



## Temporary Suspension of Certain Nonimmigrant Visas Through the End of 2020

**06.23.2020**

On Monday evening, President Trump signed a new proclamation (the “Proclamation”) that temporarily suspends admission into the United States of foreign nationals holding certain nonimmigrant visas. The Proclamation will take effect on June 24, 2020 and will remain in place through December 31, 2020 with the possibility of an extension.

Specifically, foreign nationals with H-1B specialty occupation, H-2B temporary non-agricultural workers, or L-1 intracompany transfer visas, and their accompanying family members (e.g. H-4 and L-2 visa holders), as well as most J-1 exchange visitor visa holders and their dependents, are prohibited from entering the United States if, as of June 24, 2020, they are outside of the United States; they do not hold a valid nonimmigrant visa; and they do not have a valid travel document other than a visa, such as a transportation letter, boarding foil or advance parole document.

The Proclamation does not impact foreign nationals or their accompanying family members who are already present in the United States in H-1B, H-2B, H-4, L-1, L-2, J-1 or J-2 status. Notwithstanding current travel restrictions and the suspension of consular services due to COVID-19, the Proclamation also does not impact foreign nationals who already hold a valid H-1B, H-2B, L-1, or J-1 visa, or their accompanying family members, even if they currently are outside of the United States.

Any foreign national who hereafter is issued a travel document such as a transportation letter, boarding foil or advance parole document that permits travel to the United States may still request admission into the country. The following groups are also exempt from the Proclamation:

- Lawful Permanent Resident (green card holder);
- Spouse or child of a United States citizen;
- Foreign national seeking to enter the United States to provide temporary labor or services essential to the United States food supply chain; and
- Foreign national whose entry would be in the national interest.

The Proclamation also asks the Secretaries of Labor and Homeland Security to consider promulgating new regulations or amending current ones to ensure that foreign nationals currently in the United States on H-1B visas, who have received EB-2 or EB-3 immigrant visas, or who are applying for these immigration benefits do not disadvantage United States workers. Additional investigations may also take

place pursuant to the Proclamation.

Finally, effective immediately, the Proclamation extends the previous Proclamation issued by the Trump Administration on April 22, 2020 regarding the suspension of immigrant visa holders. Please see additional information regarding that Proclamation [here](#).

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 applications for their foreign national employees are timely filed and processed. 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.

## Related People

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