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July 16, 2019

The Honorable Zoe Lofgren  
Chairman, Subcommittee on  
Immigration and Citizenship Immigration and Citizenship  
U.S. House Committee on Judiciary  
Washington DC 20515

The Honorable Ken Buck  
Ranking Member, Subcommittee on  
Immigration and Citizenship Immigration and Citizenship  
U.S. House Committee on Judiciary  
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Dear Chairwoman Lofgren and Ranking Member Buck,

On behalf of UCLA, I write in advance of the July 16<sup>th</sup> U.S. House Judiciary Committee Subcommittee on Immigration and Citizenship hearing on “Policy Changes and Processing Delays at U.S. Citizenship and Immigration Services.” I write today to share some of the challenges the UCLA international students and scholars’ center faces under current federal policies and practices and to encourage the Committee to consider needed changes to best support a strong system for international students at U.S. institutions of higher education. The current system is ineffective, frustrating, and not in the best interest of our country. Unstable USCIS processing times and ambiguous regulations pertaining to the F-1 non-immigrant status inflict unnecessary burden to international students and the institutions at which they are studying and working while on Curriculum Practical Training (CPT) or Optional Practical Training (OPT).

The UCLA Dashew Center approves CPT authorization for eligible F-1 students to engage in off-campus internship and employment opportunities that are directly related to their major or minor. For students whose degree programs at UCLA do not have an internship requirement, we require that they enroll in an internship course to receive academic credit for their off-campus practical training opportunity to fulfill the ‘curricular’ justification for CPT authorization from SEVIS.

Every summer, we have a large number of students who want to start their summer internships before the official UCLA Summer Quarter start date, and consequently, before their internship course enrollment date. We consulted with our representative from DHS-SEVP to see if the discrepancy in the internship course enrollment and CPT authorization dates would be an issue for our F-1 students; she advised that the discrepancy in dates may come into question should these students request further visa benefits such as OPT, transition to H-1B, or permanent residency, etc.

We created a CPT Acknowledgement form for students who would like their CPT authorization to begin before their internship course enrollment date. The general response we have seen from students is increased concern and stress about their eligibility for current and future U.S. visa benefits.

As of November 2018, we saw an increase in OPT and STEM OPT Extension processing times from an average of three months to three and a half to five months for approval. We believe this delay is occurring due to the recent change in the I-765 'Application for Employment Authorization' form. As of 09/17/2018, the form changed from being a 2-page form to a 7-page form, and requires additional supporting evidence in regards to F-1 students' previous presence and employment authorization in the U.S.

These OPT/STEM OPT Extension processing delays have resulted in students losing job offers and prolonged periods of students being unable to travel internationally. In the past, we have referred students to the USCIS Expedite Criteria webpage if they wanted to request expedited processing of their applications from USCIS directly. Recently we have noticed USCIS has removed the Expedite Criteria webpage from their website. It is unclear if USCIS will continue accepting or reviewing expedite processing requests on a case-by-case basis.

Per a policy memo issued in fall of 2018, USCIS adjudicators have full discretion to deny applications, petitions, and requests without first issuing a Request for Evidence (RFE). Prior to this memo, USCIS would issue a 'Request for Evidence' for incomplete applications and would allow time for applicants to submit any additional required documents for an application. According to this memo, all incomplete applications may be denied.

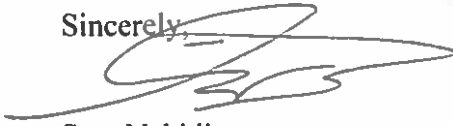
With increased requirements of supporting evidence for USCIS applications and increased pressure to submit complete applications, our students have had difficulty providing documentation of any and all previous presence and employment authorization in the U.S. In addition, Dashew Center staff have had to increase their time spent on reviewing applications for students to ensure they are complete, to prevent any application denials. The increased time required to review petitions has strained our current staff/resources.

UCLA strongly supports sensible solutions to visa processing delays. We believe a core problem is the lack of predictability that surrounds the visa process for prospective and current international students and employers. Students need assurance that the rules will not suddenly change so they can plan ahead. Employers also need certainty so they can engage in appropriate workforce planning. The current lack of clarity makes it more challenging for U.S institutions of higher education to effectively compete for international students and advise them about training and employment opportunities.

It would be helpful if the Administration would publicly commit to maintain premium processing without the service interruptions that have characterized this essential option in the past.

I am encouraged that Congress is looking closely at issues pertaining to the visa processing delays and I offer my assistance to you and/or the administration as you to continue to address these issues to ensure that the U.S. remains a welcoming country for international students and scholars.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sam Nahidi', written over a horizontal line.

Sam Nahidi  
Director  
Dashew Center for International Students and Scholars