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August 24, 2021

The Honorable Antony J. Blinken
Secretary
Department of State
Washington, DC 20520

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Blinken and Secretary Mayorkas:

The Presidents' Alliance on Higher Education and Immigration writes to urge action to protect Afghan students, scholars, researchers, and their families seeking to come to the U.S., and those here in U.S. higher education institutions. Doing so will provide much-needed and well-deserved protection for this vulnerable population, and signal to current and prospective Afghan students and scholars that the United States is the preeminent destination for those wanting to study, live, and contribute. With the ongoing urgent conditions on the ground, we also call on the administration to ensure that flights and evacuations continue if necessary past August 31, 2021, and not be delayed so that all vulnerable Afghan students, scholars, and researchers can be given safe passage and haven in the United States, including to pursue higher education programs in the United States. We also urge assistance in helping Afghans currently studying and residing in the United States to maintain or change immigration status as needed in order to avoid persecution.

Please see the attached set of recommendations that we urge you to consider and adopt. We stand ready to work with you and are committed to providing a welcoming learning environment for Afghans in search of better opportunities here in the U.S.

Sincerely,



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

PROTECTING AFGHAN STUDENTS, SCHOLARS, AND RESEARCHERS¹

The Presidents' Alliance on Higher Education and Immigration writes to urge action to protect Afghan students, scholars, researchers, and their families seeking to come to the U.S., and those here in U.S. higher education institutions.² Doing so will provide much-needed and well-deserved protection for this vulnerable population, and signal to current and prospective Afghan students and scholars that the United States is the preeminent destination for those wanting to study, live, and contribute. With the ongoing urgent conditions on the ground, we also call on the administration to ensure that flights and evacuations continue if necessary past August 31, 2021, and not be delayed so that all vulnerable Afghan students, scholars, and researchers can be given safe passage and haven in the United States, including to pursue higher education programs in the United States. We also urge assistance in helping Afghans currently studying and residing in the United States to maintain or change immigration status as needed in order to avoid persecution.

The Presidents' Alliance recommends the following actions and policies:

- I. **Afghan students in F-1 and J-1 status should be granted special student relief.** Current guidelines permit the U.S. Department of Homeland Security (DHS) and the Department of State (DOS) to append rules regarding students' status, course of study, and employment if there are extreme circumstances. Afghan international students would benefit from the suspension of the 20 hour per week limit and USCIS-authorized off campus employment as well as being able to take the minimum course load.
- II. **USCIS and the DOS should waive the requirements for the Student and Exchange Visitor Information System (SEVIS) Form I-20.** In acquiring a foreign student visa, prospective students must fill out a Form I-20, supplied by an institution that is certified by Immigration and Customs Enforcement Student and Exchange Visitor Program. However, this form requires multiple documents including transcripts or course records, proof of financial responsibility, and other documents.

¹ The recommendations in this letter echo the recommendations in a recent letter to the administration from NAFSA. Letter to Alejandro Mayorkas, Secretary, U.S. Department of Homeland Security from NAFSA (Aug. 20, 2021), available at <https://www.nafsa.org/sites/default/files/media/document/NAFSAAfghanReliefLetterDOSDHS.pdf>. In addition, we call attention to the letter submitted by Scholars at Risk, which the Presidents' Alliance signed onto. Letter to Antony J. Blinken, Secretary, U.S. Department of State from Robert Quinn, Executive Director, Scholars at Risk, available at <https://www.scholarsatrisk.org/2021/08/urgent-appeal-for-afghanistans-scholars-students-practitioners-civil-society-leaders-and-activists/>.

² The nonpartisan, nonprofit [Presidents' Alliance on Higher Education and Immigration](https://www.presidentsalliance.org) brings college and university presidents and chancellors together on the immigration issues that impact higher education, our students, campuses, communities and nation. We work to advance just, forward-looking immigration policies and practices at the federal, state, and campus levels that are consistent with our heritage as a nation of immigrants and the academic values of equity and openness. The Alliance is composed of over 500 presidents and chancellors of public and private colleges and universities, enrolling over five million students in 43 states, D.C., and Puerto Rico.

Higher education colleges and universities should be able to issue the Form I-20 for prospective students unable to obtain these documents, including Afghans seeking higher education, if the institution decides that other requirements are met.

- III. **Waive the requirement that F students and J exchange visitors and their families must prove that they intend to return to their previous habitual residence following their stay in the United States.** If a waiver is not feasible, the prerequisite should be amended to clarify that a statement of intention to return to Afghanistan when conditions permit will satisfy the non-immigrant intent provision of INA section 214(b).
- IV. **Waive the INA section 212(e) requirement that these individuals must return to Afghanistan for two years after the completion of the program.** The Department of Homeland Security should waive this two-year home residence prerequisite for J-1 exchange visitors and their dependents.

These urgent conditions and the dangers facing vulnerable Afghan nationals, especially Afghan women, call for the pursuit of all available protection mechanisms. These mechanisms include the Executive's statutory and inherent authority to provide relief such as parole, Temporary Protected Status (TPS), and Deferred Enforced Departure (DED).

- V. **Humanitarian parole, as well as work authorization benefits, should be afforded to Afghan students, scholars, researchers, and their dependents.** A new category should also be created for Afghan women who are especially at risk and for girls who lack access to a comprehensive education. Humanitarian parole allowing temporary entry into the United States should be made available to these women and girls who are, by definition, in emergency situations and for whom there is a pressing humanitarian reason and/or public benefit.
- VI. **DHS should grant TPS for Afghanistan.** The situation in Afghanistan is volatile and does not show signs of Afghan nationals being able to return safely in the immediate future.
- VII. **Urge the White House to issue DED for all Afghan nationals residing in the United States.** There are many Afghan nationals currently in the United States, including those here on G visas, who can no longer safely return home. While they are seeking political asylum or another legal immigration status, DHS should defer deportation notices or removal processing for these individuals and families.
- VIII. **Expand visa application and processing capabilities.** U.S. embassies and consulates in third-country locations around the world should process visa applications for Afghan nationals.
- IX. **Increase in aid.** DHS and DOS should provide aid, consistent with U.S. law, in the departure of Afghan nationals, to facilitate their ability to continue educational and research opportunities in the United States.

For questions regarding this request, please contact Jose Magaña-Salgado at jose@presidentsalliance.org.