Travel Ban Update From The International Center

On June 26, 2018, the U.S. Supreme Court announced its decision [1] in the Trump v. Hawaii travel ban case. Since the Supreme Court ruled for the government, this decision means that the travel ban will continue to be in effect. After the decision was announced, U-M’s President Mark S. Schlissel issued a statement [2] expressing the University’s disappointment in this decision, and reaffirming the university’s commitment to fostering an environment in which all members of the U-M community can flourish.

The current version of the travel ban was imposed by the September 24, 2017 Presidential Proclamation [3], then modified by the Presidential Proclamation of April 10, 2018 [4], which removed Chad from the list of countries subject to the travel ban. The proclamation restricts visa issuance and entry to the United States for citizens/nationals of Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen. The proclamation does not apply to U.S. lawful permanent residents (green card holders) or to dual citizens of one of the designated countries and the United States. The proclamation also does not apply to dual citizens of one of the restricted countries and an unrestricted country, as long as they enter the United States based on a valid passport issued by the unrestricted country.

Except for the removal of Chad from the list of countries impacted by the travel ban, the restrictions have not changed since the travel ban went into full effect on December 4, 2017. Below is a brief summary of the aspects of the Presidential Proclamation that most directly impact university community members.

For the most part, the restrictions apply to the issuance of immigrant visas, (to permit initial entry to the U.S. as a permanent resident), and B1/B2 business/tourist visas, not to the F/J/H-1B etc. visas used by U-M’s students, scholars and employees.

Remember that the term “visa” refers to the visa stamp (or visa sticker) in your passport, and that it is only necessary to have a valid visa when you enter the United States. The Presidential Proclamation places restrictions on visa issuance and entry to the United States for citizens and nationals of the designated countries, but it does not include any statements about restrictions on change of status (from F-1 to H-1B, for example), within the United States. Of course, applications for changes of status within the United States must be approved by USCIS, and it is possible that there could be additional scrutiny of these applications in the future. The Proclamation also does not place any restrictions on citizens from the designated countries who already have a valid visa; they will still be able to enter the U.S. using that visa.

Libya, Venezuela, and Yemen: Students and scholars from Libya, Venezuela, and Yemen should still be able to apply for F or J visas, and employees from Libya, Venezuela, and Yemen should still be able to apply for employment-based visas such as H-1B.
Iran: Students and scholars from Iran should still be able to apply for F or J visas. However, since all other visa categories are restricted for citizens/nationals of Iran, employees may not be able to apply for employment based visas such as H-1B or O-1, unless a consular official grants them a waiver.

North Korea and Syria: Citizens/nationals of North Korea and Syria will not be issued nonimmigrant visas in any category. Students, scholars and employees from these countries will not be able to obtain a visa to enter the United States, unless they are eligible for a waiver.

Somalia: Although there are no specific restrictions on nonimmigrant visa issuance for citizens/nationals of Somalia, the Presidential Proclamation states they will face additional security clearances in the visa application process.

The International Center and the University remain committed to ensuring the well-being, safety, and success of international students and scholars and employees at U-M. We will continue to advocate on behalf of all international students, scholars, and employees for immigration and visa policies that facilitate their success in the United States. We will also support our international community with information and resources to assist with the visa application process and with other immigration policies and procedures.

International students, scholars and employees: during this challenging time, please take care of yourselves and continue to focus on the positive reasons you came to U-M. We are glad that you are here.

The International Center

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