

President Trump Issues Proclamation Suspending Issuance of Immigrant Visas for 60 Days, with Numerous Exceptions

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On Wednesday, April 22, President Donald Trump signed a Proclamation suspending the issuance of new immigrant visas in an effort to limit job competition as the U.S. economy reels from the COVID-19 pandemic. The President's Order, coming just days after President Trump made a broad pronouncement over Twitter about suspending immigration, contains a number of exceptions which could limit its impact in light of measures already taken to slow the spread of virus.

The Proclamation will temporarily suspend the government's issuance of immigrant visas to foreign nationals located abroad seeking entry as permanent residents in the U.S., but will have no effect on those with valid visas or who are physically present in the U.S. The Order likewise contains a number of exemptions from its coverage, including medical professionals, members of the armed forces, individuals seeking asylum or refugee status, children being adopted by American parents, spouses of American citizens, and unmarried children of American citizens.

The Order, however, is likely to have little immediate practical effect in the current environment. In March, the State Department temporarily suspended almost all visa services offered by embassies and consulates. Further, the Trump Administration has significantly curtailed travel to the U.S. from China, Europe, Canada, and Mexico. The suspension of visa services coupled with broad travel bans have already limited the number of foreign nationals seeking entry as permanent residents.

The Order is set to remain in place for a 60-day period. However, President Trump has indicated that he may extend or expand the moratorium in response to how the U.S. economy performs as states across the country prepare to re-open businesses. More than 20 million Americans have become unemployed as a result of the COVID-19 pandemic.

While President Trump's latest action may have minimal immediate fallout, the Order could be a harbinger for further executive action to limit immigration. In particular, the Proclamation's direction that, within 30 days, the Departments of Labor, Homeland Security, and State "shall review nonimmigrant programs and shall recommend to me other measures appropriate to stimulate the United States economy and ensure the prioritization, hiring, and employment of United States workers" strongly suggests that there could be more to come.

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