

Presidential Proclamation Extending Suspension of Immigration from Abroad

On June 22, 2020, President Donald Trump issued a proclamation continuing Proclamation 10014 of April 22, 2020, and suspending and limiting the entry of any individual seeking entry into the U.S. in any of the following nonimmigrant visa categories:

- an H-1B or H-2B visa, and any alien accompanying or following to join such alien;
- a J visa, to the extent the alien is participating in an intern, trainee, teacher, camp counselor, *au pair*, or summer work travel program, and any alien accompanying or following to join such alien; and
- an L visa, and any alien accompanying or following to join such alien.

These restrictions apply only to aliens under the following circumstances:

- the alien is outside the United States on the effective date of this proclamation;
- the alien does not have a nonimmigrant visa that is valid on the effective date of this proclamation (June 24, 2020); and
- the alien does not have an official travel document other than a visa (such as a transportation letter, an appropriate boarding foil, or an advance parole document) that is valid on the effective date of this proclamation or issued on any date thereafter that permits him or her to travel to the United States and seek entry or admission.

These restrictions and limitations on entry do not apply to the following individuals:

- any lawful permanent resident of the United States;
- any alien who is the spouse or child of a United States citizen;¹
- any alien seeking to enter the United States to provide temporary labor or services essential to the United States food supply chain; and
- any alien whose entry would be in the national interest as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees.

For the purposes of determining who is covered under the “national interest” exemption, the proclamation directs the Secretaries of State, Labor, and Homeland Security to determine standards for those to whom such an exemption would be available, including any individuals who:

- are critical to the defense, law enforcement, diplomacy, or national security of the United States;
- are involved with the provision of medical care to individuals who have contracted COVID-19 and are currently hospitalized;
- are involved with the provision of medical research at U.S. facilities to help the United States combat COVID-19;
- are necessary to facilitate the immediate and continued economic recovery of the United States; or
- are children who would age out of eligibility for a visa because of this proclamation or Proclamation 10014.

The consular officer has discretion to determine if an individual is within one of the exempted categories outlined above.

The presidential proclamation from April 22, 2020 (Proclamation 10014) suspended entry into the United States of certain categories of immigrants for a period of 60 days, citing health concerns due to COVID-19. The June 22, 2020, Proclamation extends the provisions of Proclamation 10014



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Related Practice Areas

- Immigration Policy & Strategy

through December 31, 2020. Please refer to our previous Alert regarding the specific details and information within Proclamation 10014 [here](#).

Citing a number of labor statistics, the June 22, 2020, Proclamation suspends the entry of foreign national workers on H-1B, H-2B, J, and L nonimmigrant visas, citing that the entry into the United States of these foreign national workers presents a significant threat to employment opportunities for Americans affected by the extraordinary economic disruptions caused by the COVID-19 outbreak.

The proclamation takes effect at 12:01 a.m. on Wednesday, June 24, 2020, and is set to expire on December 31, 2020, but may be continued.

¹ "Spouse" or "child" as defined in section 101(b)(1) of the INA (8 U.S.C. 1101(b)(1)).