



October 5, 2001

The Honorable Dianne Feinstein
SH-331 Hart Senate Office Building
Washington, DC 20510-0504

Dear Senator Feinstein:

I write on behalf of the higher education associations listed below to suggest a number of concrete steps that could be taken to improve the issuance of student visas and the tracking of these individuals while they are in the United States. We recognize that higher education institutions must be vigilant and proactive in supporting all efforts to prevent potential acts of terrorism.

The single most important step to achieve the goal that we all seek is the full implementation of the Student and Exchange Visitor Information System (SEVIS), also known as CIPRIS. While short-term steps can and should be taken, the best way to monitor international students on campus will be through this electronic database. In the past, the implementation of SEVIS / CIPRIS has been hampered by controversy over the administration of the system's financing. We believe that your proposal to authorize federal funding in lieu of the proposed fee on students will result in much faster, smoother and more coordinated implementation of this system than would otherwise be possible. We strongly support that step.

Many of our suggestions involve new responsibilities for colleges and universities that enroll international students. For example, we believe that colleges who enroll international students should:

- Provide additional information to the INS about international students who are enrolled on campus;
- With the assistance of the INS, promptly inform the agency when an I-20 recipient does not actually enroll or withdraws from a program prematurely; and
- Delay the issuance of an I-20 form to students from countries on the State Department watch list until after the student has formally accepted admission.

In some cases, our ability to perform these tasks will depend on initial action and ongoing support by INS. To do this, INS may well need additional funding, personnel, and oversight. Where this is the case, we strongly encourage Congress to provide the resources to support these endeavors. We stand ready to work with INS officials to ensure quick action on these items.

The steps that we propose focus on what colleges and universities can do to be more actively involved in the student visa process. We are aware of other proposals under consideration – such as the development of tamper proof visas and increased information sharing among federal agencies – that will significantly improve the process by which all visas

are awarded and monitored and, therefore, will further improve the situation with respect to student visas. We support such initiatives and commit our organizations and the schools we represent to work with federal agencies to ensure that these provisions are implemented smoothly and quickly.

The actions we propose will result in a much higher level of security. By adopting such steps, we believe it will be unnecessary to pursue more far-reaching actions that, at a minimum, would have serious consequences for international students and American students who wish to study abroad, our nation's colleges and universities, and our economy.

My colleagues and I are grateful for your deep interest in this issue and we appreciate your willingness to consider our proposals. We look forward to working with you and the appropriate executive branch agencies to refine, enact, and implement promptly the changes that are ultimately made.

Sincerely,



David Ward
President

DW/cms

Attachment

On behalf of:

American Association of Collegiate Registrars and Admissions Officers
American Association of Community Colleges
American Association of State Colleges and Universities
American Council on Education
Association of American Universities
Association of Community College Trustees
Association of Independent California Colleges and Universities
Association of Jesuit Colleges and Universities
Consortium on Government Relations for Student Affairs
Council for Advancement and Support of Education
Council of Graduate Schools
NAFSA: Association of International Educators
National Association for Equal Opportunity in Higher Education
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
National Association of State Universities and Land-Grant Colleges
National Association of Student Financial Aid Administrators
National Association of Student Personnel Administrators

CC: Senate Judiciary Committee

Higher Education's Proposals for Improving the Issuance and Tracking of Foreign Student Visas

New Responsibilities for Institutions

- Within 30 days of the end of the enrollment period at the start of each academic term, supply an electronic update to INS of the most recent data on enrolled international students covering the following items: date of commencement of studies; degree program and field of study; termination date and reason; and status (i.e. full-time or part-time).
- Require higher education institutions to report to the INS within 30 days of the start of an academic term the non-appearance of any such student indicated by the INS to have entered the country on that institution's I-20 form or who accepted an offer of admission but did not enroll.
- Require designated school officials (DSOs) to comply with any "revised responsibilities" outlined by INS or lose authority to issue I-20s.

New Responsibilities for INS

- Notify a higher education institution within 15 days of a foreign student's entry into the United States using that institution's form I-20.
- Issue a "revised statement of responsibilities" for DSOs that takes into account new reporting requirements.

Funding and Oversight

- Guarantee the rapid implementation and effective operation of the Student and Exchange Visitor Information System (SEVIS) by replacing the current fee system with a permanent authorization and necessary appropriations.
- Increase the budget for consular affairs at the Department of State to provide additional staffing, improve facilities where necessary, and mandate more effective use of information technology.
- Provide sufficient funding for the expeditious implementation of an electronic arrival/departure system for all visa classifications, as mandated by Section 110 of IIRAIRA.
- Provide clarification that data disclosures to the INS regarding foreign students are not subject to restrictions under the Family Education Rights and Privacy Act ("FERPA") (20 U.S.C.1232(g); 34 C.F.R. §99.1).

Special scrutiny for limited categories of applicants.

- Require consular officials to conduct more extensive background checks on student visa applicants from countries on the State Department's watch list of states supporting terrorism.
- Delay the issuance of an I-20 form until after a prospective student from watch list countries has formally accepted admission.
- Mandate a 30-day delay on issuance of all student visas for individuals from countries on watch list.