



OFFICE OF INTERNATIONAL SERVICES

University Center for International Studies
University of Pittsburgh

Presidential Proclamation 10043

On May 29, 2020, President Trump issued a [proclamation](#) (PP 10043) that suspends the entry into the United States of certain Chinese students and researchers. The following factors will trigger the entry ban:

1. The individual is requesting entry into either F or J status for study *above* a Bachelor's Degree, or to conduct research, **AND**;
2. The individual has, or had, an *affiliation with an entity* in the PRC that implements or supports the PRC's 'military-civil fusion strategy,' by either currently, or in the past, receiving funding from, working for, studying at, or conducting research at or on behalf of a targeted entity, **AND**;
3. The individual's focus of study or research is in a *targeted field* that would "contribute to the PRC's military-civil fusion strategy, as determined by the Secretary of State and the Secretary of Homeland Security."

PP 10043 impacts individuals who have already received a F-1 or J-1 visa prior to 2020, and those who are applying for a F-1 or J-1 visa for the first time. The Department of State has confirmed that neither the list of targeted entities nor the list of targeted fields of research will be made public.

How can I tell if a particular institution is a *targeted entity*?

The Department of State has not released a list of targeted entities, so we must rely on other published sources to evaluate individual institutions. The Australian Strategic Policy Institute has created [The China Defence Universities Tracker](#), which ranks institutions on a continuum from "High Risk" to "Low Risk." The higher on the continuum an institution is ranked, the greater the chance that an individual's affiliation will be problematic under the terms of PP 10043.

How can I tell if my field of study or research is a *targeted field*?

The Department of State has not released a list of targeted fields, so we must rely on other published sources to make the best guess about individual fields. The Department of State has published a [Fact Sheet about the MCF](#). That Paper has noted that, "Key technologies being targeted under MCF include quantum computing, big data, semiconductors, 5G, advanced nuclear technology, aerospace technology, and AI." We can, therefore, assume that fields of study/research under those categories will be problematic under the terms of this White House Proclamation.

Who is *exempt* from PP 10043?

- F-1 and J-1 undergraduate students
- Graduate students and researchers who *do not* have any of the specific current or past funding, employment, study, or research nexuses with an entity in the PRC "that implements or supports the PRC's 'military-civil fusion strategy,' as determined by the Secretary of State and the Secretary of Homeland Security
- U.S. lawful permanent residents
- Spouses of United States citizens or lawful permanent residents
- Individuals "whose entry would be in the national interest, as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees." Note that the Secretary of State has [since delegated that authority to the Assistant Secretary of Consular Affairs](#). In short, this seems to indicate that Consular Officers will make these determinations.



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FAQs:

My visa was issued prior to the 2020 proclamation (PP 10043). Could I have my visa renewal application denied, or be denied re-entry to the United States?

Yes. PP 10043 allowed the Department of State to revoke previously issued visas. The Department of State must now consider PP 10043 when determining visa eligibility for first-time and renewal applicants.

Additionally, Customs and Border Protection determines an individual's ability to enter the United States (admissibility) at a U.S. port-of-entry.

My visa was issued prior to the 2020 proclamation (PP 10043). Could my visa be revoked? What does this mean?

Yes. PP 10043 instructed the Department of State to "consider..... whether nationals of the PRC currently in the United States pursuant to F or J visas and who otherwise meet the criteria described in section 1 of this proclamation should have their visas revoked..."

When Chinese nationals who are currently within the United States have their visas revoked, they are NOT required to leave the U.S. or end their F-1 or J-1 program. A visa is only necessary when a person enters the U.S. Therefore, if your visa is revoked while you are in the U.S., you are strongly urged not to travel outside the U.S., as doing so will subject you to a new visa appointment which would be evaluated under the criteria described above.

I am applying for my visa for the first time. How will I know if my visa application will be impacted by PP 10043?

Since the Department of State has confirmed that neither the list of targeted entities nor the list of targeted fields of research will be made public, there is no definitive way to know if an individual is subject to the restrictions of PP 10043. Therefore, the individual F or J seeker must present their visa application for a visa to the U.S. Consulate to request a decision on their application. Those who are denied will receive a denial based on Section 212(f) of the Immigration and Nationality Act.

I believe I may be impacted by PP 10043, but I also believe that I qualify for an exception, since my "entry would be in the national interest." How do I proceed?

Unfortunately, there is not a systemized way to process exception requests, but the Secretary of State has appointed the Assistant Secretary of Consular Affairs to make the determination. Your next steps should be:

- Obtain a letter from your department, if possible, to explain how your entry/work would be in the national interest.
- Provide that letter to the Consulate when applying for your visa. Be prepared to talk about this exception and how your work relates to the national interest at the time of your visa appointment.

My visa has been denied due to PP 10043. How do I proceed?

- Inform OIS and your academic department about your visa denial, visa revocation, or denial of entry to the United States.
- Contact an [immigration attorney](#) to evaluate your options.