



National Iranian American Council | Community. Democracy. Universal Rights.

September 17, 2018

VIA FIRST CLASS MAIL

The Honorable Carl C. Risch, Assistant Secretary
Bureau of Consular Affairs
U.S. Department of State
2201 C Street NW
Washington, D.C. 20522-1709

Ms. Kathy Nuebel Kovarik, Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, D.C. 20529-2140

Dear Secretary Risch and Chief Kovarik:

We are writing on behalf of the National Iranian American Council (“NIAC”) – the largest grassroots organization in the United States representing the interests of Iranian Americans – regarding reports of long administrative processing times for Iranian students, including visa renewals for those who have already commenced their studies in the U.S. We respectfully request to meet with your respective offices to further discuss these issues.

Presidential Proclamation No. 9645, entitled “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats” suspended the entry of Iranians into the U.S. with the exception of student (F and M) and exchange visitor (J) visas.¹ However, it does subject those exempted individuals to enhanced screening and vetting requirements.

Student visa issuances to Iranians have significantly decreased. In 2015, there were 3,241 F-1 and 820 J-1 visas issued to Iranians.² In 2016, there were 2,650 F-1 and 846 J-1 visas issued to Iranians.³ Whereas in 2017, there were only 2,201 F-1 and 644 J-1 visas issued to Iranians.⁴ The visa statistics for fiscal year 2018 are not yet complete, however, there appears to be a continued downward trend. In July 2017, there were 262 F-1 and 39 J-1 visas issued to Iranian students.⁵ In July 2018, that number decreased to 181 F-1 and 24 J-1 visas issued.⁶ We are

¹ Proclamation No. 9645, 82 Fed. Reg. 45161 (Sept. 24, 2017).

² FY 2015 Nonimmigrant Visas Issued, <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/NIVDetailTables/FY15%20NIV%20Detail%20Table.pdf>.

³ FY 2016 Nonimmigrant Visas Issued, <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/NIVDetailTables/FY16%20NIV%20Detail%20Table.pdf>.

⁴ FY 2017 Nonimmigrant Visas Issued, <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/NIVDetailTables/FY17NIVDetailTable.pdf>.

⁵ Nonimmigrant Visa Issuances By Nationality - July 2017 (FY 2017), <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/MonthlyNIVIssuances/JULY%202017%20-%20NIV%20Issuances%20by%20Nationality%20and%20Visa%20Class.pdf>.

concerned that in addition to visa denials, long wait times lead prospective Iranian students to miss semester start dates and/or select themselves out of the application process. We have been contacted by Iranian students who have deferred university acceptances due to long administrative processing times. This has led some of them to forfeit scholarships and admission altogether.

We are particularly concerned by reports from students who were previously issued a visa, initiated their studies in the U.S., and now find themselves subject to long administrative processing after leaving the country to renew their visa. The website of U.S. Immigration and Customs Enforcement instructs students to renew their visas in their home country.⁷ These are students who were deemed not to be a threat, lawfully present in the U.S., and could have remained so if they had not left to renew their student visa. Students are not adequately informed about the risk of leaving the country, and the processing times some students from countries included in Proclamation 9645 experience far exceed routine administrative delays.

Long processing times have produced numerous hardships for these students, some of whom have missed two full semesters of study. During their absence, these students may find themselves evicted, separated from spouses who are also studying in the U.S., and in some cases unable to complete their studies. Other students find their spouse stuck in administrative processing for an F-2 visa despite having received one in the past. Certain male students who have deferred military service in Iran due to their studies now find themselves at risk of being conscripted.

We have also been contacted by students who are advanced doctoral candidates. Some of these individuals have received stipends subsidized by U.S. taxpayers and are responsible for teaching courses to undergraduate students. Unnecessary delay in their visa renewal is disruptive to their respective universities and a waste of resources, especially if they are unable to fulfill their teaching assistantship duties. These students have already successfully studied inside the U.S. without posing a security risk and are being punished for following the standard procedure for renewing a student visa.

We would like to meet to discuss potential solutions for the delay and confusion that many Iranian student visa applicants face. We would appreciate clarifying guidance from the Department of State for the following questions:

1. What is the average processing time for Iranian student visa applicants, and does this vary depending on consular post, including for students who have previously been awarded a visa for the same course of study?
2. What guidance does the Department of State offer or plan to provide for students already present in the U.S. regarding the risk of long processing times if they leave to renew their visa?

Our aim is to provide Iranian student visa applicants and re-applicants with reliable information so they can make an informed decision regarding university applications, deferrals, and the decision to travel abroad once present in the U.S. We would also like to explore potential solutions for Iranian students who have already commenced their course of study in the U.S. and seek a visa renewal. These may include:

- Expedited processing for visa renewals if the visa is intended for the same course of study. This option will permit individuals on student visas who are currently enrolled in a course of study to more efficiently renew their visa.

⁶ State.gov. Nonimmigrant Visa Issuances By Nationality - July 2018 (FY 2018), <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/MonthlyNIVIssuances/JULY%202018%20-%20NIV%20Issuances%20by%20Nationality%20and%20Visa%20Class.pdf>.

⁷ Ice.gov. (2018). Travel. [online] Available at: <https://www.ice.gov/sevis/travel> [Accessed 9 Sep. 2018].

- Dual-entry visas (in lieu of multiple entry). A special dual-entry visa will permit holders to leave the country once, including to their country of origin, without presenting the same security considerations of a multiple-entry visa.
- Visa revalidation eligibility for travel of less than thirty days to the contiguous countries of Canada or Mexico is not currently available to Iranian nationals. Extending eligibility to Iranian nationals present in the U.S. on a student visa would permit them to visit family who may reside in or hold visas for contiguous countries.

We look forward to hearing from you and hope to arrange a meeting to discuss further.

Respectfully,

Jamal Abdi, *President*