

October 23, 2020

BY ELECTRONIC SUBMISSION

Department of Homeland Security
Washington, DC 20528

Re: American Chemical Society Comment: DHS Docket No. ICEB-2019-0006-0001

The American Chemical Society (ACS) appreciates the opportunity to submit a comment in response to the Department of Homeland Security (DHS) proposed rule “Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media” (DHS Docket No. ICEB-2019-0006-0001). ACS is one of the world’s largest not-for-profit scientific societies, representing over 150,000 chemists and chemical engineers.

As the lead voice for the chemistry enterprise, ACS is dedicated to bringing members of the chemistry enterprise together to collaborate and continue to push their science forward. To that end, ACS respectfully requests that the proposed rule be withdrawn completely, and that admission for the duration of status (D/S) remain in its current form. We are particularly concerned with the threat to duration of status for F visa students, J exchange visitors, and their dependents.

The proposed rule would limit student visas to 2-4 years for applicants from a large number of countries. This does not conform to the length of study for a majority of students; specifically, postgraduate academic programs would be negatively impacted, [as the average length of study for a master’s of PhD exceeds far beyond the maximum allotted 4 years](#). Visa holders who need a longer period of time to complete their program will have to petition U.S. Citizenship and Immigration Services (USCIS) to request an extension of their status, a cumbersome process for an agency that already has thinly stretched resources. The proposed rule does not improve upon information that is currently provided through the Student and Exchange Visitor Information System (SEVIS).

The proposed change would discourage international applicants from pursuing their education in the United States. The impact on the chemical science community would be enormous. In 2018, 32% of master’s degrees and 36% of doctoral degrees in chemistry were awarded to students on non-immigrant visas, [according to the National Science Foundation](#). This translates into thousands of students and hundreds of universities who not only contribute to the well-respected and robust chemical science enterprise, but are also valued members of their communities.

A decrease in international student enrollment will not only impact our country’s ability to attract the most talented scientific minds from around the world, but would also threaten tens of thousands of

businesses that are dependent on these students. The negative financial impact of their absence will extend beyond the catastrophic effects on U.S. universities and research institutions. According to the [NAFSA: Association of International Educators](#), international students studying at U.S. colleges and universities contribute \$41 billion to the domestic economy and support more than 458,000 U.S. jobs. In fact, education is the fifth-largest service sector export for the U.S. Our nation cannot afford to have another crucial industry further weakened during the recovery process from the severe economic impacts of the pandemic.

We are also concerned with several other, more specific aspects of this proposal, including:

- A reduction from 60 days to 30 days for students to stay in the U.S. after their training concludes, creating unnecessary pressure during the stressful end of an academic program.
- International students would only be able to request time off due to “compelling academic reasons,” including medical conditions, natural disasters or major events. The rule lacks specificity for what is defined as “compelling” and holds international students to a different and unreasonable standard compared to their U.S. peers.
- The filing window for Optional Practical Training (OPT) work authorization for F-1 students after their program end date is narrowed from 60 to 30 days.

For the reasons listed above and more, ACS urges DHS to rescind this proposed rule to maintain the competitiveness of the U.S. scientific enterprise and continue to attract top talent from around the world. These suggested changes will turn away international students from seeking higher education in the United States, and will have negative financial consequences for universities and the communities that support them. We urge DHS to repeal this rule that would create additional, burdensome stress on our already strained immigration system.

The ACS appreciates the opportunity to provide feedback on the proposed rule and to offer input from our stakeholder community and we look forward to continued collaboration to that end.

ACS would welcome the opportunity to further discuss with DHS the topics touched on in this submittal as well as to provide further information that DHS might find useful regarding international students in STEM.

Sincerely,



Glenn S. Ruskin