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By ESEC at 3:17 pm, Jun 04, 2020

June 2, 2020

The Honorable Michael Pompeo
Secretary of State
United States Department of State
2201 C Street, NW
Washington, DC 20520

The Honorable Chad Wolf
Acting Secretary
United States Department of Homeland Security
300 7th Street, SW
Washington, DC 20528

Dear Secretary Pompeo and Acting Secretary Wolf:

As the country takes its first steps toward recovery, I write to express the urgent need for the Administration to incorporate forward-looking immigration policies—including for international students, faculty, and researchers—into its national strategy to reopen and revitalize the United States economy. Harvard and our peers in higher education are actively considering scenarios for research, teaching, and instruction to continue and resume on campus, and we are eager to work with you to ensure that the United States continues to lead in research and innovation. As such, I hope the Administration will reconsider any plan to suspend or restrict nonimmigrant visas and their work authorizations, including for international students, scholars, and specialized workers.

Specifically, I urge you to reject efforts to curtail Optional Practical Training (OPT) and the STEM extension, programs that allow international students at the undergraduate, graduate, and professional levels to participate in time-limited training experiences related to their fields of study, similar to internship, training, and preparatory opportunities. Experiential learning is an important practical experience as well as a recruitment tool for those seeking to welcome top talent. This is especially true for international students in STEM fields, particularly in leading graduate-level programs in fields like engineering, computer and information sciences, mathematics, and statistics. OPT also is vital to the health care system, as many top medical schools use OPT to support first-year residency programs for new physicians.

Like many leading research universities, Harvard seeks to attract the very best students, researchers, and faculty from across the globe. They are an essential part of the daily life of the university. They enrich teaching and learning, and they advance science and scholarship. They are part of our shared future. In fact, many of the Harvard faculty leading the COVID-19 response, including in diagnostics and therapeutics, were once international students at US colleges and universities. And their collaborators at other Boston-area universities, hospitals, and biotech industries include those who came from overseas—and stayed to contribute.

At a time when there is greater international competition for top students and consecutive years of declining new enrollments at colleges and universities in the United

States, the loss of OPT threatens to erode our ability to enroll the best and brightest. Similar and competitive programs exist in many other countries, and we risk losing out. While I recognize the need to protect OPT students and US workers alike, especially during an economic recovery, I believe we can rely on the program mechanisms such as employer attestations and commensurate terms and conditions, thereby avoiding inadvertent harm to economic growth and cultural exchange.

Looking ahead, it will be essential for international scholars and students to return to US institutions, where they contribute greatly both to our communities and local economies—as much as \$41 billion in 2018. I urge you to develop a plan to resume visa processing and to work with higher education on appropriate ways to address any backlogs for international scholars and students by streamlining processes, such as by waiving in-person interviews where appropriate. As you consider new immigration policies and practices, I also strongly urge you to avoid any blunt measures that seek to exclude international scholars and students based on national origin. Not only do these policies threaten to undermine our national ideals and core institutional values of openness and inclusivity, they threaten to cut off the United States from the global scientific community in critical fields of science and scholarship. I hope we can focus instead on safeguarding the US enterprise by working with colleges and universities to strengthen research integrity, with a renewed focus on transparency and reciprocity.

Finally, I want to express my appreciation for the quick action to allow international students to maintain their visa status this last spring as Harvard and others transitioned to online platforms to slow the spread of COVID-19 without worrying that our international students would fall out of status or experience further disruptions in their academic progress. The continuation of this policy will be important for the fall as we continue to respond to local public health conditions, and I urge you to expand flexibility to include new or initial-status students, as well as continuing and transfer students.

In light of national needs related to public health and economic competitiveness, and as part of the broad conversation to safely reopen the United States economy, I hope you will prioritize these concerns in your agencies' work and advocate for the support and flexibility needed by our premier higher education sector so these institutions—as well as their faculty, staff, and students—can continue to contribute in full measure to the nation's health, well-being, and prosperity.

Sincerely,

A handwritten signature in black ink, reading "Lawrence S. Bacow". The signature is written in a cursive style with a prominent initial "L".

Lawrence S. Bacow



**U.S. Citizenship
and Immigration
Services**

June 22, 2020

Mr. Lawrence S. Bacow
President
Harvard University
Massachusetts Hall
Cambridge, MA 02138

Dear Mr. Bacow:

Thank you for your June 2, 2020 letter expressing your support for international students and scholars. The Acting Secretary has asked that I respond on his behalf.

The Department of Homeland Security (DHS) has no greater responsibility than ensuring the safety and security of our country. Responding to the pandemic requires everyone to work within rapidly changing, complex circumstances that create a variety of situations and conditions unique to individuals and communities. Our primary goal is to ensure the safety of the public and our employees as the situation evolves.

We recognize that there are immigration-related challenges that individuals, including international students and scholars, as well as schools and employers face as a direct result of the national emergency and as the first phases of reopening begin. We carefully analyze these issues and leverage our resources to effectively address these challenges within our existing authorities. DHS continues to act to protect the American people and our communities and is considering a number of policies and procedures to improve the employment opportunities of U.S. workers during this pandemic.

You recommend that the processing of international students' applications be streamlined so they can return to U.S. institutions. With regard to the visa process for students outside of the United States, we defer to our colleagues at the Department of State. For aliens within the United States, it is important for us to emphasize that U.S. Citizenship and Immigration Services (USCIS) continues to accept and process petitions and applications for benefit requests from the foreign student population such as extension and change of status applications, as well as applications for employment authorization. We consider special circumstances and expedite requests of individual requests on a case-by case basis. Further, as we announced in our public-facing website, several options are available to nonimmigrants to extend their stay or change their status.¹

¹ Our website provides additional information regarding special circumstances, expedite requests, and options for nonimmigrants to extend or change their status at www.uscis.gov.

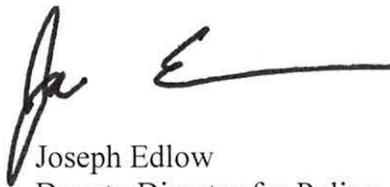
Mr. Lawrence S. Bacow

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We work closely with our colleagues at U.S. Immigration and Customs Enforcement (ICE) to coordinate on issues affecting international students due to the pandemic. ICE has developed a website with responses to frequently asked questions about the impact of COVID-19 on Student and Exchange Visitor Program (SEVP) certified schools and the various scenarios that students and scholars may encounter, including issues related to Optional Practical Training. Both the ICE and USCIS websites and outreach efforts provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times.²

Thank you again for your letter and your interest in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe E', with a long horizontal stroke extending to the right.

Joseph Edlow
Deputy Director for Policy

² For policy updates, operational changes, and COVID-19 information, please visit www.uscis.gov/coronavirus (USCIS) and www.ice.gov/doclib/coronavirus/covid19faq.pdf (ICE SEVP).