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Trump Is Suspending Certain Visas For Foreign Workers

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The Trump administration on Monday announced it will be suspending some employment-based visas for foreigners to protect American workers as the economy recovers from the coronavirus pandemic — a move derided by companies who say they need access to skilled labor that they can't get in the United States.

The suspension, which will stay in place through the end of the year, will not immediately impact workers already in the US.

The proclamation will suspend H-1B visas for specialized highly skilled workers, most H-2B visas for nonagricultural seasonal workers, most J-1 visas for exchange visitors, and the L-1 visa used by companies to internally transfer foreign employees to the US, according to a senior Trump official who spoke with reporters on Monday.

Trump will also extend his April 22 order to temporarily ban green cards for certain groups of people outside the US. At the time, the president was weighing whether to suspend visas and programs for foreign workers but decided against it after business groups blasted the idea.

The decision to suspend several groups of employment-based visas comes on the heels of previous attempts by the administration to restrict immigration during the pandemic, including efforts to turn away most people at the southern border and limit visas issued in embassies across the world. Immigrant advocates and experts believe the administration is using the pandemic to institute extreme measures it has long sought to under the guise of a public health emergency.

The administration's proclamation targets the H-1B temporary visa for highly skilled foreign professionals, including those in science, technology, engineering, and mathematics. There is an 85,000 cap for some H-1B visas, but many are exempt from the limit. In 2019, the US approved 139,000 new H-1B visa petitions, according to USCIS.

The new visa freeze won't apply to recipients already in the US or people outside the country who have already been issued a visa.

The H-1B program has long been criticized for being abused by US companies. Critics say H-1B visas aren't actually given to the most highly trained workers and that they allow employers to import cheap labor. They also argue the visas give larger companies who submit numerous applications an unfair advantage over smaller firms.

One of the requirements to get the visas is an employer must attest that the hiring of an H-1B worker will not adversely affect the wages and working conditions of their US counterparts.

Sharvari Dalal-Dheini, director of government relations at the American Immigration Lawyers Association, said she was extremely concerned that such a broad suspension would negatively affect the country's ability to recover from the current economic crisis brought on by the pandemic.

“Foreign nationals play a vital role in our recovery, yet this administration is choosing to advance its anti-immigrant agenda, rather than prioritizing recovery, by issuing such an unprecedented and overly broad ban,” Dalal-Dheini said.

Businesses also expressed concern and disagreement with Trump on social media, including Google CEO Sundar Pichai, who said on Twitter that he was "disappointed" by the order.

US Chamber of Commerce CEO Thomas J. Donohue also called the visa suspensions "a severe and sweeping attempt to restrict legal immigration."

"Putting up a 'not welcome' sign for engineers, executives, IT experts, doctors, nurses and other workers won't help our country, it will hold us back," he said in [a statement](#). "Restrictive changes to our nation's immigration system will push investment and economic activity abroad, slow growth, and reduce job creation."

Twitter's Global Public Policy team also spoke out against Trump's proclamation. Jessica Herrera-Flanigan, Twitter's vice president of public policy and philanthropy for the Americas, [called it](#) "short-sighted and deeply damaging to the economic strength of the United States."

The Migration Policy Institute, an immigration think tank, [estimated](#) that Trump's proclamation will affect about 167,000 visas.

The Information Technology Industry Council, which represents 72 companies, sent a letter to Trump earlier this month urging him to consider the important role that highly skilled immigrants play in helping the US economy recover.

"There will be negative consequences and likely unavoidable unintended consequences should the administration restrict or disrupt the ability of American employers to hire technology professionals, including nonimmigrant visa holders," the council said.

Alex Nowrasteh, the director of immigration studies at the libertarian Cato Institute, also said in May that Trump should resist the urge to suspend H-1B visas.

“H-1B workers have an especially big impact on American innovation. New technology and knowledge allow for more efficient machines and production processes that increase nationwide productivity,” he [wrote](#) in a blog post. “Highly skilled migrants on H-1B visa, as well as those on other visas and green cards, directly increase the production of knowledge through patents, innovation, and entrepreneurship.”

The debate over whether to suspend work visas has split the Republican Party. In May, several Republican senators, including close White House ally Lindsey Graham, sent a letter to Trump urging him [not to suspend](#) H-2A and H-2B visas. Earlier in the month, a separate group of Republican senators, led by Tom Cotton, pushed Trump to [do the opposite](#).

H-2B visas are often used for hotel work or seafood processing. They're also [used](#) by Trump's private club in Palm Beach, Mar-a-Lago, to hire temporary foreign workers.

There are some exceptions to the suspension, including some H-2B visas. H-2B workers coming to the US to work in seafood or food processing will be exempt from the freeze, they make up about 10 to 15% of all H-2B visa holders, a senior administration official said.

The proclamation will also not apply to foreigners whose entry to the US is considered "in the national interest."

The medical exemption from Trump's April 22 order is still in place, a senior administration official said, but it has been narrowed to apply only to those working on COVID-19 care or research.

On Monday, the Trump administration also unveiled a policy that will deny work permits for asylum-seekers who cross into the US without authorization, which BuzzFeed News first reported last year. The measure will take effect in August.