

Muslim Ban 3.0 Implementation

On January 27, 2017 and March 6, 2017 President Trump issued executive orders that contained provisions to suspend the refugee admissions program for 120 days and deny entry of nationals from seven (then six) Muslim-majority countries (Iran, Libya, Somalia, Sudan, Syria and Yemen) for a period of at least 90 days. These sections of the Orders were blocked by federal courts. On June 1, the government filed papers in the Supreme Court asking it to unfreeze the block on the March 6 Order (Muslim Ban 2.0) and also hear the case. Resources about the ban can be found [here](#).

June 26

The Supreme Court lifted a part of the injunction placed on the Muslim Ban 2.0, applying the Ban to any individual from one of the six designated countries or refugee who **lack a “bona fide relationship” to a person or entity in the U.S.**

By creating a partial stay and “bona fide relationship” test the Supreme Court created Muslim Ban version 3.0.

June 26

The Supreme Court granted a petition for certiorari, agreeing to hear the cases of *Trump v Hawaii* and *Trump v IRAP*.

The Supreme Court consolidated the two cases and will hear the case during the **October 2017 term**.

The government’s opening brief is due on August 10. IRAP and Hawaii’s briefs are due on September 11.

June 29

DHS and DOS issued **guidelines** on SCOTUS ruling and, in doing so, **excluded grandparents, siblings-in-laws, and other family members from the “bona fide relationship” category**.

On the heels of these guidelines, plaintiffs in the *Hawaii* case **filed an emergency motion to clarify the scope of the injunction** with the federal district court. **The court declined to rule on the motion for jurisdictional reasons.**

Muslim Ban 3.0 went into effect at 8pm EDT.

July 7

The plaintiffs in *Hawaii* appealed to the Ninth Circuit Court of Appeals asking it to hear the district court’s denial of the motion.

On July 7, the Ninth Circuit refused to hear the appeal for jurisdictional reasons.

However, it indicated that the district court *does* have the authority to interpret and enforce the Supreme Court order.

July 7

The plaintiffs in Hawaii filed a new motion to the federal district court heeding the instruction of the Ninth Circuit and asking the court to enforce or modify the preliminary injunction. As of July 12, the decision is pending in the district court.

July 12

The Department of State has indicated that the **50,000 person refugee cap placed as a result of the Executive Orders will be reached by July 12**, after which every refugee must show a “bona fide relationship” to a person or entity as ruled by the Supreme Court and interpreted by the federal agencies responsible for implementation.

Week of
Sept. 24

Unless extended or made permanent by the Trump Administration, date on which the 90-day clock for the travel ban on nationals from the six majority Muslim countries ends.

Week of
Oct. 23

Unless extended or made permanent by the Trump Administration, date on which the 120-day clock for the ban on refugee admissions ends.