

## **Muslim Ban 3.0: What You Need to Know**

### **12/04/2017**

The Supreme Court issued a decision on the Muslim Ban ('Muslim Ban 3.0') this afternoon. First and foremost, we remind our community members and supporters that this is one of many fights for social justice playing out in the federal government this week - while we are focused on the Muslim Ban, we are supportive of those who are advocating for DACA protections and those who are challenging the proposed tax plan.

Today's developments have raised numerous concerns and questions, which we attempt to answer below. Please note that this information is subject to change based on the various legal challenges that may be advanced in court. We will update you should changes happen.

#### ***Timing***

As of this afternoon, there is no longer anything preventing the Trump Administration from implementing the Muslim Ban immediately.

#### ***Who Will Be Impacted?***

Certain nationals of eight countries - Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen. Please see below:

#### ***General limitations***

- Muslim Ban 3.0 only applies to individuals who are i) outside of the U.S. on the effective date (either 9/24/2017 or 10/18/2017, depending on the country and individual), ii) who did not have a valid visa on that date, and iii) who have not obtained a waiver under Section 3(c).
- Muslim Ban 3.0 does **not** apply to:
  - Lawful permanent residents (green card holders);
  - Individuals admitted or paroled into the U.S. on or after the effective date of the new Muslim Ban;
  - Those with a document other than a visa that allows them to travel to the U.S., if the document is dated on or after the effective date of the new Muslim Ban;
  - Dual-nationals traveling on a passport from a non-designated country;
  - Individuals granted asylum;
  - Refugees already admitted to the U.S.; or
  - Individuals granted withholding of removal, advance parole, or protection under the Convention against Torture

#### ***Impacted countries:***

- **Iran**
  - All immigrant and nonimmigrant entry is suspended for Iranian nationals except for those with F, J, or M visas.
  - Those with F, J, or M visas will most likely be subject to "enhanced screening and vetting requirements.
- **Libya**
  - All immigrants and nonimmigrants on business (B-1), tourist (B-2), business/tourist (B-1/B-2) visas are suspended.
- **Somalia**

- All immigrant visas are suspended for Somali nationals.
- Non-immigrant visas are permitted, subjected to heightened screening.
- **Syria**
  - All immigrant and nonimmigrant entry is suspended for Syrian nationals.
- **Sudan**
  - Sudan was removed from the list of restricted countries in the new Muslim Ban.
  - Sudanese visa holders who were impacted by earlier Muslim Bans should now be able to reapply for visa.
- **Yemen**
  - All immigrant visas and nonimmigrant business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas are suspended.
- **Chad**
  - All immigrant visas and nonimmigrant business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas are suspended.
- **North Korea**
  - All immigrant and nonimmigrant visa holders are suspended from entering the U.S.
- **Venezuela**
  - The entry of officials of government agencies of Venezuela involved in screening and vetting procedures and their immediate family members, as nonimmigrants on business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas, is suspended. Additionally, nationals of Venezuela who are visa holders are subject to additional measures.
  - Per Section 3(b)(v) of the new Muslim Ban, certain Venezuelans traveling on diplomatic visas are not affected by this order.

### ***How to Get Legal Help***

You can contact our organizations if:

- You or someone you know is impacted by this Muslim Ban and would like legal advice or assistance;
- Your community would like to request a “Know Your Rights” presentation.

CAIR SF Bay Area: 408.986.9874 or <https://ca.cair.com/sfba/travel/>

Advancing Justice-Asian Law Caucus: 415.848.7711 or [elicav@advancingjustice-alc.org](mailto:elicav@advancingjustice-alc.org) or fill out our travel assistance form at <https://goo.gl/forms/WkeTKdyxxkMLBu413>

We remain committed to challenging this Ban and protecting the communities we serve. Please do not hesitate to reach out.

Sincerely,

Elica Vafaie - Staff Attorney, Advancing Justice- Asian Law Caucus

Brittney Rezaei - Civil Rights Attorney, CAIR SF Bay Area