



MUSLIM & AFRICAN BAN RESCISSION

What It Means For Impacted Communities

Today, President Biden signed a Proclamation ending the Muslim and African Bans. This Proclamation repeals Executive Order 13780 and Proclamations 9645, 9723, and 9983, which were rooted in Islamophobia and anti-Blackness, and restricted entry into the United States for people from primarily Muslim and African countries.

In this advisory, a project of our coalition with the [No Muslim Ban Ever campaign](#), drafted by the attorneys at [CAIR-SFBA](#) and [Advancing Justice-Asian Law Caucus](#), we explain what the Proclamation does and the work that remains to be done to undo the damage wrought by the Bans.

Timing

The Proclamation is effective January 20, 2021.

What the Proclamation Means

The United States government will no longer deny immigrant and nonimmigrant visas to nationals of Libya, Iran, Somalia, Yemen, Syria, Sudan, Nigeria, Tanzania, Myanmar, Eritrea*, Kyrgyzstan, North Korea, and Venezuela, solely because of their country of nationality.

What to Expect

The rescission of the Muslim and African Bans will likely not result in an immediate solution for those whose applications have been denied or are pending consideration of a waiver under the Ban.

However, the President has directed the Department of State to submit a report with the following information within 45 days (March 6, 2021):

1. The number of people whose applications are being considered for waivers under the Bans and a plan for expediting these applications;
2. A proposal to ensure that people who were previously denied visas under the Bans may have their applications reconsidered; and
3. A plan to ensure that people whose visa applications were denied under the Bans are not denied visas in the future solely because of these previous denials.

The President has also directed the Departments of State and Homeland Security to report on the effectiveness of the “extreme vetting” procedures put in place by the prior administration within 120 days (May 20, 2021). Under extreme vetting procedures, the United States government requires people applying for visas to submit information about their social media accounts, their siblings, and their work, employment, and travel history for the past fifteen years. It is unclear whether the President will reconsider the current practice of extreme vetting after May 20, 2021.

What You Can Do

If you have had an interview at a consulate abroad and were “refused” a visa under INA 212(f) you may contact the consulate and request that they reevaluate that decision in light of the Muslim Ban rescission.

If the consulate is not able to assist you, you can contact your elected representative and request that they intervene on your behalf. You can find your representative [here](#).

If you have not yet had an interview at the consulate, the Muslim and African Bans will not be applied when you are scheduled for an interview.

COVID-19 Restrictions Affecting Immigration From Impacted Countries

President Biden has not yet rescinded the other bans restricting immigrant and nonimmigrant visas in place due to the COVID-19 pandemic.

Presidential Proclamations 10014 and 10052, which suspended the entry of certain employment based immigrants and nonimmigrants into the United States in light of the COVID-19 pandemic are still in effect until March 31, 2021. You can find more information [here](#).

Additionally, proclamations 9984 and 9992 are still in effect, which suspend entry into the United States of immigrants who have been physically present in China or Iran, in the 14 day period prior to their entry or attempted entry into the United States, unless able to meet the criteria for an [exception](#).

Finally, in light of the COVID-19 pandemic, visa services are [limited](#). Please contact the nearest consulate or embassy for more information. Applicants with an urgent matter who need to travel immediately may request an emergency appointment.

How to Get Help

Both of our organizations provide information and legal services free of charge. You can contact our organizations if:

- You or someone you know is impacted by this Muslim Ban and would like free legal advice or assistance;
- Your community or organization would like to request a “Know Your Rights” webinar.

CAIR SF Bay Area:

408.986.9874 or online at: bit.ly/cairsfbaimmigration.

Advancing Justice-Asian Law Caucus:

415.848.7706 or online at: bit.ly/TravelIntake

How You Can Help

Support the No Ban Act, which if enacted would change immigration law to prohibit discrimination based on religion and limit executive authority to prevent any president from issuing future bans like the Muslim and African Bans. Visit www.repealtheban.org to sign our petition and call.repealtheban.org to contact your representatives in Congress to ask them to support the No Ban Act.

* B1/B2 visitor visas from Eritrea were previously suspended under different guidance which remains in place, <https://er.usembassy.gov/u-s-embassy-asmara-suspends-visa-issuance-eritreans-nationals-residents/#:~:text=As%20of%20September%2013%2C%202017,subjects%2C%20nationals%2C%20and%20residents>

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