



Proclamation on the Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting Coronavirus: What You Need to Know

Updated March 12, 2020

On March 11, 2020, President Trump signed a [Proclamation](#) restricting the entry into the United States of individuals in the Schengen Area who may have been exposed to the novel coronavirus (“COVID-19” is the disease which is caused by the virus, “SARS-CoV-2”). The new Proclamation expands on earlier proclamations restricting travel to the United States of certain immigrants and non-immigrants who were physically present in within Iran or China in the 14 days before their entry into the United States.

Q: What is the Schengen Area? For purposes of this Proclamation, the Schengen Area includes 26 European States: Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland.

Q: Who is covered by the new Proclamation?

The Proclamation applies to all immigrants and non-immigrants who were physically present in the Schengen Area in the 14 days before their entry or attempted entry into the United States.

Immigrants refer to those who are seeking admission to the United States on a permanent basis through a family, employment, or through the Diversity Lottery Program.

Non-immigrants are those who are seeking admission to the United States on a temporary basis, such as business visitors, tourists, students, exchange students, scholars, and temporary workers

Q: Who is exempt from the Proclamation?

- Lawful permanent residents (green card holders) of the United States
- Spouses of U.S. citizens or permanent residents;
- Parents or legal guardians whose U.S. citizen or permanent resident children are under 21 and unmarried;
- Siblings of a U.S. citizen or permanent resident, provided both are under 21 and unmarried.
- Children, foster children, and wards of U.S. citizens or permanent residents, or certain prospective adoptees seeking to enter the United States;
- Individuals traveling at the invitation of the U. S. Government for a purpose related to containment or mitigation of the virus
- Certain air or sea crew traveling to the United States;
- Certain foreign government officials and their family members seeking entry into the United States;

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- Individuals whose entry would not pose a significant risk of introducing, transmitting, or spreading the virus, as determined by the CDC Director or his designee;
- Individuals whose entry would further important United States law enforcement objectives, as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees based on a recommendation of the Attorney General or his designee;
- Individuals whose entry would be in the national interest, as determined by the Secretary of State or the Secretary of Homeland Security.
- Members of the U.S. Armed Forces and spouses and children of members of the U.S. Armed Forces.

Q: Does the Proclamation affect a person's ability to apply for asylum or related protection?

No. The Proclamation does not affect an individual's eligibility for asylum, withholding of removal, or protection under the Convention Against Torture.

Q: Does the Proclamation affect international students and scholars?

Possibly. Unless exempt from the Proclamation, nonimmigrants, including international students and scholars who traveled to the Schengen Area in the 14-days prior to their entry or attempted entry to the United States will be excluded after midnight, March 13, 2020.

Q: What is the effective date of the travel restrictions?

The effective date of the Proclamation is 11:59p.m. EST on March 13, 2020. If a flight departed prior to the effective date, the proclamation does not apply to persons aboard a flight scheduled to arrive in the United States. The travel restrictions will remain in place until the President terminates them.

Q: What is the rationale for these travel restrictions?

The Proclamation states that: "The United States Government is unable to effectively evaluate and monitor all of the travelers continuing to arrive from the Schengen Area. The potential for undetected transmission of the virus by infected individuals seeking to enter the United States from the Schengen Area threatens the security of our transportation system and infrastructure and the national security."

Q: Where Can I Find More Resources?

Center for Disease Control and Prevention:

<https://wwwnc.cdc.gov/travel/notices/warning/coronavirus-iran>

Penn State Law Center for Immigrants' Rights Clinic

<https://pennstatelaw.psu.edu/immigration-time-of-trump#Travel%20Ban%203.0>

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