



Berkeley International Office
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Berkeley International Office Summary of March 6, 2017 Executive Order: *Protecting the Nation from Foreign Terrorist Entry to the United States*

On **March 6, 2017** President Trump issued Executive Order entitled [Protecting the Nation from Foreign Terrorist Entry to the United States](#). This Executive Order revokes and replaces the January 27, 2017 Executive Order 13769. It contains provisions that seriously impact the entry to the U.S. of individuals without valid visas from particular countries of origin. Additionally, effects of the Executive Order's increased screening procedures may have an impact on travel or visa issuance for many other immigrant or non-immigrant visa holders. The new Executive Order becomes effective on March 16, 2017.

Who is directly impacted?

Effective **March 16, 2017** entry to the U.S. is suspended for 90 days **ONLY for nationals or citizens of the 6 designated countries of Libya, Iran, Somalia, Sudan, Syria, and Yemen who:**

- Are outside of the U.S. on March 16, 2017
- Did not have a valid United States visa at 5:00 p.m. EST on January 27, 2017; and
- Do not have a valid United States visa on March 16, 2017.

Are visas revoked for individuals from the 6 designated countries? Who is exempt from the suspension of entry?

The order does NOT revoke existing visas for nationals or citizens of the designated countries of Libya, Iran, Somalia, Sudan, Syria, and Yemen. Suspension of Entry does **NOT apply to:**

- Individuals who had a valid visa as of 5:00pm EST on January 27, 2017 or who have a valid visa as of March 17, 2017
- U.S. lawful permanent residents (Green Card holders)
- Dual nationals when the individual is travelling on a passport issued by a non-designated country (i.e. Citizen of Iran who is a dual French citizen, travelling with a French passport)
- Individuals who are admitted to the U.S. or paroled into the U.S. on or after the effective date of the order
- Individuals who have travel documents other than a visa which are valid on or after the effective date of the order (i.e. advance parole document)
- Foreign nationals travelling on diplomatic visas, NATO visas, C-2, G-1, G-2, G-3, or G-4 visas; granted asylum; refugees already admitted to the U.S.

Are waivers available for the suspension of entry or visas?

Department of Homeland Security indicates that Dept. of State consular officers or Customs and Border Protection officers have discretion to decide on a case-by-case basis to allow visa issuance or entry to the U.S for foreign nationals for whom the suspension of entry would be an undue hardship, who do not pose a threat to national security, and whose entry would be in the national interest. Waivers would be adjudicated by Dept. of State in conjunction with a U.S. visa application. DHS indicates possible circumstances for waivers for foreign nationals outside of the U.S. on the effective date of the order:

- individuals previously admitted to the U.S. for a continuous period of work or study for whom denial of re-entry would impair the ability to continue that activity
- Individuals who have previously established significant contacts with the U.S., but are outside of the U.S. for work or study
- Individuals who are landed Canadian immigrants who may apply for a visa in Canada



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- Individuals traveling as U.S. Government-sponsored Exchange Visitors
- Other categories (see Executive Order for more details) including: individuals seeking to enter the U.S. for significant business or professional obligations; individuals whose denial of entry would cause undue hardship to a family member who is a U.S. citizen, Permanent Resident, or non-immigrant visa holder; individuals who are infants, young children, or individuals needing urgent medical care; employees of the U.S. government; individuals travelling for purposes related to designated International Organizations

Are there impacts for individuals from all countries?

Individuals on Immigrant or Non-Immigrant Visas from all other countries please be aware of the following additional issues of concern. For the near future, Berkeley International Office recommends minimizing international travel due to the changing nature of the new administration's policies on visas and U.S. entry.

- **Suspension of the Visa Interview Waiver Program (VIWP)**- The Executive Order suspends the Visa Interview Waiver Program, which allows individuals to apply for visas or visa renewal without an in-person interview. Effective March 16, 2017, interviews will be required for all visa applications.
- **Increased Screenings, Possible Travel Delays**- Due to the Executive Order's suspension of VIWP and call for increased scrutiny at the Port of Entry and at consulates and embassies abroad, immigrant and non-immigrant travelers should expect increased travel delays when applying for a new U.S. visa or when entering the U.S. The order specifically indicates increased scrutiny for **Iraqi citizens or nationals**.
- **Future Changes in Visa Issuance for additional countries**- Provisions of the Executive order call for a review of U.S. visa issuance procedures in all countries, as well as visa reciprocity provisions. These continuing revisions and reviews may result in countries being continued on, added to or removed from the visa/entry suspension list, changes in fees, or visa lengths.

We recognize that these changes are both stressful and disruptive, and wish to offer our support and services to any of our international students, scholars, or employees who have questions or concerns. Berkeley International Office assures you that we are closely monitoring continuing issues impacting our international student, scholar and employee populations. BIO will continue to keep our international populations and the campus community up to date on any changes in this situation on our [Trump Administration Policy Updates & FAQ](#) and via email. Advising hours and appointment information can be found on our website: <http://internationaloffice.berkeley.edu/contact-us>

Sincerely,
Ivor Emmanuel, Director, Berkeley International Office
and the Staff of Berkeley International Office