

PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

March 25, 2020

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Chad F. Wolf
Acting Secretary
U.S. Department of Homeland Security
245 Murray Lane, SW
Washington, DC 20528

The Honorable Mike Pompeo
Secretary of State
U.S. Department of State
2201 C St., NW
Washington, DC 20520

RE: RECOMMENDATIONS TO SUPPORT DACA RECIPIENTS AND INTERNATIONAL STUDENTS IN LIGHT OF COVID-19

Dear Acting Secretary Wolf and Secretary Pompeo:

I write on behalf of the Presidents' Alliance on Higher Education and Immigration (Presidents' Alliance), comprised of over 450 college and university presidents, to provide recommendations to support Deferred Action for Childhood Arrivals (DACA) recipients, international students and scholars, and other noncitizens in light of the COVID-19 pandemic. With many U.S. government agencies curtailing services and closing offices, and colleges and universities taking necessary steps to protect the public health, many students, educators, and their families face the possibility of falling out of status through no fault of their own without a requisite response from the U.S. Department of Homeland Security (DHS) and the Department of State (DOS). In addition to our request below regarding the automatic extension of work permits for DACA recipients, we ask that you consider a similar, automatic extension for *all* immigrants who hold a work permit, including international students with Optional Practical Training (OPT). We also share NAFSA's March 16, 2020 [letter](#) to Acting Secretary Wolf containing a series of detailed recommendations regarding international students, which we endorse and urge you to adopt.¹

The non-partisan Presidents' Alliance comprises over 450 college and university presidents and chancellors of public and private institutions. Together, our members' institutions enroll over five million students across 41 states, D.C., and Puerto Rico. The Presidents' Alliance is committed to supporting policies that create a welcoming environment for undocumented, immigrant, and international students, and are deeply concerned about how changes in our nation's immigration policies and practices impact our students and campuses and the communities and states we serve.²

¹ Letter from Esther D. Brimmer, Executive Director & CEO, NAFSA: Association of International Educators to Chad Wolf, Secretary, U.S. Department of Homeland Security (March 16, 2020), available at <https://bit.ly/2xdoBfb>.

² For more information about the Presidents' Alliance, visit <http://www.presidentsalliance.org>.

Automatic Extension of DACA and Work Authorization. On March 18, U.S. Citizenship and Immigration Services (USCIS) closed its offices.³ These closures, coupled with the increased difficulties in accessing legal assistance and layoffs related to the economic downturn, will lead to DACA recipients being unable or delayed in submitting their renewal requests. We request that USCIS automatically extend DACA for all recipients whose grant expires in 2020. Support of DACA recipients during the current pandemic is particularly critical because 27,000 DACA recipients are employed as healthcare practitioners or in supporting occupations.⁴

Waiver of Biometrics. We encourage DHS to waive biometrics for all immigrants, including DACA recipients, H4 visa holders, etc., in light of the closure of USCIS Application Support Centers.⁵ In many cases, USCIS already has previous biometric information on file that the agency can utilize in conducting updated background checks.

Optional Practice Training. Among NAFSA's recommendations, we highlight the urgency regarding OPT. We encourage DHS to adopt flexibility to SEVP in the OPT context by:

- issuing guidance to allow F international students, who returned home due to COVID-19, to file their OPT applications from abroad and to reaffirm the ability of OPT participants to work remotely (as federal, state, and local governments are recommending);
- indefinitely suspending site visits (to reduce the risk of COVID-19 spread and in recognition of an increase in teleworking);
- extending filing deadlines and automatically extending work authorization without biometrics requirements;
- extending grace periods to ensure that travel back home may be completed when it is possible and safe;
- suspending enforcement against OPT participants who may encounter longer processing times or may lose their jobs due to the economic downturn by extending the authorized period of unemployment beyond 90 days;
- accepting scanned signatures on Form I-20, *Certificate of Eligibility for Nonimmigrant Student Status*; and
- providing flexibility by not requiring an updated passport for extension or change of status, particularly because updated passports for some nationals can only be

³ U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY, USCIS Response to the Coronavirus Disease 2019 (COVID-19) (March 20, 2020), <https://www.uscis.gov/about-us/uscis-response-coronavirus-disease-2019-covid-19>.

⁴ Nicole Prchal Svajlenka, *What We Know About DACA Recipients in the United States*, Center for American Progress (Sept. 6, 2019), <https://www.americanprogress.org/issues/immigration/news/2019/09/05/474177/know-daca-recipients-united-states/>.

⁵ U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY, USCIS Response to the Coronavirus Disease 2019 (COVID-19) (Mar. 20, 2020), <https://www.uscis.gov/about-us/uscis-response-coronavirus-disease-2019-covid-19>.

obtained in certain consulates—and travel is currently discouraged or altogether prohibited in some states.

Consulate Interviews Abroad. Since the NAFSA letter, DOS, on March 28, 2020, announced that it was suspending routine visa services in most countries, cancelling all immigrant and nonimmigrant visa appointments.⁶ DOS has understandably cancelled in-person interviews for international students and scholars seeking nonimmigrant visas. We encourage DOS to issue updated guidance through the Foreign Affairs Manual allowing those seeking visas to conduct their consulate interviews remotely or through teleconferencing. If an adjudicator can make a positive finding based solely on the application and supporting documents, we encourage DOS to re-implement previous policy where in-person interviews could be waived altogether, as successfully practiced for several years under the Interview Waiver Program. These cancellations give greater urgency to the recommendation in the NAFSA letter referenced above.

Commitment to Future Enrollment. Finally, with the uncertainty surrounding COVID-19, we ask that DHS and DOS consider issuing statements committing to the continued availability of the United States as the leading educational destination of choice for future cohorts of international students. Prospective and current international students and scholars may question whether the United States will continue to welcome and fully maintain its international student programs. International students contribute to the intellectual vibrancy and diversity of our campuses and, vitally, to our nation's economic engine, contributing \$41 billion in GDP and supporting 458k jobs.⁷ A recognition of these contributions and commitment to continuing to welcome these students in future enrollment cycles are absolutely critical to maintaining our country's top-tier status in attracting and retaining international students.

We appreciate the flexibility and policy changes that DHS and DOS have already implemented in response to this crisis. Thank you for the consideration of these requests. If you have any questions, please contact Jose Magaña-Salgado at (480) 678-0040 or jose@presidentsalliance.org.

Sincerely,



Miriam Feldblum
Executive Director
Presidents' Alliance on Higher Education and Immigration

⁶ Bureau of Consular Affairs, U.S. Department of State, *Suspension of Routine Visa Services* (March 20, 2020), <https://travel.state.gov/content/travel/en/News/visas-news/suspension-of-routine-visa-services.html>.

⁷ NAFSA, *The United States of America Benefits from International Students*, <https://www.nafsa.org/sites/default/files/media/document/isev-2019.pdf> (last accessed March 24, 2020).

CC:

Kenneth T. Cuccinelli, Senior Official Performing the Duties of the Director, U.S. Citizenship and Immigration Services

Matthew T. Albence, Acting Director, U.S. Immigration and Customs Enforcement

Mark A. Morgan, Acting Commissioner, U.S. Customs and Border Protection

Michael A. Dougherty, USCIS Ombudsman, U.S. Citizenship and Immigration Services

Rachel Canty, Director, Student and Exchange Visitor Program, U.S. Immigration and Customs Enforcement

G. Kevin Saba, Deputy Assistant Secretary for Private Sector Exchange, Acting

Charles Wollenhaupt, Acting Deputy Assistant Secretary, Private Sector Office

Trent Frazier, Executive Director, Office of Academic Engagement & Campaigns