

Immigration Update: Travel Ban - Europe to U.S.

Alerts

March 2020

COVID-19 (Novel Coronavirus) Travel Ban - European Schengen Region

On March 11, 2020, by Presidential Proclamation, President Trump ordered the suspension of travel to the U.S. from the Schengen region. This travel ban is effective on March 13, 2020 at 11:59 Eastern Daylight Time.

Specifically, the Presidential Proclamation titled "Proclamation - Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting 2019 Novel Coronavirus," suspends the entry of foreign nationals who were physically present in the Schengen region within the 14 days before their attempted U.S.

The Schengen region comprises the countries of: 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.

Travel Ban Exceptions

The travel ban does not apply to U.S. citizens or to any foreign national who meets one of the following exceptions:

- a lawful permanent resident of the United States;
- a spouse of a U.S. citizen or lawful permanent resident;
- a parent or legal guardian of a U.S. citizen or lawful permanent resident, provided that the U.S. citizen or lawful permanent resident is unmarried and under the age of 21;
- a sibling of a U.S. citizen or lawful permanent resident, provided that both are unmarried and under the age of 21;
- a child, foster child, or ward of a U.S. citizen or lawful permanent resident, or who is a prospective adoptee seeking to enter the United States pursuant to the IR-4 or IH-4 visa classifications;
- an alien traveling at the invitation of the United States Government for a purpose related to containment or mitigation of the virus;
- C (transit) or D (air or sea crewmember) nonimmigrants;
- seeking entry into or transiting the United States pursuant to an A-1, A-2, C-2, C-3 (as a foreign government official or immediate family member of an official), G-1, G-2, G-3, G-4, NATO-1 through NATO-4, or NATO-6 visa;

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- an alien whose entry would not pose a significant risk of introducing, transmitting, or spreading the virus, as determined by the CDC Director, or his designee;
- an alien 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; or
- an alien whose entry would be in the national interest, as determined by the Secretary of State, the Secretary of Homeland Security, or their designees

Individuals not subject to the ban may still be required to undergo screening and other measures upon arrival to the U.S.

Impact to Employers & Foreign Nationals

Employers should work quickly to identify and take appropriate measures for foreign employees affected by the ban. This could include urgent and immediate travel back to the U.S.

MVA is monitoring the implementation and will continue to provide alerts as more information becomes available.

Please contact an MVA Immigration Team Member if you have any questions.