

Community Advisory
What You Should Know About Trump's June 22 Immigration Ban

Last Updated: June 23, 2020

Dear Community Members and Friends,

On June 22, the Trump administration issued a Proclamation expanding immigration restrictions in a broad attempt to further its xenophobic agenda while distracting Americans from its own failure to adequately respond to the coronavirus pandemic. This Proclamation extends the validity of the April 22, 2020 immigration ban and adds certain nonimmigrant employment-based visas to the list of restrictions.

In this updated advisory, drafted by the attorneys at CAIR San Francisco Bay Area and Asian Americans Advancing Justice-Asian Law Caucus, we provide information about the administration's latest ban.

Please note that this information is subject to change.

Timing

The Ban is in effect until December 31, 2020, after which it may be extended.

Non-Immigrant Visa Ban

Who is Impacted?

Anyone trying to get an H-1B, H-2B, J, or L visa to enter the U.S. (and those accompanying or following to join them) who:

- Is outside the United States at 12:01 am on June 24, 2020; and
- Does not have a valid nonimmigrant visa in their passport as of 12:01 am on June 24, 2020; and
- Does not have another valid official travel document, such as a transportation letter, a boarding foil, or an advance parole document.

The J visa ban applies only to those foreign nationals who are coming to the U.S. to participate in an intern, trainee, teacher, camp counselor, au pair, or summer work travel program.

Who is Not Impacted?

- Green Card Holders
- People entering the U.S. on other non-immigrant visas, such as B-1/B-2
- People who are already present in the U.S.
- Spouses and unmarried children under 21 years old of U.S. Citizens
- People coming to the U.S. to work in jobs essential to the U.S. food supply chain
- Those seeking asylum, refugee status, withholding of removal, or protection under the Convention Against Torture (CAT)
- Anyone whose entry is deemed to be in the “national interest”
- Children who will age out of eligibility for the visa because of the ban

Immigrant Visa Ban

Who is Impacted?

Anyone trying to get an immigrant visa to enter the U.S. who:

- Is outside the United States at 11:59 pm on April 23, 2020; and
- Does not have a valid immigrant visa in their passport as of 11:59 pm on April 23, 2020; and
- Does not have another valid official travel document, such as a transportation letter, a boarding foil, or an advance parole document.

This means that nearly all parents and adult children of U.S. Citizens, spouses and children of green card holders, and applicants for most employment-based immigrant visas will not be able to obtain immigrant visas to enter the U.S. as long as this ban is in effect.

Who is Not Impacted?

- U.S. Citizens
- Green Card Holders
- People entering the U.S. on other non-immigrant visas, such as B-1/B-2
- People who are present in the U.S. and applying for adjustment of status
- People entering on immigrant visas as medical professionals
- People coming to the U.S. to do COVID-related work, and their spouses and unmarried children under 21 years old
- People coming to the U.S. on the EB-5 Immigrant Investor Program
- Spouses and children under 21 years old of U.S. Citizens
- People “whose entry would further important United States law enforcement objectives”
- Members of the U.S. Armed Forces and their spouses and children

- Nationals of Afghanistan and Iraq who are entering the U.S. on Special Immigrant Visas for having served as interpreters for the U.S. Armed Forces, and their spouses and children
- Those seeking asylum, refugee status, withholding of removal, or protection under the Convention Against Torture (CAT)
- Anyone whose entry is deemed to be in the “national interest”
- Children who will age out of eligibility for the visa because of the ban

How to Help

- We are calling on all Americans to [urge their members of Congress](#) to fight President Trump’s temporary suspension of immigration into the United States in response to the COVID-19 pandemic.
- Join CAIR San Francisco Bay Area and Advancing Justice-Asian Law Caucus’ efforts to continue to call for [No Muslim Ban Ever](#) in partnership with the National Immigration Law Center and MPower Change. While this iteration of a ban is new, the work to repeal the existing Muslim and African Bans continues.

How to Get Legal Help

If you have questions about the impact of the Proclamation on your employment based visa case, please contact your employer or a [private immigration attorney](#).

If you have questions about the impact of the Proclamation on your family-based immigrant visa case, or if your community would like to request a virtual “Know Your Rights” presentation, please contact one of our organizations for assistance.

CAIR SF Bay Area:

408.986.9874 or online at: bit.ly/cairsfbaimmigration

Advancing Justice-Asian Law Caucus:

415.848.7733 or online at: bit.ly/TravelIntake