

## **Executive Order (EO) Update as of 2/10/17:**

For now, we continue to advise against travel outside of the U.S. (including Canada, Mexico or contiguous territories) for people from the seven impacted countries (Iran, Iraq, Libya, Somalia, Sudan, Syria, Yemen).

Anyone from the seven countries on a UMass Medical School sponsored non-immigrant status (i.e. F-1, J-1, H-1B, TN, OPT/STEM, etc.) should check in with the [immigrationservices@umassmed.edu](mailto:immigrationservices@umassmed.edu) before any travel outside of the U.S. You are still eligible to continue applying for USCIS benefits afforded to your status, such as CPT, OPT, STEM, extension of your Form I-20, Form DS-2019, Form I-797, etc. The ban is only related to travel at this time.

Anyone from the seven impacted countries who is not on a UMass Medical School-issued visa document, may contact their legal counsel or feel free to contact someone on this referral list, <http://www.umassmed.edu/globalassets/human-resources/documents/immigration/umms-immigration-resources.pdf>

### **For those inside the U.S.**

- U.S. citizens with dual nationality, or born in one of the seven impacted countries are not at risk and may travel at this time, but do feel free to contact an immigration attorney before travel
- Legal Permanent Residents from one of the seven impacted countries may travel, but should anticipate delays at re-entry, especially if traveling with a passport from one of the seven countries
- All other nationals from the seven impacted countries who are in the U.S. on a non-immigrant visa (F-1, J-1, H-1B, O-1, TN, Asylee, TPS, Refugee status, etc.) should not travel outside of the U.S. If the ban is re-instated in whole or in part while outside the U.S., you may be unable to return for the duration of the ban

### **Legal Update:**

#### **Court Action**

A temporary restraining order (TRO) against President Trump's travel ban Executive Order (EO) remains in place after the 9<sup>th</sup> Circuit Court of Appeals, on Feb. 9, 2017, denied the Department of Justice's request to stay the TRO. The ruling means that the entry ban will remain suspended for now. However, future court ruling could reinstate the ban while a federal district court challenge to the EO continues. Note: there has not yet been a determination by any court "on the merits" of the EO, i.e. whether it's legal.

The Administration has stated intent to appeal the 9<sup>th</sup> Circuit's ruling. The Supreme Court could stay the TRO, which would reinstate the ban. Alternatively, the federal district court could refuse to issue a preliminary injunction against the ban or issue a preliminary injunction but limit its applicability to certain classes only, such as Legal Permanent Residents (LPRs), as the government has requested. The future remains uncertain.

#### **Agency Action**

The U.S. Departments of Homeland Security and State have been complying with the TRO and are processing travelers as they did before the EO, for entry into the U.S. Travel outside of the U.S. for those from the seven impacted countries is discouraged.

There has been no change in the Administration's position that Legal Permanent Residents are no longer impacted by the EO. However, as the 9<sup>th</sup> Circuit pointed out in its ruling, the EO has not been amended to reflect this clarification.