Update # 3 – February 2, 2017

Update on immigration matters impacting the university since Wednesday Feb 1.

Campus Provosts and Chancellors now included.

Court Rulings on EO

A Massachusetts federal court judge ruled yesterday afternoon against extending temporary restraining order for CBP at Logan. However, late yesterday a federal district court judge in Seattle issued a “nation-wide” ruling that temporary blocks President Trump’s ban on travelers from 7 countries (7C), see Boston Globe: https://www.bostonglobe.com/metro/2017/02/03/fight-over-trump-travel-ban-resumes-boston-court/bqLjtMUAV5A0Oy09ANxTmN/story.html

Based on the Seattle TRO, the JFK CBP Port Director has affirmatively stated to an AILA (American Immigration Lawyers Association) attorney that: “CBP, all around the world, is authorizing aircraft to board people and this communication has gone out to the Airlines.”


More cases are pending in federal courts.

White House Clarification on LPRs

The White House released a statement on Wednesday clarifying that EO sections 3(c) and (e) do not apply to legal permanent residents. These sections of the EO are limited to travel/re-entry into the U.S. and data collection.

Visa Revocation

The federal government is issuing conflicting statements regarding number of visa revoked. Further, it remains unclear whether visa revocation applies to LPRs. The EO did not specifically discuss visa revocation and WH statement is limited to those provisions named above.


UMass Amherst Ph.D. student due to arrive at Logan today

Week long efforts to return a PhD student with valid F-1 visa stamp have paid off and the student will be landing at Logan today. NPR has been following the case, http://nepr.net/news/2017/02/02/umass-amherst-student-iran-among-revoked-visa-unbeknownst-immigration-attorneys/
The other 2 affected UMass personnel identified as outside the country when the EO was signed do not have valid visas and are unable to return. The TROs are limited to those with valid re-entry documents.

U.S. Citizenship and Immigration Service (USCIS) adjudication of work permits

Section 3(a) of the EO addresses “all other immigration benefits” and broadly applies to any adjudication, which means domestic work permits can be impacted. There has been no formal statement by the Administration and/or DHS on whether USCIS has halted processing work permit and other employment-based benefits for individuals from the 7C; though leaks have been made by USCIS employees showing DHS directive to stop approving cases. GCO has done a preliminary analysis of UMass employees, and will be starting a case-by-case review of all 7C employees active on payroll this week. Communications to HR, department, and affected employees to follow.

In the meantime, UMass will continue to file for employment benefits for the 7C and maintain current business practices for preserving work authorization. ISSO Directors at all campuses have been instructed to continue to advise that OPT and STEM filings should continue “under the normal course”. More information on impact to employee work authorization benefits as it becomes available.

Note: A draft EO broadly targeting all employment-based immigration sponsorship, regardless of country of origin, has been leaked. GCO is currently assessing but no able to provide guidance at this point.

**What Do These Changes Mean?**

Based on the hour-by-hour nature of these immigration changes, we continue to advise no travel as stated below.