

PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

June 23, 2020

Steering Committee
Louis Caldera
Co-Chair and Senior Advisor

Nancy Cantor
Co-Chair
Chancellor
Rutgers University – Newark

David W. Oxtoby
Co-Chair
President Emeritus
Pomona College
President
American Academy of Arts and Sciences

Noelle E. Cockett
President
Utah State University

Alan W. Cramb
President
Illinois Institute of Technology

José Luis Cruz
Executive Vice Chancellor
University Provost
City University of New York

John J. DeGioia
President
Georgetown University

Mark Erickson
President
Northampton Community
College

Jane Fernandes
President
Guilford College

Kim Wilcox
Chancellor
University of California
Riverside

Elsa M. Núñez
President
Eastern CT State University

Joseph E. Steinmetz
Chancellor
University of Arkansas

Timothy P. White
Chancellor
California State University

Executive Director
Miriam Feldblum

740 15th St. NW
Suite 900
Washington, D.C. 20005

info@presidentsalliance.org
www.presidentsalliance.org

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
1236 Longworth House Office Building
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
U.S. Senate
322 Hart Senate Office Building
Washington, D.C. 20510

Re: Recommendations for the Fourth COVID-19 Relief Package to Support International, DACA, and Undocumented Students

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Pelosi, and Minority Leader McCarthy:

I write on behalf of the [Presidents' Alliance on Higher Education and Immigration](#) (Presidents' Alliance) to provide recommendations for the coming COVID-19 legislation to support: (a) international students in regards to visa processing and Optional Practical Training (OPT) and STEM OPT; and (b) Deferred Action for Childhood Arrivals (DACA) and undocumented students in regards to securing employment authorization and emergency financial aid. The COVID-19 crisis represents a singular threat to American higher education, critical research, and the American economy. These recommendations are essential to ensure our nation's continued competitiveness in the international student sphere, while continuing the ongoing investment in long-time undocumented immigrant students who hold DACA or are otherwise enrolled in institutions of higher education.

The non-partisan Presidents' Alliance comprises over 450 college and university presidents and chancellors of public and private institutions. Together, our members' institutions enroll over five million students across 41 states, D.C., and Puerto Rico. The Presidents' Alliance is committed to supporting policies that create a welcoming environment for immigrant and international students. We are deeply concerned about the impacts of the COVID-19 crisis on these students, and the institutions that seek to enroll and support them. Our recommendations are as follows:

I. Automatically Extend Employment Authorization Documents (EADs) and Underlying Immigration Statuses

Congress should direct U.S. Citizenship and Immigration Services (USCIS) to automatically extend employment authorization documents (EADs) for all immigrants (including DACA and Temporary Protected Status (TPS) recipients), at no cost, whose EADs expire within 30 days before and one year after the legislation

is enacted (or 90 days after a presidential proclamation rescinding the declared COVID-19 national emergency). This is similar to a provision included in the most recent HEROES Act, H.R. 6800, which passed the U.S. House of Representatives in May with bipartisan support. COVID-19 and accompanying closures have made it increasingly difficult for immigrants to renew their EADs, including those with DACA, TPS, or participating in OPT. Applicants face a variety of COVID-19 barriers to renewing their EADs on time, including USCIS office closures, backlogs and delays, stay at home orders, job loss amidst the economic recession, and the spreading illness.

II. Expand Access To Emergency Financial Aid Grants For Undocumented and DACA Students

Congress should explicitly clarify that undocumented and DACA students are retrospectively and prospectively eligible for emergency financial aid grants in COVID-19 relief legislation, language also included in the HEROES Act. Since the passage of the CARES Act in March, the U.S. Department of Education has unlawfully contended that institutions of higher education are prohibited from distributing federal emergency financial aid grants to undocumented and DACA students, with the Congressional Research Service weighing in and chastising the Department of Education. Undocumented and DACA students generate \$132 million in relief for their institutions and yet are prohibited from accessing emergency financial aid grants. Such exclusion unnecessarily hampers our nation's recovery from the economic and health crises brought on by COVID-19.

III. Require DHS And DOS to Institute Temporary Measures to Support Student And Scholar Visa Processing

The U.S. Department of Homeland Security (DHS) and the Department of State (DOS) have yet to develop and publicly release full contingency plans for visa processing this year that will accommodate the timely requirements of the academic calendar and the surge in visa applications as a result of the consulate closures due to COVID-19. Congress should direct these two agencies to take appropriate measures, including interview waivers, provisional visas, priority appointments, efficiency measures at points of entry, and a suspension of rulemaking.

IV. Protect and Institute Temporary Measures to Protect and Continue OPT and STEM OPT

In the face of threatened partial or complete suspension of Optional Practical Training (OPT) and STEM OPT, Congress should include legislative language that protects the continued existence and administration of these programs, without imposing new restrictions, conditions, or cut-offs. We would support legislative language that would prevent the administration from implementing restrictions on eligibility for OPT based on academic performance. Finally, Congress should direct DHS to allow international students an extension period of 60 days to secure employment, remote applications and completion of OPT and STEM OPT, and the extension of F-1 "cap gap" employment authorization.

We thank you for your long-standing support for America's colleges and universities, and we respectfully request that Congress ensure that DHS and DOS safeguard the future of international education in America and its contributions to critical research and the U.S. economy. If you have any questions about this letter, please contact Jose Magaña-Salgado at jose@presidentsalliance.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Miriam Feldblum". The signature is fluid and cursive, with a long horizontal stroke at the end.

Miriam Feldblum
Executive Director
Presidents' Alliance on Higher Education and Immigration

Cc:
U.S. Senate
U.S. House of Representatives