



## **President Trump's Executive Orders on Immigration**

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Here is what we know about the Executive Orders the Trump Administration has been signing and enforcing since late last week. More detailed updates will become available as the situation unfolds.

### **What Happened?**

Beginning Wednesday of last week, the Administration began leaking a series of Executive Orders aimed at changing immigration policies that have developed over the last decade. Three of those have been signed as of Friday, and more orders likely will be signed in the coming weeks.

The order that received the most attention over the weekend affects citizens from the following countries:

- Iraq
- Iran
- Libya
- Somalia
- Sudan
- Syria
- Yemen

This includes individuals who may have dual citizenship with other countries. The order instructs U.S. Customs not to allow citizens of these countries to enter the U.S. for the next 90 days. Anton and I have been in touch with all affected clients we know about to tell them to stay put, but if you know of any possible issues, please feel free to speak up. Many of the cases of detained individuals that made the news involved Legal Permanent Residents of the U.S. (“green card holders”). However, DHS Secretary Kelley has stated that LPRs will be admitted as of this morning. The order also suspends the Refugee Admissions Program for 120 days, which means that refugees from any country who have been processed for entry outside the U.S. will not be admitted unless DHS makes an exception based on “national interest.”

Department of State, which processes visas at U.S. Consulates abroad, also sent emergency notifications Sunday that visa cases for citizens of these countries will be put on hold indefinitely.

The court-ordered stays entered Saturday and Sunday only prevent DHS from detaining and deporting individuals based solely on the executive order. Travel bans, suspension of visa processing, and suspension of the Refugee Admission Program appear to be intact. DHS has not been clear on how it intends to comply with the court orders, likely because the court orders themselves are not altogether clear.

### **What do our clients need to know?**

**Stay Put!** Citizens of these countries, dual citizens of these countries, and possibly non-U.S. citizens who have visited these countries in the last few years should refrain from travelling if at all possible. Affected individuals who are outside the U.S. should make arrangements to remain outside the U.S. for the duration, and those who are in transit to the U.S. should be prepared for delays and detention at a U.S. airports or other ports of entry. They should not sign any waivers or other documents relinquishing approved visas despite pressure from airline authorities and Customs officials to do so.

**Reciprocal Action is Likely.** Government officials from several countries on this list have stated intentions to subject U.S. travelers to similar scrutiny and travel bans under the diplomatic principal of reciprocity. Clients who may have plans to travel to any of those countries for business or pleasure may wish to reconsider.

**Visa Processing is going to Change.** Citizens of all countries should be prepared for visa processing times to increase, background checks to intensify, and denial rates on visa cases to rise. The executive order eliminates several “work-arounds” that U.S. Consulates have developed over the years to make visa processing more efficient. Some countries, such as India, China, Mexico, and the Philippines, may see visa processing times increase from weeks to months this year. Our employer clients in particular may find themselves waiting longer than expected for the entry of key employees who require visas, so employers should be prepared to postpone meetings, projects, and other assignments involving these employees.

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