

PRESIDENT TRUMP'S FOURTH TRAVEL BAN

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On June 26, 2018, in *Trump v. Hawaii*, the U.S. Supreme Court held that President Trump's third travel ban, issued on September 24, 2017, was not unconstitutional. The ban targeted nationals of eight countries, six of which have predominantly Muslim populations: Chad, Iran, Libya, North Korea, Syria, Venezuela, Yemen, and Somalia. The Administration had lifted the ban against Chad on April 10, 2018, but the remaining seven countries remain subject to travel restrictions.

On January 31, 2020, President Trump issued a fourth travel ban, adding Nigeria, Burma (Myanmar), Eritrea, Kyrgyzstan, Sudan and Tanzania. The fourth travel ban will be effective on February 21, 2020.

The bans differentiate between **immigrants** (who enter as legal permanent residents, or green card holders) and **nonimmigrants** (who enter for limited periods of time, for instance as visitors or students):

Country	Immigrant Visas	Non-Immigrant Visas	Notes
Burma (Myanmar)	All suspended, except as Special Immigrants whose eligibility is based on having provided assistance to the U.S. government	N/A	
Chad	Ban lifted April 10, 2018	Ban lifted April 10, 2018	
Eritrea	All suspended, except as Special Immigrants whose eligibility is based on having provided assistance to the U.S. government	N/A	
Iran	All suspended	Generally suspended, except student (F and M) and exchange visitor (J) visa holders may be admitted, subject to enhanced screening and vetting	Exemption for individuals with bona fide relationship with a person or entity in the U.S.; exemption ended October 18, 2017
Iraq	May be admitted, but subject to additional scrutiny to determine if pose risk to national security or public safety	May be admitted, but subject to additional scrutiny to determine if pose risk to national security or public safety	No longer subject to a categorical ban

Country	Immigrant Visas	Non-Immigrant Visas	Notes
Libya	All suspended	B1/B2 business and tourist visitors suspended	Exemption for individuals with bona fide relationship with a person or entity in the U.S.; exemption ended October 18, 2017
Kyrgyzstan	All suspended, except as Special Immigrants whose eligibility is based on having provided assistance to the U.S. government	N/A	
Nigeria	All suspended, except as Special Immigrants whose eligibility is based on having provided assistance to the U.S. government	N/A	
North Korea	All suspended	All suspended	
Somalia	All suspended	May be admitted, subject to additional scrutiny to determine if the applicant is connected to terrorist organizations or otherwise poses a threat to the national security or public safety of the U.S.	Exemption for only immigrant visa applicants with bona fide relationship with a person or entity in the U.S.; exemption ended October 18, 2017
Sudan	Suspended as to Diversity Visa Lottery immigrants only	N/A	
Syria	All suspended	All suspended	Exemption for individuals with bona fide relationship with a person or entity in the U.S.; exemption ended October 18, 2017
Tanzania	Suspended as to Diversity Visa Lottery immigrants only	N/A	
Venezuela	May be admitted, subject to appropriate additional measures to ensure traveler information remains current.	May be admitted, subject to appropriate additional measures to ensure traveler information remains current.	Certain government officials involved in screening and vetting procedures, and their immediate family members, suspended
Yemen	All suspended	B1/B2 business and tourist visitors suspended	Exemption for individuals with bona fide relationship with a person or entity in the U.S.; exemption ended October 18, 2017

- The following individuals are **excluded** from the travel ban:
 - permanent residents;
 - those who were admitted or paroled into the U.S. on or after the effective date of the order:
 - September 24, 2017 for Iran, Libya, Somalia, Syria, and Yemen; or
 - October 18, 2017 for North Korea and Venezuela; or
 - February 21, 2020 for Burma (Myanmar), Eritrea, Kyrgyzstan, Nigeria, Sudan, and Tanzania;
 - those who have a document other than a visa – such as a transportation letter, appropriate boarding foil, or advance parole document – valid on the effective date of the order;
 - dual nationals traveling on the non-designated country’s passport;
 - certain diplomatic visa holders;
 - asylees and refugees already granted status as of the effective date of the order; and
 - those granted withholding of removal or protection under the Convention Against Torture.

- **Waivers** may be available if an individual can meet **all three** of the following criteria:
 - Denying entry would cause undue hardship;
 - Entry would not pose a threat to national security; and
 - Entry would be in the public interest.

- **Refugees**
 - No changes were made by this new travel ban.
 - The March 16, 2017 travel ban required a 120-day halt on refugee admissions, which expired on July 14, 2017, and thus was not addressed in either the September 24, 2017 or January 31, 2020 travel bans.

**If you have any questions or need assistance,
please call our Immigration Hotline at 844-955-3425.**