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President's Proclamation and What it Means for Immigration

On Wednesday April 22, 2020, President Trump signed a proclamation, which suspended the entry of certain immigrant groups for 60-days beginning at 11:59 pm on Thursday April 23, 2020. Although there have been many reports surrounding the proclamation, it only affects the entry of persons into the United States, not those already here. There are also a number of exceptions to the suspension, which are laid out below.

The proclamation that the President signed went into effect last Thursday and will remain in effect for 60 days until June 22, 2020. The stated purpose of it is to protect U.S workers and conserve medical supplies and resources amid the COVID-19 pandemic. For that reason, at the end of the 60-day period, the Government can extend the suspension. As stated above, the proclamation suspends certain persons from entering the United States if they were not already inside when it went into effect. The proclamation does not affect people already in the United States, and does not affect those who are filing for adjustment of status.

There are also quite a few exceptions to the general suspension. First, it only applies to somebody who was not in the United States on April 23, 2020, does not have a valid immigrant visa as of April 23, 2020, and does not have an official travel document other than an immigrant visa that is valid as of April 23, 2020. Further, the following groups are specifically excluded from the suspension:

- Spouses of U.S Citizens;
- Children of U.S Citizens that are under the age of 21;
- U.S Lawful Permanent Residents (Green Card Holders);
- Members of the U.S Armed Forces and their spouses and children;
- Persons entering on an immigrant visa as a physician, nurse, or other healthcare professional, and their spouses and unmarried children under the age of 21;
- Persons whose entry is in the best interest of the United States;
- Persons whose entry would better serve the United States' law enforcement objectives;
- Applicants for EB-5 visas; and
- Persons seeking entry as Special Immigrants in the SI or SQ classification and their spouses and children.

The suspension also does not affect any nonimmigrant programs such as the H-1B visa program, the L-1 visa program, the F-1 student visa program and the J-1 visa program.

The scope of this proclamation is quite limited, and only directly affects prospective immigrants who are outside the United States and have not been issued an immigrant visa or other travel document. It is possible that more restrictions could be put into place, and if you are concerned, you should contact an attorney.

For any questions or concerns about specific situations, please feel free to contact **Adam Kanji** at akanji@mdmc-law.com.

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