

**Important Information for Associations and Organizations Affected
by Presidential Executive Order Number 13780
“Protecting the Nation from Foreign Terrorist Entry into the United
States”**

July 6, 2018: Recently, the Supreme Court of the United States upheld the authority of the President of the United States to impose limits and restrictions on travel of foreign nationals from certain countries. This case is the culmination of actions referring to Executive 13780 signed by President Donald Trump in March of 2017.

This ruling is increasing the concerns expressed by those in the scientific and research community over the effect that the imposition of the new rules will have on international meetings and conferences. Specifically, there is concern that this ban will limit the ability of those from the affected countries to travel to meetings that are held in the United States. There is also the concern that members who are working or attending higher education in the United States who are from one of the countries named in these orders may not be able to regain entry into the United States if they attend a meeting in another country.

It is important to note that these bans are not absolute, and that there are exceptions in the orders to allow travel into the United States from affected countries. Presidential Proclamation 9674 (Enhancing Vetting Capabilities and Process for Detecting Attempted Entry Into the United States by Terrorists or other Public Safety Threats) defined additional screening and vetting processes for persons from eight specific countries with “deficient” identity-management and information sharing capabilities. This proclamation also defined that the Department of State has the authority to issue waivers and exemptions for persons traveling to the United States from these countries.

It is also important to note that this does not affect persons from these countries who already hold a visa from one of these countries. Nor does this proclamation affect persons who hold dual-nationality status, as long as they are traveling on a passport from a non-designated country. The countries designated by this proclamation include Chad, Iran, Libya, North Korea, Syria, Venezuela, Somalia and Yemen.

To seek a waiver or exception under the travel ban, a traveler must meet one of the defined exceptions:

1. Any national who was in the United States on the applicable effective date described in Section 7 of the Proclamation for that national, regardless of immigration status;
2. Any national who had a valid visa on the applicable effective date in Section 7 of the Proclamation for that national;
3. Any national who qualifies for a visa or other valid travel document under section 6(d) of the Proclamation;
4. Any lawful permanent resident (LPR) of the United States;
5. Any national who is admitted to or paroled into the United States on or after the applicable effective date in Section 7 of the Proclamation for that national;
6. Any applicant who has a document other than a visa, valid on the applicable effective date in Section 7 of the Proclamation for that applicant or issued on any date thereafter, that permits him or her to travel to the United States and seek entry or admission, such as advance parole;
7. Any dual national of a country designated under the Proclamation when traveling on a passport issued by a non-designated country;
8. Any applicant traveling on a diplomatic (A-1 or A-2) or diplomatic-type visa (of any classification), NATO-1 -6 visas, C-2 visa for travel to the United Nations, or G-1, G-2, G-3, or G-4 visa; except certain Venezuelan government officials and their family members traveling on a diplomatic-type B-1, B-2, or B1/B2 visas
9. Any applicant who has been granted asylum; admitted to the United States as a refugee; or has been granted withholding of removal, advance parole, or protection under the Convention Against Torture.

Waivers are offered on a case-by-case basis under this ban. The decision to allow entry can be made by a consular officer or a United States Custom and Border Protection official. Justifications for issuing a waiver include:

- Previous U.S. admissions for continuous work or study
- Significant ties to the U.S.
- Significant business or professional obligations in the U.S.

- U.S. family members (spouse, children under age 21, and parents who would suffer undue hardship if the applicant was denied entry
- Emergency circumstances such as medical needs
- Jobs with the U.S. government or an international organization
- Landed Canadian immigrant status, applying for the visa from Canada, and
- Government sponsorship for an exchange program.

Issuance of a waiver does not automatically ensure the issuance of a visa. Persons who are granted a waiver must still apply for a visa to enter the United States. There is no specifically defined form to apply for a waiver. Instead, travelers must apply for both a waiver and a visa.

While there is little guidance on the exact process to obtain a waiver and visa, according to the US Department of State, travelers should provide documentation justifying the issuance of a waiver when applying for a visa. This information show that denying a visa would cause “undue hardship” to the traveler, that entry to the United States would not pose a threat to national security or public safety, and entry into the United States would be in the interests of the United States.

The application process for a waiver should therefore be considered an adjunct process to the application for a visa. Travelers should submit documentation to the US Consular Office or Embassy requesting a waiver or exemption based upon the reasons defined above. This information can be found on the US Department of State Website at this website address:

<https://travel.state.gov/content/travel/en/us-visas/business.html>

Part of this documentation should include specific reasons why attendance at this conference meets the criteria listed in the waiver justifications listed above. This would also include information about the conference or meeting, and why the research presented at this meeting is in the interests of the United States.

To assist with this process, societies and organizations should make information available on their websites that potential attendees and members can download and use in the application process. This information includes the following:

- Nature and description of the organization, including membership statistics, length of time in existence, impact on research and science, national and international importance of the research or science, and meeting attendance statistics.
- Documentation for those who will be presenting a spoken or poster presentation at the meeting stating why this presentation is in the interests of the United States.
- Information about the venue for the meeting, including the number of projected attendees and the financial impact that the meeting will have for the local economy.
- Invitational letters from the organization.

Guidance for attendees who are from one of the affected countries:

- Begin the application process well in advance of the meeting. While US Department of State Guidance indicates that the visa application process can take “a few weeks to a few months”, it is strongly advised that attendees from one of the designated countries apply at least 120 days in advance of the meeting.
- Complete the visa application and schedule a visa interview at the US Embassy or Consular office in the country where the application is being filed.
- Have a complete document file, including the following:
 - o Your valid passport
 - o A photograph that meets the [Photo Requirements](#)
 - o The Form DS-160 confirmation page and code
 - o Receipts that you have paid the fees
 - o The interview confirmation page
 - o Letter which describes the purpose of your trip
 - o Financial or bank statements to prove you have the finances to stay in the U.S

- o Ties to your home country such as family, job contract, lease, or property deed, which prove you will return
- o Optional [invitation letter](#) from friends or family in the U.S
- o Criminal records or letter from authorities stating that you do not have prior convictions
- o If you have visited the U.S before, bring documents relevant to your prior visits
- o If you are a student, bring your transcripts or diploma
- o If you work, bring a letter from your employer and pay slips for the last three months
- o If you are travelling on business, bring a letter from the company detailing the purpose of the trip and your job position
- o If you are only visiting family or friends, bring photocopies of your relative's status in the U.S (permanent residence, valid visa, etc.)
- o Additional documentation supporting the issuance of a waiver or exemption

Any member or attendee who is affected by the travel restrictions should be encouraged to contact the association management. We have resources available to assist our members and attendees in the process of applying for a visa and successfully entering the United States to attend meetings. For those who are ultimately denied entry, we may be able to help minimize the financial impact of the adverse ruling.