

**Congress of the United States**  
**Washington, DC 20515**

May 20, 2020

The Honorable Mike Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street, N.W.  
Washington, D.C. 20520

Kenneth Cuccinelli  
Senior Official Performing the Duties of Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, N.W.  
Washington, D.C. 20529

Dear Secretary Pompeo and Mr. Cuccinelli:

We are writing in response to the impact COVID-19 is having on colleges and universities, particularly as they develop plans to safely bring students back to campus. As schools continue to plan for the 2020-2021 academic year, we request that the State Department prioritize the processing of student visas, and that the State Department and USCIS develop a plan to ensure that these students can safely enter the United States.

International students contribute greatly to our schools, communities, and local economies. In fact, NAFSA: the Association of International Educators, reports that international students and their families contributed \$41 billion and 400,000 jobs to the U.S. economy in 2018. This means a 25 percent reduction in international student enrollment could result in a loss of \$10 billion and over 100,000 U.S. jobs.

We have already established an in-depth vetting process for international students. For example, before even applying, an applicant must be accepted for enrollment at an educational institution or program approved by the Student and Exchange Visitor Program (SEVP), through which the Department of Homeland Security tracks and monitors foreign students and exchange visitors. In addition, State Department consular officers screen all visa applicants through a biometric database and facial recognition technology that are used to verify an applicant's identity and his or her authorization to enter into the country. If an applicant warrants additional vetting, consular offices can refer selected visa cases for greater review by intelligence and law enforcement agencies.

It is critical to our nation's educational and economic recovery that these vetted international students are able to come to our colleges and universities for their studies. This is particularly true for our colleges in Rhode Island that attract a significant percentage of international students. We ask that the State Department and USCIS develop and implement a plan to ensure that international students can continue to study in the United States as we begin the economic recovery from the COVID-19 crisis. Such a plan should include the following steps:

- 1) Expedite and prioritize visa processing to help international students get to campus for the fall academic semester. We urge the State Department to start processing visa applications as soon as possible, and to develop an alternative to live interviews as appropriate. Schools are concerned that students will not obtain in-person interviews in time to return for the start of the 2020-2021 academic year.

2) Waive the requirement for in-person interviews for F-1 and M-1 applicants with no apparent or potential ineligibility. This would avoid unnecessary in-person contact between U.S. government officials and prospective students and would ensure smooth enrollment for international students in fall 2020.

3) Provide clear guidance to students and exchange visitors as soon as possible about any additional requirements they will have to comply with in order to enter the country safely, including any testing and quarantine requirements.

4) Keep Optional Practical Training (OPT) work authorization as a benefit for F-1 visa holders. We also request that the number of days of unemployment for students currently on OPT be extended beyond the current limit of 90 days so that their visa status would not be harmed if they are unemployed more than 90 days during the COVID-19 public health emergency.

We appreciate your consideration of this request and look forward to your response.

Sincerely,

/s/ Jack Reed

---

Jack Reed  
United States Senator

/s/ Sheldon Whitehouse

---

Sheldon Whitehouse  
United States Senator

/s/ James R. Langevin

---

James R. Langevin  
Member of Congress

/s/ David N. Cicilline

---

David N. Cicilline  
Member of Congress



U.S. Citizenship  
and Immigration  
Services

July 1, 2020

The Honorable Jack Reed  
United States Senate  
Washington, DC 20510

Dear Senator Reed:

Thank you for your May 20, 2020 letter expressing support for international students and scholars during the coronavirus (COVID-19) pandemic. Mr. Cuccinelli 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. As we begin moving toward reopening the country, DHS remains steadfast in our commitment to protect the safety of the American people. We continue to closely monitor the evolving COVID-19 situation in order to protect our Nation, our workforce and communities, and to minimize the impact of COVID-19 on American citizens and workers. Our website and outreach efforts provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times.

You will find additional information enclosed in response to the questions posed in your letter. DHS will continue to communicate publicly regarding any changes we make to ensure that the public is fully informed of the steps we are taking to address these and other challenges resulting from this national emergency.

Thank you for your interest in this issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Sincerely,

A handwritten signature in black ink, appearing to be "Joe Edlow", followed by a horizontal line.

Joseph Edlow  
Deputy Director for Policy

Enclosure

The Honorable Jack Reed  
Page 2

cc:

The Honorable Sheldon Whitehouse  
United States Senator

The Honorable James R. Langevin  
Member of Congress

The Honorable David N. Cicilline  
Member of Congress

**U.S. Citizenship and Immigration Services Response to  
Senator Jack Reed's May 20, 2020 Letter**

**1. Recommendation: Expedite and prioritize visa processing to help international students get to campus for the fall academic semester.**

We defer to our colleagues at the Department of State (DOS) to answer questions related to visa processing for students outside of the United States.

**2. Recommendation: Waive the requirement for in-person interviews for F-1 and M-1 applicants with no apparent or potential ineligibility.**

We defer to our colleagues at DOS to answer questions related to visa processing for students outside of the United States.

**3. Recommendation: Provide clear guidance to students and exchange visitors as soon as possible about any additional requirements they will have to comply with in order to enter the country safely, including any testing and quarantine requirements.**

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. Students should regularly review the DOS, U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement (ICE) websites for the most up-to-date information related to these issues.

**4. Recommendation: Keep Optional Practical Training (OPT) work authorization as a benefit for F-1 visa holders.**

USCIS continues to accept and process immigration benefit requests, including requests for employment authorization based on OPT. To apply for OPT, the student must:

- Request that the designated school official (DSO) at the academic institution recommend the OPT. The DSO will make the recommendation by endorsing the Form I-20, Certification of Eligibility for Nonimmigrant Student Status, and making the appropriate notation in the Student and Exchange Visitor Information System.
- Properly file Form I-765, Application for Employment Authorization, with USCIS, accompanied by the required fee and the supporting documentation as described in the form instructions.

**U.S. Citizenship and Immigration Services Response to  
Senator Jack Reed's May 20, 2020 Letter**

- 5. Recommendation:** We also request that the number of days of unemployment for students currently on OPT be extended beyond the current limit of 90 days so that their visa status would not be harmed if they are unemployed more than 90 days during the COVID-19 public health emergency.

DHS is evaluating the issue but has not yet determined whether to implement a specific exemption for exceeding the regulatory limits for unemployment of 90 days for OPT and 150 days for STEM OPT.

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 OPT. Both the USCIS and ICE websites and outreach efforts provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times. Please visit: [uscis.gov/coronavirus](https://uscis.gov/coronavirus) (USCIS) and [ice.gov/coronavirus](https://ice.gov/coronavirus) (ICE SEVP).