

Presidential Proclamation 10052 - Frequently Asked Questions on J Visa Processing

Last Updated: September 15, 2020

Presidential Proclamation 10052 (P.P. 10052) suspends the issuance of visas to applicants for H-1B, H-2B, and L-1 visas; J-1 visa applicants participating in the intern, trainee, teacher, camp counselor, au pair, and summer work travel programs; and any spouses or children of covered applicants applying for H-4, L-2, or J-2 visas. The Proclamation does not apply to applicants who were in the United States or had a valid visa in the classifications referenced above (and plans to enter the United States on that visa) on the effective date of the Proclamation (June 24, 2020).

The suspension of issuance of J visas applies to those applicants who will be participating in au pair, intern, trainee, teacher, camp counselor, or summer work travel programs, as well as accompanying derivative family members. P.P. 10052 does NOT suspend processing of J visa applications associated with any other category of the Exchange Visitor Program (EVP). Visa applications associated with the following categories of the EVP are NOT affected by P.P. 10052: alien physician, government visitor, international visitor, professor, research scholar, short-term scholar, specialist, secondary school student and college/university student.

P.P. 10052 provides an exception for entry in the national interest, as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees. Based on such determinations, the consular officer shall determine, in his or her discretion, whether a J visa applicant has established eligibility for a national interest exception (NIE). A J visa applicant applying as an au pair, intern, trainee, teacher, camp counselor, or for summer work travel who the consular officer determines is eligible for an NIE may still be issued a visa. See <https://travel.state.gov/content/travel/en/News/visas-news/exceptions-to-p-p-10014-10052-suspending-entry-of-immigrants-non-immigrants-presenting-risk-to-us-labor->

[market-during-economic-recovery.html](#).

1. VISA ISSUANCE AND PROGRAM CONTINUATION

Does P.P. 10052 suspend or pause the au pair, intern, trainee, teacher, camp counselor, and summer work travel programs?

No, P.P. 10052 does not suspend or pause any categories of the EVP. Instead, it suspends the issuance of visas and entry for applicants in EVP categories with a work component, i.e. au pair, intern, trainee, camp counselor, and summer work travel. The EVP itself is not paused, suspended, or cancelled.

2. AU PAIRS

There are three circumstances under which an NIE may be available for an au pair:

- Travel to provide care for a minor U.S. citizen, lawful permanent resident (LPR), or nonimmigrant in lawful status by an au pair possessing special skills required for a child with particular needs (e.g., medical, special education, or sign language).
Childcare services provided for a child with medical issues diagnosed by a qualified medical professional by an individual who possesses skills to care for such child will be considered to be in the national interest.
- Travel by an au pair that prevents a U.S. citizen, LPR, or other nonimmigrant in lawful status from becoming a public health charge or ward of the state of a medical or other public funded institution.
- Travel to provide childcare services for a child whose parents are involved with the provision of medical care to individuals who have contracted COVID-19 or medical research at United States facilities to help the United States combat COVID-19.

What documentation should be provided to meet one of these exceptions?

Applicants are not required to provide any additional

documentation beyond the visa application in order to establish eligibility for an NIE.

3. AN EXCHANGE PROGRAM ASSOCIATED ARRANGEMENT/AGREEMENT/ MEMORANDUM OF UNDERSTANDING

Will participants in exchange programs conducted pursuant to an agreement or arrangement with a foreign government be eligible for a national interest exception?

National interest exceptions are available for an applicant who the consular officer determines is traveling to participate in an exchange program conducted pursuant to a Memorandum of Understanding, Statement of Intent, or other valid agreement or arrangement between a foreign government and any federal, state, or local government entity in the United States that is designed to promote U.S. national interests if the agreement or arrangement with the foreign government was in effect prior to the effective date of P.P. 10052.

What programs meet this exception?

The Department is identifying specific programs that meet this criteria. Program sponsors should refer to "Contact Us" for further questions related to which programs meet this criteria.

4. INTERNS AND TRAINEES

What visa applicants associated with intern and trainee programs can benefit from a NIE?

Interns and Trainees on U.S. government agency-sponsored programs (those with a program number beginning with "G-3" on Form DS-2019): An exchange visitor participating in an exchange in which he or she will be hosted by a U.S. government agency and the program supports the immediate and continued economic recovery of the United States.

How will consular officers identify applications falling under this exception?

Consular officers will identify program numbers beginning with G-3 on Form DS-2019 at the time of interview.

5. **SPECIALIZED TEACHERS**

Can specialized teachers benefit from a NIE?

Yes, specialized Teachers in Accredited Educational Institutions with a program number beginning with “G-5” on Form DS-2019: An exchange visitor participating in an exchange in which he or she will teach full-time, including a substantial portion that is in person, in a publicly or privately operated primary or secondary accredited educational institution where the applicant demonstrates ability to make a specialized contribution to the education of students in the United States. A “specialized teacher” applicant must demonstrate native or near-native foreign language proficiency and the ability to teach his/her assigned subject(s) in that language.

How will consular officers identify applications falling under this exception?

Consular officers will identify program numbers beginning with G-5 on Form DS-2019 at the time of interview.

6. **CRITICAL FOREIGN POLICY OBJECTIVES**

How is a “foreign policy objective” NIE defined?

This NIE includes only exchange programs that fulfill critical and time sensitive foreign policy objectives.

What programs meet this exception?

The Department is identifying specific programs that meet this criteria. Program sponsors, governments, and embassies should refer to “Contact Us” for further questions related to which programs meet this criteria.

Contact Us

Please read each of the following to determine which method of contact is correct for your situation.

Program Sponsors: If you are a government, embassy, or program sponsor wishing to request consideration of an NIE for a program on the basis of either “Pursuant to a Government Agreement/Arrangement” or as “Critical to Foreign Policy”, please submit a justification and a copy of the government agreement or arrangement, if applicable, to JExchanges@state.gov. Sponsors should obtain concurrence from the relevant U.S. Embassy public diplomacy section before sending their justification to the above email address.

Visa Applicants: If you are a visa applicant and need additional information, please contact the U.S. Embassy or Consulate at which you will apply (usembassy.gov).