

Presidential Proclamation on the Suspension of Entry as Nonimmigrants of Certain Students and Researchers from the People's Republic of China.

On May 29, 2020, the President issued a Proclamation on the Suspension of Entry as Nonimmigrants of Certain Students and Researchers from the People's Republic of China. The proclamation is effective at 12:00 p.m. EDT on June 1, 2020 and is to remain in effect until terminated by the President.

WHO IS AFFECTED BY THE ORDER?

The [Proclamation](#) suspends the entry of Chinese citizens into the United States with an F or J visa to study and conduct research in the U.S. at the graduate or post-doctoral level who, currently or in the past, are affiliated with an entity in China that implements or supports the PRC's "military-civil fusion" strategy. The affiliation may be through:

- funding
- employment
- studies
- conducting research

Under the Proclamation the term "military-civil fusion" strategy is defined as "actions by or at the behest of the PRC to acquire and divert foreign technologies, specifically critical and emerging technologies, to incorporate into and advance the PRC's military capabilities."

WHAT ARE THOSE ENTITIES?

As the proclamation does not include a list of restricted organizations, it is not clear specifically who might be subject to the entry ban at this time.

The entities in China that implements or supports this are not defined by the Proclamation. The preface to the Executive Order as well as the [June 1, 2020 DOS press release](#) mention the People's Liberation Army (PLA), thus the PLA and entities clearly connected or tied to it might be considered organizations defined by this order.

ARE ALL F-1 AND J-1 STUDENTS AND RESEARCHERS AFFECTED?

This proclamation will not be applicable to all Graduate Students and Researchers from China. It will only apply to those students or researchers that are determined to have a current or past affiliation with an entity in China that implements or supports the PRC's "military-civil fusion" strategy,

The Proclamation exempts certain categories, including, but not limited to:

- Anyone studying or conducting research in a field involving information that would not contribute to China's "military-civil fusion strategy";
- Undergraduate students;
- Lawful permanent residents of the United States;
- The spouse of a United States citizen or lawful permanent resident;

Please refer to Section 2 of the proclamation for other categories to whom the order does not apply.

HOW WILL F-1 AND J-1 STUDENTS AND RESEARCHERS BE IDENTIFIED AS SUBJECT TO THE PROCLAMATION?

The implementation of the proclamation is conferred to the Secretary of State as it applies to visas, and to the Secretary of Homeland Security as it applies to entry to the United States. No further details are available at this time.

ARE F-1 AND J-1 STUDENTS AND RESEARCHERS CURRENTLY IN THE UNITED STATES AFFECTED BY THIS ORDER?

At this time the order covers only individuals seeking entry into the United States, not those already present in the United States.

However, there is a provision which directs the Secretary of State to consider whether nationals of China currently in the U.S. pursuant to F or J visas who otherwise meet the criteria should have their visas revoked. A [revoked visa](#) is no longer valid for entry or reentry to the United States.

IMPACT ON INTERNATIONAL STUDENTS

The potential impact of this proclamation on international students at The Graduate Center, CUNY will not be clear until additional information from the Departments of State and Homeland Security is available, and until routine visa issuance, which is currently suspended due to the COVID-19 crisis, resumes. It is important to note that COVID based travel restrictions that prohibit the entry of foreign nationals who have been [physically present in China during the previous 14 days](#) are also still in effect and may have an impact on students not otherwise banned by this new proclamation.

The proclamation only applies to visa issuance and entry into the U.S. and not to other immigration benefits. The Office of International Students will continue to process requests for non-immigrant benefits such as OPT or CPT for all students and will continue to issue initial I-20 and DS-2019 forms for newly admitted incoming students.

The Office of International Students is actively monitoring the situation and will provide additional information as specific details from official sources become available.

Additional Information regarding the Proclamation is available on the [NAFSA website](#).

If you are impacted by the proclamation or have any questions, please contact the Office of International Students at intstu@gc.cuny.edu.