



## Community Advisory Update

### Who is Impacted by the Muslim Ban Travel Restrictions as of July 19, 2017

*The below advisory is not intended to be legal advice and is a very brief overview. If you are a foreign national from one of the six Muslim Ban countries, we urge you to speak with a lawyer. **The law is constantly changing the Muslim Ban. Please reach out to our organizations for updates and legal assistance.***

#### *Current Legal Status of the Muslim Ban*

On March 6, 2017, Donald Trump issued a second executive order (Muslim Ban 2.0) impacting certain individuals and refugees from Iran, Yemen, Syria, Somalia, Sudan, and Libya. The U.S. Supreme Court will hold a hearing to decide the constitutionality of the Muslim Ban 2.0 in the fall of 2017. In the meantime, they have allowed parts of the Muslim Ban to move forward until they make a final decision. Since then, the government and courts have interpreted the U.S. Supreme Court's decision.

#### *Who is Not Impacted?*

- People who had their visas approved before June 29, 2017 at 8:00pm EST
- Dual nationals who enter the U.S. using a passport from a non-affected country will **not** be targeted
  - For example, if a dual citizen of Iran and the U.K. travels to the U.S. on his U.K. passport, s/he will **not** be affected by the Ban
- Anyone who can show a “bona fide” relationship to a person or entity (**Please see below for an explanation of this legal term**)
- People who have a valid travel document, other than a visa, on June 29, 2017, that permits travel into the U.S. (such as advance parole)
- Green card holders (lawful permanent residents)
- U.S. Citizens

#### *Who is Impacted?*

Foreign nationals from Iran, Yemen, Syria, Somalia, Sudan, and Libya who 1) do not hold a valid visa as of June 29, 2017; and 2) do not have a “bona fide” relationship with a person or entity. “Bona fide” is a legal term that essentially means a “close” family relationship as defined by the government.

*Updated 07/21/2017*

**Bona Fide Relationship Chart (\*see note above that your case may be different from the below. Please seek legal advice):**

	Qualifying Relationship to a <b>Person</b>	Qualifying Relationship to an <b>Entity</b>
<b>YES</b>	<ul style="list-style-type: none"> <li>● Parent (including in-law)</li> <li>● Spouse</li> <li>● Fiancee</li> <li>● Child (under 21 or an adult son or daughter)</li> <li>● Son in-law or daughter in-law</li> <li>● Sibling (including half and in-law)</li> <li>● Grandparents</li> <li>● Grandchildren</li> <li>● Aunt or Uncle</li> <li>● Nieces or Nephew</li> <li>● Cousins</li> <li>● *Any step relationship</li> </ul>	Formal and documented relationship with: <ul style="list-style-type: none"> <li>● School</li> <li>● University</li> <li>● Employer (U.S. business)</li> <li>● Provide a lecture to a U.S. audience</li> </ul>
<b>NO</b>	<ul style="list-style-type: none"> <li>● Other relatives not listed above</li> </ul>	<ul style="list-style-type: none"> <li>● No formal documented relationship</li> <li>● Hotel reservations</li> </ul>

***Waiver***

Even if you are barred, there is a chance you may be able to enter the U.S. through a process called a waiver which means the government can make an exception on a case-by-case basis. Both the U.S. Department of State (i.e. the consulates and embassies) and the U.S. Department of Homeland Security (i.e. the customs officers at the airports and borders) have the authority to grant a waiver. However, we do not yet know what is the formal process for requesting a waiver.

***Visas & Visa Appointments***

The U.S. government has said that it will *not* revoke any issued visas. The consulates and embassies are instructed to continue all interviews.

***Please Be Aware of Border Rights & Report Issues***

You may face delays or problems at the airport if you are from the 6 impacted countries, regardless of your immigration status. **If you face any discrimination, delays, or issues at the airport or the consulate please fill out the confidential and free legal assistance forms below.**

### *How to Get Legal Help?*

***Our organizations offer legal help free of charge.*** We highly recommend you speak with an attorney if you are traveling and are a visa holder from the 6 countries; or to request a “Know Your Rights” presentation.

#### ***Fill out our travel form for legal assistance:***

- **Advancing Justice-Asian Law Caucus** at: <http://bit.ly/travelintake> ; OR
- **Council on American-Islamic Relations, San Francisco Bay Area** at: <https://ca.cair.com/sfba/travel/>

**Note that this advisory does not cover refugees or the refugee program. Please see our longer community advisory here: [bit.ly/alctravel](http://bit.ly/alctravel)**