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IMMUNOLOGISTS

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October 26, 2020

The Honorable Chad Wolf
Acting Secretary, U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, D.C. 20395

Re: Docket Number ICEB-2019-0006

Dear Secretary Wolf:

The American Association of Immunologists (AAI), the nation's largest professional association of research scientists and physicians who study the immune system, appreciates this opportunity to comment on the [proposed rule](#) issued by the Department of Homeland Security (DHS) on September 25 ("Establishing a Fixed Time Period for Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media"). We strongly oppose this proposed rule, as we believe it would damage the U.S. biomedical research enterprise by placing an unnecessary and deleterious burden on international students and postdoctoral scholars who are in the U.S. under the F academic student or J exchange visitor nonimmigrant visa categories.

Under the current policy, these visas are valid for "duration of status," allowing those who continue their education and follow all immigration rules to stay in the U.S. as long as necessary to complete their studies/training. This new policy would fundamentally change the visa process, doing away with "duration of status" and instead establishing fixed admission periods of no longer than four years. While the policy does permit these visa holders to apply for extensions of stay, there is no guarantee that such extensions would be granted. Given that doctoral students who completed their degrees in 2018 needed a median number of 5.8 years to earn their doctorates [per the [National Science Foundation](#) (NSF)], imposing a four year limit would undoubtedly adversely impact the willingness of international students to pursue their studies in the U.S. In addition, by requiring visa holders to apply for needed extensions, the proposed rule would impose additional burden and costs on both nonimmigrants and the U.S. institutions where they study or train.

AAI is also concerned that this policy, like any that deters promising international students in Science, Technology, Engineering, and Mathematics (STEM), from studying in the U.S., would cause serious harm to both universities and the biomedical research workforce. [According to the Institute of International Education](#), 1.1 million international students studied at U.S. higher education institutions in 2018/2019, representing 5.5% of those enrolled at these institutions. While these students help create a vibrant and diverse atmosphere on campuses, many stay in the U.S. as researchers or teachers and contribute importantly to our economy and to American innovation. [NSF recently found](#) that, “[a]mong temporary visa holders who received their S&E [Science & Engineering] doctoral degrees approximately 5 and 10 years prior to 2017, nearly three-quarters remained in the United States in 2017.” These “stay rates” are a very positive indicator of the commitment that these students have to our nation. In addition, it is our experience that many of those who leave the U.S. go on to form valuable collaborations with U.S. researchers, who led the world in 2015 in publications co-authored with international partners (see [study](#) published in *Scientometrics*).

Another provision of concern would place a lifetime limit of three on the number of educational programs that F-1 visa holders can complete at the same, or a lower, educational level. This could impede the careers of young scientists who are increasingly pursuing trans-disciplinary programs, or who choose to enroll in multiple advanced degree programs.

While AAI recognizes the government’s desire to ensure compliance with U.S. immigration policy, we understand that adequate safeguards are already in place, as visa applicants and visa holders are carefully screened and monitored through the DHS’s Student and Exchange Visitor Information System.

AAI believes that it is crucial to the success of the U.S. biomedical research enterprise to foster a diverse research workforce, promote international scientific collaboration, and attract the best and brightest international students and scientists. Any action, including this proposed rule, that impedes any of these vital goals is counterproductive to advancing biomedical research, improving the health of Americans and people around the world, and maintaining our nation’s global preeminence in science.

Please feel free to contact Lauren Gross, AAI Director of Public Policy and Government Affairs (lgross@aai.org), or us if AAI can be of any further assistance on this important matter.

Sincerely,



Jenny P. Ting, Ph.D.
President



Ross M. Kedl, Ph.D.
Chair, Committee on Public Affairs