

State Department Limits Visa Validity Periods for Citizens of China

Written by Kevin J. Fitzgerald

July 10, 2018

The State Department began to implement a new policy on June 11, 2018 that shortens the validity period granted and imposes additional security clearances before a visa is issued to certain Chinese citizens applying for temporary visas. These changes are consistent with the Administration's recent National Security Strategy that highlights the heightened focus to prevent illegal transfer of intellectual property to competitors in China.

Who Is Affected?

The new policy guidance, which has not been made public yet, appears to instruct U.S. consular officers to limit the validity period to one year for F-1 visas for Chinese students in the STEM (science, technology, engineering, and math) degree fields, particularly if they are working or studying in the fields of robotics, aviation, and high-tech manufacturing. Additional security clearances are expected for Chinese citizens applying for visas to serve as researchers or managers for U.S. companies that are on the U.S. Department of Commerce's list of companies that merit additional scrutiny. Typically, these additional security clearances take a month or more, depending on the nature of the clearance and other agencies involved in the clearance process. It is reported that the visa application process in China has not changed, and applicants should continue to follow the instructions on the U.S. Embassy & Consulates in China website.

Chinese Travelers and the Electronic Visa Update System

All Chinese business or tourist travelers holding a 10-year B1 or B2 visitor visa must continue enroll in the Electronic Visa Update System (EVUS). This system went into effect in November 2016 and continues to be a requirement for such travelers. EVUS is an online system that records basic biographic information to facilitate Chinese nationals travel in to the U.S. In addition, to obtain a valid visa, such travelers are required to complete an EVUS enrollment to be admitted into the U.S. Those who are subject to EVUS requirements but do not have valid enrollments will not be able to obtain a boarding pass or be admitted to the U.S.

The new electronic registration/review requirement will be applied to nationals of additional countries in the future. The Administration has not announced what countries, but we will keep you posted on further developments as the Administration makes them available.

RELATED PRACTICES

- [Immigration](#)
- [Labor & Employment](#)

This communication is intended for general information purposes and as a service to clients and friends of Foley Hoag LLP. This communication should not be construed as legal advice or a legal opinion on any specific facts or circumstances, and does not create an attorney-client relationship.

United States Treasury Regulations require us to disclose the following: Any tax advice included in this document was not intended or written to be used, and it cannot be used, for the purpose of avoiding penalties under the Internal Revenue Code.

Attorney advertising. Prior results do not guarantee a similar outcome. © 2017 Foley Hoag LLP. All rights reserved.

