

Trump Administration Will Pause Immigrant Visa Processing for 75 Countries: Answers to Employers' Biggest Questions

Insights

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The Trump administration has taken another significant immigration-related step that will impact employers by pausing immigrant visa processing for people from 75 countries beginning January 21. Employers that rely on global talent will want to review the full list of countries identified below, which includes Afghanistan, Cuba, Pakistan, Bangladesh, and Colombia. The Department of State's January 14 announcement cites concerns that applicants from these and other nations present a heightened risk of becoming a "public charge." While the policy does *not* affect tourist visas or temporary work visas, it freezes visa issuance for individuals seeking to live and work permanently in the United States. What do you need to know about this latest development?

What Does a "Processing Freeze" Mean?

The most important thing to know about this latest development is that it is not a border closure. Instead, it is a pause on the *final issuance* of immigrant visas at US embassies and consulates abroad. Foreign nationals can still submit applications and, in many cases, attend interviews, but consular officers will not issue immigrant visas while the pause is in effect.

This means cases can move forward procedurally but then stop at the finish line. Applicants who have already been approved may still be unable to receive their visas, and those nearing the end of the process could face open-ended delays with no clear timeline for resolution. So while the immigration system remains technically open for foreign nationals from these countries, the pause can create prolonged uncertainty for workforce planning decisions.

Who Does the Pause Apply To?

The pause applies to those foreign nationals with immigrant visas (for those seeking to live or work permanently in the US) issued through US embassies and consulates abroad, meaning it directly impacts cases being handled through consular processing and not those filing while already in the US. Importantly, the directive reaches beyond new applications. According to reporting, consular officers have been instructed to refuse visas that were already approved but not yet printed, and even those printed but not yet released from the consular section.

It is critical for employers to understand the scope of the pause. The policy applies only to immigrant visas, not nonimmigrant visas such as H-1B, L-1, O-1, or E visas, and not to visitor visas.

Employees already in the US who are eligible to file for adjustment of status through USCIS will not be directly affected by this pause.

Why is This Pause Happening?

The administration has described the move as being a necessary part of a broader “full review” of immigration vetting standards, with a renewed emphasis on preventing immigrants from relying on public benefits. Immigration officials say they have the authority under US immigration law to deny admission to individuals likely to become dependent on government assistance.

How Will This Impact Employers?

Any company sponsoring foreign nationals for permanent residence is at risk of facing disruption. If you have employees who have spent years progressing through PERM labor certification and immigrant visa petitions, they may suddenly find themselves stuck overseas, unable to complete the final step needed to enter the US as lawful permanent residents.

This is particularly disruptive for employers that:

- Hire internationally and expect new employees to relocate to the US
- Maintain global mobility programs for executives, managers, or specialized professionals
- Sponsor employees who must complete the green card process through a US consulate rather than adjustment of status inside the US

What is the Full List of Countries Affected?

You can find the full list on [the State Department's website](#). As of the date of publication, the full list includes:

Afghanistan, Albania, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bosnia and Herzegovina, Brazil, Burma, Cambodia, Cameroon, Cape Verde, Colombia, Cote d'Ivoire, Cuba, Democratic Republic of the Congo, Dominica, Egypt, Eritrea, Ethiopia, Fiji, The Gambia, Georgia, Ghana, Grenada, Guatemala, Guinea, Haiti, Iran, Iraq, Jamaica, Jordan, Kazakhstan, Kosovo, Kuwait, Kyrgyz Republic, Laos, Lebanon, Liberia, Libya, Moldova, Mongolia, Montenegro, Morocco, Nepal, Nicaragua, Nigeria, North Macedonia, Pakistan, Republic of the Congo, Russia, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Somalia, South Sudan, Sudan, Syria, Tanzania, Thailand, Togo, Tunisia, Uganda, Uruguay, Uzbekistan, and Yemen.

What Should Employers Do Now?

Here are some practical action steps you can take now to address the situation:

1. Identify: Employers should start by identifying any employees or candidates who are:

- Undergoing immigrant visa processing at a US consulate;
- Outside the United States awaiting visa issuance; or
- Approaching the final stages of employment-based green card sponsorship that may require consular processing.

2. Review: Once identified, review those cases closely with your FP immigration counsel to assess whether alternative pathways exist. In some situations, it may be possible to shift a case to adjustment of status, pursue a temporary nonimmigrant option to bridge the gap, or restructure timing expectations to avoid compliance issues.

3. Adjust: In practical terms, you may need to take steps to adjust operations in the wake of the pause. You may need to delay job start dates, adjust project timelines, and temporarily restructure roles as necessary. For some employers, this could also mean revisiting whether certain positions can be performed remotely (and, if so, whether doing so is lawful and sustainable from a tax, employment, and data privacy standpoint.)

4. Communicate: Thinking carefully about how to communicate about this pause to your workforce. Affected employees will likely be anxious, confused, and frustrated. Clear, neutral messaging emphasizing the facts about the pause and outlining next steps can go a long way toward preserving trust and morale. You can reach out to the [FP Reputation and Crisis Management Team](#) for messaging guidance.

Conclusion

Fisher Phillips will continue to monitor the situation and will provide additional updates as new information becomes available. In the meantime, we encourage you to sign up for [Fisher Phillips' Insight System](#) to receive the latest updates. If you have any further questions, please contact your Fisher Phillips attorney, the authors of this insight, or any attorney in our [Immigration Practice Group](#).

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