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CROSS-BORDER LAW

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CUMMING & PARTNERS NEWS ALERT

USCIS and CBP Set the Record Straight: Current H-1B Visa Holders Not Impacted by Trump Proclamation

On September 19, 2025, President Trump issued a Proclamation restricting entry into the US of certain H-1B visa holders.

Today, U.S. Citizenship and Immigration Service (USCIS) and U.S. Customs and Border Protection (CBP) confirmed that the Proclamation does not impact current H-1B visa holders. USCIS issued a Memorandum clarifying that the Proclamation only applies to petitions that have not yet been filed and that it does not apply to foreign nationals who are currently in H-1B status or have already been approved for H-1B status and are in possession of valid H-1B visas.

The Trump Proclamation does not impact the ability of any current H-1B visa holder to travel to or from the United States.

We are monitoring the situation closely, and we will continue to share updated advice.

For more information, please see: [Action Decision Memorandum-HQ Other](#).