Tuesday, June 23, 2020

After much speculation and discussion, on June 22, 2020, President Trump issued his Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak. The Proclamation is focused on preventing the entry of individuals who are located outside of the U.S. on the effective date of the proclamation, who do not have a current valid visa (or other lawful travel document) in their passport and are applying to enter the U.S. in certain nonimmigrant categories (specifically H-1B, H-2B, L-1 and J-1 and their dependents).

The Proclamation is effective beginning June 24, 2020, at 12:01 a.m. and is valid until December 31, 2020. It does not apply to individuals who are spouses or children (under 21) of U.S. citizens or current U.S. permanent residents. Additionally, there are other exceptions listed, including for healthcare workers and individuals whose entry is in the national interest.

The order does not apply to individuals currently in the U.S. in H-1B status or another nonimmigrant classification at this time. The proclamation also directs the Department of Homeland Security and the Department of Labor to review certain immigration programs to make sure they are not operating to the disadvantage of U.S. workers. While this proclamation is limited for the time being, the President has indicated that it could be extended and that other steps could be taken in the future.
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