

# Immigration Travel Alert: New Executive Order Suspends Admission to the U.S. of Foreign Nationals From Certain Countries

Ogletree  
Deakins

Employers & Lawyers, Working Together

Article By

[Andrea C. Davis](#)

[Jacob D. Cherry](#)

[Ogletree, Deakins, Nash, Smoak & Stewart, P.C.](#)

[Our Insights](#)

- [Immigration](#)
- [All Federal](#)
- [Iran](#)
- [Iraq](#)
- [Libya](#)
- [Somalia](#)
- [Sudan](#)
- [Syria](#)
- [Yemen](#)

Saturday, January 28, 2017

On January 27, 2017, President Donald Trump signed an executive order suspending admission to the United States of foreign nationals from the following countries for a period of at least 90 days: **Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen.**

**Until further notice, foreign nationals from these countries will risk being refused admission back into the United States upon return from any**

**international travel, effective immediately.** Companies employing foreign nationals who may be affected should take note of this risk when addressing any of those employees' international travel plans, as early reports suggest that admission or readmission to the United States will likely be denied to foreign nationals from these countries while this executive order is in effect. The executive order applies to all ports of entry (air, land, and sea). It is still unclear when this ban may be lifted. Based on information that will be gathered by the State Department and the Department of Homeland Security over the 90-day period (which ends on April 27, 2017), the suspension may be extended, and additional countries could be added. At this time, it appears that individuals already present in the United States will not be impacted.

## **Who Is Affected?**

The executive order as written is vague, and it is currently unclear exactly which foreign nationals will be affected. It is not evident from the order specifically who is considered to be "from" one of these listed countries. Categories of those affected could include **citizens, nationals, dual citizens/nationals, permanent residents, and/or passport holders from these countries.** Until further information and guidance can be obtained, and out of an abundance of caution, companies may want to interpret the order as broadly as possible to include anyone potentially considered "from" these nations.

The order applies to both immigrant and non-immigrant foreign nationals from these countries. The categories of individuals affected by the order include both holders of **non-immigrant visas** (B-1, H-1B, L-1, O-1, etc.) and **lawful permanent residents** (i.e., green card holders). Therefore, those with valid U.S. visas or green cards could be denied entry to the United States on the basis of this executive order.

## **Suspension of Visa Interview Waiver Program**

In addition to the temporary admission ban, the executive order directs the State Department to **suspend the Visa Interview Waiver program** (for instance, the dropbox program at the consulates in India), which had previously been available for renewing visas at certain U.S. consulates. As such, foreign nationals from countries not listed above—and who need to renew their visas if traveling abroad—should expect considerably longer wait times for appointments at these consulates, and any travel plans should take into account additional processing times for visa issuance.

© 2019, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., All Rights Reserved.

**Source URL:** <https://www.natlawreview.com/article/immigration-travel-alert-new-executive-order-suspends-admission-to-us-foreign>