

HARVARD UNIVERSITY

OFFICE OF THE PRESIDENT
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MASSACHUSETTS HALL
CAMBRIDGE, MASSACHUSETTS 02138

July 10, 2019

The Honorable Michael Pompeo
Secretary of State
United States Department of State
2201 C Street, NW
Washington, DC 20520

The Honorable Kevin McAleenan
Acting Secretary of Homeland Security
United States Department of Homeland Security
300 7th Street, SW
Washington, DC 20024

Dear Secretary Pompeo and Acting Secretary McAleenan:

With our mutual interest in sustaining America's premier higher education sector in mind, I write to share my deep concern over growing uncertainty and anxiety around issues involving international students and scholars.

The success of the American academic system, particularly at research universities, is based on a vibrant, free, and open community that develops talent, produces leaders, and creates new knowledge. Together these university outputs drive innovation that has shaped the economy, fostered new industries, and improved health and well-being both in the United States and around the world. I recognize and support the fundamental role of your agencies in ensuring that those who come to the United States do so with appropriate and honest intentions that meet the goals and requirements of our laws. However, the increasing uncertainty around the systems in place to accomplish this task are driving anxiety and fear on our campuses and undermining the impact of our critical work.

Harvard, like many leading research universities, attracts students, faculty, and researchers from across the globe. They are not just participants in the life of the university; they are essential to it. Their diverse talents, experiences, and insights drive discovery and fuel our work. Increasingly, visa delays are making these scholars' attendance and engagement in the university unpredictable and anxiety-ridden. Students report difficulties getting initial visas—from delays to denials. Scholars have experienced postponements and disruptions for what have previously been routine immigration processes, such as family visas, renewals of status, or clearance for international travel. This year graduates across Harvard have seen significant delays in receiving Optional Practical Training approvals. This has hindered or endangered their post-graduate work and, in some cases, their medical residencies.

Science and security concerns that focus on a few specific countries also contribute to student and faculty anxieties. I appreciate that there is a broader policy priority with regard to these security concerns—of that includes grant requirements, protection of intellectual property, and reporting on institutional gifts and support. However, visa policies mandating increased scrutiny of foreign students and scholars (and sometimes naturalized US citizens) from certain countries contribute substantially to mounting concern. Academic science is open and collaborative. While we support appropriate measures to safeguard valuable intellectual property, national defense, and sensitive,

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emerging technologies, singling out one country and its citizens is incompatible with the culture and mission of higher education and our national ideals.

Perhaps no group is more vulnerable and exposed to the current environment of uncertainty than Dreamers. These young people have deep roots in our neighborhoods, towns, and communities. After being brought here through no fault of their own, they have grown and thrived, and now are looking for a path to work, serve, and contribute back to their communities and the nation they have known as home. I have had the opportunity to meet many of Harvard's Dreamers, and I have been deeply impressed by them and by their determination, talent, and commitment to excel. Similarly, many of those with Temporary Protected Status find themselves at risk after having built their lives in our communities, working hard and making meaningful contributions.

I understand that the responsibility for the uncertainties in today's immigration policy rest more broadly than just with your two agencies. That said, the visa and immigration process is increasingly unpredictable and uncertain. This poses risks not just to the individuals caught up in it, but also to the entirety of our academic enterprise.

I hope you will consider these issues as your agencies examine and assess the most effective ways to address our nation's security concerns, while also continuing to foster the vibrant educational community and institutions that have contributed to our nation's academic and economic excellence. Please feel free to reach out if I or Harvard can be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Law Bacow", with a stylized flourish at the end.

Lawrence S. Bacow



**U.S. Citizenship
and Immigration
Services**

September 19, 2019

Mr. Lawrence S. Bacow
President
Harvard University
Massachusetts Hall
Cambridge, Massachusetts 02138

Dear President Bacow:

Thank you for your July 10, 2019 letter regarding issues pertaining to international students, including the issuance of visas and the processing of applications for employment authorization documents to enable such students' participation in Optional Practical Training (OPT). Regarding your concerns about delays with visa issuance, the Department of State (DOS) is best positioned to respond, as DOS adjudicates and issues visas to eligible foreign nationals. Acting Secretary McAleenan has asked that I respond on his behalf regarding your concerns about the benefit requests that the Department of Homeland Security processes.

There has been an extraordinary and growing demand for our services in recent years. In fiscal year (FY) 2018, we adjudicated more than eight million applications and petitions, up by nine percent since FY 2017, and up by approximately 30 percent over the past 5 fiscal years.

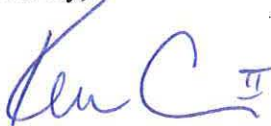
As part of our agency's commitment to efficiently and fairly adjudicate all requests, we have launched a series of initiatives to reduce processing times. We have already begun to implement meaningful reforms, hire additional staff, and expand facilities to ensure our ability to keep pace with the extraordinary demand for our services. We are also continuing to leverage electronic processing and automation to modernize the agency and increase efficiency. Furthermore, we have reintroduced performance metrics to ensure timelier processing, and updated processing time goals to reflect operational realities. Our processing timeframes are available at: <https://egov.uscis.gov/processing-times/>.

In the case of nonimmigrant students seeking OPT, we encourage them to file the Form I-765, Application for Employment Authorization, as soon as they are eligible to do so. Students applying for pre-completion OPT may file the Form I-765 application up to 90 days before completing a full academic year in their program of study, provided that the period of employment does not start before the student has completed one full academic year. Students applying for post-completion OPT may file the Form I-765 application up to 90 days before, but no later than 60 days after the completion of their degrees. Students applying for Science, Technology, Engineering and Mathematics OPT may file the Form I-765 application up to 90 days before the expiration of their current OPT employment authorization.

In this era of increased global threats and security challenges, USCIS remains mindful of our obligation to provide immigration services in a manner that strengthens and enhances our nation's security. We review each case before us on its own merit and reach decisions that are based on the law and facts. We value the importance of the trust the American people have placed in us to administer the nation's immigration system fairly, honestly, and correctly.

Thank you again for your letter and your interest in this matter. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,



Ken Cuccinelli II
Acting Director