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October 23, 2020

The Honorable Chad Wolf  
Acting Secretary  
U.S. Department of Homeland Security  
Washington, D.C. 20528

Dear Acting Secretary Wolf,

We are writing to express our deep concern with a recently published a Notice of Proposed Rulemaking (NPRM) by the Department of Homeland Security (DHS) on “Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media.” While well-intended, the proposed rule would negatively impact our global competitiveness at an incredibly vulnerable time for our nation’s economy.

This proposed rule would be detrimental to the United States’ ability to attract the best and brightest international students and exchange visitors from around the world. It would establish fixed terms of two or four years for international students in F status and exchange visitors in J status in the United States to complete their degrees and/or research, which simply do not fit the needs of these students. The average Ph.D. student can take up eight years to complete their degree, while the average time to earn a bachelor’s degree is closer to five years. The existing policy is highly preferred as it allows students to remain in the United States for the duration of their studies or research program as long as they comply with the rules relevant to their immigration status provides.

The international students enrolled in America’s institutions of higher education contributed \$41 billion to the U.S. economy in the 2018-2019 academic year alone. This ranks near the top of goods and services we offer other nations behind only autos, planes, and pharmaceuticals. Recognizing the immense value of international students to their own economies, our competitors in the United Kingdom, Canada, and Australia are enhancing policies to attract international students. Meanwhile, the United States has experienced an alarming decline in international student enrollment, an issue exacerbated by the ongoing COVID-19 pandemic.

While we share the administration’s concerns regarding visa overstays and fraud, we request you adopt targeted approaches to address specific problems. Under the proposed rule, the vast majority of students and scholars who comply with the rules would be penalized because of the few who do not. Presently, international students and exchange visitors are closely tracked in the

Student and Exchange Visitor Information System (SEVIS) from the moment they are admitted to an institution until degree or research completion. Under rules, SEVIS already alerts DHS when international students and exchange visitors overstay or fail to comply with their immigration status.

Given the importance of international student and scholar talent to our national economy and global competitiveness, we request you address the concerns of the higher education community in the final regulations and preserve the duration of status policy.

Sincerely,



Jaime Herrera Beutler  
Member of Congress

/s/  
Steve Stivers  
Member of Congress

/s/  
Brian Fitzpatrick  
Member of Congress

/s/  
Fred Upton  
Member of Congress

/s/  
Ann Wagner  
Member of Congress

/s/  
Rodney Davis  
Member of Congress

/s/  
Anthony Gonzalez  
Member of Congress

/s/  
Bill Flores  
Member of Congress

/s/  
David B. McKinley, P.E.  
Member of Congress

/s/  
Denver Riggleman  
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Mike Bost  
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John Katko  
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Peter King  
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Tom Reed  
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Frank D. Lucas  
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John R. Curtis  
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/s/

Pete Olson  
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/s/

Dan Newhouse  
Member of Congress

/s/

Cathy McMorris Rodgers  
Member of Congress

/s/

Elise Stefanik  
Member of Congress