Advisory: Expanded Travel Ban of January 2020
4 February 2020

The following information is compiled from various sources regarding the expanded travel ban that was released on January 31, 2020. USCRI released a statement the same day, which can be accessed here. The ban goes into effect on February 21, 2020.

**Short Summary**: The proclamation expands the travel ban to six additional countries: Eritrea, Kyrgyzstan, Myanmar, Nigeria, Sudan, and Tanzania in addition to the original countries (Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen). The restrictions do not apply to refugees, asylum seekers, Temporary Protected Status (TPS) holders, and other humanitarian designations. The ban largely affects those seeking a visa to come to the United States for permanent immigration, however, some countries also have temporary-visit visa restrictions.

**Detailed Advisory**:

Part 1 Definitions
Part 2 New Ban
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**Part 1: Definitions**

*Immigrants*: Individuals seeking entry into the United States on a permanent basis through a family member, employment status, or through the Diversity Lottery Program.

*Non-Immigrants*: Individuals seeking entry into the United States on a temporary basis through temporary-visit visa classifications including, but not limited to, business, tourism, educational, and temporary work purposes.
### Part 2: New Ban

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Populations Affected</th>
<th>Additional Information</th>
</tr>
</thead>
</table>
| Eritrea            | West Africa (Bordering Djibouti, Ethiopia, and Sudan) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons.  
*Exceptions*: Individuals seeking temporary-visit visas (tourist, business, etc.); immigrants seeking eligibility based on past provision of assistance to the U.S. government. | In 2019, 873 immigrant visas were issued to Eritreans.             |
| Kyrgyzstan         | Central Asia (Bordering China, Kazakhstan, Uzbekistan, and Tajikistan) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons.  
*Exceptions*: Individuals seeking temporary-visit visas (tourist, business, etc.); immigrants seeking eligibility based on past provision of assistance to the U.S. government. | In 2019, 559 immigrant visas were issued to Eritreans.             |
| Myanmar (also known as Burma) | Southeast Asia (Bordering Bangladesh, China, India, Laos, and Thailand) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons.  
*Exceptions*: Individuals seeking temporary-visit visas (tourist, business, etc.); immigrants seeking eligibility based on past provision of assistance to the U.S. government. | In 2019, 1,427 immigrant visas were issued to Myanmar.            |
| Nigeria            | West Africa (Bordering Benin, Cameroon, Chad, and Niger) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons.  
*Exceptions*: Individuals seeking temporary-visit visas (tourist, business, etc.); immigrants seeking eligibility based on past provision of assistance to the U.S. government. | In 2019, 6,705 immigrant visas were issued to Nigerians.           |
<table>
<thead>
<tr>
<th>Country</th>
<th>Region</th>
<th>Exceptional Immigrants</th>
<th>Diversity Visa (DV) Program Exceptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sudan</td>
<td>Northeast Africa (Bordering Chad, Central African Republic, Egypt, Ethiopia, Eritrea, Libya, and South Sudan)</td>
<td>Immigrants under the Diversity Lottery Program</td>
<td>Individuals seeking immigrant visas for other categories; individuals seeking temporary-visit visas (tourist, business, etc.)</td>
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<td>The Diversity Visa (DV) program started in 1995 and historically has had 55,000 immigrant visas available in an annual lottery. The purpose of the lottery is to select applicants mostly from countries with low rates of immigration to the United States in the previous five years.</td>
</tr>
<tr>
<td>Tanzania</td>
<td>East Africa (Bordering Burundi, Comoro Islands, Democratic Republic of Congo, Kenya, Malawi, Mozambique, Rwanda, Uganda, and Zambia)</td>
<td>Immigrants under the Diversity Lottery Program</td>
<td>Individuals seeking immigrant visas for other categories; individuals seeking temporary-visit visas (tourist, business, etc.) (See above)</td>
</tr>
</tbody>
</table>
## Part 3: Previous Ban (Still in Effect)

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>Populations Affected</th>
<th>Additional Information</th>
</tr>
</thead>
</table>
| Iran      | Middle East (Bordering Afghanistan, Armenia, Azerbaijan, Iraq, Pakistan, Turkey, and Turkmenistan) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons.  
*Exceptions:* Individuals seeking the following visa classifications: F (student), M (vocational student) and J (exchange visitor) with enhanced screening and scrutiny. |
| Libya     | North Africa (Bordering Algeria, Chad, Egypt, Sudan, and Tunisia) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons and those seeking temporary-visit visas for business or tourism purposes (B-1/B-2).  
*Exceptions:* Individuals seeking other classifications of temporary-visit visas. |
| North Korea | East Asia (Bordering China, Russia, and South Korea) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons and those seeking temporary-visit visas for all purposes. |
| Somalia   | (Bordering Djibouti [disputed], Ethiopia, and Kenya) | Immigrants seeking a visa to permanently immigrate to the United States for non-humanitarian reasons.  
*Exceptions:* Individuals seeking temporary-visit visas for all purposes with enhanced screening and scrutiny. |
<table>
<thead>
<tr>
<th>Country</th>
<th>Region</th>
<th>Visa Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Syria</td>
<td>Middle East</td>
<td>All those seeking a visa to permanently immigrate to the United States for non-humanitarian reasons and those seeking temporary visit visas for all purposes.</td>
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<td>(Bordering Iraq, Israel, Jordan, Lebanon, and Turkey)</td>
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<tr>
<td>Venezuela</td>
<td>South America</td>
<td>Certain government officials and their family members seeking temporary visit visas for business or tourism purposes (B-1/B-2).</td>
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<tr>
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<td>(Bordering Brazil, Colombia, Guyana, and Trinidad and Tobago)</td>
<td>Exceptions: All non-government officials seeking a visa to permanently immigrate to the United States for non-humanitarian reasons and those seeking temporary visit visas for all purposes.</td>
</tr>
<tr>
<td>Yemen</td>
<td>Arabian Peninsula</td>
<td>All those seeking a visa to permanently immigrate to the United States for non-humanitarian reasons and those seeking temporary visit visas for business or tourism purposes (B-1/B-2).</td>
</tr>
<tr>
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<td>(Bordering Oman and Saudi Arabia)</td>
<td>Exceptions: Individuals seeking other classifications of temporary visit visas.</td>
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Part 4: Blanket Exceptions

The following individuals will continue to be exempt from the Travel Bans:

- Permanent residents;
- Foreign nationals admitted to or paroled into the United States on or after the applicable effective date;
- Foreign nationals who have a document other than a visa such as a transportation letter, boarding foil, advance parole document that is valid on the applicable effective date or issued on any date thereafter;
- Dual nationals of a designated country who are traveling on a passport issued by a non-designated country;
- Foreign nationals traveling on a diplomatic visas, NATO visas, C-2/U.N. visas, or G-1, G2, G-3, or G-4 visa; or
- Foreign nationals granted asylum in the United States; refugees already admitted to the United States; or individuals granted withholding of removal, advance parole, or protection under the Convention Against Torture.

The Travel Ban will also continue to permit affected individuals to seek discretionary waivers on a case-by-case basis. Immigration Authorities may grant waivers if the individual satisfactorily demonstrates that:

- Denying entry would cause undue hardship;
- Entry would not pose a threat to United States national security or public safety; and
- Entry would be in the United States national interest.

Circumstances where a waiver may be appropriate include foreign nationals previously admitted to the United States for work or study where the denial of reentry would impair that activity. Waivers issued by Consular Officers will be effective for both the issuance of a visa and any subsequent entry on that visa.

(Adopted from National Law Review)

If you have questions or comments, please contact Kelly Ann Whelan, Policy Analyst, at kwhelan@uscrimail.org or (703) 310-1130 ext. 3056.

Note: This advisory is educational in nature only and is not a substitute for legal assistance and should not be used as such. If you or someone you are assisting needs legal assistance, please contact an attorney.