



Temporary Suspension of Certain Immigrant Entries for 60 Days Amid COVID-19 Pandemic

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On Wednesday night, President Trump signed a [presidential proclamation](#) (the “proclamation”) that will temporarily suspend the entry of certain immigrants for an initial sixty (60) day period. This suspension will go into effect at 11:59 P.M. EDT on April 23, 2020.

Foreign nationals who are outside of the United States as of the effective date of the proclamation will be suspended from entering the United States; unless the foreign national is already in possession of a valid immigrant visa as of the effective date of the proclamation; or is in possession of a valid official travel document other than a visa (such as a transportation letter, an appropriate boarding foil, or an advance parole document) as of the effective date of the proclamation, or issued on any date thereafter that permits travel to the United States to seek entry or admission.

The proclamation does not affect foreign nationals who are applying for adjustment of status in the United States with United States Citizenship and Immigration Services. Furthermore, the following groups are also exempt from the proclamation:

- U.S. lawful permanent residents;
- Foreign nationals seeking to enter on an immigrant visa as a physician, nurse, or other healthcare professional, to perform medical research or other research intended to combat the spread of COVID-19; or to perform work essential to combating, recovering from, or otherwise alleviating the effects of the COVID-19 outbreak, as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees; and any spouse and unmarried children under 21;
- Foreign nationals applying for EB-5 Immigrant Investor Program;
- Spouses of U.S. citizens;
- Children of U.S. citizens under the age of 21 and prospective adoptees in the IR-4 or IH-4 visa classifications;
- Foreign nationals whose entry would further important U.S. law enforcement objectives;
- Members of the U.S. armed forces and their spouses and children;
- Foreign nationals seeking to enter as Special Immigrants in the SI or SQ classification, and the spouse and children of such individuals; and
- Foreign nationals whose entry is in the U.S. national interest.

At this time nonimmigrant visa holders are not part of the proclamation. However, the proclamation has ordered that the Department of Homeland Security and Department of Labor, in consultation with the Department of State, review nonimmigrant programs and recommend to the President other appropriate measures to stimulate the U.S. economy and ensure the prioritization of U.S. workers.

The Trump Administration has previously issued various restrictions on immigration into the United States, including travel bans, and the temporary suspension of routine visa services at all U.S. Embassies and Consulates across the globe. At this time, the U.S. Department of State has not issued any additional guidance on when these operations will resume.

Williams Mullen is closely monitoring the situation and will provide updates as further information becomes available.

Employers should be prepared for the current disruption in immigration services to continue while the COVID-19 pandemic remains fluid. As a result, employers should consult immigration counsel to ensure that any extensions or change of status for their foreign national employees are processed timely and can account for any unexpected delays. Furthermore, foreign nationals should communicate with their employers if they have any travel plans in the coming months. The current travel restrictions could result in foreign nationals being denied admission back into the United States should they depart.

Please note: This alert contains general, condensed summaries of actual legal matters, statutes and opinions for information purposes. It is not meant to be and should not be construed as legal advice. Readers with particular needs on specific issues should retain the services of competent counsel.

[Please click here for additional legal updates from Williams Mullen regarding COVID-19.](#)

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