

THE  
NATIONAL LAW REVIEW

---

## Travel Ban 3.0 May Take Effect (For Now), U.S. Supreme Court Rules

---

Tuesday, December 5, 2017

The latest version of the Trump Administration's travel ban may take effect [pending decisions expected shortly from the Courts of Appeals for the Fourth and Ninth Circuits](#), the U.S. Supreme Court has ruled.

The third iteration of the travel ban (Travel Ban 3.0), implemented in late-September, [restricts travel](#) to the U.S. for individuals from Chad, Iran, Libya, Somalia, Syria, and Yemen. Travel Ban 3.0 also limits travel for individuals from the non-majority Muslim countries of North Korea and Venezuela.

Travel Ban 3.0 was targeted to cover specific categories of visa travelers. Two federal court judges had issued injunctions limiting implementation of the revised travel ban. They indicated that individuals would still be eligible for visas if they had a "bona fide" relationship to someone in the United States, including grandparents, nieces, nephews, cousins, and brothers- and sisters-in-law, or to an entity in the United States, such as an employer or a university.

By a 7-2 decision, with Justices Ruth Bader Ginsburg and Sonia Sotomayor dissenting, a majority of the Supreme Court overruled the lower court injunctions, allowing the travel ban to be implemented in full. The Court noted that the Ninth Circuit and the Fourth Circuit courts are both hearing oral arguments on the substantive legality of the travel ban within a week, and the Court expects decisions will be issued "with appropriate dispatch." A decision on the underlying merits is expected to be appealed to the Supreme Court, potentially to be decided this term.

[Attorney General Jeff Sessions stated](#) that the Court's ruling allowing the President's proclamation to go into effect was "a substantial victory for the safety and security of the American people."

Omar Jadwat of the ACLU, which represents some of those challenging the ban, [stated](#): "It's unfortunate that the full ban can move forward for now, but this order does not address the merits of our claims. . . . We will be arguing Friday in the Fourth Circuit that the ban should ultimately be struck down."

Jackson Lewis P.C. © 2019

**Source URL:** <https://www.natlawreview.com/article/travel-ban-30-may-take-effect-now-us-supreme-court-rules>

The logo for Jackson Lewis, featuring the name "jackson lewis." in a bold, lowercase, sans-serif font. The "j" and "l" are significantly larger than the other letters.

Article By [Jackson Lewis P.C.](#)  
[Michael H. Neifach](#) Immigration Blog

[Immigration](#)  
[Litigation / Trial Practice](#)  
[All Federal](#)