



## **President Trump's Proclamation Suspending Immigration**

On April 22, 2020, President Trump issued a proclamation that suspends almost all immigration and travel from outside of the U.S. in response to the effects of COVID-19. The proclamation goes into effect on April 23, 2020 at 11:59 p.m. eastern daylight time.

The proclamation suspends immigrants from other countries for 60 days. The proclamation can be extended as necessary and directs the Secretary of the Department of Homeland Security (DHS) to provide a recommendation to the President no later than June 12, 2020 on whether to extend or modify its terms.

### **Who does the proclamation apply to?**

- Individuals outside of the U.S.
  - who do not have an immigrant visa as of April 23, 2020; and
  - who do not have a travel document other than a visa such as a transportation letter, a boarding foil, or an advance parole document on April 23, 2020 or issued after that date.
- These individuals include pending green card petitioners; spouses and children of lawful permanent residents; parents, adult children, and siblings of U.S. citizens; and pending diversity visa applicants.

### **Who is exempt from the suspension?**

1. Lawful permanent residents/green card holders.
2. Health care professionals and those who can perform work essential to combating, recovering from, or alleviating the effects of COVID-19 who have an immigrant visa, as well as their spouses and children under 21.
3. EB-5 immigrant investors.
4. U.S. citizens' spouses and children under 21 and prospective adoptee children.
5. Individuals who can help further important law enforcement objectives.
6. Members of the U.S. Armed Forces and their spouses and children.
7. Special Immigrant Visa holders from Afghanistan and Iraq and their spouses and children.
8. Foreign nationals whose entry the Secretary of State or Homeland Security deem to be in the national interest.
9. Individuals seeking asylum, refugee status, withholding of removal, or protection under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, consistent with the laws of the United States.

### **How does this proclamation impact nonimmigrant visa programs?**

The proclamation does not currently impact nonimmigrants, including temporary agricultural guest workers, those studying on student visas or H-1B workers. However, future action may place limits on nonimmigrants, as the proclamation requires the Secretary of Labor and the DHS Secretary, in consultation with the Secretary of State, to review nonimmigrant programs within 30 days.