

October 26, 2020

The Honorable Chad Wolf
Acting Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue NW
Washington DC 20395

Sharon Hageman Acting Regulatory Unit Chief
Office of Policy and Planning
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street SW
Washington DC 20536

Re: Notice of Proposed Rulemaking: 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 (Docket No. ICEB-2019-0006).

Dear Acting Secretary Wolf and Acting Regulatory Unit Chief Hageman:

The Center for International Affairs at Case Western Reserve University (CIA, CWRU) responds in opposition to the U.S. Department of Homeland Security's (DHS) proposed rule (hereinafter "NPRM"), "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" (DHS Docket No. ICEB-2019-0006-0001) which was released September 25, 2020. We respectfully request that the NPRM be **withdrawn in its entirety** and that the duration of status admission period structure remains in effect.

Impact of International Students

CWRU is home to more than 2,200 international students representing over 80 countries around the world. Our international students are an integral part of scholarship, research, the arts, and all of the endeavors of our shared institution. Research has shown, time and again, that working in internationalized contexts [sparks creativity and innovation](#) for everyone involved, and it [inspires more high-impact, useful research](#). CWRU international students have contributed to research on [the Earth's deep-carbon cycle](#) (Man Xu), [created inclusive science resources](#) (Klaountia Pasmatsiou), and have published work on [dark matter](#) (Jagjit Sidhu). Our faculty also includes many former international students, including [Anirban Sen Gupta](#), who is [aiding soldiers on the battlefield](#) through his work at CWRU.

In addition to their significant research and scholarship contributions, international students also help ensure the viability of academic courses and programs that are of great interest to the best and brightest among American students. Any specialty within a university must have a minimum number of students to cover the costs of the program. Some programs would not exist without international students to fill the rolls. It is highly likely that some of CWRU's nearly 100 programs, would not be available without the enrollment of international students.

Of all the potential consequences predicted to follow if the NPRM is put into effect, perhaps the most troubling among them is that the United States is extremely likely to lose international students. As detailed above, international students are integral members of our university communities, and we are all richer when we study and work in an internationalized community. However, their intangible contributions to research and climate are not the only benefits international students bring to campus.

Impact of the NPRM on National Competitiveness and the Economy

Proposals like the recent [rumors related to Optional Practical Training](#), the ever-shifting [travel restrictions](#), threats to duration of status policy in the NPRM, and many other actions taken by this administration have left international students feeling uncertain of their futures and that their ability to complete degree

programs successfully and before the rules change again may be in jeopardy. Every announcement sends a shockwave of confusion, fear, anxiety, and distrust through the international student population, and indeed through the community of professionals who work with international students.

Immigration policy, in all its forms, is linked inextricably to the economic health of our country. [According to NAFSA: Association of International Educators](#), foreign students (including those on OPT) and their families contributed nearly \$41 billion to the U.S. economy, and their presence supported more than 458,000 jobs during the 2018-2019 academic year, making international education the fifth-largest U.S. services export. At Case Western Reserve University, our 2,200 international students contributed [over \\$130 million](#) to our economy, and they supported nearly 1,800 jobs.

International students contribute to local economies through renting apartments, shopping, paying utilities, taking public transportation, and much more. They keep cities vibrant and lively, and they bring coveted research dollars and prestige to their institutions, their states, and the nation.

International students have an abundance of options, both in the English-speaking world and at institutions worldwide. When our government threatens international students' ability to be here, our country loses because students can study elsewhere:

- Canada
 - The Government of Canada has developed an [International Education Strategy](#) to attract students to their institutions over the next five years.
 - Canadian degrees and English language ability give applicants for permanent residency extra points in the country's [Comprehensive Ranking System](#) for [express entry for permanent residency for skilled workers](#).
- Australia
 - The Australian Government "...provides rigorous protection for international students through the [Education Services for Overseas Students Act 2000](#)."
 - Australian degrees and English language proficiency give applicants for permanent residency extra points in the country's [Skilled Independence](#) visa class.
- The United Kingdom
 - International student enrollment in the UK, before the COVID-19 crisis, had increased to [nearly half a million students in 2019](#).
 - The UK allows all graduates of UK institutions to [stay for two years after graduation](#) to work and/or search for work, and, in so doing, hopes to "...recruit and retain the best and brightest global talent, as well as opening up opportunities for future breakthroughs in science, technology and research and other world-leading work that international talent brings to the UK."
- New Zealand
 - Before the COVID-19 crisis, New Zealand was seeing year-on-year growth in international student enrolment of [nearly 10%](#).
 - New Zealand allows graduates of its universities to apply to [work after graduation](#) for up to three years.

Changes like the proposed end to duration of status policy continue to erode America's edge on its competition and our reputation internationally. The decisions and policies of our government reflect to our students and to our citizenry how the government views those coming from abroad. Policies like NPRM send the signal to both international and domestic citizens that the U.S. views those coming from abroad as untrustworthy and unwelcome in the United States.

We lose market share in the international student economy *and* the opportunity to build goodwill worldwide through the soft power of higher education every time this administration makes another move to threaten international students' statuses here. We lose economic contributions to all sectors of society; we lose jobs supported by international students; we lose research dollars and outcomes; we lose patents for discoveries that will be made elsewhere.

NPRM Creates Unnecessary Limitations and Inefficiencies

CWRU's students work tirelessly to achieve their academic dreams. Undergraduates frequently choose more than one major, requiring 1-2 extra years to complete. It is also common for Ph.D. students to require 5-6 years to complete their coursework, comprehensive exams, and dissertation work. The NPRM would create unnecessary limits on those students who would choose multiple majors, ultimately putting their ability to graduate in jeopardy. Similarly, the NPRM would unduly limit Ph.D. students and potentially put their research on hold or, potentially, make it impossible to complete. When options are limited, international students begin looking for more stable offers from other countries.

Furthermore, not only would students' options be limited but the proposed rule also encroaches on Case Western Reserve University as an academic institution. It is up to CWRU -- up to our faculty and administrators -- to determine whether to grant students additional time to complete their studies. The NPRM takes the university's agency and puts it, instead and unnecessarily, in the hands of DHS. It demands that a USCIS officer evaluate a student's progress, rather than keeping that process in the hands of trained student affairs professionals.

When the university processes requests for students to extend their stays beyond their originally scheduled 4-6 years, International Student Services (ISS) professionals work alongside their fellow higher education professionals colleagues to follow all academic and institutional procedures and to update DHS and USCIS via SEVIS. This multi-million dollar project ([nearly \\$182 million](#)) provides DHS and USCIS with immediate access to a broad array of data, and it is maintained by trained, professional ISS staff. F and J nonimmigrants' information is already stored and available in the massive SEVIS electronic reporting system. The NPRM reduplicates the efforts of ISS staff and SEVIS unnecessarily.

Conclusion

Finally, as stated above, immigration policy is an economic policy. Our decisions and policies must be data-driven and research-based. Research and data show, (1) international students are a net gain to their institutions and to the local and national economies; (2) universities provide DHS needed information through the SEVIS system; (3) the proposed rule redoubles efforts already being done by ISS professionals; (4) the United States must maintain its competitive edge in the realm of higher education, benefitting us economically, relationally, and in terms of our global reputation.

If you would like to learn more about Case Western Reserve University's international students, we encourage you to visit our website, www.case.edu/international.

Sincerely,

The Staff of the Center for International Affairs
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