

PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

Policy Roadmap

May 29, 2019

I. POLICY PRIORITIES

A. Dreamers, Immigrant Students, and Deferred Action for Childhood Arrivals (DACA) Recipients

Dreamers, including DACA recipients, are immigrants who came to the United States before the age of 18. Most recently, the Presidents' Alliance ("Alliance") commissioned a [report](#) from the Migration Policy Institute, which estimates that nearly 100,000 of these students graduate from high school every year, demonstrating the urgent need for both immigration protections and opportunities to access higher education.

Legislative opportunities include engaging with Congress on legislation that would provide relief to Dreamers (Dream and Promise Act of 2019; and Dream Act of 2019); expanding access to in-state tuition (Higher Education Dream Act of 2019); funding immigration and education priorities (Higher Education Reauthorization Act); and supporting legislative initiatives at the state level. Key goals include:

1. Ensure legislative protections for Dreamers (broadly defined) that includes a roadmap to permanent residence and citizenship;
2. Guarantee access to federal financial assistance, including grants, loans, work study, and services;
3. Expand state policies to increase access to in-state tuition, state scholarships and tuition benefits;
4. Rescind federal barriers for states seeking to expand in-state tuition;
5. Extend eligibility for professional and occupational licensure; and expand federal and state access to commercial, and business licenses;
6. Expand stays of removal for students whose education is interrupted; and expand relief to Dreamers who are not inadmissible or deportable;
7. Grow access to holistic services, including mental health and legal services, for students; establish a grant program for non-profit universities, colleges, and law schools to provide legal assistance;
8. Restore access to international travel (advance parole) to facilitate education and employment;
9. Establish federal grants and funding to induce states to offer in-state tuition and scholarships; and
10. Expand access to ROTC scholarships, military commissioning programs, and service academies.

Administrative opportunities include engaging through established regulatory and non-regulatory practices to certify recommendations and conduct oversight in regards to DACA. Key goals include:

1. Establish a process for members to elevate delayed or denied DACA cases; and
2. Collaborate with congressional offices to send oversight letters regarding delays and implementation issues.

B. International Students and Scholars

There are a wide variety of forthcoming legislative initiatives, regulations, and proposed rulemakings that will affect the constituencies represented by the Alliance.

In the context of international students and scholars, our priorities are to support legislation and seek to advance actions that facilitate recruitment and visa processing, incorporate welcoming policies, enshrine greater predictability in immigration policies, and change immigration law to enable smoother post-graduation opportunities for training, employment, and adjustments to permanent status. Conversely, the Presidents' Alliance will work to oppose legislative proposals and administrative actions

that introduce uncertainty, produce harmful impacts, and create barriers for international students, faculty, and staff. Key goals include:

1. Engage on legislation that lifts per country caps, incorporates dual intent revisions, and works to mitigate negative outcomes and delays for nationals from certain countries; for example, we are currently reviewing H.R. 1044 (Fairness for High-Skilled Immigrants Act of 2019), which lifts per country caps in a graduated process and which has strong bipartisan support, but also represents some challenges for the higher education community;
2. Collaborate on any forthcoming legislation (including in the comprehensive immigration reform framework) affecting international students and scholars; and
3. Identify ways in which members and their institutions can educate and advocate their members of Congress, with a focus on specific, actionable collective initiatives.

Administrative opportunities include:

1. Engage with the administration in light of its intention to issue regulatory changes to the Optional Practical Training (OPT) program for F-1 students; and ensure the continued availability of OPT;
2. Oppose the narrowing or termination of H-4 employment authorization; including the submission of a public comment when the proposed rule is published and the creation of a higher education template for public comments to facilitate individual institutional comments;
3. Advocate on H-1B visa lottery and definition changes;
4. Continue to support the challenges to the implementation of the unlawful presence policy;
5. Track the duration of status-related policy changes, including establishment of a maximum period of stay for F-1 (and other) non-immigrants;
6. Provide feedback on the Request for Evidence policy modifications or expansions; and
7. Provide feedback on the visa processing procedures, especially those related to denials and delays.

C. Immigrant Students and Families

The Alliance will continue to engage on issues affecting a diversity of immigrant populations, including Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) holders, refugees, and other legal immigrants. Key goals include:

1. Engage in additional advocacy on the public charge rule;
2. Support a permanent roadmap to citizenship for TPS and DED holders (e.g. through bills like the SECURE Act and Dream and Promise Act of 2019); and
3. Educate members and allies on the relationship between TPS & DED and higher education.

II. STRATEGIES AND TOOLS TO ACHIEVE POLICY PRIORITIES

The Presidents' Alliance will utilize the following tools in the areas of legislative, administrative, litigation, and communication advocacy. Importantly, these tools are available for a multitude of the Alliance's priorities, intersecting across multiple issues.

A. Legislative

Legislative advocacy represents collaboration with Congress and state legislatures. Key goals include:

1. Incorporate language in legislation to build a foundation for the inclusion of Alliance priorities in future legislation;
2. Incorporate funding priorities through Congress' regular appropriation process;
3. Build relationships with congressional staffers by providing technical advice and education through meetings and briefings;
4. Support the introduction and passage of legislation containing Alliance priorities; and
5. Monitor for opportunities in the realm of comprehensive immigration reform.

B. Regulatory and Administrative

Administrative advocacy involves engagement with the Executive Branch, including federal agencies and the White House. Key goals include:

1. Author public comments in response to Notices of Proposed Rulemaking and create higher education focused templates to support institutional level public comments;
2. Submit letters and recommendations for consideration in formulation of policy guidance and documents;
3. Engage and meet with career and political government employees;
4. Elevate immigration adjudication issues flagged by members for resolution or oversight;
5. Collaborate with Members of Congress to draft oversight, data request, and policy recommendation letters; and
6. Build an extensive administrative record for future litigation.

C. Litigation

Litigation advocacy represents engagements with organizations and firms involved in legal challenges. Key goals include:

1. Identify opportunities for institutions to participate in amicus briefs and as institutional plaintiffs;
2. Consult with the Alliance's Legal Advisory Council to identify litigation and other related opportunities; and
3. Collaborate with our legal partners in developing legislative language and recommendations.

D. Communications

Communication involves building out the Alliance's media (both traditional and social) capacity. Key goals included:

1. Build and cultivate relationships with immigration and education reporters and journalists;
2. Strategically utilize media to elevate Alliance priorities and accomplishments;
3. Identify and elevate key voices to media partners; and
4. Employ a robust social media and website strategy to support and publicize policy priorities.

E. Messaging

Messaging involves crafting an effective message to support our advocacy. Key goals include:

1. Collect, in an ethical manner and with informed consent, narratives from DACA recipients and international students attending member institutions to leverage for advocacy purposes;
2. Understand and acknowledge the differences and commonalities, in communications and advocacy, between undocumented students, DACA students, international students, and other immigrant student populations;
3. Utilize original data and research in an intersectional manner across Alliance advocacy (communications, policy, social media, etc.); and
4. Develop a student-advisory council made up of affected individuals to help shape and provide feedback on Alliance priorities and messaging.

F. Member Education and Support

Member education and support involves ensuring that our members receive timely updates regarding policy developments and have the tools needed to support their own priorities and immigrant student populations. Key goals include:

1. Develop accessible and strategic call to actions for members, including developing resources, toolkits, and scripts; and identifying key opportunities to activate Alliance members;

2. Map out opportunities to facilitate buy-in and participation among all higher education partners, including community and technical colleges;
3. Develop a microsite containing an immigration playbook for members and campuses containing data and resources regarding undocumented immigrant and international student enrollments and information; economic data and other contributions; and narratives and policies.
4. Research member interest in audits or reviews of existing campus undocumented student services, including DREAM Centers and legal clinics;
5. Research financial aid and admission policies (undergraduate and graduate levels), other funding, post-graduate, and career advising for undocumented students in higher education;
6. Continue best practice webinars, briefing, and educational FAQs;
7. Audit members for pressing needs, questions, and establish a calendar for offerings;
8. Regularly share updates with Alliance members on federal and state developments and opportunities for advocacy;
9. Develop educational tools and outreach (including potentially a comprehensive presentation or slide deck) to educate Alliance members on technical aspects of immigration, particularly as they relate to Alliance priorities; and
10. Provide campuses with presentation-ready materials they can use to educate and communicate with Boards of Trustees and other stakeholders on immigration-higher education related matters.