



1 Resolution 2: Condemning the proposed DHS Ruling
2 requiring a fixed period of stay for International
3 students

4 **Abstract:** The proposed DHS ruling limiting F1 and J1 visas to a fixed 4-year or 2-year term
5 detrimentally affects international students. The GPSA states support for our international student
6 community and calls on Cornell administration to oppose this ruling.

7 **Sponsored by:** Kavya Krishnan

8 **Reviewed by:** Executive Committee on October 23rd

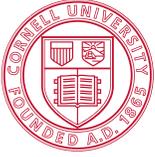
9 **Whereas,** 48.5% of all graduate and 32% of all professional students at Cornell are international
10 (over 3600 graduate and professional students from 116 different countries represented in the
11 Cornell student body),

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13 **Whereas,** the Department of Homeland Security (DHS) has proposed the ruling ‘Establishing a
14 Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic
15 Students, Exchange Visitors, and Representatives of Foreign Information Media’ (ICEB-2019-0006,
16 RIN 1653-AA78) recommending that visas for F1 students and J1 scholars have a fixed time period
17 admission. This is a shift from current regulations which grant international students visas for the
18 ‘duration of stay’, a flexible period of time that covers the period of time that students are pursuing a
19 full course of study,

20
21 **Whereas,** the proposed 4-year fixed period significantly affects international students who would
22 take more than 4 years to complete their education, covering almost all PhD students (average time
23 to degree for a PhD student is 5.5 years). Additionally the 2-year visa period for certain countries
24 would also affect many professional students (time to degree varies by discipline but is on average 3
25 years),

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27 **Whereas,** the proposed rule further discriminates against students from predominantly African and
28 Middle-Eastern countries by limiting students from these countries to a 2-year student visa, creating
29 additional barriers to higher education for an already underrepresented population of graduate and
30 professional students at Cornell,

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32 **Whereas**, this ruling disproportionately affects the graduate and professional community, with 70%
33 of all international students at Cornell in graduate or professional degree programs,

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35 **Whereas**, the proposed rule also places an undue financial and mental burden on all international
36 students who would need to leave the country to renew their visa multiple times through their
37 graduate career,

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39 **Whereas**, the proposed ruling, following the now rescinded July 6th directive from DHS barring
40 international students in the country from taking solely online classes, has been particularly
41 detrimental to the mental health and well-being of international students,

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43 **Whereas**, the proposed ruling would also deter prospective international students from applying to
44 Cornell or any US-institution for fear of their graduate career being disrupted due to visa
45 uncertainties, adversely affecting not just Cornell's research capabilities but also graduate student life
46 at Cornell,

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48 **Whereas**, the GPSA acknowledges that this is a proposed ruling and that the Office of University
49 Counsel, working with the Office of Global Learning and the Office of the Vice Provost for
50 International Affairs, will be submitting a public comment on the ruling on behalf of the University,

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52 **Be it therefore resolved**, that the GPSA opposes the proposed DHS ruling 'Establishing a Fixed
53 Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic
54 Students, Exchange Visitors, and Representatives of Foreign Information Media' (ICEB-2019-0006,
55 RIN 1653-AA78).

56

57 **Be it further resolved**, that the GPSA reiterates our support for our international student
58 community and strongly urges the Cornell community to submit public comments at the Federal
59 Registrar by October 26th, 11:59pm
60 (<https://www.federalregister.gov/documents/2020/09/25/2020-20845/establishing-a-fixed-time-period-of-admission-and-an-extension-of-stay-procedure-for-nonimmigrant#open-comment>).

62

63 **Be it further resolved**, that the Cornell administration increase staffing in key academic units, such
64 as the Office of Global Learning, to assist with the increased workload of offices attempting to



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65 analyze these rulings, disseminate relevant information to students and staff and support
66 international students.

67

68 **Be it further resolved that,** given the disproportionate effect of the ruling on the graduate and
69 professional community, the Cornell administration hires additional staff members in relevant
70 academic units that are fully designated to work with graduate and professional students (who face
71 unique difficulties due to the ruling as compared to the undergraduate community).

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73 **Be it further resolved,** that the Cornell administration collaborate with or at least maintain a
74 resource of non-profit or volunteer immigration law organizations that will be made accessible to
75 international students who may need individualized support for immigration problems.

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77 **Be it further resolved,** that the Cornell administration inform and sensitize faculty and staff to the
78 proposed ruling, as well as new immigration rulings as they are proposed, to ensure support and
79 mentorship for international students in their academic pursuits.

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81 **Be it further resolved,** that the Cornell administration prioritize sensitivity training of current
82 CAPS counsellors to immigration issues that adversely affect the mental health of the international
83 student community and commit to hiring of CAPS counsellors who specialize in dealing with unique
84 issues faced by this diverse community.

85

86 **Be it finally resolved,** that the Cornell Administration commit to challenging proposed DHS ruling
87 'Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for
88 Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information
89 Media' (ICEB-2019-0006, RIN 1653-AA78) legally if the ruling goes into effect.

90

91 Respectfully Submitted,

92 Kavya Krishnan

93 Vice-President Communications of the Graduate and Professional Student Assembly