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ATTORNEY GENERAL RAOUL OPPOSES LIMITS ON INTERNATIONAL STUDENT VISAS

Proposed Rule on Visas Threatens Students' Ability to Earn Degrees, Harms State Economies

Chicago — Attorney General Kwame Raoul today joined a coalition of 22 state attorneys general in opposing efforts to severely restrict the amount of time international students are allowed to stay in the United States.

[In a comment letter](#) submitted to the Department of Homeland Security (DHS), Raoul and the coalition oppose a proposed rule that would set fixed time limits of two or four years for student visas, upending longstanding policy that allows students to stay as long as they need to earn their degrees, provided they meet certain requirements. Raoul and the coalition urge the Department to abandon the proposed rule, arguing that it would harm international students, limit educational opportunities for American students, damage state economies, create unnecessary red tape and violate federal law.

"International students make important contributions at the colleges and universities they attend and are a vital part of the communities surrounding those campuses," Raoul said. "We must provide international students with the stability they need to complete their studies at our renowned institutions of higher learning here in Illinois. I am proud to join this coalition in opposition to this rule."

Since 1979, the United States has used what is known as a "Duration of Status" framework for students on F visas. Currently, international students may stay in the U.S. if they remain enrolled at an accredited institution and meet requirements for progress towards a degree. "Duration of Status" gives international students studying at American institutions certainty that they will be able to stay in the country long enough to successfully earn undergraduate or graduate degrees. It also provides significant savings to taxpayers by eliminating the need for the federal government to process hundreds of thousands of applications for student visa extensions annually.

In September, DHS proposed a new rule that would end "Duration of Status" and drastically limit the amount of time international students are permitted to stay in the U.S. Under the proposed rule, initial visas would be valid for a maximum of four years. After the initial visa term, foreign students would be required to obtain documentation from their institutions and apply for a visa extension, which would have to be granted by U.S. Citizenship and Immigration Services (USCIS) only when "additional time needed is due to a compelling academic reason, documented medical illness or medical condition, or circumstance that was beyond the student's control." These new requirements would create uncertainty in international students' ability to complete their courses of study such that many might elect to never start in this country, decreasing enrollment and diversity at many educational institutions.

The proposed DHS rule is the latest in a series of unlawful attempts by the federal government to keep citizens of other countries out of the United States. In the comment letter, Raoul and the coalition urge DHS to abandon the proposed rule because it would:

- **Cause sharp declines in international student enrollment:** This rule would apply to both undergraduate and graduate students, despite the fact that only 41 percent of all full-time college students earn a bachelor's degree in four years, and the median time needed to complete a doctorate degree is more than six years. If students were subject to two-year or four-year limitations, they would have no assurance that they would be able to complete their programs.

- **Negatively impact opportunities for American students:** A decline in international student enrollment would cause significant financial losses for American universities, particularly state universities, where international students often pay higher out-of-state tuition rates. Those higher rates contribute to institutions' overall budgets and enhance their ability to serve low-income, in-state students. Additionally, international students contribute to diverse campus communities and help American students build intercultural communication and problem-solving skills.
- **Harm state economies:** The proposed rule poses a significant risk to the health of state economies, particularly during a time of decreased tax revenue and high unemployment. According to the U.S. Department of Commerce, international students contributed \$44.7 billion to the U.S. economy in 2018 and, according to the National Association of Foreign Student Advisors, supported 458,290 American jobs. A significant decline in international enrollment when the economy is already struggling would result in additional job losses and declines in much-needed tax revenue.
- **Create unnecessary bureaucratic red tape:** If this rule is adopted, DHS would be deluged with hundreds of thousands of new visa extension applications – an estimated 364,060 by 2024 – when it already cannot process applications in a timely fashion. In fact, the "Duration of Status" framework was created because continually processing applications for visa extensions was placing a major burden on the federal government and wasting taxpayer dollars. The new rule would create the exact issues the government sought to address when it adopted the current system.

Joining Raoul in filing the comment letter are the attorneys general of California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, New York, Oregon, Rhode Island, Vermont, Virginia, Washington and Wisconsin.