*	O*
Syria	X	X	X	X	X	X	X
Venezuela	O	O+	O	O	O	O	O
Yemen	X	X	O	O	O	O	O

* Subject to enhanced screening.

+ Suspended for certain government officials only

Individuals from the Seven Countries who are U.S. lawful permanent residents (immigrant), dual nationals traveling on a passport from a non-restricted country (e.g., UK, Canada, etc.), hold a valid U.S. visa or an Advance Parole travel document should not be affected by the entry/travel restrictions. However, members of the UMass campus community from the Seven Countries are strongly encouraged to contact

their campus immigration resource for international travel guidance, even if they have valid immigration status. Note: a visa is a travel document only, it does not confer immigration status or work authorization.

The travel restrictions are indefinite. The Administration may also add new countries and/or broaden restrictions to countries already subject to the proclamation.

The OGC is available to discuss the issues addressed in this Legal Alert with campus officials. If you would like OGC assistance, please contact us using the web-link found at <https://www.umassp.edu/general-counsel/legal-advice-request-form> and use the words “Legal Alert Follow Up: Immigration” in the subject line.