

Community Alert on the March 6 Refugee & Muslim Ban **Updated March 10, 2017**

On March 6, 2017, the President issued a revised executive order implementing a new ban of refugees and of immigrants from six Muslim-majority countries. This order explicitly revokes the January 27, 2017 executive order, which also banned refugees and immigrants from certain Muslim-majority countries. Although the overall goal and effect of the March 6 order essentially remains the same as the January 27th order, there are several critical differences. The information below refers to the March 6 order. More information about the March 6 executive order can be found here: <https://www.dhs.gov/executive-orders-protecting-homeland>.

As always, all noncitizens traveling to the United States must hold valid visas (or be from “visa waiver” countries) or have other valid immigration status.

Affected countries: Iran, Libya, Somalia, Sudan, Syria and Yemen

When does the order go into effect: 12:01 a.m. Eastern Time (ET) on March 16, 2017

Who is affected:

- Citizens of the affected countries as well as dual nationals
- Visa holders from the affected countries who did not have valid visas at 5:00 p.m. ET on January 27, 2017 and did not have valid visas on March 6, 2017. (In other words, an individual from one of the affected countries who had a valid visa either before 5:00 p.m. ET on January 27, 2017 or held a valid visa on March 6, 2017 is not barred.) This category includes individuals who are traveling to the United States to get their green card for the first time (those traveling on immigrant visas).
- All refugees waiting to travel to the United States for the first time whose travel had not been formally scheduled by the Department of State as of March 6, 2017

Who is no longer affected?

- Nationals and citizens of Iraq
- Visa holders who had a valid visa either before 5:00 p.m. ET on January 27, 2017 or held a valid visa on March 6, 2017
- Lawful permanent residents (green card holders)
- U.S. citizens, even if they hold dual nationality with an affected country
- Returning refugees and asylees (i.e., individuals who have already been granted asylum or refugee status)
- Visa holders (including student visa holders) who are already in the United States

What do we expect to happen?

Citizens and nationals of the affected countries who are not lawful permanent residents or dual U.S. citizens or did not have a valid visa either before 5:00 p.m. ET on January 27, 2017 or hold a valid visa on March 6, 2017, will likely be prevented from boarding planes to the United States as of 12:01 ET on March 16, 2017. Other individuals from the affected countries who are not subject to the executive order may still experience additional screening and delays at U.S. airports.

What should I do if I am a citizen or national of one of the affected countries and am in the United States or plan to travel to the United States?

1. **Contact an immigration lawyer as soon as possible.** Individuals who are in the United States but are citizens of one of the affected countries should consult an immigration lawyer before traveling outside the United States and should travel with their lawyer's contact information.
2. Before you travel, send a copy of the personal data page of your passport and your visa stamp or entry documents to a family member who will wait for you at the airport, so they can provide this information to an immigration attorney if you have problems at the airport.
3. Permanent residents in the United States should contact an immigration attorney to see if they are eligible to apply for citizenship.
4. If you are stopped by immigration at the airport and you are afraid to return to your country for any reason, tell immigration you want asylum. This is your right and the executive order does not limit this right. Please know that if you request asylum, you may be detained until you have passed an interview regarding your fear of return to your country or until a decision is made on your asylum case. This may take weeks or months.
5. Individuals should **NOT** agree to give up their permanent residence (green card status). You have the right to a hearing with an attorney!

This community alert is not legal advice. Individuals should speak with their attorneys to make decisions based on individual circumstances. There are many additional questions raised by the executive order and the ongoing litigation, and we will continue to release information and analysis as it becomes available.

Contacts:

Individuals who are prevented from traveling or returning to the United States due to the executive order should contact:

- National Immigrant Justice Center by email at litigation@heartlandalliance.org.
- Michael Jarecki, vice chair, American Immigration Lawyers Association, Chicago Chapter, 312-922-1111 or mike@jareckilaw.com.