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[Home](#) > [Government Relations](#) > [FYI](#) > [New US Visa Screening Measures Target Chinese Citizens Studying 'Sensitive' Subjects](#)

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New US Visa Screening Measures Target Chinese Citizens Studying ‘Sensitive’ Subjects

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Under new screening measures implemented by the Trump administration on June 11, U.S. consular officials can restrict the duration of visas granted to Chinese citizens studying certain “sensitive” subjects to one year. Although the subjects in question have not been publicly identified, reports suggest they include fields such as advanced manufacturing, robotics, and aeronautics.

Visa screening measures implemented on June 11 permit U.S. consular officials to require Chinese citizens studying certain “*sensitive*” subjects to reapply for a visa every year. Chinese citizens seeking to work in these fields could also face additional hurdles to securing visas. The exact scope of the restrictions is unclear because the new screening instructions are not public, but a State Department official confirmed their existence at a June 6 [hearing](#) held by the Senate Judiciary Committee to discuss national security threats posed by foreign students.

Graduate students in technical fields appear to be a primary target

Beginning this spring, various media outlets reported the Trump administration was considering placing restrictions on certain Chinese visas as retaliation for [alleged intellectual property theft](#). The administration had indicated in its [National Security Strategy](#) it would “*consider restrictions on foreign STEM students from designated countries*” as a way to “*reduce economic theft by nontraditional intelligence collectors.*”

Late last month, the Associated Press [reported](#) that the administration planned to implement such measures. Referencing this article, Senate Minority Whip Dick Durbin (D-IL) asked a series of questions at the June 6 hearing

to probe the nature of the new restrictions.

“News reports have stated, under a new policy to take effect on June 11, Chinese graduate students will be limited to one-year visas if they're studying in certain fields such as robotics, aviation, and high-tech manufacturing. Is that true?” Durbin asked.

“We have issued some additional screening instructions to U.S. embassies and consulates to deal with certain individuals from China studying in certain sensitive fields,” replied Edward Ramotowski, deputy assistant secretary for visa services at the State Department. *“It would not be appropriate to discuss the details of those internal instructions in an open hearing, but what I can tell you is that these are screening measures. They don't in and of themselves prohibit the entry of anyone into the United States or restrict access to our country.”*

Asked if visas would be limited to one year, Ramotowski added, *“In some cases the visa, if approved, might be limited to one year, multiple entries, with the option to renew.”* This restriction represents a partial rollback of a policy [implemented](#) in 2014 that allows Chinese students to receive visas that are valid for up to five years. Previously, Chinese student visas were only valid for up to one year, requiring multiple renewals.

Expressing concerns that the policy could engender discrimination, Durbin asked, *“How will you ensure that students who do not pose a threat are not punished simply because they happen to be Chinese?”*

Ramotowski replied, *“The instructions are very detailed and apply to certain individuals seeking to study or work in certain sensitive fields, sir, so Chinese students and others who don't meet those parameters are not going to be affected by that.”*

Top Senate Republican, administration officials detail concerns about Chinese espionage

Senate Majority Whip John Cornyn (R-TX) explained that he convened the hearing to *“raise awareness”* about espionage threats posed by foreign students, particularly those from China. However, Cornyn stressed he is *“not interested in restricting student visas”* and pointed to his history of supporting immigration policy changes that make it easier for foreign STEM workers to come to the U.S. He said the hearing was meant to focus on *“the narrow concern, although we don't know exactly how broad it might be, of those who want to exploit our open society and our open university system.”*

As justification for focusing on China, Cornyn referenced FBI Director Christopher Wray's [testimony](#) to the Senate Intelligence Committee in February that the Chinese government employs students and scientists as *“nontraditional collectors”* as part of a *“whole-of-society”* strategy to compete with the U.S. Elaborating on this whole-of-society characterization in a March [interview](#) with NBC News, Wray said,

“ In our experience, there is no nation that targets America's assets more aggressively than the Chinese government. And the Chinese government works hand-in-hand with Chinese companies and others to do everything they can, through all sorts of means, to try to steal our trade secrets, our economic assets. It involves things as varied as efforts to gain and steal trade secrets related to corn seeds in Iowa all the way to control systems for wind turbines in Massachusetts.

Cornyn also pointed to how there are currently around 350,000 Chinese students in the U.S., which is about one-third of the total number of international students. Noting that India also sends a similarly large number of students to the U.S., he argued they pose less of a concern because India is an open and democratic society while China is a communist country where *“there is hardly any distinction between the public and the private sector.”*

Cornyn asked administration witnesses to weigh in on why they believe China is of particular concern. Joseph Morosco, an assistant director in the National Counterintelligence and Security Center, replied,

“ Let me be clear, our counterintelligence concern with respect to China is not driven by race or ethnicity of the students that are in the United States. Our counterintelligence concern is driven by the fact that China has a publicly stated policy goal of acquiring sensitive information and technology around the world [including] here in the United States and that they seek access and recruit global experts regardless of their nationality to meet their science and technology aims.

Morosco pointed to the Chinese government’s [Thousand Talents program](#) and its “Made in China 2025” advanced manufacturing strategy as examples of public expressions of these aims. Designed to entice both Chinese expatriates and non-Chinese researchers to work in China, the Thousand Talents program has become a focus of congressional scrutiny. A [provision](#) in the House’s version of this year’s annual defense policy bill would allow the Defense Department to deny funding to research groups that include individuals who have participated in the program or other talent recruitment programs operated by selected nations.

Bill Priestap, assistant director of the FBI’s Counterintelligence Division, added that the FBI’s focus on China is likewise not based on ethnicity or national origin, but rather derives from the fact that *“a disproportionate number of what I refer to as our economic espionage cases happen to be on Chinese citizens.”* In his [written testimony](#), Priestap also stated that expert recruitment efforts such as the Thousand Talents program, *“intentionally or not”*, facilitate theft of intellectual property. He also detailed the FBI’s views on both the risks and benefits of America’s open academic system.

Democrats stress dangers of overgeneralization and discrimination

Durbin argued during the hearing that current security measures that guard against student espionage are adequate and that other threats, such as cyberespionage, are more pressing. He also criticized the hearing’s focus on China, making clear he is troubled by measures that single out a single country for heightened scrutiny.

Durbin noted America’s *“long and sad history of discrimination against China,”* pointing to the Chinese Exclusion Act of 1882 and subsequent immigration quota restrictions. He also stressed the many contributions that international students make to the U.S. economy and national prestige, highlighting the career of Daniel Tsui, a Chinese immigrant who received a Ph.D. in physics from the University of Chicago and went on to win the Nobel Prize in Physics in 1998.

Durbin registered his disappointment with how the committee majority denied his request to have the chair of the Congressional Asian Pacific American Caucus, Rep. Judy Chu (D-CA), testify at the hearing. He said this was the first

time in his two decades on the committee that it has denied such a request from him.

In [written testimony](#) submitted to the committee, Chu argued that the hearing's focus fuels a false and dangerous narrative that China is unique among nations in terms of posing an espionage threat to the U.S. As examples of FBI overreach, she cited two recent cases where the bureau brought espionage charges against two Chinese-American scientists, Xiaoxing Xi and Sherry Chen, and later dropped the accusations without explanation. Chu then wrote,

“ No American should have to live in fear that their entire lives may be turned upside down due to wrongful accusations and unwarranted racial profiling. Unfortunately, this is now a common fear for many Chinese American scientists, engineers, and researchers who believe that they may be targeted next due to reckless comments made by FBI Director Wray singling out Chinese students and scholars ... and subsequent actions taken by the U.S. Congress to further fuel this narrative. ...

It is dangerous to categorize an entire country of people as a threat to our national security, and I urge you to reject these overly broad and xenophobic attempts to build a case that Chinese students and employees should be viewed with more suspicion than others.

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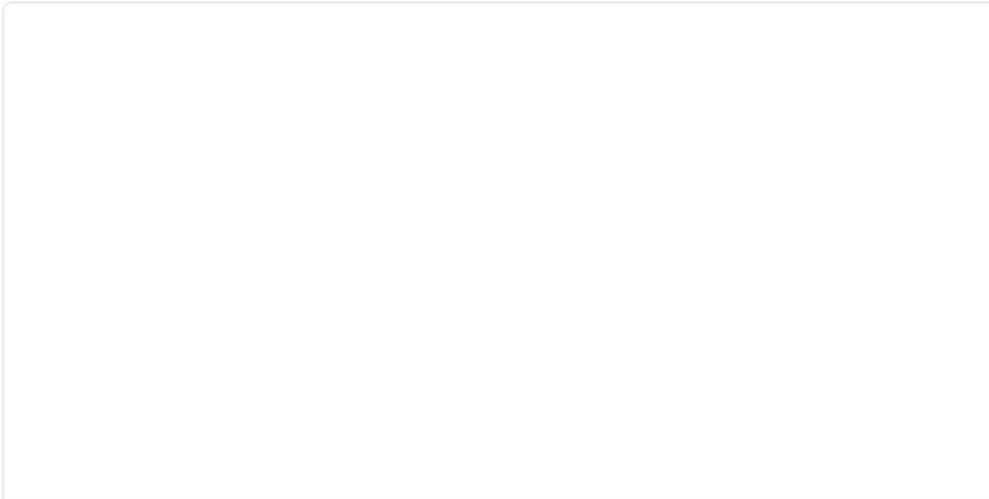
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