

Sharon Snyder, Unit Chief
Student and Exchange Visitor Program
U.S. Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street SW
Washington, DC 20536

September 17, 2018

Re: Docket No. ICEB-2017-0003

Dear Unit Chief Snyder,

The American Council on Education (ACE) and the undersigned higher education associations submit these comments in response to Docket Number: ICEB-2017-0003 regarding the proposed increased programs fees for the Student and Exchange Visitor Program (SEVP). While we support efforts to ensure SEVP is adequately resourced to permit timely processing of F, J, and M nonimmigrant visas that visiting students and scholars use, we believe the proposed fees represent significant and burdensome increases that will adversely impact student and faculty exchange visitors as well as institutions of higher education.

U.S. colleges and universities are part of a worldwide network of learning, research, and education. Our institutions enroll millions of students from all over the world in undergraduate, graduate, and professional degree programs. Many of these students and scholars have gone on to invent groundbreaking technology, start thriving businesses, and create jobs. The over one million international students that currently attend U.S. colleges and universities add to the United States' intellectual and cultural vibrancy, while also yielding an estimate economic impact of \$32.8 billion and support for 400,000 U.S. jobs.

These proposed fees, along with a broader shift in tone and visa-related policies proposed by the Administration, reinforce a troubling message that we no longer welcome members of the international community who wish to enter our campus gates. The significant increases and new fees proposed will undoubtedly hinder American higher education's mission of global engagement, which would have a far-reaching, unintended adverse impact on the higher education community and our broader society. We must remain a welcoming country to international students, scholars, scientists, and researchers who enrich our campuses and the country with their talents and skills.

We are concerned that the new and increased fees proposed by DHS will exacerbate a downward trend in international student enrollment at our colleges and universities, and ultimately undercut the apparent intent of the proposed fees as an increased revenue stream for the SEVP program. The most recent National Science Foundation Science and Engineering

indicators report showed a 2.2 percent drop in undergraduate enrollments and a 5.5 percent drop in graduate enrollments for international students between Fall 2016 to Fall 2017.¹

These proposed significant and seemingly arbitrary fee increases would, in some cases, almost double the fees for students (a 75 percent, or \$150 increase for F and M visas and a 22 percent, or \$40 increase for J visas) and increase and create new fees for the certification of institutions (a 76 percent, or \$1,300 increase for initial I-17 initial certification, and a new \$1,250 fee for re-certification). We understand that the current fee levels may be insufficient to recover the full cost of current and planned program activities, and could support reasonable increases in fees and the potential imposition of new fees to sustain the SEVP program. However, we believe these fees as proposed are excessive and inappropriate to achieve that end. As a result, we ask that DHS consider a measured approach to increasing these fees and that the increases be imposed gradually to mitigate their adverse effect on international students. This will provide time for institutions to adjust their budgets to accommodate the new fees. DHS could also implement increases in the fee structure using the Department of Labor's Consumer Price Index for all consumers (CPI-U) or the alternative so-called chained CPI-U.

We appreciate the stated purpose of the proposed regulatory action and support efforts to ensure that sufficient resources exist to support timely processing. Notwithstanding, we believe that DHS should institute a cap on maximum processing times to allow for more timely adjudications. Any future increase in fees should be coupled with streamlined training for adjudicating officers, adequate staffing, and efficient notification standards.

The American higher education's mission of global engagement cannot be achieved if our immigration and visa policies no longer send a welcoming message to students and scholars from around the world. We are eager to work with you to help sustain efforts to protect our national security while simultaneously ensuring that our institutions of higher education continue to be the destinations of choice for the world's most talented students and scholars.

Sincerely,



Ted Mitchell, President

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

¹ <https://www.nsf.gov/statistics/2018/nsb20181/report/sections/higher-education-in-science-and-engineering/undergraduate-education-enrollment-and-degrees-in-the-united-states>.

Association of Jesuit Colleges and Universities
Association of Governing Boards of Universities and Colleges
Association of Public and Land-grant Universities
NASPA- Student Affairs Administrators in Higher Education
College and University Professional Association for Human Resources
Council for Advancement and Support of Education
Council for Christian Colleges & Universities
Council of Graduate Schools
Hispanic Association of Colleges and Universities
National Association of Independent Colleges and Universities