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Michael V. Drake, MD  
President

October 23, 2020

Office of the President  
1111 Franklin St.  
Oakland, CA 94607

Via Federal eRulemaking Portal ([www.regulations.gov](http://www.regulations.gov))

[universityofcalifornia.edu](http://universityofcalifornia.edu)

Sharon Hageman  
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U.S. Immigration and Customs Enforcement  
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CAMPUSES

Berkeley  
Davis  
Irvine  
UCLA  
Merced  
Riverside  
San Diego  
San Francisco  
Santa Barbara  
Santa Cruz

Re: DHS Docket No. ICEB-2019-0006-0001, Comments in Response to Establishing a Fixed Time Period of Admission and Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media

Dear Ms. Hageman:

MEDICAL CENTERS

Davis  
Irvine  
UCLA  
San Diego  
San Francisco

On behalf of the University of California (UC), thank you for the opportunity to comment on the U.S. Department of Homeland Security (DHS) notice of proposed rulemaking “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.”

NATIONAL LABORATORIES

Lawrence Berkeley  
Lawrence Livermore  
Los Alamos

UC benefits the nation through world-class educational opportunities, groundbreaking research, top-rated health care, commitment to public service, and agricultural expertise. The UC system consists of 10 campuses, six academic health centers, and three national laboratories. It is home to more than 285,000 students, 227,000 faculty, staff, and other academics and more than 2 million living alumni.

UC is proud to be the university of choice for 43,621 F-1 and J-1 students and exchange visitors. International members of our University community contribute to the vitality of our nation through their research, economic impact and vast cultural contributions. They provide unique perspectives that diversify our institutions and better position our Universities to engage in work of international significance. In addition to undergraduate and graduate students, at this very moment we are training J-1 Alien Physicians in our medical centers treating COVID-19 patients and conducting research that will control and hopefully end the global pandemic. For all of these reasons we urge the Department to immediately withdraw this proposed rule.

The University's groundbreaking research and teaching is facilitated by Duration of Status (D/S), a policy that has been in effect since the 1980s and has contributed to the unimpeded ability of international students and exchange visitors to study, conduct research, teach, train and work so long as they abided by the laws and regulations authorizing their nonimmigrant status.

The Department's stated reasons for this change include alignment with other visa programs that have a fixed time period; allowing DHS officials more opportunities to review a nonimmigrant's status and to evaluate if they are in compliance with nonimmigrant rules; and reducing and deterring fraud and abuse.

We offer the following comments to counter these reasons, and call for the immediate withdrawal of this proposed rule. Failure to do so reduces the ability of the United States to retain its competitive advantage in the global arena.<sup>1</sup>

### **SEVIS/National Security**

- The Federal Government and higher education institutions already keep track of student program end dates within the Student and Exchange Visitor Information System (SEVIS) reporting system. When students are close to the end of their program, higher education institutions advise students to take action in extending their program to ensure they remain in status. It is an inefficient process to request students to apply for an extension with the already backlogged United States Citizenship and Immigration Services (USCIS). This would cause further delay and inefficiency for the continuation and successful completion of academic programs.
- DHS suggests that responsible officers (ROs) are not required to make determinations of maintenance of status prior to a program extension. This is simply untrue. Under 22 C.F.R. § 62.10, program sponsors have exhaustive responsibilities including determination of status. ROs are required to be cognizant of maintenance of status in all interactions with exchange visitors, including program extensions. 22 C.F.R. § 62.45 provides reasonable discretion to ROs to determine and record minor and technical infractions and provides an adjudication scheme with the U.S. Department of State (DoS) to correct substantial violations. The proposed rule would appear to undermine the discretion for ROs under 22 C.F.R. § 62.10 through C.F.R. § 62.45 and possibly undermine the authority of DoS.
- The current visa application process subjects all applicants to a variety of security checks. Current F-1 and J-1 visa applicants are often delayed for as long as six months while undergoing security checks. However, DHS fails to explain how U.S. Customs and Border Protection (CBP) inspection or USCIS review would uncover a determined foreign intelligence operation. For both an inspection at a Port of Entry or through an I-539 adjudication, any Exchange Visitor making progress towards a program of study would likely be approved. It is unclear what additional information the inspector would have at the time of adjudication that might uncover these operations. If there was a known threat posed by the Exchange Visitor, then we would expect that it would be addressed through the normal process of visa revocation and removal, not languish until a request for extension.

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<sup>1</sup> [https://opendoorsdata.org/fast\\_facts/fast-facts-2019/](https://opendoorsdata.org/fast_facts/fast-facts-2019/)

- Following the September 11, 2001 attacks, SEVIS was introduced with the intention that it would be accessible to multiple federal agencies that focus on security and border protection. It was designed to serve as a database that could be used to track the status of all F, M, and J students and scholars. Universities continue to spend valuable resources each year through staff time to ensure that the data is accurate and current and in advising students about SEVIS related requirements, which increasingly takes away from other responsibilities such as educational programming. It is not clear if there has been sufficient review of how SEVIS is working and whether it has served its purpose. The Government Accountability Office (GAO) has not conducted a review of SEVIS to ascertain its functionality, thus not allowing an opportunity to address inadequacies. Universities will be better served if the GAO made these assessments before introducing a new regulation that is supposed to address a need for which existing mechanisms were designed.
- Concerning students from countries on the State Sponsors of Terrorism list, we believe that administrative processing and screening for 214(b) conducted by the Department of State (DoS) is a better approach to screening potential violators of the regulations. This removes school officials from also carrying the burden of the additional work that goes along with facilitating this part of the rule. In addition, clarity is needed about who will be responsible for monitoring the list of countries with more than 10 percent overstay rates and issue students from those countries (as well as those on the State Sponsors of Terrorism list) visa documents that are no longer than 2 years. It is unclear if that responsibility will lie with CBP when issuing them an I-94.
- The continued use of SEVIS in tandem with proposed USCIS procedures for extension is redundant, inefficient, and displays a lack of long-term planning. SEVIS was created to monitor, in collaboration with academic and other governmental partners, F-1 and J-1 nonimmigrants; if it is not meeting this goal, then it should be modified accordingly, rather than forcing EVPs and F-1 schools and our F-1 and J-1 nonimmigrants to transition for extension purposes to USCIS's antiquated, costly, paper system fraught with challenges, including significant delays in processing times. Implementation of the proposed rule would have challenging down-stream effects, such as driver's license issuance in states where admit-until dates are required for issuance, and confusion over I-9 re-verification documentation and processes, both of which would pose undue burden to employers of nonimmigrant. SEVIS should be used to meet government needs without eliminating the numerous advantages of D/S that public comments point out.

#### **Processing Delays**

- DHS estimates an annual increase of 380,000 F-1 and F-2 Extension of Stay (EOS) and 12,000 J-1 and J-2 EOS filing annually. Over the past decade, USCIS EOS processing times have fluctuated significantly, from 90 days to over 12 months or longer for some applicants. Yet, there appears to be no mechanism in this regulatory scheme to ensure timely EOS processing. DHS notes that the average EOS processing time is between 90 to 120 days but under this proposed regulation there will likely be thousands of F-1 and J-1 non-immigrants that will have exceeded their automatic extension.

- International students cannot work through Curricular Practical Training (CPT) or Optional Practical Training (OPT) without Extension of Stay (EOS) approval. The current average processing time for EOS is approximately 5-10 months.<sup>2</sup> This proposed rule will further slowdown the processing time of USCIS on those applications. As a result, U.S. employers may rescind job offers merely because USCIS is not able to process applications on time. This could potentially lead to negative effects on the U.S. economy and push top talents to other competing countries such as, Canada, Australia, Japan, and European Union countries.

#### **Institutions Best Suited for Tracking Academic Progress**

- This proposed rule places immigration officials (USCIS and CBP) in a role where they are essentially making decisions that more appropriately belong to university representatives. The decision as to whether a student is making satisfactory progress towards completion of a degree is solely the responsibility of an academic institution. There are numerous reasons why a student may not be able to graduate in a timely manner, such as faculty leave, course sequencing challenges, opportunities for experiential learning, and/or personal situations. Immigration officials making such decisions could get it wrong and without an appeal process for students, this places immigration officials as the ultimate academic performance decision-maker and not the University.
- DHS implies that J-1 student exchange visitors pose a potential fraud risk and therefore require DHS scrutiny in determining academic progress. Program sponsors are required to track academic progress through SEVIS. Sponsors are required to apply for re-designation every two years to DoS. If the program sponsor remains in good standing with DoS and the program endorses the continuing academic progress of the student, once again it is difficult to imagine what type of additional scrutiny can be provided through a DHS review. The proposed rule implies that DHS inspectors are better situated to make assessments of maintenance of status based on academic progress than are education professionals.

#### **Reality of Academic Programs' Complexity**

- The discussion on "normal progress" is problematic because it is not defined. "Normal progress" depends on the specific academic program a student is in and the institution that is offering that program. The proposed rule appears to view all U.S. education programs as standard 4-year undergraduate programs. Especially at the graduate level, academic programs take place in a variety of mediums and locations. The median time to degree completion for international doctoral students at UC is 5.2 years, a shorter time to degree than domestic students but still more than four years. This rule will require most graduate students to apply for an EOS. The uncertainty of the standard of an EOS approval puts undue hardship on graduate students and the institution who rely on their research and service. There is a financial impact on students and the institution if students cannot complete a degree because of a denial or if visa processing takes longer than expected.

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<sup>2</sup> <https://egov.uscis.gov/processing-times/>

- Some education programs involve "immersive learning" or internship modules; some involve studying abroad for a period of time; others may focus more on independent research as opposed to standard classroom discussion. The proposed rule does not take in account how an adjudicator will assess the variety of different academic programs, which are increasingly flexible and student-specific (and therefore idiosyncratic) without the "normal progress" standard. Will "a compelling academic reason" be acceptable in a situation where a non-traditional aspect of the academic program, such as research related travel, lengthen the program?
- DHS is stepping into academic decision-making that is the responsibility of higher education professionals, who are aware of the complexities associated with various academic programs and the challenges students face in post-secondary and graduate level education. The proposed rule would eliminate the "'normal progress' standard with respect to seeking an extension of an authorized period of stay." Per the proposed rule, DSOs would recommend extension of stay but the determination of any extension would ultimately be up to USCIS: "immigration officers thereby would be able to conduct appropriate background and security checks on the applicant at the time of the extension of stay application and directly review the proffered evidence to ensure that the alien is eligible for the requested extension of stay." In addition to background and security matters, the appropriate purview of USCIS, these immigration officers would also consider academic concerns as part of the extension of stay request. Notably, the proposed rule states, "passing a class, or not, is something that is within the student's control." This statement does not acknowledge the multiple factors that can affect academic performance and suggests that students' academic concerns will not be evaluated in accordance with their individual circumstances. Students at times may get Academic Probation and work with university advisors to improve GPAs. As long as a student is meeting the academic standards of an institution, DHS should not set these types of requirements.
- Due to the nature of academic appointments—which are governed by factors such as rigid academic policy manuals, collective bargaining agreements, and grant funding cycles, the proposed rule does not explain how nonimmigrants in the J-1 research scholar and professor category as well as J-1 university students on academic training would navigate the following situations: 1) a change of appointment that results in a new end date that is shorter than the fixed end date on the I-94; and 2) a succession of appointments to "bridge" the nonimmigrant between two different positions. For example, a postdoc who is transitioning between the postdoc appointment and a faculty appointment may transition into a temporary adjunct faculty appointment for a period of one or two months as funding for the postdoc has run out, but the academic governing units need more time to approve the faculty appointment. Per the proposed rule, this may result in overlapping EOS applications—one for a short amount of time and one for a longer amount of time. Institutions of higher education would need guidance on how to handle this type of complicated scenario.

- While the proposed rule allows for the change of level, the regulation seeks to impose a strict "upward trajectory" on F-1 and J-1 students at all education levels. However, at the graduate level of education, circumstances can change quite quickly. For example, a Ph.D. student often meets the qualifications for a master's degree while progressing towards their doctorate. On occasion, students decide to abandon pursuit of the Ph.D. and graduate with a master's. Since the master's level is usually obtained within the first two years of the Ph.D., a student could decide to graduate at the master's level and pursue optional practical training (OPT) while having both a future end date on the I-20 and on the I-94. Would this student be negatively affected by the stated emphasis on an "upward trajectory?" What if the student already has a master's in a separate field prior to joining the Ph.D. program (but has never used OPT at that level)? Would this student be allowed to apply for OPT at the master's level with either degree?
- This rule has not adequately factored the transfer-in and transfer-out processes students need to follow. It appears that in the case of a transfer-in student, the school would have to process all transfer-in requests and issue a new I-20 to students within a much tighter timeframe for the student to be able to apply for EOS to USCIS. For example, a student completes a bachelor's program at a different university and wants to transfer to another school. The student's I-94 expires at the same time as the transfer-out school's program end date. The student will have to request a transfer to the new school and receive a new I-20 and apply to USCIS for an EOS within their 30-day grace period following the completion of the bachelor's. Otherwise, they will need to depart the United States and change status via travel, which would have implications for curricular practical training (CPT). This needs greater consideration and clarification.
- In the case of a transfer-out student the school has to advise students to request transfer-out from the home institution soon after the I-20 expires. Thirty days from the I-20 expiry is too late, as it would not allow a student to get a new transfer-in I-20 from the new school prior to applying to USCIS for an EOS.

#### **Administrative Burden to Campuses**

- This proposal significantly underestimates the cost of implementation. There are ongoing costs that will be borne by educational institutions as their staff will be forced to continually educate and assist students as they attempt to comply, which pulls them away from other essential duties. DHS acknowledges that this will increase costs for SEVP-certified schools, not only in training but also software and technology impact. It is unclear that this has been fully examined especially for the disproportionate impact on large, research universities who sponsor the largest number of international students and scholars. For example, the UC system has 5 universities in IIE's Open Doors Top 20 institutions hosting international students.<sup>3</sup> The proposed rule documents the impact on small business and smaller entity schools but does not assess the impact on larger, research institutions where some have nearly 25 percent of

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<sup>3</sup> <https://opendoorsdata.org/data/international-students/leading-institutions/>

their total student population as international or more than two-thirds of their post-docs as international J-1 researchers.

- In a discussion of cost of implementing the proposed rule, the document highlights "DSO and RO Rule Familiarization and Adaption Costs," contending that "based on best professional judgement, SEVP" estimates it would take "8 hours to complete rule familiarization training, 16 hours to create and modify training materials, and 16 hours to adapt to the proposed rule through system wide briefings and systemic changes." Both the hours noted for the rule familiarization and creation and modification of training materials are extremely optimistic. However, the estimate for adapting to the "proposed rule through system wide briefings and systemic changes" is particularly problematic. The implementation of the proposed rule is not merely a matter for DSO and ROs but it would also involve multiple academic and administrative entities, including (but not limited to) academic departments, personnel offices, academic records, and curricular planning committees. Consequently, the cost would be notably higher and, given the complexity of implementation, difficult to project.
- Most international students come to the United States for the quality academic experience and a chance to gain work experience with their newly acquired academic training. Implementing a rule that forces students to depend on an unnecessary bureaucratic hurdle of applying for an extension with the backlogged USCIS will also cause students that cannot realistically finish a Ph.D. in 4 years to miss the extension approval, resulting in a missed opportunity to have their application for a post-academic employment authorization document (EAD) card approved. Furthermore, employers would not want to wait on the delayed start dates of all the students pending an extension approval with USCIS. Many students would miss the opportunity to work in the United States as a result. The country would be missing out on the newly trained talent in the work force and ultimately, the economy would be negatively impacted.
- The University is concerned that international students will no longer seek the United States for study as they will not have a straightforward and efficient way of gaining work authorization after their program ends, due to the backlog and pre-approval they would need via the new proposed rule requiring an approval of an extension. This proposed rule is likely to cause a reduction in international students, which will adversely impact university diversity, tuition/research funds as well as the local and national economy. For example, concerning OPT/STEM OPT, UC San Diego recommended nearly 2,300 students for post-completion employment. Under the proposed rule, students would need to apply for an EOS with their OPT/STEM OPT applications causing additional delays and financial burden to students and institutions.
- Implementation of E-Verify throughout the UC system will require a significant overhaul to current hiring and administrative systems. UC employs over 227,000 staff, faculty, students, medical residents and postdoctoral scholars. The global pandemic has hit public higher education particularly hard. Implementation and training costs associated with E-Verify would be a significant financial burden costing millions to the UC system at a time when

resources are limited and will continue to be so for the near future as we work our way out of this crisis.

### **Burden to Students**

- Reducing the F-1 grace period from 60 days to 30 days for students who have been in the United States for four or more years is not sufficient time to prepare for departure or to take time to prepare documents to extend. Students may not even have results of final exams for weeks after the end of the program. Thirty days is not sufficient to prepare the documentation to extend status in an unexpected circumstance, or in the case of a transfer.
- The repeated biometrics requirement creates a burden for international students and visiting scholars. For campuses in more rural areas such as UC Merced, the nearest USCIS application center is more than 60 miles from campus. Not all student visitors have reliable transportation to travel such distances.
- Campus human resources and payroll services require proof of employment eligibility which can be difficult when dealing with USCIS receipt notices. Currently F visa students have to provide only an updated I-20, or for scholars an updated DS-2019, but now the rule will require the USCIS receipt notice which means students/scholars may lose funding and not be able to continue in their programs if the I-539 is not adjudicated within 180 days or 240 days.
- The proposed extension requirement will necessitate students and EVs paying a filing fee each time they extend, travel internationally or reenter the country; in the case of in-country extension, this will also include biometric fees, for themselves and each dependent. For families, the expense will be even more significant, whether a family extends their stay through filing or travelling. Such costs could cause undue financial burdens on the EV or F-1 student and their family.
- According to page 60588, DHS assumes that there would be no environmental risk to safety that might disproportionately affect children or negative impact on family well-being. For F-1 and J-1 dependents who are going to school during the principal's authorized stay, the 2 to 4-year limitation may be disruptive to their academic year.

### **Extension of Stay (EOS) – Questions that Need to be Addressed**

- How will an adjudicator view an EOS for a student who has graduated and wishes to transfer into a test preparation school to prepare for graduate entrance exam or licensing exam? Will this be seen as an "upward trajectory" or not?
- When an F-1 or J-1 nonimmigrant returns to the United States after a break and seeks admission to the United States with an I-20 or DS-2019 that has an end date beyond the previous fixed admission date, what mechanism will CBP use to know whether or not an EOS application has been filed? Will the EOS appear in SEVIS and if so, what will CBP see in SEVIS?



- Students may have different end dates on all documents: I-94, I-20, visa, EAD because different agencies are making the decisions. How will all of these dates be connected or explained to students? How will DSOs know what has been granted? Will this be reflected in the student's SEVIS record?
- There is deep concern about the lack of an appeals process for EOS denials. USCIS has made adjudication errors and questionable denials in the past. A denial impacts students' livelihoods and ability to complete their degrees with years of investment. A denial effectively acts as an academic dismissal from a program and would deny students the ability to complete a degree.
- The proposed transition regulations are confusing and risk harm to students and exchange visitors currently in the United States. Some students could be caught in very precarious circumstances without time to extend. For those outside the United States, there does not appear to be a transition process. Also, for pending OPT/STEM petitions, students do not need an EOS if they are in the US on the rule's effective date, possess a properly filed initial OPT EAD, and possess a pending application receipt. How would the I-94 be updated in this circumstance?
- The rule indicates that there will be no CPT during EOS pending period. How will this be handled for students that have CPT degree requirements? How will this be tracked, if the I-20 is extended, but the EOS isn't approved? How do we even know when the EOS is approved? What about OPT? Can a student work if the EOS isn't yet approved, but the EAD is?
- The proposed rule does not clearly identify the roles of different agencies. Why does DHS not define CBP's role with regard to pending EOS and travel? Rather, they provide CBP the option to admit either for the current expiration or the EOS period. This is confusing. What if a student is admitted to the extension period, and the EOS application is not properly abandoned? Whose decision takes precedence? If students are extended via CBP, how will biometrics be conducted?

#### **Impact to U.S. Healthcare**

- We are deeply concerned about how this rule will impact J-1 Alien Physicians and their ongoing care for U.S. citizens. Clinical education and care requires months of advanced planning. Interruptions to clinical training also interrupt the ability of hospitals and clinics to care for patients. The University is very familiar with the complications that date certain admissions have on physicians in H-1B, O or E-3 status. Date certain admissions threaten international medical graduates' (IMG) abilities to maintain their medical licenses or exemptions, extend their driver's licenses, enroll their children in school and many other functions. Unlike physicians in H-1B status, J-1 Alien Physicians don't have the ability to convert their EOS to premium processing. This has potential to leave hundreds of IMGs unable to care for U.S. patients as they wait for their EOS to be approved.

**Overarching Items Requiring Clarification**

- Concerning the limit on "reverse matriculation" by F-1 students, the rule states "an F-1 student who has completed a program at one educational level would be allowed to change to a lower educational level one time while in F-1 status." Is this limiting transfers? Or does this only apply at the same institution? Or only if completing a degree? Can a student take a semester at a community college if they haven't completed? Will they be penalized? Change of level and transfer are different SEVIS processes, and the proposed rule seems to use imprecise wording. What level is a student in if they are pursuing a certificate program? Some certificates are higher than certain degrees? For example, currently, an F-1 student would not qualify for additional post-completion OPT if he or she changes to a certificate program, given that the certificate program is not a "higher educational level." Similarly, certificate programs for professional advancement are typically not considered to be a "higher educational level" allowing students to qualify for additional post-completion OPT."
- Concerning standards for DHS to approve an F-1 extension of stay, the rule states, "DHS is proposing to eliminate a reference to "normal progress" with respect to seeking a program extension, and incorporate a new standard that makes it clear that acceptable reasons for requesting an extension of a stay for additional time to complete a program are: (1) compelling academic reasons; (2) a documented illness or medical condition; and (3) exceptional circumstances beyond the control of the alien." Students needing to extend program due to having one or more semesters of part-time enrollment (authorized by academic or medical reduce course load [RCL]) will have to submit appropriate documentation of RCL reason to USCIS. Yet, it is unclear what USCIS will accept. What if the medical illness is of a dependent that requires the student/scholar to take a term off?
- F-1 students are allowed to apply for a medical RCL and enroll in fewer than 12 units, or, if necessary, no units at all for up to 12 months due to illness or medical condition at a particular program level. If students are limited to 4 years' maximum study, this would hinder students' ability to complete their program requirements if they have been unable to enroll in a full course of study due to illness or a medical condition. How will USCIS and DHS ensure that they collect and handle medical documentation from students and scholars in a way that complies with all data security protocols such as HIPAA and GDPR?
- According to page 60586, it is unclear that all relevant federal rules that may duplicate, overlap, or conflict with the proposed rule have been identified. Communicating these proposed changes would create a major overhaul of current regulations governing international students and scholars requiring a detailed plan for implementation and timeline by DHS and DoS. What does that look like and how do both DHS and DoS plan to effectively inform universities and program sponsors of this new EOS procedure?
- On page 60574, DHS acknowledges that costs to train CBP officers and add additional resources associated with operational costs with new systems and procedures have not been quantified. Based on the Unfunded Mandates Reform Act, it appears that this needs to be done first before this proposed rule

can be implemented. A key component of the proposed rule includes CBP officers making a determination at the port of entry regarding allowing individuals to enter with pending EOS, setting authorized stay dates, and eliminating automatic revalidation, and more.

- Because those on OPT/STEM OPT will need to apply for EOS at the same time as the employment authorization request, what efforts have been made to receive feedback from industry and assess the impact this will have? For example, in fiscal year 2019, USCIS approved 223,284 requests for EADs for all types of OPT—the highest number ever. Nearly all approvals were for post-graduate OPT—either regular OPT (152,029) or STEM (69,353). It is unclear about the exact monetary impact for employers with OPT and STEM OPT hires. See page 60586 regarding Unfunded Mandates Reform Act.

In closing, DHS's proposed rule concerning D/S is attempting to address a presumption that international student and scholars are intent on skirting U.S. immigration laws and policies through academic degree programs and institutions of higher education. We could not disagree more. This rule undermines the efficacy of one of its own systems, SEVIS, which is designed explicitly to track the whereabouts and status of international students and exchange visitors present in country. Furthermore, this rule suggests that existing mechanisms for evaluating security threats are not sufficient and this added measure is needed.

These presumptions, which we challenge, will have a lasting impact on the vitality of the United States in its economic prosperity, intellectual advantage and global relations.<sup>4</sup> The United States has undeniably benefited from the millions of international students and visitors who choose to study in the country and contribute to our country's prominence. It is unfair and shortsighted to penalize them now when we have evidence to support their valuable contributions while maintaining national security under the current rules and policies.

If you have any questions or concerns about this comment letter, please contact Chris Harrington, Associate Vice President in UC's Office of Federal Governmental Relations, at [Chris.Harrington@ucdc.edu](mailto:Chris.Harrington@ucdc.edu) or 202-974-6300. Thank you for your consideration.

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<sup>4</sup> Nearly one-quarter (21 of 91) of U.S. billion-dollar startup companies had a founder who first came to America as an international student, according to a 2018 study by the National Foundation for American Policy. International students who become founders of U.S. billion-dollar startups have created an average of more than 1,400 jobs per company, the vast majority in the U.S.

<https://nfap.com/wp-content/uploads/2019/01/2018-BILLION-DOLLAR-STARTUPS.NFAP-Policy-Brief.2018-1.pdf>

Sincerely



Michael V. Drake, MD  
President - University of California System



Chancellor Carol T. Christ  
University of California, Berkeley



Chancellor Gary S. May  
University of California, Davis



Chancellor Howard Gillman  
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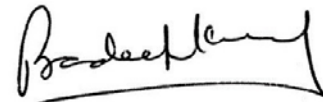
Chancellor Gene D. Block  
University of California, Los Angeles



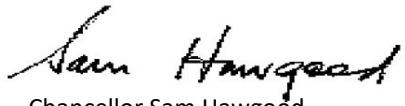
Chancellor Juan Sánchez Muñoz  
University of California, Merced



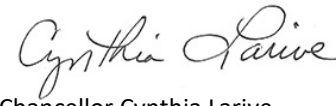
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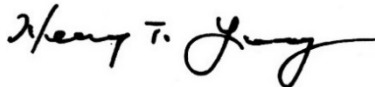
Chancellor Pradeep Khosla  
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Chancellor Sam Hawgood  
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