April 22, 2020 Proclamation Suspending Immigration: Fact Sheet
Current as of April 28, 2020

What does the proclamation do?
The proclamation starts April 23, 2020 at 11:59 p.m. This is the “effective date.” The proclamation will be in effect for at least 60 days through June 22. It could be extended.

While the proclamation is in effect, it stops individuals from entering the United States as immigrants if they are:

- Outside the United States on the effective date.
- Do not have an immigrant visa that is valid on the effective date.
- Do not have a travel document other than a visa (such as advance parole) that is valid on the effective date or after that permits entry to the United States.

Who is covered by this proclamation? In other words, who will be denied entry or a visa based on this proclamation?

- Individuals who are seeking immigrant visas because they are:
  - The parents of U.S. citizens
  - The unmarried sons or daughters who are 21 years or older of U.S. citizens unless treated as under 21 under the Child Status Protection Act
  - The spouses and unmarried children who are under the age of 21 of lawful permanent residents (green card holders)
  - The unmarried sons or daughters who are 21 years or older of lawful permanent residents (green card holders)
  - The married sons and daughters of U.S. citizens
  - The brothers and sisters of U.S. citizens
  - Seeking to participate in the diversity visa lottery

Who is exempt from this proclamation? In other words, who should not be denied entry or a visa based on this proclamation?

- Lawful permanent residents (green card holders)
- Individuals who are seeking non-immigrant visas, which include but are not limited to:
  - Tourist and visitor visas
  - U visas for victims of serious crimes and T visas for victims of trafficking
  - K visas for the fiancés and spouses of U.S. citizens and their children
  - Temporary employment visas, such as H2As (seasonal agricultural workers), H1As (seasonal non-agricultural workers), and H1Bs (specialty jobs)
  - International students on student visas
- Individuals who are seeking immigrant visas because they are:
  - Spouses of U.S. citizens
  - Unmarried children under 21 of U.S. citizens
Prospective adoptees of U.S. citizens
Members of the United States military and their spouses and children
Doctors, nurses, or other healthcare professionals
Individuals seeking to enter the United States to perform medical research or other research intended to combat the spread of COVID-19
Individuals applying for the EB-5 Immigrant Investor Program
Individuals applying for Special Immigrant Visas as an Afghan or Iraqi translator/interpreter or U.S. Government Employee and their spouses and children
Individuals whose entry is important to United States law enforcement objectives or the national interest

The proclamation does not prevent an individual from seeking asylum, refugee status, withholding of removal or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, under the laws of the United States. However, previous orders mean that anyone seeking asylum at the southern border is being turned away.

Is there a way to apply for an exception?
In a way, yes. An individual who is covered by the proclamation could apply for parole, which is a way to be temporarily admitted to the United States. Please contact a qualified immigration attorney for advice on applying for parole.

Is there a punishment for violating the proclamation?
If an individual is covered by the proclamation but enters the United States through fraud, willful misrepresentation of a material fact, or illegal entry, the individual will be a priority for removal.

Could the proclamation be extended or expanded?
Yes and yes. The proclamation is in effect for 60 days, but the President could extend it. Also, the President has requested a review of nonimmigrant visa programs within 30 days to determine if he should restrict individuals entering on those visas to protect workers in the United States.

Click here to find answers to frequently asked questions regarding this executive order.

Get Help
The Immigrant Law Center of Minnesota (ILCM) provides free immigration legal services to low-income immigrants in a variety of immigration matters. For more information about how we can assist you, please visit our website at www.ilcm.org or call us at (651) 641-1011.