

UNIVERSITY OF NEBRASKA

FREQUENTLY ASKED QUESTIONS

EXECUTIVE ORDER ON ENTRY BAN AND PRESIDENTIAL PROCLAMATION OF SEPTEMBER 24, 2017



10/24/17

EXECUTIVE ORDER AND SEPTEMBER PRESIDENTIAL PROCLAMATION OVERVIEW

On March 6, 2017, President Trump issued a revised Executive Order titled “Protecting the Nation from Foreign Terrorist Entry into the United States”. This Order barred citizens and nationals from Iran, Libya, Somalia, Sudan, Syria and Yemen from entry into the United States, for ninety (90) days, which expired on September 27, 2017. The Supreme Court was expected to hear arguments related to the Order in October, 2017. That hearing has been delayed.

On September 24, 2017, President Trump issued a Presidential Proclamation titled “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats”. The September Presidential Proclamation keeps in place many of the restrictions from the Order and adds three countries to the list of countries that face restrictions and limitations on entry into the United States – Chad, North Korea, and certain governmental officials and family members from Venezuela. The September Presidential Proclamation removes Sudan from the list of countries affected by the travel ban. The country-specific restrictions are discussed more fully below.

On October 17, 2017, a federal court stopped a portion of the Presidential Proclamation from going into effect for a period of time. In light of this order, visa applicants who are nationals of Chad, Iran, Libya, Syria, Yemen, and Somalia are not subject to any of the restrictions or limitations under the Presidential Proclamation, regardless of whether they have a credible claim of a bona fide relationship with a person or entity in the United States. This federal court order did not affect the restrictions placed on nationals from North Korea and Venezuela, and that portion of the Presidential Proclamation went into effect at 12:01 a.m. EDT on Wednesday, October 18, 2017.

NU RESPONSE

The President and Chancellors of the University of Nebraska released a statement after the first entry ban executive order, which states:

“Our pledge to you is that the University of Nebraska will keep working every day to be the kind of place where all feel welcome, valued and safe. Where each student has access to an excellent education and our faculty and staff are able to pursue their world-class work.”



INFORMATION ABOUT THE SEPTEMBER PRESIDENTIAL PROCLAMATION

Q: Which countries are affected by the September Presidential Proclamation?

A: The September Presidential Proclamation replaced the Order. It now applies to certain travelers from Chad, Iran, Libya, North Korea, Syria, Venezuela, Yemen, and Somalia, although the restrictions on travelers vary by country. The Presidential Proclamation removed Sudan from the list of countries affected by the travel ban initially created by the Order.

As more fully discussed in the September Presidential Proclamation, entry into the United States by foreign nationals of the following countries is suspended and limited as follows:

1. **Chad:** Immigrants and nonimmigrants on business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas are suspended.
2. **Iran:** Immigrants and nonimmigrants are suspended, except for valid student (F and M) and exchange visitors (J) visas.
3. **Libya:** Immigrants and nonimmigrants on business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas are suspended.
4. **North Korea:** Immigrants and nonimmigrants are suspended.
5. **Syria:** Immigrants and nonimmigrants are suspended.
6. **Venezuela:** Officials of government agencies involved in screening and vetting procedures and their immediate family members as nonimmigrants on business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas are suspended. All nationals of Venezuela are subject to appropriate additional measures to ensure traveler information remains current.
7. **Yemen:** Immigrants and nonimmigrants on business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas are suspended.
8. **Somalia:** Immigrants are suspended. The granting of visas for nonimmigrants is subject to additional scrutiny to determine if applicants are connected to terrorist organizations or otherwise pose a threat to national security or public safety.

Q: Which foreign national travelers does the September Presidential Proclamation specifically apply to?

A: The September Presidential Proclamation will only apply to foreign nationals who:

1. Are outside the United States as of the effective date of either September 24 or October 18, depending on status. September 24th applies to foreign nationals who were subject to entry restrictions under the Order and did not have a credible claim of a bona fide relationship with a person or entity in the United States. The rest of the restrictions went into effect on October 18, 2017.
2. Do not have a valid visa application as of the effective date; and
3. Do not qualify for a visa or other valid travel document.

Q: Are there any exceptions to the September Presidential Proclamation?

A: Yes. The September Presidential Proclamation does not apply to:

1. Any lawful permanent resident of the United States;
2. Any foreign national who is admitted to or paroled into the United States on or after the applicable effective date;
3. Any foreign national who has a document other than a visa valid on the applicable effective date that permits him or her to travel to the United States and seek entry or admission;
4. Any dual national who is traveling on a passport issued by a non-designated country;
5. Any foreign national traveling on a diplomatic or diplomatic-type visa, North Atlantic Treaty Organization visa, C-2 visa for travel to the United Nations, or G-1, G-2, G-3, or G-4 visa; or
6. Any foreign national who has been granted asylum by the United States; any refugee who has already been admitted to the United States; or any individual who has been granted withholding of removal, advance parole, or protection under the Convention Against Torture.

Q: Are there any waivers under the September Presidential Proclamation?

A: Yes. Waivers may be granted on a case-by-case basis to permit the entry of foreign nationals who demonstrate that:

1. Denying entry would cause the foreign national undue hardship;
2. Entry would not pose a threat to the national security or public safety of the United States; and
3. Entry would be in the national interest.

The Secretary of State and Secretary of Homeland Security will release guidance to address standards, policies and procedures to assess and determine when waivers may be granted.



Q: When does the September Presidential Proclamation go into effect, and how long will it be in effect?

A: As stated previously, the September Presidential Proclamation went into effect at 3:30 pm eastern daylight time on September 24, 2017 for foreign nationals who were subject to entry restrictions under the Order and did not have a credible claim of a bona fide relationship with a person or entity in the United States. The rest of the restrictions went into effect at 12:01 am eastern daylight time on October 18, 2017. However, a portion of the Presidential Proclamation was stopped by a federal court order. Therefore, only foreign nationals from North Korea and Venezuela who were affected by the Presidential Proclamation are currently subject to the restrictions outlined in the Presidential Proclamation.

It will remain in effect until the Secretary of Homeland Security, Secretary of State and the Attorney General deem that an effected country has adequate identity-management protocols, information-sharing practices and risk factor assessment protocols to ensure that citizens from those countries do not pose a national security risk upon entry to the United States.

Every 180 days, the Secretary of Homeland Security, in consultation with the Secretary of State, the Attorney General, and other appropriate heads of agencies will submit a report to the President of the United States stating whether the limitations should remain in place or should be lifted or modified. They may also name new countries to be included in the limitations. There is no stated end date for these limitations. We will continue to monitor the developments in this area.

INFORMATION FOR STUDENTS, EMPLOYEES AND SCHOLARS

Q: What does the University of Nebraska recommend for students from the designated countries who have valid visas or are already in the United States?

A: The University recommends that students who are foreign nationals from these countries review the type of visa you hold. If you are in the United States in possession of a valid single entry visa, the University recommends that you do not travel outside the United States at this time since you would need to obtain a new visa to authorize readmission to the United States. If you are in the United States in possession of a valid multiple entry visa, you may travel to and from the United States, so long as your visa remains valid and you are otherwise admissible. If you are a student from Iran with a valid F or M visa, the September Presidential Proclamation should not affect you.

Additionally, the University recommends that students from these designated countries maintain their status in the United States and continue to comply with established immigration law and the requirements of their campus office that supports international students and scholars. Students who have questions or need to discuss any personal situation are encouraged to speak with an international advisor on their campus. The following offices are the best contacts for international students:

UNK: International Education, Welch Hall, Phone: 308-865-8953

UNL: International Student and Scholar Office, Seaton Hall 201, Phone: 402-472-0324

UNMC: International Health and Medical Education, 4230 Building, Phone: 402-559-8449

UNO: International Studies & Programs, Arts and Sciences Hall 241, Phone: 402-554-2293

Q: What does the University recommend for faculty, staff or scholars from the designated countries who have valid visas or are already in the United States?

A: The University recommends that faculty, staff and scholars who are foreign nationals from these countries review the type of visa you hold. If you are in the United States in possession of a valid single entry visa, the University recommends that you do not travel outside the United States at this time since you would need to obtain a new visa to authorize readmission to the United States. If you are in the United States in possession of a valid multiple entry visa, you may travel to and from the United States, so long as your visa remains valid and you are otherwise admissible.

Additionally, the University recommends that faculty members, staff and scholars maintain their current status in the United States and continue to comply with established immigration law and the requirements of the University. Individuals who have questions or need to discuss any personal situation are encouraged to speak with someone on their campus. The following offices are the best contacts for faculty, staff and scholars:

UNK: Human Resources, Founders Hall 1200, Phone: 308-865-8426

UNL: International Student and Scholar Office, Seaton Hall 201, Phone: 402-472-0324

UNMC: Steve Daubendiek, International Health and Medical Education, 4230 Building, Phone: 402-559-8449

UNO: International Programs, Arts and Sciences Hall 241, Phone: 402-554-2293

Q: What does the University recommend for any individual from the designated countries who currently holds a green card and is currently working in the United States?

A: The September Presidential Proclamation does not affect lawful permanent residents of the United States. Individuals who have questions or need to discuss any personal situation are encouraged to speak with an international advisor on their campus.

Q: What does the University recommend for individuals from the designated countries who have valid visas and are currently working or studying abroad?

A: The September Presidential Proclamation should not affect those individuals who have valid visas. Individuals who have questions or need to discuss any personal situation are encouraged to speak with an international advisor on their campus.

Q: What does the University recommend for individuals from the designated countries who have been admitted to one of the University of Nebraska's campuses (Kearney, Lincoln, Medical Center or Omaha) but who have not received a student visa?

A: The University encourages admitted students to be patient while the U.S. Government continues the reviews specified in the September Presidential Proclamation. The University will inform you with new information as it becomes available in the future.

Q: What should a student or scholar from one of the designated countries do if their visa expires before this review is completed?

A: The University recommends that students and scholars speak with an international advisor or with a representative of the Human Resources Department on their campus to discuss their specific situation. Contact information appears on page 4 above.

Q: What does the University recommend for international students, faculty, staff and scholars from other countries that are not included in the September Presidential Proclamation?

A: Students, faculty, staff and scholars from other countries currently are not affected by the September Presidential Proclamation. They should maintain current visas or lawful permanent resident status in the United States and continue to comply with established immigration law and the requirements of the international office on the student's campus.

Students who have questions or need to discuss any personal situation are encouraged to speak with an international advisor or an advisor from the Human Resources Department on their campus. Contact information appears on page 5 above. The University will continue to monitor announcements from the President, Secretary of Homeland Security, and Secretary of State and will inform those affected if additional countries are added to the list of countries with limitations on entry.

INFORMATION FOR UNIVERSITY DEPARTMENTS

Q: What does the University recommend to its undergraduate, graduate and professional programs regarding accepting application documents and admitting students from these designated countries for future semesters?

A: There are no restrictions on admitting students to a U.S. college or university. We recommend that you proceed as you normally would with the application and admission process until further notice.

Q: What does the University recommend when it comes to each campus recruiting and communicating with prospective students from the designated countries?

A: Continue to communicate with all students, including prospective students from the designated countries affected by the September Presidential Proclamation. The University of Nebraska follows the immigration laws of the United States, but there are no restrictions regarding admitting students to a United States college or university, and the University of Nebraska welcomes the inquiries of interested students from all over the world.

