



GMS Flash Alert

Immigration Edition

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United States – Federal Courts Block President Trump’s Third Travel Ban

This past week U.S. federal court judges in Hawaii and Maryland issued orders partially blocking President Trump’s latest immigration travel ban¹ before it was due to take effect at midnight (EDT), Wednesday, October 18.

A federal judge in Hawaii issued a nationwide order against enforcement of the Presidential Proclamation imposing travel restrictions on citizens of Chad, Iran, Libya, Somalia, Syria, Yemen, and North Korea.² (For prior coverage, see GMS [Flash Alert 2017-144](#), September 29, 2017.) The travel restrictions on certain Venezuelan government officials and citizens of North Korea remain in effect.

The order by the federal judge in Maryland was more narrowly written and only blocked the administration from imposing the ban on foreign nationals of the above-noted countries who lack a “bona-fide relationship” with persons or entities in the United States.³

WHY THIS MATTERS

Employers will continue to face uncertainty regarding international travel for employees from the affected countries in the foreseeable future while the appellate process goes forward. Employees from the affected countries should consider avoiding any non-essential international travel given the possibility that the travel ban may be reinstated.

If an employee from an affected country is currently abroad and has not previously been affected by the earlier travel bans, the employer will need to assess whether the employee should return now. Employers may choose to extend the status of affected employees presently in the U.S., and advise the employee about the risks of traveling abroad at this time.

KPMG NOTE

If you have any questions about how this ongoing litigation may affect your company or employees, please contact a qualified immigration attorney.

KPMG Law LLP immigration practice will endeavor to continue providing updates about this topical issue.

FOOTNOTES:

1 [Presidential Proclamation 9645](#) of September 24, 2017 entitled “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats”

2 Hawaii –

- [Order Granting Motion for Temporary Restraining Order](#).

3 Maryland –

- [Opinion](#).
- [Order](#) (on the Brennan Center for Justice website). *(Please note this is a third-party, non-KPMG (and non-governmental) Web site, that does not represent the opinions of KPMG Law LLP nor which KPMG Law LLP endorses.)*

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Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or the following professional with the KPMG International member firm in Canada:



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