

CLIENT ALERTS

Warning: Updated Information Regarding Travel Returning to the U.S.

2.1.2017

We continue to receive information and updates concerning the Executive Order signed by President Trump on January 27, 2017. Recently, the U.S. Department of State (DOS) issued a directive to temporarily **revoke all valid nonimmigrant and immigrant visas of nationals of Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen** to comply with the 90 day time frame specified in the Executive Order, subject to the following exceptions:

- The temporary revocation does not apply to visas in the following nonimmigrant classifications: A-1, A-2, G-1, G-2, G-3, G-4, NATO, C-2, or certain diplomatic visas.
- The temporary revocation also does not apply to any visa exempted on the basis of a determination made by the Secretaries of State and Homeland Security pursuant to section 3(g) of the Executive Order on a case-by-case basis, and when in the national interest.

The directive provides that the temporary revocation is provisional in nature. Because of this designation, the temporary revocation may be reversed (once the travel restriction has been lifted) reinstating the visa. This type of revocation does not require physical cancellation of the visa nor entry in the DOS system. However, if a foreign national holds a visa from one of the 7 countries listed above, he or she may not use his or her current visa to reenter the U.S. as the visa has been revoked. As long as an officer of U.S. Customs and Border Protection does not physically cancel the visa, the foreign national should be able to use them again once the ban is lifted.

We continue to recommend to clients who might be affected by the Executive Order or have employees who hold permanent resident status/green cards, H-1B, TN, L-1A, L-1B, O-1, other nonimmigrant classifications, or advance parole to refrain from traveling outside of the United States.

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Please understand that this situation continues to remain fluid and may change at any time. There continues to be court ordered injunctive relief placing a hold on the actions provided in the Executive Order, but so far enforcement of the travel restrictions appears to continue.

This alert is not legal advice. We recommend that you contact any of the following attorneys in our Firm's Immigration Department to discuss specific concerns:

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