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U.S. State Department Suspends Immigrant Visa Issuance for Nationals of 75 Countries Pending Public Charge Review

The U.S. Department of State (DOS) has announced that, effective January 21, 2026, it will indefinitely pause the issuance of immigrant visas for nationals of 75 countries while it conducts a comprehensive reassessment of its public charge review policies. Although immigrant visa processing, including application submission and interviews, will continue, no immigrant visas will be issued to affected nationals during the pause.

Background

On January 14, 2026, the DOS issued updated public guidance stating that, consistent with President Trump's directive that immigrants be financially self-sufficient, the agency is undertaking a full review of its policies, regulations and guidance related to public charge determinations:

President Trump has made clear that immigrants must be financially self-sufficient and not be a financial burden to Americans. The Department of State is undergoing a full review of all policies, regulations, and guidance to ensure that immigrants from these high-risk countries do not utilize welfare in the United States or become a public charge.

As part of this review, the DOS will temporarily suspend immigrant visa issuance for nationals of certain countries deemed to present a higher risk of public benefits usage.

The policy follows expanded public charge guidance released to consular officers in November 2025, which broadened the scope of health, financial and personal factors considered in public charge assessments and signaled heightened scrutiny across both immigrant and nonimmigrant visa categories.

Scope of the Immigrant Visa Issuance Pause

Effective January 21, 2026, immigrant visas will not be issued to applicants who are nationals of the following countries: 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.

Several of these countries are already subject to full or partial travel bans that independently restrict immigrant visa issuance, meaning the practical impact may be limited in some cases unless an applicant qualifies for a travel ban exception.

According to DOS guidance and FAQs, during the pause:

- Immigrant visa applicants from affected countries may continue to submit applications and attend scheduled interviews.
- Consular posts will continue to schedule immigrant visa interviews.
- No immigrant visas will be issued to affected nationals while the pause remains in effect.
- No previously issued immigrant visas are being revoked under this guidance.
- Dual nationals applying with a valid passport from a non-listed country are exempt from the pause.
- The pause does not apply to nonimmigrant visas, including tourist visas, though increased public charge scrutiny may still be applied in adjudications.

Practical Implications for Employers

- Employers who have sponsored immigrant visas for employees from affected countries should anticipate indefinite delays in immigrant visa issuance, even if interviews are completed and applications are otherwise approvable.
- The DOS has not provided a projected end date for the pause or details on the revised public charge guidance.
- While nonimmigrant visas are not suspended, applicants from listed countries may face heightened public charge review.

Applicants should closely monitor their case status and respond promptly to any DOS communications or requests for additional documentation. Employers should evaluate alternative strategies where appropriate, including adjustment of status options for eligible applicants already in the United States. Given the lack of a defined end date for the suspension, it is wise to plan for contingencies in both workforce and dependent family immigration planning.

Contact Us

For questions regarding the immigrant visa suspension, public charge considerations or alternative immigration strategies, please contact the firm's [National Immigration Team](#) or any member of the firm's [National Employment Law Group](#). You may also visit us at www.kutakrock.com.