



**KNOW YOUR RIGHTS:
MUSLIM BAN**

The International Refugee Assistance Project (IRAP) provides free legal help to refugees and displaced people. IRAP is not part of the U.S. government or IOM. This guide provides general information. It is not meant as legal advice for individual applications.

This information was revised in January 2020. Requirements may change.

What is the Muslim Ban?

“Muslim Ban” refers to President Trump’s orders banning broad categories of people from certain Muslim-majority countries from coming to the United States. The President issued the current version of the Muslim Ban by Presidential Proclamation on September 24, 2017; this ban was extended to additional countries on January 31, 2020.

Am I banned from entering the United States by the Muslim Ban?

You may be banned if you are a citizen of Iran, Libya, Somalia, Syria, or Yemen who is outside of the United States, seeking to travel to the United States, and do not already have a valid visa.

Nationality	Types of visa entries banned
Iran	All immigrant visas and non-immigrant visas except for student (F&M) and exchange visitor (J) visas.
Libya	All immigrant visas and business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas
Somalia	All immigrant visas
Syria	All immigrant visas and all non-immigrant visas
Yemen	All immigrant visas and business (B-1), tourist (B-2), and business/tourist (B-1/B-2) visas

Starting February 21, 2020, you may also be banned if you are a citizen of Burma, Eritrea, Kyrgyzstan, Nigeria, Sudan, and Tanzania who is outside of the United States, seeking to travel to the United States, and do not already have a valid visa.

Nationality	Types of visa entries banned
Eritrea	All immigrant visas except special immigrant visas
Kyrgyzstan	All immigrant visas except special immigrant visas
Myanmar (Burma)	All immigrant visas except special immigrant visas
Nigeria	All immigrant visas except special immigrant visas
Sudan	Diversity visas

Tanzania	Diversity visas
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- “Immigrant visas” allow people to live in the United States permanently. The ban does not apply to refugees because they do not travel on visas.
 - “Diversity visas” are a type of immigrant visas that are awarded by lottery to nationals of certain countries.
- “Nonimmigrants visas” allow people to enter the United States temporarily, such as to study or to visit.

In addition, nationals of North Korea and Venezuela face certain visa restrictions.

The ban does not apply to you if:

- You are a lawful permanent resident (i.e., green card holder);
- You are a dual national traveling on a passport of a country not subject to the ban;
- You have refugee or asylum status, withholding of removal, advance parole, or protection under the Convention Against Torture;
- You were admitted to or paroled into the United States on or after the Muslim Ban went into effect;
- You have a document other than a visa — such as a transportation letter, an appropriate boarding foil, or an advance parole document — valid on or issued after the Muslim Ban went into effect, that permits you to travel to the United States and seek entry or admission.

Is there any way for me to go to the United States if I am banned by the Muslim Ban?

You may ask for a waiver of the ban. In order to be granted a waiver, you must show to the U.S. government that you would experience “undue hardship” from not being able to travel to the United States, that you are not a danger to the country, and that your entry into the United States would be in the “national interest.”

The U.S. government has provided some examples of when a waiver may be appropriate.

- You want to visit or live with a close family member in the United States and not allowing you to go would harm the person in the United States;
- You previously lived in the United States for a long time to study or work or another activity, you want to go to the United States again for the same reason, and not allowing you to go would harm the activity;

- You want to go to the United States for significant business or professional obligations and not allowing you to go would harm those obligations;
- You are an infant, a young child, or adoptee;
- You need urgent medical care;
- You have been employed by, or on behalf of, the United States Government and can document that you provided faithful and valuable service to the government;
- You are a Canadian permanent resident who applied for a visa at a location within Canada;
- You are traveling for certain purposes relating to the U.S. government or an international organization.

Do I have anything to worry about if I'm not a national of the banned countries or I'm not seeking to enter on a banned visa type?

You should know that even if the Muslim Ban does not ban your entry, processing of your visa may take longer than before. In addition to the ban, the Muslim Ban imposed additional screening and vetting for Iraqis and Somalis seeking nonimmigrant visas and Iranians traveling on F, M, and J visas.

You should also know your rights at the airport when you arrive to the United States as the U.S. government claims the right to ask you additional questions at the border and inspect your belongings. Review IRAP's Airport Arrivals Know Your Rights document before travel.