

April 2020

Client Advisory

COVID-19 Legal Digest: President Trump Signs Order Suspending Some Immigration into U.S. for 60 Days

On April 22nd, pursuant to his authority under the Immigration and Nationality Act, President Trump issued a Proclamation temporarily suspending the entry of certain immigrants into the United States. Citing decreased economic demand, high unemployment, and an overburdened healthcare system in light of the COVID-19 pandemic, the President has determined that continued immigration into the United States is not in the national interests, and represents a risk to the United States labor market. President Trump's Proclamation is effective beginning at 11:59 P.M. on April 23rd and expires after sixty (60) days.

This Proclamation has created a great amount of uncertainty and confusion for those involved in the United States immigration system over the last few days. However, it is important to understand the extent and limitations of the Proclamation. President Trump's policy broadly applies to all those seeking lawful permanent residence in the United States-commonly referred to as a "green card"-with numerous exceptions.

Initially, the Proclamation does not apply to:

- Any person physically present in the United States.
- Any person who already possesses a valid immigrant visa.
- Any person who has an official travel document other than a visa.

Additionally, the Proclamation does not apply to, among others, persons in any of the following categories:

- Lawful permanent residents of the United States.
- Healthcare workers and researchers, and their spouses and children.
- Spouses and children of U.S. citizens.
- Those whose entry would be in the national interest, or would further important U.S. law enforcement objectives.

In addition, the Proclamation requires the Secretaries of Homeland Security, State, and Labor to review nonimmigrant programs within thirty (30) days, and recommend any further appropriate measures to the President to stimulate the United States economy. Within fifty (50) days, the Secretaries are also required to review the Proclamation itself, and recommend to the President whether it should be continued or modified.

Please reach out to your Archer contact or any member of [Archer's COVID-19 Task Force](#) with any questions you may have.

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