



United States Senate

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June 11, 2020

The Honorable Michael R. Pompeo
Secretary
Department of State
Washington, D.C. 20520

The Honorable Chad F. Wolf
Acting Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Pompeo and Acting Secretary Wolf,

I write to request that the Department of Homeland Security (DHS) and the Department of State (DOS) issue clear guidance to our nation's universities and colleges as they face unprecedented uncertainty for their international students, scholars and researchers.

Over one million international students and their families contributed approximately \$45 billion to our national economy in the 2018-2019 academic year. Over the 2018-2019 academic year, international students created or supported more than 458,000 jobs – creating three jobs for every seven international students.

Many of the best and brightest come to the United States, to teach and train the best of the next generation, and to conduct innovative research to further the economic strength of our country.

Issuing guidance related to remote learning and the prioritization of medical residents and fellows would be particularly helpful to both institutions and their students, residents, and fellows. Additionally, healthcare-related optional practical training (OPT) programs are vital to our country's response to the coronavirus pandemic and these employment authorization applications should be a high priority. Non-immigrant visas relating to study or research at an institution of higher education should be exempted from future executive action.

Providing this guidance will help ensure that our institutions of higher education remain strong both during and after this pandemic. They provide much needed economic support to many communities.

Thank you for your attention to these important matters.

Sincerely,

A handwritten signature in blue ink that reads "Dianne Feinstein". The signature is fluid and cursive, with the first letter 'D' being particularly large and stylized.

Dianne Feinstein
United States Senator



U.S. Citizenship
and Immigration
Services

August 17, 2020

The Honorable Dianne Feinstein
United States Senate
Washington, DC 20510

Dear Senator Feinstein:

Thank you for your June 11, 2020 letter. Acting Secretary Wolf 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 Nation. Responding to the coronavirus (COVID-19) pandemic requires everyone to work within rapidly changing, complex circumstances that create a variety of situations and conditions unique to individuals and communities. Our primary goal is to ensure the safety of the public and our employees as the situation evolves.

We recognize there are immigration-related challenges that students, researchers, institutions of higher education, and others face as a direct result of the COVID-19 public health emergency and as reopening continues. We carefully analyze these issues and leverage our resources to effectively address these challenges within our existing authorities, including improving the employment opportunities of U.S. workers during this pandemic.

We appreciate your suggestions regarding the issuance of guidance and prioritization of applications submitted by medical residents and fellows. With regard to the visa process for individuals outside of the United States, we defer to our colleagues at the Department of State. For individuals within the United States, it is important for us to emphasize that U.S. Citizenship and Immigration Services (USCIS) continues to accept and process benefit requests, including extension and change of status applications for students and researchers, as well as applications for employment authorization.¹ USCIS considers special circumstances and expedites requests for individual applications on a case-by case basis. Further, USCIS has announced the resumption of premium processing service for certain employment-based petitions, including H-1B petitions. In response to the COVID-19 public health emergency, USCIS also announced additional flexibilities, including a temporary policy change for certain foreign medical graduates who have received a foreign residency waiver through the practice of medicine.²

¹ The USCIS website provides additional information regarding special circumstances, expedite requests, and options for nonimmigrants to extend or change their status at www.uscis.gov.

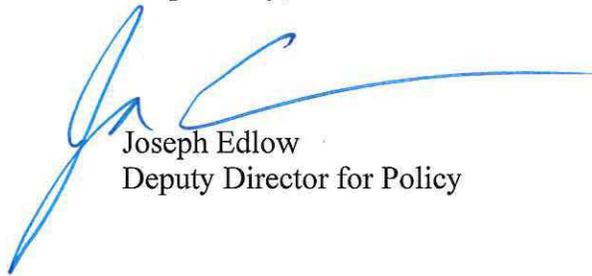
² USCIS Policy Memorandum, PM-602-0178, *Temporary Policy Changes for Certain Foreign Medical Graduates During the COVID-19 National Emergency*, (May 11, 2020).

U.S. Immigration and Customs Enforcement (ICE) has posted on its website responses to frequently asked questions about the impact of COVID-19 on Student and Exchange Visitor Program certified schools and the various scenarios that students and scholars may encounter, including issues related to Optional Practical Training. Both the USCIS and ICE websites provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times.³

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 the challenges resulting from this national emergency. As we continue reopening the country, DHS remains steadfast in our commitment to protect the safety of the American people.

Thank you again for your letter and your interest in this matter. Should you require any additional assistance, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read 'J. Edlow', with a long horizontal flourish extending to the right.

Joseph Edlow
Deputy Director for Policy

³ For policy updates, operational changes, and COVID-19 information, please visit uscis.gov/coronavirus (USCIS) and ice.gov/coronavirus (ICE SEVP).