Third Travel Ban Blocked by Court

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On the eve of its taking effect, President Donald Trump's third attempt at a travel ban has been blocked by the District Court in Hawaii.

On October 17, 2017, Judge Derrick Watson granted a nationwide temporary restraining order holding that the newest travel ban executive order (dubbed "EO-3") suffered the same legal maladies as its predecessor: "it lacks sufficient findings that the entry of more than 150 million nationals from six specified countries would be 'detrimental to the interests of the United States' . . . [a]nd EO-3 plainly discriminates based on nationality." Judge Watson had granted injunctive relief blocking Trump's second iteration of the travel ban.

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Signed on September 24, 2017, the third travel ban placed various indefinite restrictions on the entry of nationals from Chad, Iran, Libya, Somalia, Syria, Yemen, North Korea, and Venezuela. The Judge's Order does not block the restrictions on North Korea and Venezuela because those were not challenged by the State of Hawaii in its Third Amended Complaint.

The White House stated that this new ruling was "dangerously flawed" and "undercuts the President's efforts to keep the American people safe . . . . "

Judge Watson has promised an expedited hearing schedule. The Department of Justice has stated that it would appeal expeditiously. In the meantime, the Department of State has instructed Embassies and Consulates abroad to disregard EO-3 for now and resume the processing of visas for nationals from Chad, Iran, Libya, Somalia, Syria, and Yemen.

Other cases challenging EO-3 are pending and a ruling from District Court Judge Theodore Chuang of Maryland is expected soon.

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