

Community Alert on the Supreme Court's Ruling on the Trump Administration's Refugee & Muslim Ban

Updated June 29, 2017

On June 26, 2017, the Supreme Court overturned, in part, lower courts' injunctions on President Trump's refugee & Muslim ban. The Court will hear oral argument on the matter in October. In the meantime, the Court ruled that the bans may resume for travelers from six Muslim-majority countries and any refugees who do not have significant ties to the United States.

The Supreme Court's decision can be found here:
https://www.supremecourt.gov/opinions/16pdf/16-1436_16hc.pdf

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

When does the partial ban resume: 8:00 p.m. Eastern Standard Time on June 29, 2017

Who is affected:

- Citizens of Iran, Libya, Somalia, Sudan, Syria and Yemen, who do not have ties to a family member or entity in the United States
- All refugees waiting to travel to the United States for the first time who do not have ties to a family member or entity in the United States

Who is not affected:

- Immigrants from the named countries and refugees from any country who can show a close familial relationship with someone in the United States.
 - The government has stated that a close family member includes a parent, parent-in-law, spouse, child, adult son or daughter, son-in-law or daughter-in-law, sibling (including half sibling and step sibling).
 - The government has stated a close family member does *not* include grandparents, grandchildren, aunts or uncles, nieces or nephews, cousins, brothers-in-law or sisters-in-law, fiancés, or any other extended family members.
- Immigrants from the named countries and refugees from any country who can show a relationship with an entity in the United States, such as:
 - Students who have been accepted to a U.S. college or university
 - Employees who have accepted an offer of employment with a company or entity in the United States

- Individuals who can otherwise show a connection to a U.S. entity
- Anyone who has a valid visa on January 27, 2017
- Anyone who has a valid visa on June 29, 2017
- Lawful permanent residents
- A dual national from one of the six Muslim-majority countries who is traveling on a passport not issued from one of those countries

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. (*Individuals flying into O'Hare International Airport in Chicago are encouraged to register in advance with the CAIR Chicago Traveler Assistance Project at tapus.org.)*)
3. Permanent residents in the United States should not be affected. However, as always, we recommend that permanent residents 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 neither the Executive Order nor the Supreme Court decision limits 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). 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.