

Travel Ban Fears? Why Foreign National Students Urged to Return to U.S. Before Jan. 20

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Some colleges and universities, out of an abundance of caution, are advising their foreign national students and staff who are traveling abroad for winter break to consider returning before President Donald Trump's inauguration on Jan. 20, 2025.

It is not possible to predict what will happen with any certainty, but President Trump has spoken about reinstituting travel bans. Recall that, in January 2017, he signed an executive order for the "Muslim" travel ban within days of his inauguration. That initial travel ban created a good deal of confusion at airports and ports of entry before being blocked through litigation. It took the first Trump Administration some time to draft a travel ban that would pass U.S. Supreme Court muster.

The first Trump Administration's third iteration of the ban, known as Travel Ban 3.0, [was upheld](#) by the Supreme Court and went into effect in late 2017. It restricted travel to the United States for individuals from certain largely Muslim countries: Iran, Libya, Somalia, Syria, and Yemen. It also limited travel for individuals from the non-majority Muslim countries of North Korea and Venezuela. Chad, Iraq, and Sudan had originally been on the list but were removed.

Travel Ban 3.0 contained important exemptions for Green Card Holders, *current visa holders*, dual nationals traveling on a passport from an unaffected country, and others. Although there were no blanket waivers, consular officers adjudicating visa applications were given the discretion to consider the circumstances and grant waivers. The executive order indicated that waivers might be appropriate for individuals previously admitted for work, study, or other long-term activity or individuals entering the United States to visit or reside with a close family member or others.

To pass constitutional muster, similar exemptions would probably be part of any new travel ban executive order from the second Trump Administration.

National Law Review, Volume XIV, Number 345

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