

Trump Promises To Re-tool Travel Ban After Last Week's Hit From Ninth Circuit

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During an unprecedented, unscheduled press conference Thursday afternoon, President Donald Trump promised a new and improved travel ban in the name of national security. Last week, the president's travel ban suffered a major setback from the U.S. Court of Appeals for the Ninth Circuit. Its decision in [State of Washington v. Trump](#), upheld the arguments made by the states of Washington and Minnesota—which challenged the president's executive order, in part, because the order negatively affected their state universities' employees and students. President Trump's Executive Order 13769 banned individuals from seven countries—Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen—from entering the U.S. for 90 days. The order also suspended the U.S. Refugee Admissions Program for 120 days. The states of Washington and Minnesota sought a temporary restraining order (TRO) and won. Trump's administration then appealed the TRO to the Ninth Circuit. In summary, the Ninth Circuit's decision included these key rulings:

- The Ninth Circuit rejected the Trump administration's claims that the president had unlimited authority on immigration issues affecting national security
- Washington and Minnesota both had a legitimate basis to challenge the order
- The states had also shown they were likely to win on their claim that Trump's executive order violated due process

Interestingly, because the court found that the TRO was appropriate on "due process" grounds, it did not need to consider whether the executive order amounted to religious discrimination. After criticizing the Ninth Circuit panel as a "bad court," President Trump announced that a new executive order would be tailored to address the court's findings. We will keep you updated as this situation develops.

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