



May 22, 2020

The Honorable Chad Wolf  
Acting Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Ave, NW  
Washington, DC 20528

**RECEIVED**

**By ESEC at 2:54 pm, May 27, 2020**

Dear Secretary Wolf,

On behalf of the University of Southern California (USC), I write regarding urgently needed action on visa and immigration issues in response to the COVID-19 pandemic. At USC, we recognize this is a period of uncertainty and heartbreak, and we are grateful for the tremendous work that you and your colleagues in Congress have already achieved, including emergency support for higher education. Below is a summary of our concerns along with recommended actions for Congress and the Administration.

**1. Ease Visa Restrictions for International Students and Scholars**

Specifically, we respectfully bring to your attention that U.S. consulate closures threaten life-saving research and higher education by restricting international students and scholars. While some international students who need visas have been able to schedule visa-interview appointments, many still cannot, and others receive interview dates well beyond the start of their academic programs. This includes graduate students that are playing a key role in vital biomedical research.

We are increasingly concerned that the Department of State (State) has not taken enough steps to institute alternative measures to issue student visas in a timely manner. The recent projections of a 25 percent or more decline in international student enrollment for fall 2020 could mean a loss of \$10 billion or more for higher education—threatening institutions along with American jobs and crucial research, including research related to responding to and preventing health pandemics. A dramatic decline in international students would further dampen our nation's economic recovery and their direct economic contributions to local communities. It is important to note that during the 2018-19 academic year, one million international students and their families contributed approximately \$40 billion to our national economy.

**2. Support Optional Practical Training (OPT) Programs**

Our international students also need continued support to participate in experiential learning and practical training through the Optional Practical Training (OPT) and the Science, Technology, Engineering, and Math (STEM) OPT programs. The OPT program provides America's higher education institutions with an essential edge in an increasingly competitive global education and innovation market. Without OPT, the ability of American colleges and universities to attract and educate the best and brightest from around the world will diminish. These programs are critical to USC—approximately 5,000 of USC's 17,305 international students participate in the OPT and STEM OPT programs.

We are particularly concerned that under the Administration's 30-day review of nonimmigrant programs, international students currently in the United States completing their educational program may be subject to a prohibition on remaining in the United States and gaining practical experience under the OPT program. We urge you to issue recommendations that these international student and scholar programs, including OPT, not be included in future immigration bans.

The consequences of ending OPT for students, schools, and the economy at large will be severe. This is especially true for the STEM OPT program. According to the National Association of Manufacturing, the United States will need to fill roughly 3.5 million STEM jobs by 2025 and risks nearly 2 million going unfilled. American businesses who hire these students enhance our nation's global competitiveness, benefitting the broader American economy and scientific enterprise.

We ask you to consider supporting the following policy changes to ensure the new and continuing enrollment of international students at USC, and institutions across the country, who bolster American innovation, research, and industry.

## **I. Student Visas**

- **Grant consulates and embassies permission to waive in-person visa interviews for F-1 and M-1 applicants.** The State Department recently allowed consular officers to waive the requirement for in-person interviews for categories of H-2 visa applicants. 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 because 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. We already let visitors from 39 countries enter the United States without in-person visa interviews. There is no reason that students enrolled in degree programs should have to be interviewed during these times.
- **Ensure that OPT and curricular practical training (CPT) remain viable programs moving forward for international students.** SEVP Stakeholder Guidance has outlined several OPT and CPT questions that have been raised regarding temporary student status flexibilities. The current FAQ says, "DHS is evaluating these issues and may issue additional guidance." We strongly urge your advocacy to the Administration that they do not take action that threatens these programs and we urge you to legislate, if necessary, to make sure that these programs remain viable for international students. When the United Kingdom eliminated similar programs, thousands of international students went to other countries, causing such a major economic loss that the UK ultimately had to reverse their policies. The United States should learn from the United Kingdom and not make the same mistakes.

## **II. Highly Skilled Visas**

- **Reinstate H-1B premium processing.** This would allow universities, their affiliated research facilities, and medical centers to ensure timely hiring of the world's most talented faculty, postdoctoral associates, and research scientists, many of whom are performing essential functions during the COVID-19 crisis. Without the option for premium processing, many universities who are currently making fall hiring decisions, will not be able to have their international employees in place before the start of the fall term. As a result, students may be unable to take vital classes, which could result in degree completion delays because many courses are taught in annual or semester sequences.

Thank you for your support of USC and colleges and universities across the country. We appreciate the opportunity to continue to engage with Congress and the Administration on these critical issues and hope we can continue to be a resource during this uncertain time.

Sincerely,

A handwritten signature in cursive script that reads "Carol L. Folt".

Carol L. Folt  
President



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

June 22, 2020

Carol L. Folt  
President  
University of Southern California  
Los Angeles, California 90089

Dear Ms. Folt:

Thank you for your May 22, 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 institutions of higher education, students, employers, and others 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.<sup>1</sup> We consider special circumstances and expedite requests of individual requests on a case-by case basis. USCIS also recently announced that we are resuming premium processing service for certain employment-based petitions, including H-1B petitions.

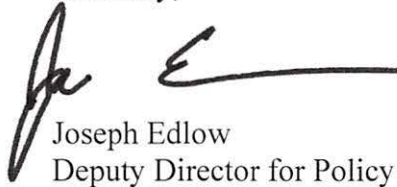
---

<sup>1</sup> Our website provides additional information regarding special circumstances, expedite requests, and options for nonimmigrants to extend or change their status at [www.uscis.gov](http://www.uscis.gov).

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.<sup>2</sup>

Thank you again for your letter and interest in this matter. We will consider the recommendations you have put forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Edlow', is written over the printed name and title.

Joseph Edlow  
Deputy Director for Policy

---

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