

A Brief Overview of the United States' Immigration- and Travel-Related Policies in Response to the Coronavirus Pandemic

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During the earliest stages of the coronavirus pandemic (Feb 2020), the United States (U.S.) instituted several partial closures that significantly restricted entry of foreign nationals through travel history bans (5). Thereafter, the U.S. has further restricted immigration with targeted and non-targeted visa bans (3) border closures (7) and a refugee ban (1).

On 2-Feb, President Trump implemented a ban on foreign nationals who had been in China in the past 14 days, with exceptions made for the administrative regions of Hong Kong and Macau. A month later, on 2-Mar, U.S. President Trump instituted a similar ban on foreign nationals with a recent travel history from Iran.

On 13-Mar, the U.S. implemented another travel history ban for the Schengen Area, impacting those who had recently been in: 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. Three days later, on March 16th, the United Kingdom and Ireland were added to the list, citing the "general ability to travel freely between the United Kingdom and the Republic of Ireland." On 28-May, those with recent travel history to Brazil were also restricted. None of these travel history bans were given predetermined end dates. Rather, they stated that they would remain in effect "until terminated by the President."

On 18-Mar, the U.S. effectively issued a visa ban when all U.S. Citizenship and Immigration Services (USCIS) offices were closed for non-emergency services,

including international and domestic field offices, asylum offices, and application support centers (ASCs). USCIS announced they would re-open field offices and asylum offices 4-Jun. However, the office closures led to monthslong delays in receiving basic services, including the printing out of 50,000 already approved green cards and 75,000 already approved work authorization documents, the re-scheduling of pre-COVID appointments and biometric fingerprinting services for asylum cases.

On 20-Mar, the Center for Disease Control (CDC) published an interim final rule, allowing for the first time in U.S. history, the CDC Director to bar entry to the U.S. to people from “designated foreign countries” or “places” as deemed necessary for public health. This rule was the basis for the CDC “Order Suspending Introduction of Certain Persons from Countries Where Communicable Disease Exists” that called for “immediate suspension of the introduction of covered aliens . . . to the country from which they entered into the United States, or their country of origin, or another location as practicable, as rapidly as possible, with as little time spent in congregate settings as practicable under the circumstances.” Citing the danger of the introduction of COVID-19 through U.S. points of entry (POEs) and Border Patrol Stations at U.S. land borders with Canada and Mexico, this order allowed for immediate expulsion of migrants and asylum seekers, including migrant children. Human Rights Watch expressed strong opposition to the CDC rule and subsequent order, arguing that these policies are “putting asylum seekers’ lives at serious risk.”

Meanwhile, on 11-Sept, USCIS posted notice of their proposal to expand the biometric screening requirement, and its 85\$ fee, to all who accompany migrants to USCIS, including children and U.S. citizens. The notice further proposes to expand the definition of "biometric" from fingerprint collection to include iris scanning, face print, palm print and DNA collection—any of which can be required "immediately" when necessary, at the discretion of the Department of Homeland Security (DHS). The DHS

expects the additional biometrics collection fees, from U.S. citizens representing migrants, to help raise annually "between \$22.4 million to \$224.1 million." Because the DHS is a federal department, at the discretion of the U.S. President Trump, it remains unclear to migrants when, and how, these sweeping changes will take place. Moreover, in line with a pre-COVID announcement (Aug 2019), all international, district-level USCIS offices, and 16 of the 24 international USCIS field offices, were closed permanently.

Additionally, citing COVID-19, the U.S. issued two visa bans that more explicitly limit immigration from outside populations. The first was a 60-day suspension of entry of all "immigrants who present a risk to the United States labor market" (Proclamation 10014), set initially from 23-Apr to 22-Jun. On 22-Jun, however, the Trump administration determined 60 days was an "insufficient time period" for the U.S. labor market to rebalance and decided to extend the measure through 31-Dec, implementing it more specifically, by targeting new H-1B, H-2B, J, and L nonimmigrant visas.

The second visa ban was an ambiguous, unprecedented 6-Jul policy that rescinded visas for international students who enrolled exclusively in online classes. Following a public outcry and numerous university-led lawsuits (14-Jul), the measure was rescinded. A 24-July policy implemented this same directive, but applied only to new international students.

Initially set for 21-Mar to 22-Jun, the U.S. instituted new border closures with Canada and Mexico for non-essential travel. This 30-day border closure has since been extended six times, and at the time of writing, is extended through 21-Dec.

A 25-Sept proposal again targets international students and, if implemented, will amount to an additional, targeted visa ban, impacting those who wish to study for more

than two years in the U.S. and are from the following countries: Afghanistan, Benin, Bhutan, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Congo (DRC), Congo (ROC), Côte d'Ivoire, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gabon, The Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, Iran, Iraq, Kenya, Kosovo, Kyrgyzstan, Liberia, Libya, Malawi, Mali, Mauritania, Moldova, Mongolia, Nepal, Niger, Nigeria, North Korea, Papua New Guinea, Philippines, Rwanda, Samoa, Senegal, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Tajikistan, Tanzania, Togo, Tonga, Turkmenistan, Tuvalu, Uganda, Uzbekistan, Vietnam, Yemen, and Zambia. International media were quick to note that the majority of the countries targeted are from the African continent.

Most recently, on 30-Sept, just before the government's fiscal year ended, Trump drastically reduced the asylum seekers admitted annually, citing COVID-19. According to COBAP's database, this is the second refugee ban of its kind, following Hungary's announcement that its asylum seekers should submit their applications to other countries.

Further analysis is needed on both the contexts behind these U.S. policies and the experiences of those impacted to understand the extent and impacts of these restrictions.

Timeline

- 2-Feb–N/A: Barred entry of foreign nationals who have been in China
- 2-Mar–N/A: Barred entry of foreign nationals who have been in Iran
- 13-Mar–N/A: Barred entry of foreign nationals who have been in the Schengen Area
- 16-Mar–N/A: Barred entry of foreign nationals who have been in the UK or Ireland
- 20-Mar 2020– CDC Interim Final Rule
- 20-Mar 2021:
- 20-Mar-19-
April CDC “Order Suspending Introduction of Certain Persons from Countries Where Communicable Disease Exists”
- 21-Mar–21-
Dec: Closed land borders with Canada and Mexico for non-essential travel
- 23-Apr–22-
Jun: Barred entry to immigrants who "pose a risk to the labor market" (Proclamation 10014)
- 26-May–N/A: Barred entry of foreign nationals who had been in Brazil
- 22-Jun–31-
Dec: Extension of Proclamation 10014, targeting new H-1B, H-2B, J, and L visas
- 6-Jul-14-July: Barred visa access for international students enrolled exclusively in online classes
- 24-Jul–N/A: Barred visa access for new international students enrolled exclusively in online classes
- 9-Sept–N/A: Targeted visa ban for international students, majority of countries targeted from African continent
- 30-Sept–N/A: Drastically reduced the asylum seekers admitted annually
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