



News & Types: クライアント・アドバイザー

【移民法アラート】特定の19カ国の国民を対象とする新たな渡航禁止令が発令

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Practices: 移民法

On June 4, 2025, President Trump signed a Presidential Proclamation fully restricting and limiting the entry of nationals from 12 countries and partially restricting and limiting the entry of nationals from 7 additional countries. The ban takes effect on Monday, June 9th at 12:01a.m. EST.

Fully restricted countries include: Afghanistan, Burma, Chad, Republic of Congo, Equatorial Guinea, Eritrea, Haiti, Iran, Libya, Somalia, Sudan, and Yemen. Nationals of these countries are fully suspended from entry to the US. The Proclamation and a fact sheet detail the justifications for the full suspensions of each country which have been determined to be deficient in screening and vetting and have been found to pose a very high risk to the United States. The reasons listed generally include high rates of visa overstays, issues regarding issuance of passports or civil documents, refusal to accept removable foreign national, large numbers of undocumented in the US from particular countries, and terrorism and failure to cooperate with the United States in identifying security risks.

Partially restricted countries include 7 countries: Burundi, Cuba, Laos, Sierra Leone, Togo, Turkmenistan, and Venezuela. The Proclamation indicates these countries also pose a high level of risk to the United States. The Proclamation fully suspends the entry by persons from these countries as nonimmigrants on B-1, B-2, B-1/B-2, F, M, and J visas and directs Consular officers to reduce the validity for any other nonimmigrant visa issued to nationals of these countries to the extent permitted by law.

Exceptions: According to the Proclamation, the restrictions only apply to foreign nationals of the designated countries who are outside the United States on the date of the proclamation, and do not have a valid visa on the effective date of the proclamation (June 9th).

The Proclamation indicates that there are exceptions for lawful permanent residents, dual nationals, existing visa holders, certain visa categories (including diplomats, NATO), athletes travelling to the US for major sporting events, immediate family of US citizens coming to the US with immediate family immigrant visas, adoptions, Afghan Special Immigrant Visas, Special Immigrant Visas for US Government employees, immigrant visas for ethnic/religious minorities fleeing persecution in Iran, and individuals whose entry to the US serves US national interests.

Limitations on ban: The Proclamation makes clear that no immigrant or nonimmigrant visa issued before the applicable effective date of this proclamation shall be revoked pursuant to this proclamation. It also indicates it

does not apply to an individual who has been granted asylum by the US, to a refugee who has already been admitted to the US, or to an individual granted withholding of removal or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment of Punishment (CAT). It also indicates the Proclamation does not limit the ability of an individual to seek asylum, refugee status, withholding of removal, or protection under the CAT, consistent with US law.

Background: The travel ban stems from an executive order (*Executive Order 14161, issued on January 20, 2025, titled "Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats"*) that directed agencies (Secretaries of State, Defense, Homeland Security, the Attorney General, and Directors of National Intelligence, and CIA) to identify countries where vetting visitors and visa applicants is infeasible and considered to pose a threat to national security.

During President Trump's first term in office, he also implemented a travel ban. The previous ban restricted entry by nationals from mainly majority-Muslim countries and resulted in challenges before the US Supreme Court. The Court, in a 5-4 decision, ultimately found the President's powers over national security issues allowed for such a ban in 2018. The final version of the ban included travel restrictions against Syria, Libya, Iran, Yemen, Somalia, North Korea, Chad and Venezuela, with Chad eventually being removed. The ban was terminated with President Biden took office in 2021. It is anticipated that this new travel ban will also be challenged in court.

Additional information about the implementation of the new travel ban will be contained in future Masuda Funai Business Immigration Monthly newsletters when it becomes available.

Masuda Funai is a full-service law firm with offices in Chicago, Detroit, Los Angeles, and Schaumburg.