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IMMIGRATION

FOREIGN NATIONAL EMPLOYEES AND STUDENTS REMAIN EXEMPT FROM THE TRAVEL BAN

On Monday, June 26, 2017, the Supreme Court issued an order exempting from President Trump's travel ban foreign national employees, students, lecturers, close family members, and others with bona fide relationships to the U.S. The order upheld the ban as it relates to foreign nationals with no meaningful connection to the U.S.

Originally announced in January and the subject of significant litigation, the travel ban sought to restrict travel to the U.S. from six designated countries (Iran, Libya, Somalia, Sudan, Syria, and Yemen). The Court's order exempts from the travel ban those foreign nationals with a 'bona fide relationship' to the U.S., including employees, students, lecturers, and close family members. Beyond these limited examples, there is little guidance regarding the type of 'bona fide relationship' that would qualify for an exemption. While we await further guidance from the Department of Homeland Security, we advise U.S. entities to provide signed letters of invitation to foreign nationals who do not fit clearly within one of the above categories.

The order will remain in place until the Court considers the travel ban's legality later this year. We will continue to monitor the situation, and provide updates as they become available. If you have any questions, please contact any member of the Immigration Practice Group at (585) 232-6500.

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