April 8, 2020

Dear Secretary Pompeo:

On behalf of the undersigned higher education associations, I write to you today to seek guidance for the one million international students currently studying at our institutions, and for students seeking to study in the United States beginning in fall 2020.

In this unprecedented time, we are grateful that the Department of State has issued guidance and flexibility for our current international students and J-1 scholars. However, the longer the crisis goes on and consulates and State Department facilities remain closed, we are concerned that more issues will arise. These closures can also discourage or limit the ability of new international students to travel to the United States to begin their programs.

We are concerned about the suspension of premium processing, especially for H1B visas. We believe this could lead to a drastic increase in requests for emergency expedited processing, especially for medical professionals working at our academic medical centers on the frontlines of the COVID-19 crisis.

State recently allowed consular officers to waive the requirement for in-person interviews for categories of H-2 visa applicants.\(^1\) We believe State has the authority under 8 USC § 1202 (h)(1)(C) to waive the personal interview requirement “if the Secretary determines that such waiver is (i) in the national interest of the United States; or (ii) necessary as a result of unusual or emergent circumstances.” We believe a waiver for F-1 and M-1 applicants, with no apparent or potential ineligibility, is in the national interest and necessary due to COVID-19 and would ensure smooth enrollment for our international students in fall 2020.

In follow up from our March 16 letter\(^2\), we continue to ask that State grant flexibility and extend F-1 immigration status following graduation to allow students to make safe decisions to return to their home countries.

We look forward to working with State and the Department of Homeland Security to ensure efficient visa and immigration processing during this unprecedented time in U.S. history.

\(^1\) March 26, 2020 announcement regarding H2 Visas: https://travel.state.gov/content/travel/en/News/visas-news/important-announcement-on-h2-visas.html

hope you will continue to consider us a resource in attracting and retaining international students and look forward to continuing to work with you on these important issues.

Respectfully,

Ted Mitchell
President

On behalf of:

American Association of Community Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Universities
Association of Public and Land-grant Universities
National Association of Independent Colleges and Universities

Cc: Marie Royce, Assistant Secretary of State for Educational and Cultural Affairs
    Caroline Casagrande, Deputy Assistant Secretary for Academic Programs
    Ed Ramotowski, Deputy Assistant Secretary of State, Bureau of Consular Affairs