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**Presidential Proclamation Temporarily Suspending
Entry of Certain Immigrants into the U.S.**

On April 22, 2020, President Trump signed a proclamation suspending the entry into the U.S. of intending immigrants "who present risk to the U.S. labor market."

The proclamation becomes effective on Thursday, April 23, 2020 at 11:59 p.m. Eastern Daylight Time (the "Effective Date"). It will expire 60 days from the Effective Date but may be extended or modified as deemed necessary.

The suspension and limitation on U.S. entry applies to individuals seeking permanent residency who:

- Are outside the U.S. on the Effective Date;
- Do not have an immigrant visa that is valid on the Effective Date; and
- Do not have an official travel document other than a visa (such as a transportation letter, boarding foil or advance parole document) that is valid on the Effective Date or issued on any date thereafter that permits travel to the U.S. to seek entry or admission.

The proclamation implies that aliens currently in the United States may still pursue permanent residency through adjustment of status. It remains to be seen how the proclamation will be implemented.

Moreover, the proclamation does not completely suspend all immigration into the United States, as it contains several exemptions. Exempted individuals include:

- Lawful Permanent Residents;
- Any individual applying for a visa to enter the U.S. pursuant to the EB-5 immigrant investor program;
- Spouses of U.S. citizens;

- Minor children of U.S. citizens under the age of 21 or prospective adoptees seeking admission on an IR-4 or IH-4 visa;
- Any member of the U.S. Armed Forces and any spouse and children of a member of the U.S. Armed Forces; and
- Certain individuals whose entry would be in the national interest, would further U.S. law enforcement objectives, or who would perform work essential to combating, recovering from, or alleviating the effects of the COVID-19 outbreak, as determined by the Secretaries of State and Homeland Security or their respective designees.

The exemptions do not include spouses or minor children of lawful permanent residents, nor do they include parents or unmarried children over 21 of U.S. citizens.

The proclamation only applies to individuals seeking permanent residency, so it does not affect nonimmigrant visa holders or individuals seeking to enter the U.S. on a temporary basis. However, the proclamation does require that, within 30 days of the Effective Date, the Secretaries of Labor and Homeland Security, in consultation with the Secretary of State, shall review nonimmigrant visa programs and recommend other measures to the President to "stimulate the U.S. economy and ensure the prioritization, hiring, and employment of United States workers."

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In order to better serve our clients and provide the most accurate information available, we will continue to monitor updates and guidelines from the United States Citizenship and Immigration Services, Department of State and Department of Homeland Security.

If you have any questions about this *Client Alert*, please contact:

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