

One Minute Memo®



Trump Administration Issues “Buy American and Hire American” Executive Order

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Seyfarth Synopsis: *The EO orders the Departments of State, Justice, Labor, and Homeland Security to propose new rules and issue new guidance to “protect the interests of U.S. workers” and “promote the functioning of the H-1B visa program.”*

On Tuesday, April 18, President Trump signed an Executive Order (EO) instructing the Secretary of State, the Attorney General, the Secretary of Labor, and the Secretary of Homeland Security to propose new rules and issue new guidance “as soon as practicable and consistent with applicable law” to “protect the interests of U.S. workers,” within the administration of the U.S. immigration system. Moreover, the EO instructs the agencies to “suggest reforms to help ensure that H-1B visas are awarded to the most-skilled or highest-paid” foreign nationals.

The EO neither creates any specific new requirements for employers nor directs the affected agencies to take any action other than prepare substantive proposals at a future uncertain date. According to statements made by the President and Senior Administration Officials, the EO aims to dismantle the computer generated H-1B visa lottery system and the current four-tiered prevailing wage system as well as ferreting out fraud and abuse within the existing H-1B program. Implementation of such recommendations would require congressional action.

Seyfarth Shaw will continue to closely monitor the Departments reactions to the EO, and we will provide updates as developments occur.

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Seyfarth Shaw LLP One Minute Memo® | April 19, 2017

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