

October 21, 2019

Honorable Members of the Georgia Congressional Delegation:

As presidents and chancellors of colleges and universities throughout Georgia, we are writing to express our concern about obstacles we are facing in our efforts to attract and retain international students, faculty, and scholars. Our institutions vary in mission, size and makeup, but we all depend on our ability to attract motivated students and scholars from throughout society and around the world.

Our success in these endeavors plays an important role in developing the workforce critical to serving Georgia's growing economy. According to NAFSA: Association of International Educators, the 22,789 international students studying at Georgia colleges and universities during the 2017-2018 academic year contributed \$808.6 million and supported 10,254 jobs to the state's economy. International students contributed \$39 billion to the U.S. economy last year. The economic contributions of international students are in addition to the immeasurable academic and cultural value these students bring to our campuses and local communities.

Over the past several years, we have observed a disturbing increase in the number – and length – of impediments put in the path of our international students, faculty, and staff. All of our schools have encountered an increasingly log-jammed immigration system that is impacting our ability to recruit, retain, and bring to our campuses foreign talent. As it becomes more difficult for foreign students and academics to study and work in the United States, many of them are turning to other options, weakening our institutions and American higher education overall, as well as jeopardizing our state's economic growth and our country's global competitiveness.

Provided below are four actions that Congress can take to bolster the foreign talent pipeline to Georgia's colleges and universities.

1. Protect experiential learning opportunities for foreign students: Optional Practical Training (OPT) permits foreign students studying in the U.S. to apply for "practical training" with a U.S. employer in a job directly related to their course of study. According to a 2019 report from the Niskanen Center, experiential learning opportunities like OPT for international students lead to increased innovation and higher average earnings, while not costing U.S. workers their jobs. The program allows students to supplement their education with valuable experiential learning and on-the-job-training as they start their careers. DHS included elimination of OPT in its Spring and Fall Unified Agenda of Regulatory and Deregulatory Actions last year. Experiential learning like OPT for international students is a key component of U.S. higher education. Access to this opportunity attracts international students; many competitor countries like Australia and Canada use similar programs to attract students away from the United States.

2. Mitigate adjudication delays for OPT, H-1B, and other USCIS applications/petitions: Unfortunately, processing times for OPT applications have increased from a previous maximum of 90 days in 2016 up to 5½ months today. Processing times of this length create an enormous

burden for students. The consequence of these delays is that students are unable to begin a job or program on time and, in many instances, they may lose out on the position altogether. This harms not only the students, but also the employers seeking to hire qualified, U.S.-trained workers for a practical training opportunity. This also jeopardizes recruiting and retention efforts by U.S. higher education institutions, which have been facing fierce competitions from countries like Canada, Australia, and the U.K. Adjudication/processing delays can be observed in almost all areas of U.S. Citizenship and Immigration Services (USCIS) operations, including H-1B petitions. H-1B petitions are used by higher education to hire tenure-track professors, world-renowned researchers, physicians, etc. USCIS' H-1B processing times have been deteriorating at an alarming rate, and currently it stands at about 5 to 9.5 months.

3. Alleviate increased Requests for Evidence: Over the past year, employers seeking to hire foreign-born employees have seen a dramatic increase in the number of "Requests for Evidence" (RFEs) from USCIS, particularly for H-1B visas, which allow U.S. employers to hire highly-skilled foreign workers in specialty occupations. We understand that USCIS has a responsibility to ensure that it has necessary information about eligibility. The scope of the increase, however, is staggering. RFEs for H-1B visa petitions more than doubled between the third and fourth quarters of FY2017. These requests delay the issuance of visas for employers by months and increase legal costs. Meanwhile, our professors and other employees are putting their lives on hold as they wait for start dates. In addition, some RFEs are frivolous, such as questioning a specialty occupation nature of a tenure-track faculty in a specialized field, and jeopardize a university's academic and research mission.

4. Preserve duration of status for foreign students and exchange visitors (F and J status): For decades, students and scholars have been granted immigration status that lasts for the period of time they are engaging in their studies or research, known as duration of status or D/S. The Department of Homeland Security (DHS) included the elimination of D/S in its Unified Agenda of Regulatory and Deregulatory Actions published this spring. Maintaining D/S is necessary because the time for study or research can fluctuate given the changing goals and actions of the student or scholar. U.S. Citizenship and Immigration Services (USCIS) already struggles with long backlogs and delays, and it will be unable to timely adjudicate the filings that this change would generate. USCIS average processing times have increased by 46% over the past two fiscal years and 91% since fiscal year 2014. USCIS takes 11.5 to 15 months to adjudicate I-539 applications. Ending D/S for students and scholars would exacerbate an existing problem by adding an enormous number of new application filings to extend status.

For decades, U.S. academia has been the envy of the world, in part because of our recruitment and acceptance of the finest applicants from around the globe. It also has been an engine of American innovation, bringing together talent from across the nation and around the world to work on the discoveries that fuel our most cutting-edge economic sectors. Our students, both foreign and U.S.-born, are able to learn from the world's best professors and conduct research under the tutelage of the most brilliant minds in their field. In turn, our U.S.-born students benefit from different perspectives by attending class with international students.

In 2016, all six American winners of the Nobel Prizes in economics and scientific fields were immigrants. Immigrants have been awarded 40% of the Nobel Prizes won by Americans in chemistry, medicine, and physics since 2000. Nearly one-quarter of the founders of the \$1 billion U.S. startup company sector first came to America as international students.¹ Talented international students, in turn, join the workforce, enter public service, and become educators or researchers themselves. Eventually, their children attend our colleges and universities, and become productive members of society.

We ask that you closely monitor the policies and administrative actions that are threatening the free flow of students and scholars upon which Georgia's colleges and universities depend. Attracting and retaining international students, scholars and faculty, does not take away from our longstanding commitment to Georgia students, if anything it enhances the experience at our schools. We hope you will communicate that people of all backgrounds and nationalities will always be welcome in Georgia. We stand ready to support you in your efforts to ensure that Georgia, and our nation, continues to be the leading destination for the world's best and brightest.

Sincerely,



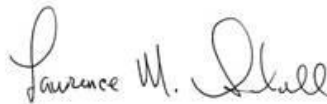
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¹ Source: National Foundation for American Policy



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