AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. HRG. 108–809

# ADDRESSING THE NEW REALITY OF CURRENT VISA POLICY ON INTERNATIONAL STUDENTS AND RESEARCHERS

## HEARING

BEFORE THE

## COMMITTEE ON FOREIGN RELATIONS
## UNITED STATES SENATE

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

OCTOBER 6, 2004

Printed for the use of the Committee on Foreign Relations

Available via the World Wide Web: http://www.access.gpo.gov/congress/senate

U.S. GOVERNMENT PRINTING OFFICE

20–635 PDF WASHINGTON : 2005

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON FOREIGN RELATIONS

RICHARD G. LUGAR, Indiana, *Chairman*

CHUCK HAGEL, Nebraska
LINCOLN D. CHAFEE, Rhode Island
GEORGE ALLEN, Virginia
SAM BROWNBACK, Kansas
MICHAEL B. ENZI, Wyoming
GEORGE V. VOINOVICH, Ohio
LAMAR ALEXANDER, Tennessee
NORM COLEMAN, Minnesota
JOHN E. SUNUNU, New Hampshire

JOSEPH R. BIDEN, JR., Delaware
PAUL S. SARBANES, Maryland
CHRISTOPHER J. DODD, Connecticut
JOHN F. KERRY, Massachusetts
RUSSELL D. FEINGOLD, Wisconsin
BARBARA BOXER, California
BILL NELSON, Florida
JOHN D. ROCKEFELLER IV, West Virginia
JON S. CORZINE, New Jersey

KENNETH A. MYERS, JR., *Staff Director*
ANTONY J. BLINKEN, *Democratic Staff Director*

# CONTENTS


| | Page |
|---|---|
| Alexander, Hon. Lamar, U.S. Senator from Tennessee | 12 |
| Coleman, Hon. Norm, U.S. Senator from Minnesota | 37 |
| Prepared statement | 41 |
| Cotten, Catheryn, Director, International Office, Duke University | 43 |
| Prepared statement | 45 |
| Goodman, Allan E., Ph.D., President and Chief Executive Officer, Institute of International Education | 52 |
| Prepared statement | 54 |
| Herbert, Adam W., Ph.D., President, Indiana University | 12 |
| Prepared statement | 15 |
| Jischke, Martin C., Ph.D., President, Purdue University | 3 |
| Prepared statement | 8 |
| Johnson, Marlene M., Executive Director and Chief Executive Officer, NAFSA: Association of International Education | 62 |
| Prepared statement | 64 |
| Kattouf, Hon. Theodore H., President and Chief Executive Officer, AMIDEAST | 84 |
| Prepared statement | 86 |
| Lugar, Hon. Richard G., U.S. Senator from Indiana | 1 |
| Mote, D.C. (Dan), Jr., Ph.D., President, University of Maryland, College Park, MD | 21 |
| Prepared statement | 24 |
| Sarbanes, Hon. Paul S., U.S. Senator from Maryland | 30 |
| Prepared statement | 33 |


ADDITIONAL STATEMENTS AND QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD


| | |
|---|---|
| Feingold, Russ D., U.S. Senator from Wisconsin, prepared statement | 94 |
| Honey, Tim, Executive Director, Sister Cities International, prepared statement | 96 |
| Johnson, Marlene, response to question from Senator Feingold | 95 |
| Kattouf, Ted, responses to questions from Senator Feingold | 95 |
| Vande Berg, Dr. Michael, Director of International Programs, Georgetown University, prepared statement | 98 |

# ADDRESSING THE NEW REALITY OF CURRENT VISA POLICY ON INTERNATIONAL STUDENTS AND RESEARCHERS

**WEDNESDAY, OCTOBER 6, 2004**

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
*Washington, DC.*

The committee met, pursuant to notice, at 9:30 a.m., in room SD–419, Dirksen Senate Office Building, Hon. Richard G. Lugar (chairman), presiding.

Present: Senators Lugar, Alexander, Coleman, and Sarbanes.

## OPENING STATEMENT OF HON. RICHARD G. LUGAR, U.S. SENATOR FROM INDIANA

The CHAIRMAN. This hearing of the Senate Foreign Relations Committee is called to order. Today the committee meets to examine the impact of new visa policies on foreign students and researchers seeking to study in the United States. These temporary visitors provide enormous economic and cultural benefits to our country. Hosting foreign students also is one of the most successful elements of our public diplomacy. We have critiqued and even lamented some aspects of our public diplomacy since the end of the cold war, but the work of our universities in establishing ties with millions of foreign students stands as an important public diplomacy achievement.

In numerous hearings and discussions on public diplomacy, this committee has consistently heard reports of the value of foreign exchanges, particularly multi-year student exchanges. Fostering such exposure for overseas visitors is vital if we hope to counter the distorted image of the United States that so many foreign citizens receive through censored or biased media outlets in their home countries.

Recently I was reminded of the foreign policy impact of hosting foreign students when I traveled to Georgia and met with its new President, Michael Saakashvili. President Saakashvili received his law degree from Columbia University, where he studied under the Muskie fellowship program. In fact, almost every member of his cabinet had attended an American college or university during their academic careers. Some had come to the United States as part of the State Department's international visitors program or on a Fulbright or Muskie fellowship.

The result was that the leadership of an important country had a personal understanding of the core elements of American society

and governance. Perhaps more importantly, they had an understanding and appreciation of Americans themselves.

Of the 12.8 million students enrolled in higher education in the United States during the last academic year, almost 600,000, some 4.6 percent, were foreign undergraduate and graduate students who were attending school on F–1 visas. These students contribute almost $12.9 billion annually to the United States economy. This is roughly equivalent to the amount of medical equipment and supplies exported annually by the United States. Thus, higher education functions as a major export commodity that improves our trade balance.

My home State of Indiana currently is the temporary home of almost 13,500 students. This population pumps more than $330 million annually into our State's economy.

We also should recognize the important role played in the United States by talented foreign scientists who work at some of our most renowned research facilities. For example, about 1,900 foreign scientists who have come to this country on J–1 visas perform groundbreaking research in conjunction with our own scientists at the National Institutes of Health. They are contributing not only to the United States economy, but also the health of Americans.

After the September 11, 2001 attacks, Congress reexamined visa policy in light of heightened security concerns. We adopted new visa requirements in the interest of national security. Today we intend to carefully examine how the security purposes of those changes are being balanced with our goals pertaining to foreign students. In particular we want to determine whether the change in visa procedures are unnecessarily limiting or deterring students, researchers, and official visitors from coming to our universities.

One new mechanism is the Student and Exchange Visitor Information System, known as "SEVIS." This system is used to verify the location and academic status of international students. To fund the system, student visa applicants are charged a $100 fee. In some cases, this fee has been a financial disincentive for foreign students to apply to American institutions of higher learning, in part because the fee is not refunded if the student visa is turned down.

Another recurring concern is the difficulty many students have in complying with the so-called 214(b) statute, whereby visa applicants must demonstrate that they are not intending to emigrate. Few would argue with the intent of the statute, but prospective students, because of their age and educational focus, often lack employment and property in their home countries. Since employment and property are primary indicators that a visa applicant will return home, student visas sometimes are delayed or denied even when applications otherwise are in order.

In spite of the problems associated with visa restrictions, I understand that the Consular Affairs Bureau at the State Department is adjudicating student applications more efficiently than when the new security procedures first took effect. This progress is due, in part, to greater information-sharing between the Department of State, the Department of Homeland Security, and other governmental agencies.

Thanks to Secretary Powell's Diplomatic Readiness Initiative, we also have been able to fund 350 new consular positions. In addi-

tion, the State Department has instructed embassies to give students priority when scheduling visa interviews.

The United States must achieve an effective balance on student visas. We know that Canada, the United Kingdom, and Australia are aggressively recruiting many of the same students who might otherwise come to the United States. Security must not be compromised, but our government should help our universities to remain competitive by doing everything it can to reduce unnecessary delays in evaluating and processing student visas.

I am pleased to welcome two expert panels to our hearing today. On the first panel we will hear from: Dr. Martin Jischke, President of Purdue University; Dr. Adam Herbert, President of Indiana University; and Dr. Dan Mote, President of the University of Maryland. The three universities represented here today are among the leaders in hosting foreign students. Purdue has the fourth largest number of foreign students among United States universities, while the University of Maryland ranks fourteenth and Indiana University ranks twentieth. These witnesses have thought a great deal about the role of foreign students at United States universities and how the student visa process can be improved.

On the second panel we have: Dr. Allan Goodman from the Institute of International Education, which produces "Open Doors," an annual study on foreign students coming to the United States and U.S. students studying abroad; Ms. Catheryn Cotten, the Director of the International Office at Duke University, where she has been studying the history and impact of SEVIS and its predecessor; and Ambassador Ted Kattouf, President and CEO of AMIDEAST, which specializes in student exchanges from the Middle East; and Ms. Marlene Johnson, CEO of Association of International Educators.

We look forward to hearing the insights and recommendations of our distinguished witnesses. It is a privilege now to greet the first panel and to ask that you testify in the order that I introduced you, which would be first of all Dr. Jischke, then Dr. Herbert, and then Dr. Mote. All of your statements will be made a part of the record in full and you may proceed as you wish, either with some of the statement, a summary of it, or your own recitation. We are delighted to greet you this morning.

Let me just mention that the hearing started promptly at 9:30, maybe even a tad before the buzzer, because this is a busy day in the life of the Senate. At 11:30 we are told we will have the beginning of 16 roll call votes. That will effectively end the hearing. Senators who are not present now will be present on the floor voting 16 times to complete the intelligence bill.

I hope other Senators will join us. I appreciate that you have come, because this is an important hearing before the Senate recesses and we wanted to make this contribution to the committee record.

Dr. Jischke, would you please proceed with your testimony.

## STATEMENT OF MARTIN C. JISCHKE, PH.D., PRESIDENT, PURDUE UNIVERSITY

Dr. JISCHKE. Thank you, sir. Mr. Chairman, staff of the Foreign Relations Committee: Thank you for this opportunity. May I say,

sir, that I find your opening statement very encouraging and I want to thank you for the observations you have made already this morning.

Today nearly 600,000 international students are attending universities in the United States. Purdue enrolls nearly 5,000 of these students from 130 different nations of the world. Purdue has the largest international student population among U.S. public universities. We have a history of international enrollment that dates back nearly 100 years.

I believe international education holds enormous promise in fulfilling our greatest hopes for the 21st century. International education exchange promotes understanding and friendships. When we provide an opportunity for the world's best and brightest to study in America, we give them a chance to understand our values and our way of life. Students come from other parts of the world, they come to our campuses and are exposed to our Nation and our people. They come to understand our culture and society better.

Our international students are exceptional people who will grow to become leaders in their home nations. U.S. relations around the world in the next 50 years are being nurtured at college campuses such as Purdue all across our Nation today.

American students, faculty, and staff also benefit tremendously through interaction with people from a variety of backgrounds and cultures. International educational exchange programs open a door to the world for our own students. It is a door of understanding. In the years ahead, American young people will live and work in an increasingly globalized world where they will need to interact with a wide variety of people, cultures, and customs. International enrollment at our campuses prepares our American students for their future. It also helps to break down stereotypes and misinformation that are the breeding grounds of intolerance.

Among many prominent Purdue graduates who were international students is Dr. Marwan Jamil Muasher. Dr. Muasher is the Jordanian Minister of Foreign Affairs. During a recent talk at Purdue, he mentioned that 50 percent of the Jordanian cabinet are U.S.-educated. This has promoted understanding and better relations between our two countries.

Since September 11, 2001, the growth of international students coming to the United States has slowed considerably. We believe that this year international enrollment at U.S. universities will actually drop below the fall 2003 level. This will be the first decline in about 30 years. In the data collected earlier this year for all of 2004, the 25 research universities that enrolled the most international students reported significant declines in international graduate applications. Nine of these universities indicated a decrease of 30 percent or more. The number of international students enrolled at Purdue this fall is 4,921. That is down from 5,094 the year before. This is, in fact, the first drop in international enrollment we have seen at Purdue in more than three decades.

We believe there are several reasons for this decline. First, the entire student visa process is causing students to look elsewhere for international education. In some cases the problems are quite real, in some cases they are only perceived. But the impact can be seen on our campuses today. In a fall 2003 survey, institutions re-

sponding indicated a 49-percent increase in the number of visa delays for new and continuing international undergraduate students. These delays caused students to miss the start of classes and become hopelessly behind. In some cases, continuing students fall so far behind that they had to drop their courses.

At Purdue we have lost more than 100 prospective students due to visa delays since 2002. When one of our continuing students returned home to China, it was more than 5 months before his application to return was approved. By the time he was able to get back to West Lafayette, his wife in West Lafayette had already delivered their first child.

Visa delays, though, are not the only reason for declining international enrollment in the United States. It is a combination of factors and visa delays that deliver the final blow that persuades students to study elsewhere. First, international enrollment in the United States is in decline today because there are more options available to these top students at home. Asian countries are investing more than ever before in higher education.

Second, as you have noted, sir, American universities are facing significant increased competition for the top international students from institutions in countries such as Great Britain, Australia, New Zealand, and Canada. The number of Chinese and Indian students going to universities in Australia last fall was up 25 percent. The number of students from India was up 31 percent. Great Britain saw a rise in Chinese and Indian students of 36 and 16 percent respectively.

When I received the invitation to speak at this hearing this morning, I met with a group of international student leaders from the Purdue campus. This is what they told me. The new U.S. visa application process is long and complicated and often unpredictable. It can cause delays and in some cases significant problems.

However, our students also tell me the U.S. visa application process is not the only factor that is causing large numbers of students to reconsider study in the United States. Most frequently mentioned was slow growth in the U.S. economy.

On May 12, 2004, 24 representatives of American organizations of higher education, science, and engineering drafted a series of problems and recommendations concerning the international student visa process. Senator Lugar, I would like to ask that this document, "Statement and Recommendations on Visa Problems Harming America's Science, Economic and Security Interests," be entered into the committee official record.

The CHAIRMAN. It will be placed in the record.

[The information referred to follows:]

STATEMENT AND RECOMMENDATIONS ON VISA PROBLEMS HARMING AMERICA'S SCIENTIFIC, ECONOMIC, AND SECURITY INTERESTS

We, the undersigned American organizations of higher education, science, and engineering are strongly committed to dedicating our combined energies and expertise to enhancing homeland and national security. Our nation's colleges and universities and scientific and technical organizations are the engines of new knowledge, discoveries, technologies, and training that power the country's research enterprise and contribute greatly to economic and national security. Moreover, they are important hubs of international scientific and technical exchanges, and they play a vital role in facilitating educational and cultural exchanges that help to spread our nation's democratic values.

We strongly support the federal government's efforts to establish new visa policies and procedures to bolster security; however, we believe that some of the new procedures and policies, along with a lack of sufficient resources, have made the visa issuance process inefficient, lengthy, and opaque. We are deeply concerned that this has led to a number of unintended consequences detrimental to science, higher education, and the nation.

In particular, there is increasing evidence that visa-related problems are discouraging and preventing the best and brightest international students, scholars, and scientists from studying and working in the United States, as well as attending academic and scientific conferences here and abroad. If action is not taken soon to improve the visa system, the misperception that the United States does not welcome international students, scholars, and scientists will grow, and they may not make our nation their destination of choice now and in the future. The damage to our nation's higher education and scientific enterprises, economy, and national security would be irreparable. The United States cannot hope to maintain its present scientific and economic leadership position if it becomes isolated from the rest of the world.

We are resolute in our support of a secure visa system and believe that a more efficient system is a more secure one. We also are confident that it is possible to have a visa system that is timely and transparent, that provides for thorough reviews of visa applicants, and that still welcomes the brightest minds in the world. It is not a question of balancing science and security, as some have suggested. These priorities are not mutually exclusive; to the contrary, they complement each other, and each is vital to the other. Indeed, in the near term, some international scientists and engineers are directly contributing towards helping to win the war on terrorism. In the long run, a robust network of global interactions is essential to winning this war. Our nation needs a visa system that does not hinder such international exchange and cooperation.

The Departments of State and Homeland Security have responded to some of our concerns by taking steps to make the visa process less cumbersome and more transparent. However, serious problems remain, and it is in the hope of resolving these issues collaboratively that we offer the following recommendations:

*Problem:* Repetitive security checks that cause lengthy visa issuance delays.

*Recommendation:* Extend the validity of Visas Mantis security clearances for international students, scholars, and scientists from the current one-year time period to the duration of their course of study or academic appointment. When those who have received a favorable Security Advisory Opinion from Visas Mantis apply to renew their visas, consular officers could confirm that the applicants have not changed their program of study or research since issuance of their original clearances. This would eliminate a redundant procedure that sometimes causes unnecessary delays and hardships.

*Problem:* Inefficient visa renewal process that causes lengthy delays.

*Recommendation:* Establish a timely process by which exchange visitors holding F and J visas can revalidate their visas, or at least begin the visa renewal process, before they leave the United States to attend academic and scientific conferences, visit family, or attend to personal business. A visa renewal process that allows individuals to at least initiate the process before leaving the country would greatly diminish, and in many cases eliminate, lengthy visa delays, and it would allow them to continue their studies and work uninterrupted.

*Problem:* Lack of transparency and priority processing in the visa system.

*Recommendation:* Create a mechanism by which visa applicants and their sponsors may inquire about the status of pending visa applications, and establish a process by which applications pending for more than 30 days are given priority processing. Implementing these measures would greatly add to the transparency of the visa process and would help to ensure that applications do not get buried at the bottom of the pile or lost.

*Problem:* Inconsistent treatment of visa applications.

*Recommendation:* Provide updated training of consular staff, establish clear protocols for initiating a Visas Mantis review, and ensure that screening tools are being used in the most appropriate manner. We recognize that the government is pursuing efforts to enhance training, and we encourage this. Consular staff need the best available tools and training to perform their vital responsibilities. Additional training and guidance for consular staff could greatly enhance security while simultaneously reducing the number of applications submitted for Visas Mantis reviews, thereby alleviating potential delays.

*Problem:* Repetitive processing of visa applications for those with a proven track record.

*Recommendation:* Revise visa reciprocity agreements between the United States and key sending countries, such as China and Russia, to extend the duration of visas each country grants citizens of the other, thereby reducing the number of times that visiting international students, scholars, and scientists must renew their visas. We recognize that renegotiating bilateral agreements is a time-consuming process, and we believe it should be pursued as a long-term measure that allows the government to focus its visa screening resources by reducing the number of visa renewals that must be processed.

*Problem:* Potential new impediment to international students, scholars, and scientists entering the U.S. created by proposed SEVIS fee collection mechanism.

*Recommendation:* Implement a fee collection system for the Student and Exchange Visitor Information System (SEVIS) that allows for a variety of simple fee payment methods that are quick, safe, and secure, including payment after the individual arrives in the United States.

Additional funding and staffing resources across the agencies involved in visa adjudications are essential to the above recommendations and to an effective visa system. Congress and the Administration should ensure that adequate resources are provided.

We are committed to working with the federal government to construct a visa system that protects the nation from terrorists while enhancing our nation's security not only by barring inappropriate visitors but also by enabling the brightest and most qualified international students, scholars, and scientists to participate fully in the U.S. higher education and research enterprises. We believe that implementing the recommendations above will help to make this goal a reality.

Nils Hasselmo, President, Association of American Universities
Bruce Alberts, President, National Academy of Sciences
C. Peter Magrath, President, National Association of State Universities and Land-Grant Colleges
Harvey V. Fineberg, M.D., Ph.D., President, Institute of Medicine
Alan I. Leshner, Chief Executive Officer, American Association for the Advancement of Science
David Ward, President, American Council on Education
Wm. A. Wulf, President, National Academy of Engineering
Marlene M. Johnson, Executive Director and CEO, NAFSA: Association of International Educators
Charles P. Casey, President, American Chemical Society
Helen R. Quinn, President, American Physical Society
George R. Boggs, President and CEO, American Association of Community Colleges
Felice Levine, Executive Director, American Educational Research Association
Debra W. Stewart, President, Council of Graduate Schools
David A. Eastmond, Ph.D., President, Environmental Mutagen Society
John W. Steadman, Ph.D., P.E., President, IEEE-USA
Joan L. Bybee, President, Linguistic Society of America
James H. Nelson, President, American Association of Physics Teachers
Thomas E. Shenk, President, American Society for Microbiology
Katharina Phillips, President, Council on Governmental Relations
Robert D. Wells, Ph.D., President, The Federation of American Societies for Experimental Biology (FASEB)
Eugene G. Arthurs, Executive Director, SPIE—The International Society for Optical Engineering
David L. Warren, President, The National Association of Independent Colleges and Universities
Alyson Reed, Executive Director, National Postdoctoral Association
Lynne Sebastian, Ph.D., RPA, President, Society for American Archaeology
Bettie Sue Masters, President, American Society for Biochemistry and Molecular Biology

*Additional Endorsing Organizations*

American Academy of Arts and Sciences
American Association of State Colleges and Universities
American Philosophical Society
Association of International Education Administrators
Institute of International Education
National Academic Consortium for Homeland Security
American Astronomical Society
American Psychological Association
Infectious Diseases Society of America
Optical Society of America

Dr. JISCHKE. Thank you. I encourage the committee to seriously consider these recommendations concerning visa policy reform.

The decline in international students will first be felt most severely at American universities that do not have the same recognition abroad as institutions such as Purdue. But if the trend is not reversed it will eventually grow to weaken all our institutions, including Purdue. The loss of these outstanding international scholars will not only be a major economic blow to our country, I believe it also will work against our long-term interest to promote national security and improve international relations, friendships, and understanding. It will result in a loss of academic quality.

Universities and our government must cooperate to meet the challenge of maintaining strong international programs for a better tomorrow while at the same time ensuring our national security today. This is a challenging task, but this country never balked at important issues because they were just challenging.

Thank you for this opportunity to visit with you today about this very important issue. Thank you, sir.

[The prepared statement of Dr. Jischke follows:]

PREPARED STATEMENT OF DR. MARTIN C. JISCHKE, PRESIDENT, PURDUE UNIVERSITY

Mr. Chairman, Ranking Member Biden, members of the Senate Foreign Relations Committee, thank you for the opportunity to talk with you today about an issue that I believe is vitally important, not only to students and higher education but to our international relations, our nation and our national security.

Today nearly 600,000 international students are attending universities in the United States.

Purdue University enrolls nearly 5,000 of these students from 130 different nations. Purdue has the largest international student population among U.S. public universities. We have a history of international enrollment that dates back nearly 100 years and Purdue enjoys a particularly long and strong relationship with China, Taiwan, Korea, Hong Kong and India.

As we meet this morning, there are more than 2,000 students from China, India and South Korea alone studying on our West Lafayette campus.

International students are good for our economy. In 2002/2003, international students contributed almost $12.9 billion to the U.S. economy. In the state of Indiana alone, the amount is $332,576,169.

But in a larger sense, I believe international education holds enormous promise in fulfilling our greatest hopes for the 21st century.

International educational exchange promotes understanding and friendships. When we provide an opportunity for the world's best and brightest to study in America, we give them a chance to understand our values and way of life. Students from other parts of the world who come to our campuses are exposed to our nation and people. They come to understand our culture and society better.

Our international students are exceptional people, who will grow to become leaders in their home nations. U.S. relations around the world in the next 50 years are being nurtured at college campuses such as Purdue across our nation today.

American students, faculty and staff also benefit tremendously through interaction with people from a variety of backgrounds and cultures. International educational exchange programs open a door to the world for our students. It is a door of understanding.

In the years ahead, American young people will live and work in an increasingly globalized world where they will need to interact with a wide variety of people, cultures and customs.

International enrollment on our campuses prepares our students for their future. It also helps to break down stereotypes and misinformation that are the breeding grounds of intolerance.

Among many prominent Purdue graduates who were international students is Dr. Marwan Jamil Muasher. Dr. Muasher is the Jordanian Minister of Foreign Affairs.

During a recent talk at Purdue, he mentioned that 50 percent of the Jordanian cabinet is U.S.-educated. This has promoted understanding and better relations between our two countries.

He has also expressed concern that the delays in the U.S. student visa application process are discouraging Jordanians from studying here. In fact, we have experienced a decline in students coming to Purdue from Jordan.

Another Purdue international graduate is Patrick Wang, of Hong Kong, CEO and chairman of Johnson Electric, a world leader in the manufacture of micro motors. Mr. Wang is among a group of international graduates who are helping us educate students today.

Yet another is Allen Chao, Chairman and CEO, Watson Pharmaceuticals Inc. in Corona, California.

Purdue graduate Anna Pao Sohmen is a business, political, education and cultural leader in Hong Kong.

Leaders from throughout the world have studied at U.S. universities.

A few who have been influenced by their international experiences are:

- United Nations Secretary General Kofi Annan, who studied at Macalester College in Minnesota and Massachusetts Institute of Technology in Boston;
- King Abdullah II of Jordan and President Gloria Macapagal-Arroyo of the Philippines, who studied at Georgetown University.

Since September 11, 2001, the growth of international students coming to the United Sates has slowed considerably.

Official national enrollment data for this fall is not yet available. But we believe that this year, international enrollment at U.S. universities will actually drop below the 2003 level.

This will be the first decline in about 30 years.

In data collected earlier this year for fall 2004, the 25 research universities that enroll the most international students reported significant declines in international graduate applications.

Nine indicated a decrease of 30 percent or more. Six reported a decrease of between 11 percent and 30 percent.

In September the Council of Graduate Schools reported a decline of 18 percent in offers of admissions for international graduate students from 2003 to 2004. The largest declines in admissions were from China, down 34 percent, India, down 19 percent, and Korea, down 12 percent.

The number of international students enrolled at Purdue this fall is 4,921. That is down from 5,094 one year earlier.

Although a drop of 173 students might not seem great, we are very concerned. This is, in fact, the first drop in international enrollment we have seen at Purdue in three decades.

We are concerned about what this means on our campus and what it means for our students. We are concerned about the national trend in declining enrollment. We are concerned about the impact this will have on education and our nation.

We believe there are several reasons for this decline.

First, the entire student visa process is causing students to look elsewhere for international education. In some cases the problems are real. In some cases they are only perceived. But the impact can be seen on our campuses today.

In a fall of 2003 survey, institutions responding indicated a 49 percent increase in the number of visa delays for new and continuing international undergraduate students.

These delays cause students to miss the start of classes and become hopelessly behind. In some cases continuing students fall so far behind that they have to drop their courses.

At Purdue, we have lost more than 100 prospective students since 2002 due to visa delays. On average, we are losing 20 students per spring and fall semester. The largest loss was in the fall of 2002.

We had one student from China who went home for a visit in the middle of his studies. It was more than a year before his application to return here was approved.

When another continuing student returned home to China, it was more than five months before his application to return was approved. By the time he was able to get back to West Lafayette, his wife had already delivered their child.

The picture is not entirely negative. Overall, the SEVIS system is technically functional and is improving. It is demonstrating how universities are doing their part to help with homeland security.

But issues with visa delays and security clearances remain the weakest link in our work.

Visa delays are not the only reason for declining international enrollment in the United States. It is a combination of factors, and visa delays deliver the final blow that persuades students to study elsewhere.

First—international enrollment in the United States is in decline today because there are more options available to these top students.

Asian countries are investing more than ever before in higher education, especially in graduate programs in science and technology.

The quality of those programs is rapidly improving, and experience tells us these nations' economies should improve in the years ahead as a result.

One of the top priorities for Taiwan is to allocate the equivalent of roughly $1.6 billion U.S. dollars over five years to a selected group of universities.

This is being done as an incentive for them to reach—or draw closer to—the caliber of major American research institutions.

China, Hong Kong, and South Korea are developing similar strategies to keep their talent at home or attract it back from abroad.

Second, American universities are facing enormous competition for international students from institutions in Great Britain, Australia, New Zealand and Canada.

The number of Chinese and Indian students going to universities in Australia last fall was up by 25 percent. The number of students from India was up 31 percent. Great Britain saw a rise in Chinese and Indian students of 36 percent and 16 percent, respectively.

The European Union is creating a European Area of Higher Education featuring U.S.-style degrees offered in English. One of the express aims of this project is to compete with the U.S. for the world's best and brightest students.

When I received an invitation to speak at this hearing today, I met with a group of international student leaders from the Purdue campus. I asked them about the decline in international enrollment and what they and their friends and associates believe are the reasons.

This is what they told me:

- The new U.S. visa application process is long and complicated.
- It can cause delays and in some instances significant problems.

Before September 11, 2001, the visa was usually issued "on the spot" or in a matter of days. Now it is a matter of weeks, sometimes months, due to security and background checks.

We all know that security and background checks are needed. But some checks take an inordinate amount of time.

However, our students tell us the U.S. visa application process is not the only factor that is causing large numbers of students to reconsider study in the United States. Our students listed other core reasons for the decline in international enrollment.

Most frequently mentioned was the U.S. economy. The U.S. economy has struggled the past four years and many international students have trouble finding even internships during their studies.

Many American companies in the high-tech sector will not consider hiring international students as interns.

Other statements we heard included:

- Governments that support the education of their students are concerned about visa problems interrupting studies and wasting their investment;
- The cost of living and studying in the United States is higher than in other nations; and
- A general decline in the U.S. image and prestige, especially among European and Middle East students.

Similar statements came from Purdue recruiters who have just returned from interviews with prospective undergraduate students and their high school counselors in Asia, South and Central America.

At Purdue we are responding to all of this.

We have worked to combat the visa delays by encouraging prospective students to apply for admission earlier—

- By encouraging our departments to make admission decisions earlier;
- By encouraging prospective students to confirm attendance earlier.

If prospective students and departments act earlier, Purdue's Office of International Students and Scholars is able to issue the immigration document earlier.

We have also encouraged foreign governments and various agencies that financially sponsor students to make their student selections earlier so that there will be enough time for securing the visa.

For the long term, we are devising new recruitment strategies at both the undergraduate and graduate levels to attract international students to Purdue.

We are working on the perceptions held by many overseas families and prospective students, as well as many foreign government officials, that their students will not receive student visas in a timely fashion to commence studies.

On May 12, 2004, 24 representatives of American organizations of higher education, science and engineering drafted a series of problems and recommendations concerning the international student visa process.

Senator Lugar, I would like to ask that this document, "Statement and Recommendation on Visa Problems Harming America's Science, Economic and Security Interests," be entered into the committee official record.

I encourage this committee to consider seriously these recommendations concerning visa policy reform.

In closing, let me offer you some specific recommendations that have emerged from our experiences at Purdue:

1. Focus efforts on those who require special screening.

- Give consulates discretion to grant waivers of personal appearance based on risk analysis, subject to State Department policy guidance and approval, as recommended by the State Department Inspector General in December 2002.
- Refine controls on advanced science and technology.
- In consultation with the scientific community, define the advanced science and technology to which access must be controlled, and empower consular officers to exercise discretion on non-sensitive applications where neither the applicant nor the applicant's country present concerns.
- Avoid repetitive processing of those who temporarily leave the United States.
- Institute a presumption that a security clearance is valid for the duration of status or program, assuming no status violations. Any necessary reviews within this period should be fast-tracked.
- Avoid repetitive processing of frequent visitors.
- Establish a presumption of approval for those who have previously been granted U.S. visas and who have no status violations.
- Expedite processing and save consular resources by incorporating pre-screening or pre-certification of students and scholars. This could be accomplished in many ways. Options include: (a) The sending countries could agree to pre-screen applicants in order to facilitate their citizens' entry into the U.S.; (b) the sending universities could provide identity verification under agreements executed with consulates; and (c) the State Department could use its own overseas advising centers to ensure that all necessary documents are in order before applications are sent on to the consulates.

2. Create a timely, transparent and predictable visa process.

The White House should institute standard guidelines for inter-agency reviews of visa applications:

- Establish a 15-day standard for responses to the State Department from other agencies in the inter-agency clearance process.
- Implement a 30-day standard for the completion of the entire inter-agency review process, including the response to the consulate's security clearance request.
- Flag for expedited processing any application not completed within 30 days, and advise the consulate of the delay and the estimated processing time remaining.
- In the case of applications not completed within 30 days, the applicant, or the program to which the applicant seeks access, should be able to inquire about the application's status, and the estimated processing time remaining, via a call-in number or e-mail in box.
- Establish a special review process to resolve any cases not decided within 60 days.
- Make ground rules predictable by imposing them prospectively, not on those already in the application pipeline.

3. The validity of Visas Mantis security clearances should be extended for international students, scholars, and scientists from the current one-year time period to the duration of their course of study or academic appointment. This would prevent the need for repetitive security checks that cause visa issuance delays.

4. A timely process should be established by which exchange visitors holding F (student) and J (scholars/scientists) visas can revalidate their visas, or at least begin the visa renewal process, before they leave the United States to attend academic and scientific conferences, visit family, or attend to personal business.

5. Visa reciprocity agreements should be revised between the United States and key sending countries, such as China and Russia, to extend the duration of visas each country grants citizens of the other, thereby reducing the number of times that visiting international students, scholars, and scientists must renew their visas.

In this, we obviously need to work with the countries involved; it is not an issue that can be resolved entirely by the United States alone.

6. The Department of Homeland Security and the State Department should continue to move forward on a proposed pilot study in China and India in which the State Department would collect the SEVIS fee directly from international students and scholars in those countries. This is a method of payment strongly supported by the academic community.

7. Provide the necessary human and financial resources for security and background checks, and manage within them.

The decline in international students is first being felt most severely at American universities that do not have the same name recognition abroad as institutions such as Purdue.

But if the trend is not reversed, it will eventually grow to weaken all of our institutions, including Purdue.

While we appreciate and support the need for security in this process, the loss of outstanding international scholars not only will be a major economic blow to our country. I believe it also will work against our long-term efforts to promote national security and to improve international relations, friendships and understanding.

Furthermore, it will have a negative impact on the quality of education at U.S. universities. International enrollment not only improves our learning environment, these top students challenge our American students to stretch their own abilities. They contribute significantly to research.

Universities and our government must cooperate to meet the challenge of maintaining strong international exchanges for a better tomorrow while at the same time ensuring our national security today.

This is a challenging task.

But this country has never balked at important issues just because they were challenging.

Thank you for this opportunity to talk with you today about this most important issue.

The CHAIRMAN. Well, thank you very much, President Jischke.

We have been joined by Senator Lamar Alexander, who in addition to being a great Senator was a great university president. I wonder if, Lamar, you have any opening comment that you would like to make at this stage.

## STATEMENT OF HON. LAMAR ALEXANDER, U.S. SENATOR FROM TENNESSEE

Senator ALEXANDER. Thank you. Thanks, Mr. Chairman. I am grateful to you for the hearing. It is a tremendously important topic. I think I will reserve my comments until we have question time, but thank you for the opportunity.

The CHAIRMAN. Thank you very much, sir.

President Herbert, would you please proceed with your testimony.

## STATEMENT OF ADAM W. HERBERT, PH.D., PRESIDENT, INDIANA UNIVERSITY

Dr. HERBERT. Thank you very much, Mr. Chairman. I am honored to take part in this hearing that is focused on a matter of vital significance for U.S. higher education and also for the strategic interests of our country.

Mr. Chairman, I would just like to begin by saying that the higher education leaders in Indiana particularly appreciate the contributions that you have made, obviously to U.S. foreign policy, but also to advancing knowledge through the exchange of international students and also scholars.

Indiana University has a long history of rising to the challenges that have resulted from a wide array of world upheavals. One of my predecessors, Herman B. Wells, who was President of Indiana University from 1938 to 1962, foresaw the post-World War II leadership role that our country would assume and understood its very important implications for higher education. He created the infrastructure that has enabled Indiana University to respond to changing world conditions over the past 50 years.

In 1958, for example, President Wells saw the need for greater knowledge about and engagement in the politics, economics, and languages of the Soviet Union. The university took the courageous step to establish the Russian and East European Institute, despite the fear of communism among many in the State of Indiana. This institute has produced outstanding academic specialists and civil servants for almost 50 years, including U.S. ambassadors and other foreign service personnel.

IU has developed many other academic programs and research institutes devoted to the study of major regions of the world over the past 50 years. Today our university has 14 major international area centers that specialize in such regions as Africa, East Asia, Central Asia, Eastern Europe, Latin America, Russia, and Western Europe. We have a potential course inventory of some 80 foreign languages for which we can provide instruction. Included among these languages are ones that are least commonly taught, but are spoken in regions vital to U.S. interests. Just 1 year after 9–11, IU's intellectual depth, resources, and human capacity in Central Asia enabled it to respond to a changed world by establishing a center to teach languages spoken in Afghanistan, Tajikistan, and Uzbekistan. This center is supported by Title 6 funds of the Higher Education Act.

International students and faculty are significant contributors to our university's global prominence. They enhance the diversity of the student population and add vibrant intellectual and cultural dimensions to the life of the campus and community. Every day person to person interactions have taken place between American and international students and faculty.

There are more than 4,400 international students on our campuses. They come from 130 countries. Some 12,500 visiting scholars are at the university each year. They bring substantial knowledge and skills to our classrooms, laboratories, and research programs. They also help us to collaborate with scholars, universities, and institutions throughout the world.

In the aftermath of 9–11, universities and colleges have had to make major changes in their reporting and documentation of international students and scholars, as you indicated, Mr. Chairman. IU has addressed the requirements of the Student and Exchange Visitor Information System. We have invested significant human and fiscal resources to meet them in a timely fashion. We are developing a technical infrastructure and also innovative interface between SEVIS and the University Student Information System that may serve as a national model.

SEVIS has become a part of the university's day to day operations. Our university is concerned, however, that other efforts to strengthen homeland security may have had unintended negative consequences on the visa process. Despite recent State Department efforts to lessen delays in this process, Indiana University's international students and scholars continue to experience difficulties. These processing delays continue to discourage international students and visiting scholars coming to our country.

At IU we have witnessed an unprecedented decline in applications from international students. This year on the Bloomington campus, graduate applications fell by 21 percent and under-

graduate applications by 14 percent. Total international student enrollment has declined for the first time on record.

With regard to countries of origin, during the past 5 years IU's enrollments from Muslim and Middle Eastern countries have declined 22 percent. For fall 2004, these enrollments declined by 13.2 percent over the previous year. Enrollments from the five leading countries of origin at the university—South Korea, China, India, Taiwan, and Japan—have declined by 11.6 percent for fall of this year over last year. The numbers of students from China fell from 4,405 in fall 2003 to 357 in fall 2004.

These trends will have growing negative consequences for the university as a whole. A number of our international area centers, departments, research programs, and professional schools depend on the continued presence of international students and scholars. For example, over 30 percent of instructors, research specialists, and technical staff in our school of medicine, which is the second largest in the country, are from abroad. The school's research programs will be seriously impacted if they are no longer able to attract international scientists.

These are serious problems confronting not only Indiana University, but other higher education institutions throughout the State. IU is responding to our decline in the number of international students by enhancing the information and resources that are available to students via the World Wide Web. We are engaging alumni and friends overseas to assist us more directly with recruitment. We are providing more extensive guidance to prospects and also scholars in the visa process. We are allocating significant resources to help them navigate that process and also offering financial incentives to attract outstanding students by maximizing the use of our scholarship funds.

While these campus efforts may have some impact, they will not be sufficient to address the growing problems that I have described. We believe that there is a critical need to reexamine current visa policies. At IU we are especially concerned that our students continue to face bottlenecks at consular offices around the world. It is also evident that the 90-second visa interview contributes to these delays. The critical question is whether these interviews are really necessary for the vast majority of legitimate applicants.

We also believe that students and scholars who have successfully received entry visas should not be required to go through the same degree of scrutiny when they need to leave and reenter the country.

Finally, we believe that providing resources for additional consular officials would certainly help in reducing the backlog in processing these applications.

Mr. Chairman, several of the outstanding academic programs that we have worked to build at IU are at risk of experiencing major problems because of the visa issues I have outlined. Many of these programs further national strategic interests and I would just emphasize that what is happening at IU is occurring at colleges and universities throughout the country. Too many intellectual ties that cut across borders and unite peoples are being severed. This is a moment for decisive action. We must return our country to its preeminence in international education.

Thank you, Mr. Chairman.

[The prepared statement of Dr. Herbert follows:]

PREPARED STATEMENT OF DR. ADAM W. HERBERT, PRESIDENT, INDIANA UNIVERSITY

Mr. Chairman, Members of the Committee: I am honored to participate in this important hearing that is focused on a matter of vital significance for U.S. higher education and for the strategic interests of our country.

Mr. Chairman, our higher education leaders throughout Indiana particularly appreciate the contributions you have made to U.S. foreign policy and to advancing knowledge through the exchange of international students and scholars. Your insights and sensitivity to international issues have brought great distinction to the state and nation.

My testimony this morning will address current visa policies affecting international students and researchers. I will do so through the lens of Indiana University and our experiences on eight campuses in coping with and responding to the challenges of the post-9/11 world. Our experiences mirror those of most large research institutions that share our national responsibility for international education.

*Indiana University: Responding to a Changing World*

Indiana University has a long history of responding to fundamental challenges caused by major world changes. One of my predecessors, Herman B Wells, IU president from 1938 to 1962 and university chancellor until 2000, foresaw the post-World War II leadership role that the United States had to assume. He also anticipated its implications for U.S. higher education and laid the foundations for what Indiana University is today. The essence of so much of his thinking still resonates with us. In 1958, he wrote: "We must maintain a concern for the development and needs of the world beyond our borders . . . great universities such as Indiana University offer the most promising possibility for putting this concern into action."

His abiding commitment to the free flow and exchange of ideas and people of all nations, his realization that international students and scholars were essential to a vibrant diversity on campus, his insistence on nurturing lively debate on controversial issues of the day—all are as relevant today as they were almost fifty years ago. Our university remains a place where students from even the smallest towns of Indiana can discover the wider world, meet people of different histories, ethnic backgrounds, religious beliefs, and cultural norms, and learn about the responsibilities of global engagement.

*Indiana University: An institution with Unique International Strengths*

As early as the 1940s, Indiana University began building an infrastructure capable of addressing the nation's needs in international expertise and foreign languages. At the start of the Cold War, IU established a special training program to teach the U.S. Army such languages as Russian and Finnish. At the end of World War II, we recruited promising European scholars to come to IU. In 1958, we took the courageous step to establish the Russian and East European Institute amidst widespread fears of communism.

The vision of IU being a global institution continued to be realized throughout subsequent decades of expansion. It has been reflected in the number of international research centers and language departments established, the range of overseas study opportunities provided and the abundance of international majors, minors, certificates, and concentrations made available throughout the IU curriculum.

IU currently has 14 international and area studies centers, some of which have received continuous funding from Title VI of the Higher Education Act since its inception. Collectively, they offer hundreds of international studies courses in nearly every humanities and social science discipline and in the professional schools.

Out of a potential inventory of some 80 foreign languages, IU offers almost 50 each year on a regular basis, many at advanced levels. Included are less commonly taught languages spoken in regions of strategic importance to the United States. Among these languages are Azeri, Haitian Creole, Hindi, Georgian, Hausa, Mongolian, Persian, Romanian, Tibetan and Uzbek.

IU has long been a national leader in providing quality study abroad opportunities for its students in almost every discipline and school (tropical biology in Costa Rica, art and archaeology in Greece, business and economics in the Netherlands, language and culture in Germany).

IU's Department of Central Eurasian Studies, established more than 40 years ago, is unique in the nation in having a doctoral degree program. Just one year after 9/11, IU's reputation in Central Asian expertise enabled it to respond to a changed world by establishing a center to teach languages spoken in countries such as Afghanistan and Kazakhstan. This center also is supported by Title VI funds.

IU has amassed international holdings in libraries, archives and museums that are among the strongest collections nationally. These collections have been enhanced by numerous Indiana University Press publications—700 titles currently in print. These publications attest to IU's contributions to world knowledge in such areas as Africa, Russia and Eastern Europe, Asia and Latin America. They focus on such disciplines as history, economics, politics, folklore and art history.

Further reflective of our global reach, we are particularly proud that IU has negotiated almost 400 formal affiliations and exchanges with universities, research institutes and organizations from around the world.

Finally, recent institution-building grants won through IU's Center for International Education and Development Assistance have established IU as a key presence in a number of countries, including Azerbaijan, Kyrgyzstan, Macedonia and Namibia, among others.

All of these opportunities encourage IU students to participate in some form of international experience or activity while at the university.

*The Contribution of International Students*

Indiana University could not have attained its position as a leading institution in international education without the presence and continual influx of students from around the world. Their presence enhances the diversity of the student population. They add vibrant intellectual and cultural dimensions to the life of the campus and community. Every day, interactions take place between American students and international students from some 130 countries. These students find themselves working together on classroom projects, living together in our residence halls, studying together in our libraries, enjoying campus life in student gatherings, or attending the numerous intercultural and social events on campus. They form friendships that are natural bridges for crossing the cultural divides that too often separate people and nations. These formative friendships often last far beyond the university setting and may lead to relationships that will be of long-term benefit to the United States.

International students at IU bring hard-earned knowledge and skills to our classrooms, laboratories and research programs by assisting in the instruction of many basic courses. Our science departments would be seriously understaffed without them. Where so much of scientific research is accomplished through teamwork and worldwide collaboration, these students have proven to be valuable assets. In language and culture classes, they provide an authenticity and first-hand credibility that cannot be replicated.

It has been frequently noted that international students who obtain their education in the United States or Europe return home to become leaders in government, business, the media and academia, where they may have opportunities to influence national policies. Among IU international alumni who have achieved national stature at home are Flerida Romero, former supreme court justice of the Philippines; Amara Raksasataya, dean and rector of the National Institute of Administration in Thailand; and Tamara Beruchashvili, former minister for trade and economic development of Georgia and current liaison to the European Union.

*The Contribution of International Faculty and Visiting Scholars*

IU's international faculty and visiting scholars make valuable contributions to the excellence and scope of the university's research mission. The synergy of shared intellectual activity forms the basis for many scientific, business and cultural collaborations and partnerships. These interactions also may lead to the development of new study abroad programs or other types of exchanges between IU and foreign institutions.

At IU, several projects owe their success to collaborations fostered by affiliations, exchanges and external development grants and contracts. With federal funding, the School of Public and Environmental Affairs brought the first-ever delegation of parliamentarians from Ukraine to the U.S. on a study visit. That visit became the basis of a multi-year exchange project to help the Ukraine write its constitution and build a more democratic and representative legislature. The Parliamentary Development Project, now in its twelfth year, has produced a steady flow of exchanges between professors and parliamentarians. It also has enabled Ukrainian students obtain four masters and three doctoral degrees from IU.

For the past decade, IU's School of Medicine has provided training and staffing for primary health care in Kenya through rotations of IU and Kenyan doctors from Moi University Training and Referral Hospital. The program recently received a multi-million dollar federal grant to develop HIV/AIDS treatment and prevention programs in Western Kenya.

IU's Center for the Study of Languages from the Central Asian Region was able to attract qualified language developers from four Central Asian nations because of the extensive network of contacts that had been developed by faculty who are experts in that region. These networks also enabled junior faculty and researchers from the region to apply for U.S. faculty development fellowships to study at IU Bloomington for short periods.

In other areas within the university, countless international visitors are invited each year to present papers at international conferences held at IU. They participate in lecture series or perform at cultural events. The long list of such visitors has included former heads of states, ambassadors and Nobel laureates.

Universities thrive on the presence of international students and scholars who embody their diverse cultures and are their countries' unsung cultural ambassadors. When they leave the United States, that role is often reversed. They take back a piece of the "American way of life," and many become strong supporters of U.S. policy who are able to explain American positions and opinions. These individuals are a significant foreign policy asset for our nation. They represent valuable human capital to draw on in pursuit of the larger goal of promoting international understanding and world peace.

*New Challenges for International Students and Scholars*

In the aftermath of 9/11, U.S. colleges and universities have been called upon to make major changes in the reporting and documentation of international students and scholars. IU has responded to this challenge. We have worked cooperatively with the federal government in implementing the Student and Exchange Visitor Information System (SEVIS). To do so, we have allocated new resources, shifted existing resources and reorganized the duties and responsibilities of staff.

SEVIS represents a major shift from a paper-based system of tracking international students and visiting scholars to automated computer tracking. We recognize and appreciate the need for an electronic solution. While improvements and enhancements are still needed, we believe that SEVIS supports the flow of legitimate students and scholars by helping to identify those seeking to enter the U.S. under false pretenses.

We are concerned, however, that the federal government's understandable efforts to strengthen security initiatives through new visa policies and procedures have had unintended consequences. Most significantly, obtaining a visa has become a roadblock to U.S. higher education. Despite recent U.S. State Department efforts to alleviate this problem, we continue to hear from students and scholars that the process is bottlenecked and difficult to navigate. As a result, these problems are discouraging, and they are preventing significant numbers of international students and scholars from studying and working in the United States.

*The Effect on International Student Enrollments*

It might be useful at this point to provide the committee a general overview of the current situation on a national level. A total of 586,323 international students were studying in the U.S. in 2002–03, representing 4.6% of the total U.S. college and university student population. This total represented an increase of just 0.6% over 2001–02 numbers, the smallest annual increase since the mid-l990s.

Unfortunately, 2002–03 brought to an end a previous two-year trend of strong growth (6.4% in 2000–01 and 6.4% again in 2001–02). While national figures for 2003–04 and 2004–05 are not yet available, indications are that we will see even more dramatic declines. According to a recent survey conducted by the Council of Graduate Schools, there was a 28% decline in international graduate applications and an 18% decline in international graduate admits nationwide for fall 2004.

By comparison, other countries have recognized the value of these students and have begun to recruit them aggressively. In many cases, U.S. restrictive visa policies are used as a marketing tool to promote study in destinations other than the U.S. The number of foreign students studying in Australia has risen twelve-fold in two decades; Canada has more than tripled the number of foreign students that it had 20 years ago. For Australia, those increases now mean that 14% of its college student population is foreign. For the United Kingdom, about 12% is foreign. For the U.S., it is closer to 4%. The U.S. may have the largest number of students, but compared to other English-speaking countries, we have the smallest percentage of international students.

At Indiana University Bloomington, our experiences are similar to these national trends. We have seen a significant decline in the number of applications from international students at both the undergraduate and graduate levels for our fall 2004 semester. International applications for admission dropped by 14% at the undergraduate level and by 21% at the graduate level.

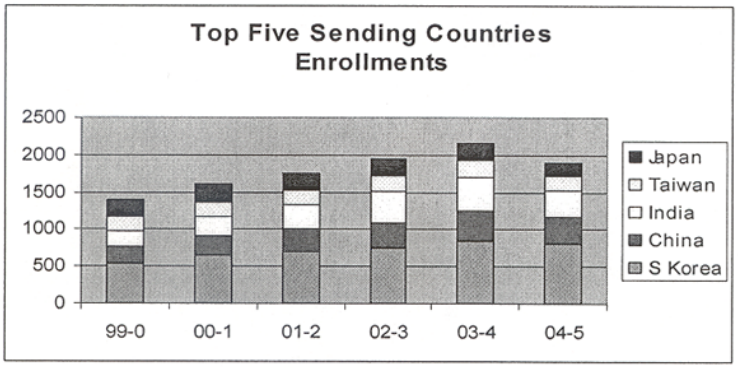
The diversity of our entering international freshman class also declined this year. In 2003, we enrolled new undergraduate students from 40 different countries; this fall, that number was reduced to 33. During the past five years, enrollment from Muslim and Middle Eastern countries has declined 22%. For fall 2004 those enrollments declined by 13.2% over the previous year.

TABLE 1.—ENROLLMENT FROM MUSLIM AND MIDDLE EASTERN COUNTRIES

| IU Bloomington | 1990–00 | 2000–01 | 2001–02 | 2002–03 | 2003–04 | 2004–05 |
|---|---|---|---|---|---|---|
| Indonesia | 178 | 187 | 192 | 195 | 191 | 126 |
| Kuwait | 3 | 5 | 5 | 9 | 9 | 15 |
| Pakistan | 42 | 47 | 48 | 40 | 43 | 31 |
| Saudi Arabia | 27 | 28 | 26 | 21 | 17 | 11 |
| United Arab Emirates | 65 | 59 | 17 | 20 | 14 | 17 |

Enrollments from the five leading countries of origin at the university—South Korea, China, India, Taiwan, and Japan—have declined by 11.6% for fall 2004 over the previous year. The numbers of students from China fell from 405 in fall 2003 to 357 in fall 2004. Student enrollments from India dropped from 459 to 353 in that same period. The overall picture indicates that the diversity of the student body has changed, and we are no longer hearing all of the relevant voices from outside the United States.

Table 2: Fall 2004 Decline (11.6%) at IUB in Top Country Enrollments




Mr. Chairman, the numbers are clear. It is now apparent that thousands of students who would have otherwise come to the U.S. are no longer doing so. The potential future impact on Indiana University is significant, affecting intellectual strengths, the university's research capacity and the size and quality of our student body. The economic prosperity of the state of Indiana is also affected. International students contribute $326 million to our state economy each year.

*The Potential Harm to Research and Teaching*

These trends will have negative consequences for the university as a whole. A number of our international area centers, departments, research programs and professional schools depend on the continued presence of international students and scholars. For example, on the Indianapolis campus, over 30% of instructors, research specialists and technical staff in IU's School of Medicine, the second largest in the U.S., are from abroad. The school's research programs will be seriously curtailed if they are unable to continue attracting international scientists. These are serious problems facing not only Indiana University but U.S. higher education as a whole.

This is exemplified by a statement from the vice chairman for research in the Department of Radiology, who says that, "The availability of foreign visitors is absolutely critical to our programs. [They] not only benefit the department but also provide benefit to groups throughout the state of Indiana that utilize the Indiana Center of Excellence in Biomedical Imaging." The current bottleneck in visa processing will have adverse effects on the school's ability to deliver critically needed medical expertise.

On the Indianapolis campus, a critically important research project within the Department of Pharmacology was delayed for eight months and its funding put in jeopardy because a research assistant from China was stranded there awaiting visa renewal after a brief trip home.

On the Bloomington campus, the case of a visiting Iranian professor of mathematics is also instructive. In May of 2004, the professor left Indiana University to give a series of lectures in London. He has been stranded there without support while his application for a visa to return to the U.S. has been under review since then. His courses have had to be covered by other faculty, putting unforeseen burdens on his department.

*The Need for Sensible Visa Policies*

We believe a critical need exists to re-examine current visa policies. A number of higher education organizations have made constructive recommendations for improving the visa process. We concur with these recommendations.

- At Indiana University, we are especially concerned that our students still face bottlenecks at consular offices around the world.
- It is also evident that the 90-second visa interview contributes to these delays. We wonder whether these are really necessary for the vast majority of legitimate applicants.
- Students who have successfully received entry visas should not require the same degree of scrutiny whenever they need to leave and re-enter the country.
- Providing additional resources for consular officials would certainly help and we would support such a move.

These suggestions are further described in statements and recommendations offered by NAFSA: Association of International Educators in, "Promoting Secure Borders and Open Doors: A National Interest-Based Visa Policy for Students and Scholars," and a similar document offered by the Association of American Universities, the American Association for the Advancement of Science and others, entitled, "Statement and Recommendations on Visa Problems Harming America's Scientific, Economic, and Security Interests."* Each of these documents has been included for the record to accompany my written testimony.

*Indiana University's Efforts to Attract and Retain International Students and Scholars*

Indiana University is responding to the decline in the number of international students and scholars by:

- Enhancing the information and resources available to students via the worldwide Web;
- Engaging our alumni and friends overseas to assist us more directly with recruitment;
- Giving more extensive guidance to prospective students and scholars on the visa process;
- Allocating significant resources to help them navigate that process; and
- Providing financial incentives to attract students by maximizing the use of limited scholarship funds.

*Conclusion*

Mr. Chairman, the outstanding programs we have worked to build at Indiana University—many of which further national strategic interests—are at risk. What is happening at Indiana University is happening at colleges and universities throughout the United States. Too many intellectual ties that cross borders and unite peoples are being severed. Stemming the flow of international students and scholars who want to participate in our academic life also stems the free flow of knowledge and ideas. This is a moment for decisive action. We must return the United States to its pre-eminence in international education.

---

## PROMOTING SECURE BORDERS AND OPEN DOORS—A NATIONAL INTEREST-BASED VISA POLICY FOR STUDENTS AND SCHOLARS

### NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS

It is now recognized at the highest levels of government that America's strong interest in robust educational and scientific exchange is ill served by the visa system

*The document "Statement and Recommendations on Visa Problems Harming America's Scientific, Economic, and Security Interests," also presented during testimony given earlier, can be found on page 5.

that is currently in place. This situation is not the result of ill will; no one is to blame. Every control instituted since 9/11 has seemed, in itself, to add a reasonable—even necessary—measure of protection. But in their totality, these controls are hindering international student and scholar access to the United States to an extent that itself threatens national security. Our current visa system maximizes neither our safety nor our long-term national interests in scientific exchange and in educating successive generations of world leaders—interests that the United States has recognized for more than half a century.

There are four problems: the absence of policy, of focus, of time guidelines, and of balance between resources and responsibilities.

In a policy vacuum, every control is a good one, and delay or denial is the safest course. The State Department's visa adjudicators require an operational policy that articulates not only our interest in control, but also our interest in openness, and that guides them in how to find this crucial balance. Responsibility for articulating such a policy lies with the Department of Homeland Security.

Far too many adjudicatory and investigative resources are wasted on routine reviews of low-risk applications. This not only frustrates and delays visa applicants unnecessarily; it also precludes the allocation of resources pursuant to risk analysis. The practice of across-the-board visa interviews has led to millions of 90-second interviews of dubious security value, which clog the system while precluding serious scrutiny where it is needed. The practice of sending virtually all visa applications in the sciences to Washington for security clearances ("Mantis" reviews) reverses the time-tested policy of requiring such clearances only when indicated by the identity of the applicant, the applicant's nationality, and the specific field of advanced science or technology in question; the number of clearances requested has increased from about 1,000 in 2000 to more than 20,000 in 2003. The requirement that every Arab and Muslim adult male undergo a Washington security check ("Condor" review) has created an additional flood of clearance requests. Low-risk frequent visitors, and those seeking re-entry after temporary travel abroad, are often required to run the same gauntlet every time they seek re-entry.

The "Mantis" and "Condor" clearance processes lack time guidelines and transparency. Bureaucrats are like the rest of us. They make decisions when forced to by a deadline. Absent a "clock," cases can languish without resolution, and the applicant has no recourse for determining the application's status.

Furthermore, these systems have been put in place without reference to whether or not resources exist to implement them. In no foreseeable circumstance will enough resources be available to effectively support visa processing as it is currently being done. Balancing resources and responsibilities is the essence of policy. Without this balance, our visa-processing system will be unable to serve the national interest in providing timely access for legitimate visitors.

We believe that our nation's leaders share our interest in fixing these problems. Following are our recommendations for doing so.

*1. Provide effective policy guidance*

- Congress and the Department of Homeland Security must act to make "Secure Borders—Open Doors" the effective policy guidance for the Department of State.

*2. Focus efforts on those who require special screening*

- Give consulates discretion to grant waivers of personal appearance based on risk analysis, subject to State Department policy guidance and approval, as recommended by the State Department Inspector General in December 2002.
- Refine controls on advanced science and technology. In consultation with the scientific community, define the advanced science and technology to which access must be controlled, and empower consular officers to exercise discretion on nonsensitive applications where neither the applicant nor the applicant's country present concerns.
- Avoid repetitive processing of those who temporarily leave the United States. Institute a presumption that a security clearance is valid for duration of status or program, assuming no status violations. Any necessary reviews within this period should be fast-tracked.
- Avoid repetitive processing of frequent visitors. Establish a presumption of approval for those who have previously been granted U.S. visas and who have no status violations.
- Expedite processing and save consular resources by incorporating pre-screening or precertification of students and scholars. This could be accomplished in many ways. Options include: (1) sending countries agreeing to pre-screen applicants in order to facilitate their citizens' entry into the U.S.; (2) sending universities providing identity verification under agreements executed with consulates; and (3)

the State Department utilizing its own overseas advising centers to ensure that all necessary documents are in order prior to applications being sent on to the consulates.

*3. Create a timely, transparent and predictable visa process*

- The White House should institute standard guidelines for inter-agency reviews of visa applications:
  - —Establish a 15-day standard for responses to the State Department from other agencies in the inter-agency clearance process.
  - —Implement a 30-day standard for the completion of the entire inter-agency review process, including the response to the consulate's security clearance request.
  - —Flag for expedited processing any application not completed within 30 days, and advise the consulate of the delay and the estimated processing time remaining.
  - —In the case of applications not completed within 30 days, the applicant, or the program to which the applicant seeks access, should be able to inquire about the application's status, and the estimated processing time remaining, via a call-in number or email inbox.
  - —Establish a special review process to resolve any cases not decided within 60 days.
- Make ground rules predictable by imposing them prospectively, not on those already in the application pipeline.

*4. Provide the necessary resources, and manage within them*

- Congress must act to bring the resources appropriated for the consular affairs function into line with the increased scrutiny of visa applications that Congress demands, and the State Department must manage within the available resources.
- Adequate resources must be provided to ensure the interoperability of data systems necessary for the efficient functioning of the inter-agency review process.

The CHAIRMAN. Thank you very much, President Herbert.

We would like for you to proceed now, President Mote.

## STATEMENT OF D.C. (DAN) MOTE, JR., PH.D. PRESIDENT, UNIVERSITY OF MARYLAND, COLLEGE PARK, MD

Dr. MOTE. Thank you very much, Mr. Chairman. I will try not to repeat the comments, very distinguished comments by my colleagues, who essentially presented materials very similar to ours and experience similar to ours.

I would just like to comment on a couple of consequences of this overzealous application of visa restrictions through the Visa Mantis system and in fact a little bit on its long-term negative impacts. For half a century, as we all know, the United States has benefited tremendously by attracting the world's brightest minds to our science and technology programs. If we look at our college of engineering, which is a top 20 college of engineering in the United States, we have 193 faculty members in this college and 101 of them were foreign-born, and most of them, of course, were educated in the United States in graduate programs. I think that is fairly typical of engineering programs around the United States. Ph.D. students in sciences and engineering across the country are more than 50 percent, in engineering at least, 50 percent foreign-born.

The dean of the college of engineering at Maryland, in fact, is foreign-born and U.S.-educated. The dean of the life sciences college at Maryland is foreign-born and U.S.-educated. The dean of the computer and mathematical and physical sciences college at Maryland is foreign-born and U.S.-educated. In fact, the world leadership of the United States in science and technology is directly related to our ability to recruit scientists and engineers of distinguished caliber from around the world, I think there is no doubt

about that, and we should not overpump up ourselves in terms of our capacity without them.

Now, a few negative impacts in the short term. In the last 2 years we have had a 36-percent drop in international student applications at the University of Maryland and a 21-percent drop in enrollments of international students. There are three competing factors which are causing this. The first one is the competition from abroad for recruiting students. Students, we never recruited them before. We always got them for nothing and, even with a little abuse, they came anyway, because we were the only game in town, as a matter of fact. They really had nowhere else to go.

We have not figured out yet that there are a lot of other people in the world now. They have distinguished programs and they are recruiting them very aggressively and successfully. So the competition is a factor.

Secondly, efforts of home countries to keep their students at home are very significant—at home in their graduate schools and also at home in their developing technology companies, where they need smart people to work there. They are making incentives to keep them at home. Take Taiwan for example. Taiwan requires a student who is going abroad for higher education or graduate education to complete military service before they go. If they stay at home for graduate education they do not have to do so. One example.

Thirdly, of course, is the greatly increased problem with obtaining visas. The first two problems—that is, the competition and efforts-at-home problems—are things we all have to tackle and those problems are going to get worse. They are not going to get better, no matter what we do, because the countries around the world are not going to wait for us to figure it out.

But the visa problem we can handle and we need to handle. There is a kind of perfect storm which bring these problems together at the same time and is causing this problem we have. We do not think it is going to get any better by itself. The analysts of the educational—ETS, Educational Testing Services, data for 2004 predict a reduction in the number of students who are going to take the GRE, the international students. Fifty percent reduction in Chinese students, they predict; 43 percent reduction in Taiwanese students who are going to take the GRE; 37 percent reduction in Indian students that are going to take the GRE.

Senator Sarbanes, thank you very much for coming.

So therefore the pool of people who are even expressing interest in coming to the United States is also decreasing around the world.

Now, let me switch very briefly in the short time to the projected difficulties we have with the Visa Mantis system. In the winter of 2002 we had five potential graduate students from Tsinghua University in Beijing. This is China's strongest and best science and technology university and these are obviously very distinguished people, who wanted to come into Ph.D. programs in computer science and engineering. In mid-April of 2003 they went to the consulate and went through the beginning of the visa process and were told that it would take 90 days because of the fact they are in technically sensitive areas and they should expect—but they

should expect the possibility of completing their visa process by the fall of 2003.

Well, by August of 2004 our applicants had not yet heard of their status in visas and they essentially have made other plans and they have gone elsewhere. They were not denied visas, they were not issued visas. They just disappeared.

The pipeline from those students has closed and the pipeline will reopen for those students someplace else, in Australia or Europe or somewhere else. This is just one example. Every university in the United States has examples of pipelines closing from universities abroad to universities at home, and once those pipelines close they reform someplace else. This is a major crisis for our country that we cannot just think will take care of itself.

There is also an impact on training programs, another kind of educational program. We have very extensive programs with training bureaucrats in government and people in corporations on capitalism, on business, on commerce, on democracy and policies. We have an extensive program with China. We have educated over 900 Chinese, people who have gone on to be mayors in cities, in positions of responsibility. In fact, that is the best way to get distinguished alumni, by the way, a 6-month training program with these people, and they pay for it besides.

The director of Jiangsu Provincial Senior Management Training Center sent me a letter last week and desperately pleaded with me to intercede so that they can get visas for their group to come to study at Maryland on government. This would be the seventh group from Jiangsu Province we have had, in a relationship that has gone back to 1995. They have sent over 200 people here in this program and, for some reason or other, this particular group cannot get visas.

A university example. We had an Iranian electrical engineering student who came in the fall of 2000, starting a Ph.D. program. In 2002 he was married to an Iranian woman by proxy in Iran. Of course, she could not get a visa because proxy marriages are not recognized as legitimate for visa purposes.

He returned then in August of 2003 to help get his wife a visa. After some back and forth, as you might expect, she ultimately did get a visa. But of course, by that time his visa had expired, so he could not come back into the country even though she could come into the country. After over a year of work between our university and the Office of Public and Diplomatic Liaison in the State Department, he did get a visa in Dubai. So he went to Dubai. By that time her visa had expired. So then he returned. She is still there, trying to get a visa.

I do not know if there is any merit in this story. I cannot figure out what it might be if there is any. But I certainly do not feel safer and I do not feel our Nation is being better protected in the future by this kind of treatment.

I have three recommendations that I would like to throw out on the table. First, I think we have to change the Visa Mantis policy where the categories requiring visa clearance are much more sharply defined so we do not get into these indecisive circumstances.

Secondly, the time required for visa clearance just must be reasonable and predictable. A claim that 95 percent, or I have seen even 98 percent, of Visa Mantis clearances are completed within 1 month runs substantially counter to our experience. That is all I can say on that.

Thirdly, the term of visa approval for 1 year or even shorter is much too short. Students who are submitted to this Visa Mantis clearance process have to repeat this visitation, if they leave the country, and it is a bureaucratic delay which seems to be of no great value and it certainly discourages building our relationships as we have talked about earlier for recruiting students here that we desperately need.

The long-term consequences. Basically, we are already witnessing a fraying of our technical system that has led the United States to be the undisputed leader in science and technology in the world. This fraying is coming about because we are not investing in long-term research in this country, we are not providing incentives for Americans to go into science and technology, and now we are not encouraging foreign scientists to come here.

We need to remind ourselves that three billion people have joined the market economy in the last 15 years. More than half the population of the world has joined this market economy since the Berlin Wall came down—Russia, Central Asia, India, and China. To remain competitive with this market population, we must be able to recruit the most capable students and scholars from other countries as well as our own. This will be our competitive advantage. Our security depends on it, as a matter of fact, as well as our wellbeing, our standard of living, and our way of life.

Thank you, Mr. Chairman.

[The prepared statement of Dr. Mote follows:]

PREPARED STATEMENT OF C.D. MOTE, JR., PRESIDENT, UNIVERSITY OF MARYLAND, COLLEGE PARK, MD

Chairman Lugar and Members of the Committee: My name is Dan Mote, and I am president of the University of Maryland, College Park. I appreciate very much the opportunity to address the Senate Foreign Relations Committee today on a matter of grave concern, the impact of visa regulations on the educational and research enterprise of the nation. I am speaking to you today as president of a preeminent research university in the shadow of the nation's capital that has for years attracted a flow of outstanding students, researchers, and faculty from other nations who have made enormous contributions to the prosperity and technological leadership of the United States.

We all agree that protecting our citizens is a priority second to none. Universities have a clear investment in the security of our nation and are committed without reservation to serving this interest. The University of Maryland is eager to assist in any way possible in promoting the security of our region and our country. To that end, we fully support recommendations that require careful scrutiny of those entering the United States for whatever purpose. We also have a clear and historical responsibility to deliver the highest quality education and research programs to keep the nation strong and competitive. We do not believe these are mutually exclusive mandates.

The United States prides itself on attracting to our research universities the world's brightest students. Their presence in programs in engineering, biosciences, and computer and natural sciences, among other fields, has resulted in the United States achieving its current status as world leader in these areas. The consequences of undue restrictions that hinder our ability to recruit outstanding talent from other nations will degrade the technical strength of the U.S. substantially. America stands to lose the edge in brain power we have attained since World War II.

Immediate negative impact. At the University of Maryland, over the last two years, we have experienced a 36% drop in applications and a 21% drop in enroll-

ment of new international graduate students in our programs. The decrease in applications is due to three converging factors: greatly increased problems with getting visa approval from the United States; competition from countries all over the world who have jumped in to try to attract the most talented students to their universities; and efforts of home countries to step into this breach and keep graduates at home with better opportunities and policies intended to stop the brain drain (military service is required in Taiwan before Taiwanese get permission to study abroad). The $100 Student and Exchange Visitor Information System (SEVIS) fee we now must charge has doubled the cost for international students applying to Maryland. This additional financial burden likely prevents some of the brightest students in poorer countries from applying.

The decrease in international applications is being experienced at all major universities. It is likely to continue. Analysts of the Educational Testing Service (ETS) data declare the "bubble has burst on foreign student enrollments." The number of international students registering in 2004 for the Graduate Record Exam GRE (required for admittance to most graduate programs in the United States) is predicted to drop by 50% for Chinese students, 43% for Taiwanese, and 37% for Indians. Reforms in the administration of the test in China and elsewhere accounts perhaps for some of that decrease, but the drop in registration occurs in all countries, a clear indication that students are turning away from American schools.

PROTRACTED PROCESSING DIFFICULTIES AND THE VISAS MANTIS SYSTEM

An example: In the late winter of 2002, five very bright undergraduates from Tsinghua University, generally considered to be the best science and technology university in China, applied to Ph.D. programs in Computer Science and Engineering at Maryland. Based upon their excellent academic credentials, the University admitted the five to graduate programs commencing in August 2003. They went to the American consulate in Beijing in mid-April, 2003 for a visa and were told that they would have to undergo a security check, which would take 90 days to complete. Our potential students still had not heard the results of their request by the time classes began in August 2004, and they have made other plans and are lost to the United States.

Once the pipeline closes, it dries up completely. Those five students from China will tell others coming along not to bother applying here, the United States does not want foreign students. The students we intentionally keep out or scare away today could well be the world's leading scientists, engineers, and doctors of tomorrow who might have chosen in past years to make the United States their home, to our lasting benefit. Finally, we would lose an entire cohort of students whose education in America could produce future friends and allies in the spread of democracy.

Impact on Training Programs that Promote American know-how and values. The University of Maryland, like many others, has a series of technical training programs on topics designed to provide information to a rising managerial cadre in countries like China on how capitalism, business, commerce, democracies, political justice systems, and other infrastructure systems work in free countries. Our Institute for Global Chinese Affairs has held numerous training sessions for hundreds of rising managers across China. This week, I received a memo from the Director of the Jiangsu Provincial Senior Management Training Centre concerning the latest group (six have come since 1995) scheduled to come for the senior management economic training course. He pleaded with me to intercede to hasten unexpected and delaying visa processing suddenly requested by the consulate general in Shanghai. What is the cost to the United States to put barriers up on programs that give us the opportunity to win friends and export democratic values?

RECOMMENDATION FOR RATING OF CONSULATES

In the face of difficulties such as those described above, I became so concerned about this problem that last summer I recommended that AAU universities develop a system rating the quality of service by consulates throughout the world that handle visa applications. This system would identify consulates that consistently use unreasonable delaying tactics and arbitrary determinations in their processing of visa applications by students and scholars and separate them from others. The system would bring to attention to consulates not willing or able to do the work in timely fashion required in response to those wishing to enter the country for education or research. We would distribute this annual ranking widely. The United States can not afford to project an image that alienates international students who will be leaders in fields we need.

Problems with the Visas Mantis system. A particularly troublesome part of the current visa restrictions is the Visas Mantis system, a special security clearance that must be issued when there is some concern about the sensitivity of the field the student wishes to enter or the technology to which the student or researcher would have access. These security checks are intended to prevent "prohibited export from the U.S. of goods, technology, or sensitive information." The consular post that requests a Mantis name check, or Security Advisor Opinion, must wait until Washington responds before granting a visa. In some cases this has taken months. A Visas Mantis check may also be required of students who have been admitted to the United States but return home even for a brief vacation. This system now appears to some to be used arbitrarily to draw out the process that has resulted in its current reputation as a bureaucratic tool for harassing international students and scholars instead of a useful security measure.

*University cases*

Student: Iranian Electrical Engineering doctoral student began program in fall, 2000 on own funding. A good student, he was offered an assistantship a year later. In fall 2002, married by proxy an Iranian. She could not get a visa because U.S. Consul does not consider marriage by proxy valid. In August 2003 he returned to Iran to get wife. After numerous visits by him and his wife to the consulate, her visa was approved, but his own visa expired and he was held under a Security Advisory Opinion. Our Office of International Education Services intervened with the Office of Public and Diplomat Liaison in the State Department, and he received the visa one year later in Dubai. It took so long to issue it that his wife's visa was no longer valid. He has returned to his academic program. Now his wife is trying to get a visa again. Is there any merit seen in this costly story?

*Scholars*

Russian scholar invited to University to collaborate on research in reactions of membranes in the presence of metal ions. Applied for Exchange Visitor visa 2/10/2003. Finally received visa 8/23/2004, 18 months later.

Chinese scholar invited to University to collaborate on the theory of phase transitions in complex fluids at the University's Institute for Physical Science and Technology. Applied for an Exchange Visitor visa 1/12/2004. Finally received visa 9/14/2004, 7 months later.

Russian scholar invited to come to University as a short-term scholar to do cooperative research in plasma physics for 1 month. Applied for Exchange Visitor Visa 12/08/2003 and is still pending. Still attempting to get him here.

RECOMMENDATIONS

*Changes in Visas Mantis policy*

What are the current problems with Visas Mantis that could be changed? First, the category of visas requiring visas mantis clearance must be better defined. Currently too many visa applications are subject to Visas Mantis while the need is to focus on those who require special screening. Overuse is due to the large and unfocused number of academic areas listed on the technical alert list. The technical alert list needs to contain only clearly defined academic areas of real concern. Many administrators and bureaucrats no longer know what subjects should be deemed off-limits. Consular officers are intersecting the technical alert list with "Sensitive Areas" (academic subject matter areas referred to in the U.S. Patriot Act in which students and scholars could learn how to make something harmful to us), an oversimplification causing many more people to be subject to Visa Mantis.

A second concern is the timeline for visa clearance, which should be timely and. predictable. Though a recent report claims that 95% of the Visa Mantis clearances are completed within a month, we find from our experience at Maryland that the clearances are often taking much longer.

A third problem is that the validity of a clearance when made is only for one year. Why not make it for the duration of the program? Now students and scholars are submitted to a Visa Mantis clearance more than once if they go out of the country. This repetitive processing seems excessive and unnecessary and very costly.

LONG TERM CONSEQUENCES

As the examples illustrate, we are already witnessing the fraying of the system that has led the United States to its place as undisputed leader in world science, technology, and medicine. We are not investing in long-term basic research sufficiently to retain preeminence in the future. Apart from biosciences our effort has been declining across the board. As a nation, we are not providing incentives for

Americans to pursue careers in basic science, and foreign scientists are discouraged from coming here. This trend must be reversed.

We need to remind ourselves that 3 billion people have joined the free market worldwide knowledge based economy in the past 15 years. The competition for human capital is absolutely fierce and we cannot afford to shoot ourselves not in the foot but in the head with restrictions that kill our economic future.

If the trend in applications is not reversed, the implication for the future of our universities is dire. Consider the extent to which our research universities depend on the result of our past open-armed welcome of the best talent from other countries. In our A. J. Clark School of Engineering, which is ranked in the top twenty engineering schools nationally, we have l93 tenured tenure/track faculty; 101 of them are foreign born. The vast majority did their graduate work in the United States. The deans of the Colleges of Life Sciences, Computer, Mathematical, & Physical Sciences and the Clark School of Engineering are all foreign born and U.S. educated.

These data are not an aberration. One only needs to extrapolate to the engineering schools throughout the country to get some sense of the enormous negative impact unreasonable visa restrictions can have on the nation's entire research and technology enterprise.

Some have cast this problem as a cyclical job market issue and claim there will be no shortage of scientists or engineers even if we keep out large numbers of international students. Though I personally doubt that there will be enough United States graduates to fill the vacancies, the main point here is the opportunity we lose to attract the right people, the most talented people to work in our industrial, commercial, educational, and research enterprises. As we have witnessed beginning in WWII some of the greatest thinkers who have contributed the most to our dominance in science and hence to our security, quality of life, and prosperity, have come to us from other countries. If we appear to be uninterested, many other countries including Canada, Australia, New Zealand, European countries, and Asian countries are putting out the welcome mat. These and other nations are competing effectively for those scientists and will gain technological advantages, weakening our economic and technological supremacy and our security.

Finally, we need to understand that globalization is the driving force in the world today. We live in a tightly connected world where every major issue is a global one. Whether it is the economy, the environment, security, pollution, energy, health, food safety, nuclear issues, or education, all are global issues. And like businesses, top universities are global in scope, responsibility and competitiveness too. As an example of changing global competitiveness consider the emergence of top-class universities around the world. China has set a goal to build a number of world-class universities over the next decade. And so has Taiwan and so has Japan and so have a lot of countries. Though most of the World's top universities are currently in the U.S., many are determined to change this balance, and they probably will. We cannot play into our decline by turning away the best and the brightest from our schools.

To remain competitive in the coming decades, we must continue to embrace the most capable students and scholars of other countries. Our security and quality of life depend on it.

The CHAIRMAN. Well, thank you very much, Mr. President. Let me say that, fortuitously, Senator Sarbanes has joined us and coincidentally with this hearing Senator Sarbanes and I celebrated over last weekend the fiftieth anniversary reunion of our class going to Oxford on Rhodes scholarships. We went on the boat together and we did not have visa problems nearly as extensive as——

Senator SARBANES. We have been on the boat together. [Laughter.]

The CHAIRMAN. Ever since, sort of inseparable. I am grateful for that, Paul. I am delighted that you are here.

We will try to limit our first round of questions to 8 minutes each for the three of us so that we will have ample time to ask questions and to let the panel respond to them. We will then have an hour for the second panel to repeat that process. Then 11:30 will come and we will need to depart.

Let me just begin the questioning. President Mote, in terms of amendment of statute or procedures, you have suggested first of all changes in the Visa Mantis program, which affects principally Russian and Chinese applicants because of security considerations of technology transfer. That at least was the intent of those who have testified about that.

Essentially, the problem seems to be that the intelligence agencies who must verify that there are not going to be problems take a long time to come forward with that—so long, as a matter of fact, that this is a discouraging factor. The number of applicants from China and Russia has been declining, apparently. This was perhaps not a large percentage to begin with, but still very important in terms of our public diplomacy and the sharing of values with these students.

A second thought you had is that the visas are too short, and that if we are going to go through this process for each of the students, why, it would be very helpful to extend them.

Maybe one of you can explain whether your educational associations or colleges or presidents have made some formal representations to the State Department or to Immigration or to anyone? In other words, without reinventing the wheel, are there some traces that this committee can follow as we try either legislation or pursuit with the regulators on follow-up recommendations that you are making?

President Jischke.

Dr. JISCHKE. Mr. Chairman, the recommendations I asked to have read into the record would include recommendations of the sort that President Mote has suggested. I, too, would endorse making the visas that students and scholars receive of program-length duration rather than, say a year, I think would be a very sensible thing to do. Particularly with countries like China and Russia, where there is a particular concern developing reciprocal understandings with those countries that would facilitate coming to a decision about a visa, I think, would be a very wise thing to do as well.

Dr. MOTE. The American Association of Universities, which is the organization with 60 United States universities, the large research universities, and two Canadian universities, has made recommendations on this, as have other professional organizations.

Dr. HERBERT. Mr. Chairman, I also did include in my statement a set of recommendations that have come from a number of the major associations, and that is dated May 12, 2004. I think that that should be very helpful to you.

The CHAIRMAN. Well, that will be great. This is why your full statements are a part of the record, so that a transcript can be circulated with our colleagues and their staffs, and also with the regulatory agencies that are involved.

Have any of the groups with which you are associated gone so far as to suggest draft language, or does this still lie in the lists of recommendations?

Dr. MOTE. My agent behind me says yes, the AAU, at least, has suggested draft language.

The CHAIRMAN. Very well. That probably is not a part of your statement, but I would ask that you submit that for the record.

Dr. MOTE. We will.

The CHAIRMAN. It will be included, so that we have the benefit of that research and effort that has been made.

[The information referred to has been made a permanent part of the record.]

Dr. MOTE. Can I comment, Mr. Chairman? On the initial statement on the Visa Mantis policy, I think the whole process is so complex because the number of categories are too many and too vague, and between going to the security people and the consular people it is very difficult to get from the intersection of these two sets of data a very accurate outcome. So I think this really has to be thought through very carefully and allow us to shrink this down to people who are real threats and be more responsive in our follow-up on requests for visas.

The CHAIRMAN. Let me just ask, what sort of reaction to all of this have you experienced on your campuses? Obviously, students are stressed by the process to begin with, and by trying to return to their homelands, as you mentioned. Has there been any other student reaction about which you can testify?

Yes, Dr. Jischke.

Dr. JISCHKE. I have actually been amazed at the level of understanding that the international students exhibit about the legitimate security concerns the country has. They fully appreciate, at least the ones I have visited with, that the country does have a legitimate concern, given particularly what happened on September 11, 2001.

The depth of concern is particularly within the faculty. They are deeply concerned both by the restrictions on the availability of talented students and, second, I think they believe this ultimately is very destructive to the quality of our academic programs, not only in terms of the contributions these very talented students make, but the long-term consequences of these kinds of policies are going to limit the opportunities our own students have to travel abroad. Eventually these things generate reactions.

I think there is within the faculty at Purdue and I suspect at all of our universities a deep commitment to an international education, to international opportunities, as part of a rich education. I think they are very concerned about this trend. It is deeply rooted in the scholars of the world that they work together, they visit together, they exchange. It is in the nature of scholarship, in the nature of research. I think they are deeply worried about the implications of all of this.

The CHAIRMAN. President Mote, you mentioned specifically that over half of your engineering faculty are citizens who began their lives abroad. This is a fact that, as you pointed out, is fairly common in engineering schools throughout our country, but it's probably not a point well recognized by Americans. A very high percentage of the engineering students who populate these departments come from other countries. The enrichment of that entire technical base, whether teachers or students or combinations thereof, really depends upon this international flow.

Would you want to amplify on that?

Dr. MOTE. Absolutely true, that is absolutely true. It is a very good point. I thank you for this opportunity. Early on, that is over

the last 50 years, we were able, because of our position in the world circumstance, to gather these best minds to come to our country. They studied here and they stayed here and they have contributed tremendously to our quality of life going forward. No doubt about that. And the strength of our technological enterprise outside of universities as well.

But another aspect that is very important and we need to understand is since the year 1990 or so, when we have now become the world of globalization, we have a much greater reach in the world and the university has a different role. That is, all of our students need international experience. We need to draw the best minds from around the world. We are now competing with essentially three billion more people, as it were, that have joined this knowledge economy, this market economy, in the last 15 years.

We need to be able to recruit people from these countries to help our enterprise, to give us that advantage of talent that we got before for nothing. Now we have to get it by active recruitment, planning, and strategy. That is, the universities have to do it. Help from the government would certainly be nice, and our corporations have to do it. Everybody is in this game.

It is a different, entirely different world we live in in the last 15 years than it was for the 35 years before that. Then we got them for nothing. Actually, we were not very nice to them when they came here, but they had no other choice. Now there are a lot of choices and for us to continue we have to change our viewpoint and our receptiveness to gather them here.

The CHAIRMAN. That is a very important theme. We really have to be competitive at this point. We are not doing the world a favor. We are in fact competing for these talents and for our ability to progress as a society.

Dr. MOTE. Absolutely true, and to put up roadblocks and to make life unpleasant, unnecessarily so, is just not only shooting ourselves in the foot, it is shooting ourselves in the head.

The CHAIRMAN. My time has expired. I am now going to recognize Senator Sarbanes.

**STATEMENT OF HON. PAUL S. SARBANES, U.S. SENATOR FROM MARYLAND**

Senator SARBANES. Thank you very much, Mr. Chairman.

I have a statement I would like to include in the record.

The CHAIRMAN. It will be included in full.

Senator SARBANES. I would like to make just a few comments at the outset. First of all, I want to commend you, Senator Lugar, for holding this hearing. We are near the end of the session. There are many others issues on our agenda. But I think this is a very important matter. The U.S. projects its strength around the world in many dimensions—obviously the military, but also the economic, the diplomatic, the political. Our extraordinary system of higher education, which I think is unparalleled in the world, is an integral part of that strength. It offers incomparable opportunities to students and scholars at every level.

Since the end of World War II especially, we have drawn talented, hard-working, often visionary men and women from virtually every corner of the world to these institutions of higher edu-

cation. In some cases they stay here and become part of our scholarly community, a community that plays a vital role in training and educating the next generation, laying the foundations for economic prosperity. More often they return to their country of origin, taking with them the training they have acquired here and the experience, I think, of being part of an intellectual community defined by the highest standards. They have lived and worked in a climate of free and open inquiry and debate. I think that serves our national interests, very frankly. We, of course, realize that over the past 3 years our visa policies have been markedly revised to reflect our urgent security concerns. Application procedures take longer, they are more complex, and more expensive. In some instances, regrettably, they seem to be arbitrary. Institutions from across the country, as has happened here this morning, are reporting declines in applications, admissions, enrollments, and the difficulty that the students who do come have confronted in getting here and then in staying here.

The Chronicle of Higher Education did a recent survey showing that foreign student enrollment in the United States is in effect leveling off, while in Australia, the United Kingdom, Canada, it is jumping in very significant numbers. So it seems apparent that there has been a shift in where these able students are going.

This raises the question whether we can maintain our preeminence among the world's institutions of higher education. Secretary Powell actually last spring said, acknowledged that we need to do a more skillful job of attracting foreign students to our colleges and universities. The Secretary's comment came as 25 science higher education and engineering groups representing some 95 percent of the research community joined in proposing revisions to end what they called the "visa processing quagmire." I quote from that report. Actually, NAFSA, the Association of International Educators, which is on our second panel, was one of the signatories to that report. They said: "We are resolute in our support of a secure visa system and believe that a more efficient system is a more secure one. We are also confident that it is possible to have a visa system that is timely and transparent, that provides for thorough review of visa applicants, and that still welcomes the brightest minds in the world."

Now, Mr. Chairman, I want to commend you. I think we are fortunate in having these three distinguished university presidents before us this morning. Both Purdue and Indiana, of course, have drawn students from abroad in very significant numbers. They are located out in the heartland of our country, but they have a very strong international dimension. The University of Maryland at College Park is the flagship institution of my State's university system and that campus plays an absolutely indispensable role in the intellectual research and economic infrastructure of our State and indeed our Nation.

The first question I want to put is, it is whether legislation may be necessary to compel the Executive Branch to use greater common sense. Is there legislation that is an impediment? It seems to me that those who have established the regulatory regime are not required to establish the one they have set up by law. So they

could go back and redo it, restructure it, in order to address many of the problems.

Is it your perception that there are legal requirements that have been enacted into law that create this problem? Or is it how the regulators are setting up their system? Do you have any view on that question?

Dr. JISCHKE. I believe many of the suggestions that the higher education community is making could be implemented without new legislation. It is less clear to me that our suggestion for additional resources in order to have additional people available to expedite the processing might actually require, at least, appropriations activity by the Congress.

Senator SARBANES. Anyone else want to add to that?

Dr. HERBERT. I agree with that. It seems to me that really the key question is the actual availability of resources necessary to hire the added consular staff that are really critical to addressing some of these problems. But otherwise, it is the regulators who could do something about these issues.

Senator SARBANES. Which government office do you interact with most of the time on this issue?

Dr. HERBERT. State Department.

Dr. MOTE. State Department.

Dr. JISCHKE. Yes.

Senator SARBANES. How about the Department of Homeland Security?

Dr. MOTE. Not directly from us, I do not think. Just one second.

Dr. HERBERT. The FBI is the silent partner. The dealings we have are primarily with the State Department.

Dr. MOTE. Yes, State Department principally.

Senator SARBANES. I think we need to try to divide this problem up into sub-problems, so to speak, because it seems to me that there are different levels of concern. The Chinese-Russian issue is complicated by the question of protecting technology, which may not exist with respect to people who come from other countries.

I understand one problem is that once they get the visa and come, if they then want to go home during a recess or if there is a family emergency or if they want to go to a scholarly conference, say in Toronto, out of the country, to come back they again have to go through the whole process that they had to go through to get here to begin with.

It is one thing to say, okay, you want a visa, we run you through pretty intense scrutiny that takes some period of time, and there is going to be some cost involved, but eventually you get that visa. You come. But then good reasons arise why you need to leave the country temporarily, and then come back into the country. My understanding is that often they are subjected to the same process all over again, the same waiting periods. Is that the case?

Dr. JISCHKE. Absolutely, right on target, sir.

Dr. HERBERT. In fact, I have a problem right now. We have a faculty member who is in our mathematics department, a visiting professor from abroad. In May he left the university to give a series of lectures in London. The problem is that he has been stranded there without support because he cannot get his visa renewed to

come back into the country to teach the classes that he was scheduled to teach this fall.

So it is without question a serious problem.

Senator SARBANES. I know my time is up. Mr. Chairman, I think this is one problem we ought to try to isolate and at least take care of some aspects of it that seem to cry out for immediate remedy. That is, it seems to me, a very clear example. We have received reports of students who have come here and then go home for a week or so to be with a parent who has fallen ill, and then cannot return without going through the whole complicated process all over again.

Dr. HERBERT. A common problem. We have had several of those cases.

Senator SARBANES. I have difficulty seeing the common sense of that process.

Dr. JISCHKE. Senator, one comment I would make, that in some of these reviews, because they involve multiple agencies, there was a coordination issue and there indeed maybe the White House plays a leadership role in assuring that the agencies work together in a timely way to resolve questions of visas. So it could, in fact, involve not only the State Department, Homeland Security, FBI, but the inter-agency coordination function.

The CHAIRMAN. Well, the Senator makes a good point that I think I would agree with. We must try to find out what can be done by regulators in addition to legislators, and then try to segment the problem, maybe by agencies or, where coordination is required, we could have a list of who has to be coordinated. But in any event, that is the purpose of our hearing, trying to find what you have done already—and you have identified some of that in your testimony—as well as our pragmatically trying to think through with you how we might make some improvements, which we are intending to do.

[The prepared statement of Senator Sarbanes follows:]

PREPARED STATEMENT OF SENATOR PAUL SARBANES

I want to congratulate you and thank you for scheduling this hearing at a time when the Senate is preoccupied with a sweeping proposal for fundamental reorganization of our intelligence agencies and a recess is imminent. Given the many demands on our time, it would have been much simpler to postpone any review of current U.S. visa policies with respect to foreign students, scholars and researchers on the grounds that visa policy does not rank among the nation's or the committee's highest priorities.

Such a decision would have been quite reasonable, given the pressures of the moment, but in my view misguided. The U.S. projects its strength around the world in many dimensions—the military, of course, but also the economic, the diplomatic and the political. Our extraordinary system of higher education, which has no parallel anywhere in the world, is an integral part of that strength.

Our colleges, universities and research institutions offer incomparable opportunities to students and scholars at every level. Especially since the time of World War II, highly talented, hard-working and often visionary men and women from virtually every corner of the world have sought out these institutions. In some number of cases they remain to become leading members in the U.S. scholarly community, a community that plays a vital role both in educating and training the next generation and in laying the foundations for our economic prosperity. More often they return to their country of origin, taking with them the training they have received, and also the experience of being part of a community defined by the highest standards of intellectual endeavor and integrity. They have lived and worked in a climate

of free and open inquiry and debate. I cannot think of anything that better serves our national interest.

Over the past three years our visa policies have been radically revised to reflect our urgent security concerns. Inevitably, application procedures take longer; they are more complex and more expensive. In many cases they are also arbitrary. As a consequence, although one institution's experience may differ in details from another's, institutions across the country consistently report declines in applications, admissions and enrollments. As foreign student enrollments have leveled off in this country, they have risen elsewhere in the world. A recent survey in the Chronicle of Higher Education shows some sobering trends. From 2000 to 2002, the latest year for which U.S. figures are available, foreign student enrollment in percentage terms increased 7.1 percent, while enrollment in the United Kingdom increased 19.2 percent. In Australia the comparable figure is 35.1 percent, if enrollments for 2003 and 2004 are added, it is 82.9 percent. For Canada, the figure is an estimated 39.8 pecent.

The situation is cause for deep concern. It raises the question whether we can maintain our preeminence among the world's institutions of higher education. Under the current procedures, promising applicants are too often rejected although they pose no security risk at all. There is growing evidence that increasing numbers of students are not applying at all, and choosing to go elsewhere instead. Even Secretary of State Powell, in a speech on May 12, has acknowledged that we must do a more skillful job of attracting foreign students to our colleges and universities.

The Secretary's comment came as 25 science, higher-education and engineering groups, representing some 95 percent of the nation's research community, joined in proposing revisions to end what they called "the visa-processing quagmire."

"We are resolute in our support of a secure visa system and believe that a more efficient system is a more secure one," they said. "We are also confident that it is possible to have a visa system that is timely and transparent, that provides for thorough review of visa applicants, and that still welcomes the brightest minds in the world."

One of the signatories to that report—NAFSA: Association of International Educators—is appearing before the committee today.

We are especially fortunate to have the opportunity to hear directly from the presidents of three of the nation's major research universities. Dan Mote is the president of the University of Maryland College Park, the flagship institution in my state's University System. College Park plays an absolutely indispensable role in the intellectual, research and economic infrastructure of Maryland. I would add that several long-time members of my staff are College Park graduates, and I consider myself lucky to have them.

In concluding his written statement to the Committee, Dr. Mote sets out in stark terms the challenge we face. He says: "To remain competitive in the coming decades, we must continue to embrace the most capable students and scholars of other countries. Our security and quality of life depend on it."

This is an urgent issue, Mr. Chairman, and I want to thank you again for scheduling this hearing. I look forward to hearing from our witnesses.

The CHAIRMAN. Senator Alexander.

Senator ALEXANDER. Thank you, Mr. Chairman.

Thank you for the testimony. I am going to begin with a suggestion, following up Senator Sarbanes and your own comments, and then a comment, then a question. I suggest that we Senators communicate with this White House or, if there is a change in White House, with that White House between now and budget time to be specific about the administration actions that involve appropriations that might help.

Number two, my second suggestion is that you and Senator Biden had, I thought, a very useful couple of sessions on post-Iraq reconstruction, which were not hearings, but you invited a number of people who knew what they were talking about to sit around a table for 2 hours and discuss a memo that had been prepared ahead of time.

Mr. Chairman, you might consider doing that again, inviting people from the administration and from university campuses and have somebody arrive with a list and say: Okay, here are the first

five things I would do if I were President to fix this problem and could do it by administrative action, here are the first five things I would do that require legislative attention. My guess would be that that would produce some attention within the administration.

Then the third thing I think we could do is join with the lab directors and university administrators for an administration meeting on the subject. I think we could do all three of those before the end of the year, and if you thought that was useful I would be glad to participate in it, because I think this is a genuine problem.

It is also a problem where we have absolutely clear competing principles, both of which we all agree with. On the one hand, we just finished 2 years of a 9–11 Commission where everybody was going to intensive detail to see, well, was there any way to connect all these dots and know what was going to happen before we got blown up by terrorists in this country. So we all understand that.

I mean, two of the people who died in the World Trade Center crash got their student visas after they were killed. So there is a problem there, and if the whole country is descending upon the President and the former President and the administrations and saying you better not let anybody else in the country who is going to blow us up, and we see on television every day that we are fighting terrorism, then we all understand why we need to be safe.

We also have just gone through creating this massive Homeland Security Department. We are debating in the Senate right now changes in the rules because Secretary Ridge and his assistants testified before 150 hearings in the past 2 years. So instead of working on your problem, they are up here talking to us. We are part of the problem, seriously.

So those—and we all understand that. I do not even think that is an argument here. I have talked with the President about it, the Vice President about it, and Alan Greenspan has mentioned it to me. The President was actually very fired up about it. He said coordinating agencies is obviously one thing to do.

So we have got a point on that side that everyone understands, and I think you have been very specific in your suggestions here, which I commend you for. Witnesses are not always that specific. The one thing we might do is separate them into what needs to be done by law, what needs to be done by administrative action. You may already have done that. And maybe put it into priority order, recognizing that what would produce the minimum amount of security risk and the maximum amount of help in solving the problem.

The other side of the problem deserves the attention this hearing is giving it. Our gross national product has grown in the last 25 years from a quarter to 33 percent of the whole world's growth, which is an astonishing figure. Our secret weapon is our remarkable system of research universities and national laboratories, which we have not mentioned this morning, because no one else in the world has anything like it.

We could testify all day about the fact that we not only have many of the best universities in the world, we have almost all of them, and the world knows that. I mean, you go to Europe and you read in the newspaper that Tony Blair and Mr. Schroeder in Germany, when their political careers are down, are taking enormous political risk to try to change their higher education systems be-

cause they are not very good compared with ours, and they know that. And their talk, their political talk about outsourcing in Europe in the headlines is not about jobs, it is about brains, the outsourcing of European brains to the United States universities and laboratories, all of which give us our remarkable standard of living.

So I think we all—maybe we do not all understand that, but it is an established fact not worth very many hours of argument, and the facts that you have reminded us today about the large number of foreign nationals who receive Ph.D.'s and stay here is a huge fact.

When I was president of the University of Tennessee, it was at the time of the Tiananmen Square event. I think there were about 30,000 Chinese scholars in the United States. I wrote to then-President Bush—I should have called him, actually—and suggested that he grant immediate citizenship to all 30,000 of those Chinese nationals, who at the time were afraid to go home. Maybe that would have provoked a terrible crisis with China, but it would have fixed us up in the United States for the next generation in terms of brain power, the same way the German scientists did during World War II.

So we need to be very much aware that we are chopping our legs off when we make it harder for bright people to come in here and help create jobs and a standard of living that we have come to enjoy.

I also appreciate the fact, as noted in Dr. Mote's comments, that it is not just visas. I mean, we are living in a different world, and that is good. I mean, there are more countries beginning to build first-rate universities. They are seeing the value of growing. The more they grow—we want African countries and Southeast Asian countries to be prosperous and democratic, and they do that not just by sending their agriculture minister to the University of Tennessee, but they might train them there at home. So we want that, and we are going to have that competition.

So I think that as a part of this process—it may not be this committee that does it—we need to be thinking about what should we be doing in the United States to grow our own scientists and engineers and what specifically could we do.

So let me ask the three of you, what do you think about the idea of such a roundtable? We do not have any administration people here today, but I know that this President, this Vice President, see this as a problem. Would such a roundtable help say to the State Department and other people, could we say to them, here are the first five things I would do if I were President, here are the first five things I would do, I would suggest to the Congress?

Dr. MOTE. It sounds like an absolutely great idea to me. I have to say, this roundtable would bring the different interests around one table so they could hear each other. This roundtable could actually list items for action, either by policy change, implementation under current legislation, actions for additional resources, and just list those out. I cannot think of a more effective way to move this forward quickly.

Otherwise, there are so many different partners involved and so many different two-way conversations that take place, you never

actually get down to an agreement that will actually move it forward.

Dr. JISCHKE. Absolutely. You are quite right, there is some inherent conflicts in trying to tackle these issues between security, long-term economic interests, and maybe our long-term foreign policy interests, and that calls for a discussion and it would be useful to have the people who can actually implement ideas in the discussion. A great idea.

Dr. HERBERT. I agree. Also, Senator, it seems to me in the final analysis it is the dialogue that is most critically needed at this point in time, and a discussion in a very candid fashion of the problems that we have as well as the opportunities that we must pursue. I think that your articulation of this is extremely effective and describes what might very well be the preamble for what we ought to be doing in that kind of setting.

Senator ALEXANDER. Thank you.

Mr. Chairman, my time is up, but if you decide that is a useful way to move I would be glad to spend time working with you on it.

The CHAIRMAN. It is an important pledge and I appreciate that. I think it is a very good suggestion and no doubt we will get under way. Our problem then will be, for all of us, to think of who should be sitting around the table. But that will be another day. I appreciate the suggestion.

Let me just mention, Senator Coleman has taken a specific interest in the area that we are talking about today. He has been a leader on our committee in this respect. I want to welcome him to the hearing and call upon him for his questions.

**STATEMENT OF HON. NORM COLEMAN, U.S. SENATOR FROM MINNESOTA**

Senator COLEMAN. Thank you, Mr. Chairman. Mr. Chairman, I have a more complete statement I would like entered into the record.

The CHAIRMAN. It will be made part of the record in full.

Senator COLEMAN. Mr. Chairman, let me first thank you. Again as my colleague from Maryland noted, this is late in the session, and we have got just a few more days we are going to be here; we are going to be out Friday and then come back briefly in November. So it is pretty extraordinary to do this. I have had conversations with the chairman and I really appreciate your commitment and your leadership. It is very, very important.

I also welcome—I see two of the presidents here represent the heartland that I represent, Minnesota, part of the Big Ten. I know that if President Bruenig was sitting here, President of the University of Minnesota, his statement and his thoughts would parallel your statements.

President Mote in his remarks raised the question, what is the cost to the United States of putting up barriers to programs that give us the opportunity to win friends and export democratic values? I think that is the question, what is the cost? From my perspective, I see this both as an economic security issue, as my colleague from Tennessee has talked about, the ability for America to be competitive—our competitive answers are not low-cost, low-wage

jobs. That is not what America is about. It is innovation, it is productivity, it is mind power.

The ability for us to be competitive in this changing 21st century world is really tied to the academic excellence at every level, but in particular what you gentlemen represent. So I think this is an economic security issue.

I also think it is a national security issue, as some of your own testimony has indicated, that the leaders of these nations are folks who had the opportunity to be schooled in American values and American institutions and American friends. I think, as we understand in this body, I think the Senate is the ultimate relationship business. We, right now, are losing that opportunity in massive numbers.

I think this is a national security issue that will take its toll 20 years from now. But the seeds that we fail to plant today, the seeds that we are failing to plant today, are going to have a direct impact on the ability that we have to work with other nations and other leaders who should be our friends and should be schooled here.

So I think there is much work to be done. I have put forth a bill, Senate, S. 2715, the International Student and Scholar Access Act. In many ways, I would respond to my colleague from Maryland, a lot of it is simply asking for common sense. I think, President Jischke, in your testimony you give a number of specific recommendations. I would note that many of them are contained in my bill.

But it may not take legislation, and so I want to raise my hand and join with my colleague from Tennessee to say if there is this roundtable, this further discussion, I will commit the time and energy to be part of that. I think it is important.

Let me ask—two observations. One, the SEVIS program. We understand that there are important national security concerns today. We saw that. My colleague from Tennessee reflected upon, two of the terrorists, two of the murderers in 9–11, were folks who ultimately got student visas after their dastardly, despicable acts. If something like that happens, you see big change quickly, as it needs to be. But the question is what is the balance.

It is interesting to note in the September 11th Commission's report on page 377 they specifically note: "The United States should rebuild the scholarship, exchange and library programs that reach out to young people and offer them knowledge and hope. Such assistance as is provided should be identified as coming from the citizens of the United States." We need to be involved in working with students in other countries, and I think getting them here is a big part of that. SEVIS is important because we need to have a system to deal with this.

I would like to submit a letter for the record, Mr. Chairman, from the University of Minnesota that discusses problems with the SEVIS system, notably a system crash that resulted in some 2,198 students and scholars at the university in regulatory limbo, technically out of compliance with the Patriot Act through no fault of their own or the university's.

The CHAIRMAN. It will be placed in the record.

[The information referred to follows:]

UNIVERSITY OF MINNESOTA,
OFFICE OF INFORMATION TECHNOLOGY,
*Minneapolis, MN, October 4, 2004.*

To whom it may concern: As you know, the Patriot Act mandates university compliance with the SEVIS system in the Department of Homeland Security. The ramifications of inaccurate information transmitted from the university to the federal government include potential loss of visa status for international students and scholars, significant administrative effort, and out of pocket expenses for involved parties. The Patriot Act holds the university responsible for the accuracy of the records in SEVIS for our international students and scholars.

Due to high volume of transactions, the University of Minnesota uses the SEVIS authorized mechanism of batch transmission of data to communicate with SEVIS. This process has been improving, but it is still fraught with failure. On a regular basis, we do not receive a confirmation file, necessitating follow-up with the SEVIS help desk. Usually, the issue is resolved within a day. Unfortunately, the most recent failure of September 21, 2004 took 10 days to resolve, affecting 2,198 individuals. When we inquired as to the cause of the failure, we were told it was a disk space issue. This leads us to lodge several specific complaints.

1. Communication is an ongoing struggle. Status is not reported by SEVIS to universities in a timely manner. We must call to check on issues, and in this case we had been told for 10 days that the problem would be resolved within 24 hours. Had we received accurate information that it would take 10 days, we would have taken different action. Being technologists, we recognize that problems occur and solutions are not always easy; however, we need a reasonable reply in response to the technical difficulties. Communication can help in every situation, and it has been sorely lacking.

2. Status Reporting has been non-existent. When a batch job fails, the institution should be notified. The current process is that the university must recognize that a confirmation file did not arrive and contact the SEVIS Help Desk. There is no web presence or proactive notification of processing failure.

3. The Help Desk and the Federal Processing Center are separated by a great distance. Frequently, the help desk passes on information regarding a remedy, and it is incorrect. The university is not permitted to contact the Federal Processing Center directly. In fact, we have never had contact of any sort with the staff directly responsible for loading the data that is the legal responsibility of the university.

4. Planned maintenance and system downtime is often communicated with very short notice or not at all. With the level of integration that is required to run efficient programs, universities and software vendors must receive greater advance notice with time reserved for testing.

5. The staff that runs SEVIS is not attuned to business cycles. There are legally binding deadlines for submission of information for each visa holder. One such deadline is looming on October 7. Universities across the country are submitting large volumes of data. If the information the help desk passed on is correct, the current problem we are dealing with is a direct result of lack of understanding of business cycles.

Lest you think that we are willing to complain but not participate in a solution, I offer the following suggestions:

1. The University of Minnesota would be willing to work with the Department of Homeland Security and the staff that run the processing center to organize a formal user group to focus on technical and user concerns.

2. A web site communicating university-specific status information as well as planned system changes and downtime would be extraordinarily beneficial.

3. The listserv should be used more effectively. It takes a great deal of time just to get an additional staff member approved and on the list. This needs to be streamlined, better information needs to be communicated, and information must be transmitted in a timelier manner.

I appreciate your efforts to assist the University of Minnesota in working through the technology issues associated with SEVIS system data transmission. We care deeply about the satisfaction of our very talented students, staff, and faculty. The Office of Information Technology is also committed to assisting our administration in remaining compliant with regulation. I am confident that the University and the Department of Homeland Security can work together to establish a positive working relationship that ensures solid communication and technical processes. If you wish

to discuss this further, please contact me at 612-625-8855 or cawley@umn.edu to arrange a discussion.

Best regards,

STEVE CAWLEY,
*Chief Information Officer and Associate Vice President, University of Minnesota.*

Senator COLEMAN. I appreciate that, Mr. Chairman.

Let me ask kind of a general question about one issue that I know the chairman raised in his statement. That is this issue of requiring folks to prove a negative, to prove, young people, that they somehow have ties back in their homeland so that when they are done with their education they go back. One, I think we need to change that. I think we need to change that. I think that we have young people who may not have spouses, they may not own property. That should not be a barrier to studying in this country.

But I would ask perhaps all of you just to address kind of the broader question of what is the problem? What problem are we trying to address with the current regulation? Is it in our benefit to have certain young people, the best and the brightest from Uganda or the best and the brightest from Poland, wherever, coming here to study and then decide to stay in the United States, to use their talents to work in our industries and to work?

Help me. I would like to hear your reaction or your sense of, do we really need to require students to immediately go back after they are here, or is there a benefit from having some of those students that you know continue to contribute to this country?

Dr. JISCHKE. I think the reason for the policy—I actually agree with your point of view, but I think the reason for the policy is concern over competition for jobs that exist in the United States. But the history of the country, not only in this recent technological age, is that many of these immigrants have, in fact, stayed in our country and provide leadership for some of the most prominent industries of America. The information technology industry is an example.

I think one of the issues here is a fundamental value of our country. What we represent in the world is a place where people from the world have come to realize the promise and the dream of the American democracy. It is deeply rooted in our concept of ourselves and it is deeply rooted in, I think, the world's view of America.

It is one of the reasons we have ascended to a special kind of leadership. It is not only our economic might and our military might; it is the power of our ideas. We are an inclusive country, and it seems to me in this age, instead of coming to farm the land, if you will, which my great-grandfather did, they are coming to learn the technology and take their place as part of a longer tradition of immigration growth that has made us an extraordinary place in the world, I mean the hope of the world.

It seems to me this is who we are and we ought not to lose sight of it and we ought to foster that kind of development. So I very much agree with the spirit of your comments that we ought to welcome these bright young men and women and be thankful that they want to come to our country and be part of this living experiment called the United States of America.

Senator COLEMAN. Dr. Herbert.

Dr. HERBERT. Senator, I would like to respond by telling you just a very brief story. In 1990 our university entered into a contract with Petronas, which is the national oil company of Malaysia. As part of that program, each year students come from that country to study at universities in this country. They come first to IU for the purpose of preparing them, taking some SAT prep courses, those sorts of things.

But what is significant is that between 1990 and 2001 we have had over 200 of those students to come to our institution and then go on to Harvard and other universities around the country. In 2002 a group of these students came, they went through the first phase of the program, then they went back home for the summer term with the intent of coming back in the fall to go to their respective campuses.

It is very interesting. What happened was that all of the female students were allowed to come back; not a single one of the male students was allowed to return to the country. This is an ally. As a consequence of how those students were treated, the company has discontinued the program. We are now going to lose all of those young people who are coming here, who are studying here, who are going to understand the values of this country. Some of them may have decided to stay. Others may have gone back to their country.

I do not know whether the issue here is simply one of national security, if it is a concern about U.S. jobs, or if it is a concern about eliminating the brain drain from some of those countries. There are any number of possibilities. But in the final analysis, it seems to me that what we have to understand is that in the case of our institutions again, 30 percent of the scientists in our medical school are coming from abroad. It hurts us significantly if we no longer have access to that kind of talent.

In addition, we are clearly establishing very positive long-term friendships with potential leaders—business, education, others—in those countries from which the students come if they do decide to return. But we need some of that intellectual talent in this country. We cannot afford to lose it, it is of such vital importance, not only to our institutions, our higher education institutions, but other parts of our society as well.

Senator COLEMAN. Mr. Chairman, I know my time is up. Just one comment. I understand the concern about jobs. I worry, though, that we have a 20th century mind set in the 21st century. Senator Baucus has put together a group on global competitiveness, and we have heard from CEOs that our ability to grow jobs in this country is tied into having that talent. We need to be certain that we are not taking away jobs. I do not think that is the case. I think we are bringing the wrong mind set. If you want to grow jobs, if you want to grow this economy, be on the cutting edge of innovation. The CEO's that I have talked to reflect that perspective.

[The prepared statement of Senator Coleman follows:]

PREPARED STATEMENT OF SENATOR NORM COLEMAN

I would first like to express my deep appreciation to the Chair for his interest in this vitally important issue and his willingness to make this hearing a priority in these waning days of the 108th Congress. The chairman and I have discussed

this issue at great length, and I respect his commitment to the importance of international exchanges.

I firmly believe that it is in America's national interest for the best and brightest foreign students to study in America. These are people who will lead their nations one day. The experience they gain with our democratic system and our values gives them a better understanding of what America is and who Americans are.

Underscoring the importance of international exchanges to our national security, the September 11th Commission's report recommends on page 377: "The United States should rebuild the scholarship, exchange, and library programs that reach out to young people and offer them knowledge and hope. Where such assistance is provided, it should be identified as coming from the citizens of the United States."

In a world that hates us because they do not know us, international education represents an opportunity to break down barriers. Foreign students also help out economy. Higher education is a major service sector export, bringing in $13 billion dollars to the United States economy every year. Competitors like the U.K., Canada and Australia are gaining market share while the U.S. is losing.

As the Chairman is well aware, I have introduced legislation, S. 2715, the International Student and Scholar Access Act. My legislation proposes to make commonsense changes to the way visas are processed, to encourage a coherent U.S. marketing strategy for international education, and improvements in the way SEVIS fees are collected. I am proud to have the co-sponsorship of Senator Bingaman.

The CHAIRMAN. Thank you very much, Senator Coleman.

Reluctantly, I must bring this chapter in our hearing to a conclusion. I say that because we have so much appreciated having three great academic leaders before us, and likewise vigorous participation, as you perceive, by the Senators, who are very interested and committed to trying to make progress on these issues for the benefit of universities, but likewise for our country.

Senator SARBANES. Mr. Chairman, could I just add one point?

The CHAIRMAN. Certainly.

Senator SARBANES. It would be helpful if the presidents could send us their thinking. I think the question that Senator Coleman put is quite an important question, and really I do not think we have sorted out exactly what our rationale is, because I do think there is a strong rationale that these students were to come in and then go back to their countries and contribute to the development of their own countries.

Secondly, the student visas are separate and outside of the visa limitations for coming into the country. They do not have to line up like others who have decided they want to leave their country and come to the United States, which is quite a long list and closed out in many countries for a number of years. The students come in on a completely separate track and therefore we have visas available to them.

But I think we have to think this through pretty carefully, because I do think there in the past, at least, has been a strong rationale that they are to come here, get their education, learn the way we do things, and then go back to their own countries and help the development of their own countries. Now, if we are going to shift to a different rationale, I think we need to give that some careful thought. So it is, I think, a fairly complex problem. I just wanted to make that observation.

The CHAIRMAN. I think the Senator's observation is very important. In the Millennium Challenge hearing we had yesterday, to mention the example of Georgia again, one of the 16 selected countries, these young leaders that were educated in the United States did return to Georgia. They have instituted an anti-corruption drive, which is totally counter-intuitive for the entire area. Like-

wise, the country is fostering a burgeoning democracy with only four million people and very tough resources.

On the other hand, we have had testimony from Chinese and Japanese scholars who now have businesses in both Japan and China. They are traveling back and forth between the two countries. The dimensions of international trade and international business now are such that they do not have citizenship in two countries, but by and large their wealth is divided, and so are their employees. They are employing people in both countries, interestingly enough. And that is not foreign to your experience, because you see these people all the time.

Senator ALEXANDER. Mr. Chairman, at the risk of—on Senator Sarbanes' point, I believe the 1952 Immigration and Nationality Act requires that a student applicant say they do not plan on staying in the United States upon completion of their degree. Yet we have just heard that two-thirds of those who get Ph.D.'s in science and engineering do.

The CHAIRMAN. And we have heard likewise that we are grateful that they did.

Senator ALEXANDER. But going back to his point about maybe we need to be clear about what our rationale is here as we examine this.

The CHAIRMAN. A very important point.

Thank you very much, gentlemen.

I would like to call now upon the second panel: Ms. Cotten, Dr. Goodman, Ms. Johnson, and Dr. Kattouf.

[Pause.]

The CHAIRMAN. We thank each of you for coming today to enrich our understanding of these important issues. I would like for you to testify in the order that I introduced you, which would be first of all Ms. Cotten, then Dr. Goodman, Ms. Johnson, and Dr. Kattouf.

Let me indicate—and we will be as lenient as possible about this—but we want to make certain that all of you are heard, and likewise, that the Senators have an opportunity for interchange with you. So, to the extent that you can summarize your statements, I would appreciate that. They will be made part of the record in full, because we want to have the full record of all the research that you have done in preparation for this hearing.

To the extent that you can summarize in five minutes or six or something in that ballpark, that would be helpful, because we know that the roll call situation is coming upon us imminently.

Ms. Cotten.

## STATEMENT OF CATHERYN COTTEN, DIRECTOR, INTERNATIONAL OFFICE, DUKE UNIVERSITY

Ms. COTTEN. Thank you. I appreciate the opportunity to be here, and I can tell you that at Duke we could repeat the many stories that we have heard this morning.

I come to you from an International Office, not as the president of a university. So, as you mentioned earlier, my office daily spends its time down in the weeds. I would like to speak about some of the issues that we could deal with. Just now you had asked what is statutory, what is regulatory, what is a matter of policy. I think

that is a key question to ask. We do have some things we could do now.

I believe that Senator Coleman's bill will help address some of the statutory problems that we have with the security clearances, with their definition, with their repetition. But we also have situations where visas for certain countries for student scholars are given for the full duration of their time, visas for other countries are given for 6 months and only two entries. This is based entirely on an historic visa reciprocity system out of the Department of State and, while that has served us well, it appears not to be serving us now. So the length of the visa and whether it is for 6 months or 4 years is a regulatory policy determination that could be changed if we choose to change it. That just needs appropriate discussion on what levels of change we need to talk about.

Indeed, with the SEVIS program we have ways of tracking and managing the students that are going to give us a closer watch than just having them go back and repeat for visas.

Because of the differences in the lengths of visas, we have some students who come into the country on a 4-year visa stamp, they stay for periods of time, they come and go at their leisure. They have no problem visiting a sick relative, they have no problem going home for a holiday. We have the other students on the 6-month visas, who must go through the entire process every time they travel. So that is an area where we could look at resolution and policy.

The other discussion today has been on 214B, which is part of the Immigration and Nationality Act. As Mr. Alexander said, there is statutory language that says that they must have a residence abroad that they have no intention of abandoning. Keeping in mind that that law was written in 1952—and I think at the time that you were traveling to England you went by ship—I do not think that would happen today. There were no trans-Atlantic jet flights in 1952. The world has changed. People travel far more often.

Consular officers to some degree under 214B were also concerned, not about whether someone might come and stay legally and then move on to other legal statuses, but whether that individual might come and become illegal. So I think that that discussion needs to be a part of the discussion on 214B and a possible statutory change.

At the same time, there are different ways, policy ways, to interpret 214B and whether individuals have a residence abroad that they have no intention of abandoning now, or whether we are asking the consular officer to do crystal balling well into the future, 4, 5, 8 years into the future, on what they might do at some future time.

It is also the case that the Department of State has addressed this issue in another context. There is a cable currently in place that permits a slightly different and more lenient view of 214B for tourists who are coming as cohabitating partners with people coming long-term. One would think that we could give to students and scholars the similar kind of benefit of the doubt that we are giving to cohabitating partners coming on tourist visas.

So as we discuss these issues, I think that the points you have made on statute and regulation and mere policy need to be looked

at together, and that we do have things we can do now to solve some of these problems.

[The prepared statement of Ms. Cotten follows:]

PREPARED STATEMENT OF CATHERYN COTTEN, DIRECTOR, INTERNATIONAL OFFICE, DUKE UNIVERSITY

Thank you for the opportunity to comment on an issue of such importance to the United States. Many international education organizations have spoken to the value of international students and scholars in our classrooms and research facilities, to the successes we enjoy as a nation because of their contributions, and to the increasing road blocks and delays that threaten that continued exchange and success. I am including links to organization documents in the appendix to this testimony.

This testimony will summarize the chief difficulties that international students and scholars face in applying for visas, and will suggest policy and procedural changes that can enhance security while helping to make the visa application process more positive and welcoming. Let us remember that before these students and scholars reach the point of visa application, they have already been vetted by the schools and programs as to their academic credentials and their qualifications for the study or research in which they will engage. The visa application process examines their individual circumstances relative to security concerns and to their intent to engage in the activities described on the visa documents provided by the school or program. The visa stamp is only permission to apply to enter the U.S. It is the SEVIS document, provided by the school or program, that specifies the activities and intended length of stay. The visa stamp may expire shortly after arrival in the U.S., but that stamp expiration does not affect lawful status inside the U.S. The visa stamp is only required for travel, not for remaining legally in the U.S.

I come to you representing three different, but related groups: Duke University, whose student population is about 10% international and whose research facilities host hundreds of scholars every year; Duke University as one of the 21 pilot schools that helped design, test, and launch CIPRIS, the precursor of SEVIS, and that continues to offer information as needed; and as an American citizen who has traveled abroad and has seen how others in the world may see us.

The United States is still the destination of choice for thousands of students and scholars, but it has also become a destination of academic and personal risk. Consider these representative experiences.

- Imagine that your son has been admitted to four of the best schools in world, all in different countries. He has one special favorite in the United States on which he has placed his hopes—all the others are his second choice. He has read the catalogue until he can quote it. He has told all of his friends that he has been admitted. It is only March and he is already packing for school in September. All things being equal, most parents would want him to go to the school of his choice. Now suppose that four of those countries will give him travel documents and visa stamps in 15 days. He could get those visa stamps now, but he has not done so. He is set on attending his favorite school. Surely the U.S. will give him a visa. He worked so hard to be good enough to get admitted. His future depends on it. Then he learns that it may take three months to apply for a visa and even then he might be refused or might be delayed past the first semester. He is still hopeful. He holds out for the visa, does all that is required of him, but time is getting short and still no visa. You are a parent, worried about your child and his dreams, with limited funds for his education, and concerned that such a delay could postpone his education for a year or more. Finally one of those second choices becomes the only choice because the risk of "waiting it out" is just too high. He goes to one of the other schools, but his dream is unrealized and he forever harbors a certain bitterness toward the country that admitted him to school and allowed him to dream and then bureaucratized that dream out of existence. In the future it would not be surprising if none of his siblings or cousins or acquaintances apply to schools in the U.S. "Why should I?" They might argue. "Even if they admit me they won't let me in. I can't afford to take the risk."
- Imagine your daughter was admitted to a school in the U.S. and was granted a visa. She has finished her freshman year and you are looking forward to having her home for the summer. She calls you in March and says, "Maybe I won't come home this summer. Some of my friends went home for the winter break and still haven't been able to get back because of visa delays. My SEVIS documents cover four years, but my initial visa stamp was for only a year and expires in early May (note that expiration of the visa stamp is common and is

not expiration of lawful status). I would have to apply for a new visa to come back in the fall. Mom and Dad, I just don't think I can take the risk of not being able to come back." Two years later, at the end of her junior year, she has still not been home because she is still afraid that she cannot get a visa to come back. She loves her studies in the U.S., but the inefficient visa system and the long separation might make you wonder if you would send another child to the U.S. And her loneliness might make her wonder if she would encourage her little brother to make the same educational choice she did.

- Imagine you are a scholar whose work in a particular field has been recognized internationally. A prestigious U.S. university invited you to join one of its research teams for a three-year project. You applied for your J exchange visitor visa, and though it took three months to get it, you finally arrived and joined the team. The team members are among the best in the world from the U.S. and from other nations. One of your discoveries leads to a paper published in a very selective journal. You are invited to present your findings at the annual international conference in your field. The conference, four days long, is outside the U.S. The original visa stamp in your passport has expired, and you will need a new stamp to return. It will take at least a month, or perhaps longer, to get the visa stamp to return to the U.S. It is your work, your paper, your chance to meet and compare notes with colleagues from around the world. You have an opportunity that would make you competitive for top positions in your home country when you return, but you cannot attend the meeting. You cannot take the chance that you will be away from your time-sensitive research for a month or two or more. Or alternately, you decide to take the chance and you are stuck in a foreign country (not the U.S. and not your home) for months with your savings and your career slipping away. In research, as in politics, time can make all the difference.

Remember that these are common experiences repeated hundreds of times each year at colleges and universities across the U.S. We see their effects in the drops in the number of college applications and the thousands of U.S. tax dollars wasted as research projects limp along because a key team member cannot get a visa.

WHY DOES IT TAKE SO LONG AND WHAT CAN WE DO?

Two primary functions of visa application and consular processing contribute to the delays and denials, one new, one old.

*The Technology Alert List (TAL), "sensitive areas" list, and general security concerns*

The TAL is not new, but the combined effect of the TAL with understandable post 9/11 concerns about sensitive knowledge areas and the resulting need to look closer at the background and affiliations of visa applicants has created a visa review process that can take months.

We need to apply the rules efficiently, transparently, and logically. We need to eliminate repetitive visa reviews that serve no security purpose and that take resources from other security work. The Department of State has worked diligently to streamline the VISAS MANTIS clearances and to encourage and empower consular officers to expedite visa interviews for international students and scholars. Some processes that used to take three months have now been reduced to 30 days in many cases, but some cases still seem to get stuck in the system for many months with no apparent reason. In addition, many students and scholars who have undergone the reviews and obtained visas are repeatedly subjected to the same review process. This repeat review generally occurs not because of any new or additional concerns about the applicants, but simply because their initial visa stamps were of short duration, merely as an operation of visa reciprocity. Under current visa reciprocity rules, a student or scholar from country X gets an "F" student or "J" scholar visa stamp for the full duration of his/her program and with multiple entries, while a student from country Y gets an "F" or "J" stamp valid for only six months and for only two entries. This inequities result from agreements with other countries that have no particular relationship to security. They make some sense in the old and longstanding visa reciprocity agreements, but do not withstand logical scrutiny in the post-9/11 visa environment. We are engaged in repetitive visa reviews on people that represent very minimal security risks because we are not willing to review our own visa policies, decide if they really serve our interests, and change them if necessary. U.S. government resources are being wasted on second or third administrative reviews that are only tangential to security, if they are related at all.

Senator Coleman, in S. 2715, the International Student and Scholar Access Act, has sought to address these issues of waste, repetition, and delay.

*Nonimmigrant intent, INA 214(b)*

This law, now over 50 years old, requires that all F and J visa applicants (and others such as B visitors) show that they have a residence abroad that they have no intention of abandoning.

DOS needs to rethink INA 214(b), the "nonimmigrant intent" rule, and accept documentation in SEVIS that the visa applicant is a student or scholar as evidence of temporary intent (i.e. to be a student or exchange visitor) absent demonstrable evidence to the contrary. Such evidence might include the filing of a labor certification or immigrant petition or application on behalf of the alien, or very close family ties in the U.S. that have an immediate potential for immigration. The nonimmigrant intent rule should apply only to maintaining legal status during this activity and for this purpose identified on the visa application, not to the possibility that the student might legally acquire another status in the distant future.

DOS has considered and addressed similar intent issues related to B visitor visas in its policy on cohabitating partners, and has implemented a more open policy. While that policy states that the individual must meet the nonimmigrant intent rule of INA 214(b), it also says that long-term stays in the U.S. with partners in extended status is expected and acceptable. It goes on to say that consular officers should make appropriate annotations on the visa, "as that will increase the likelihood that the inspector grants the maximum possible admission period on initial entry and will facilitate subsequent extensions." The substance of the cable tells consular officers that it is OK to give long term "B" tourist visas to cohabitating partners, and that it is OK not to worry too much if they might stay in the U.S. for a long time. It authorizes the consular office to give the cohabitating partner the "benefit of the doubt" when issuing the visa.

If nonimmigrant intent can be viewed as related to a particular visit that has a variable and unspecified end date for the purpose of admitting cohabiting partners for extended stays, why can't a similar interpretation and visa issuance practice apply to students and scholars? Indeed, unlike the B–2 cohabitating partner, who may have no definite completion date, the F or J student or scholar carries documents that specify a precise end date. Shouldn't a student or scholar be given the same "benefit of the doubt" as a cohabitating partner?

When the law was written in 1952 most transoceanic travel was done by ship, and no transatlantic commercial passenger jet flight had yet occurred. It would be another six years before the first such jet flight, and well into the 1960s before jet travel became common. When travel was so difficult, so burdensome, and so infrequent, it was important for a consular officer to see exceedingly strong evidence that the student or scholar to whom he was giving a visa had very strong ties to the home country, and did not intend to use that visa to enter the U.S. fraudulently and remain here illegally. People travel much more easily and frequently now, but the validity of the 1952 interpretation of the law in the student and scholar context has had only minimal review.

Because people can travel more frequently, our application of the law to make that travel very high risk has the opposite effect of that intended. The student or scholar who wishes to travel frequently, and is permitted to do so by a reasonable visa process, maintains ties to home and establishes and develops business relationships that will draw him back to his home country. The student or scholar who is threatened with visa delays and denial if he leaves will remain in the U.S. for three, or five, or eight years getting a degree or doing research. He will not take the risk of going home, and so finds it nearly impossible to maintain those close ties. His choice not to travel has protected him from visa review, but has also isolated him from the family and business relationships that would have drawn him back home. It is easy to guess which one of these people is likely to become a positive voice for America at home and in other countries. Our current visa policies, in stifling travel, also stifles those voices.

Secretary Powell has begun the much-needed conversation on this nonimmigrant intent issue in his guidance to consular officers in a 30 March 2004 cable to the field. Nevertheless, the underlying assumption still remains that nonimmigrant intent applies in a kind of perpetuity. Not only must the student or scholar show that he has ties in the home country now that will likely cause him to return, but also that he will not, at some future time years from now, change his mind and remain in the U.S. legally. The burden on consular officers to read the mind and "crystal ball" the future of a student or scholar who is primarily focused on the next few months, not the next 10 years, is completely unreasonable.

WHAT CAN SEVIS DO AND HOW CAN WE USE IT BETTER?

Although SEVIS is under the purview of DHS, the SEVIS database can assist and inform consular officers in their visa deliberations and can help relieve the consular burden if we choose to use it to do so.

*The Original Vision*

As one of the 21 pilot schools Duke University helped design the database management system that is today known as SEVIS. When work on what was then called the CIPRIS project began in the mid 1990s, Mr. Maurice Berez, the Immigration and Naturalization Service (INS) officer in charge of the project, shared with participant schools a vision of an integrated system. SEVIS would be the work horse database that would organize and streamline student and scholar processing from school admission, through visa application, entry at the port, participation in the program, travel during the program, and final completion. It would provide a range of data on each individual to different government agencies. It would identify those students and scholars who were maintaining status and pursing the studies, teaching, and research for which they came to the U.S., and it would also identify those few who failed to do so. SEVIS would:

- Collect data from the "source" for each data element. For example, schools should enter educational data, consular posts and ports of entry should enter visa and port data respectively, and INS (now DHS) should enter stateside immigration actions related to the student or exchange visitor.
- Provide information to all relevant administrative and law enforcement agencies as appropriate for the need of that agency.
- Serve as and be recognized as evidence of status and lawful activity for the students and exchange visitors listed in it.
- Contribute significantly to national security by providing a broad range of data on individual students and exchange visitors and their host schools and institutions that could be subjected to algorithms and statistical analysis. Such data review could reveal fact patterns or anomalies on individuals or groups that might need additional scrutiny or investigation. This data, combined with information from other databases, could help identify the few who might pose a threat to our national security.
- Facilitate the admission to the U.S. and lawful activities in the U.S. of the many bona fide international students and exchange visitors. Treat them as welcomed guests, and make their visa application, admission to the U.S., and subsequent travel easy and efficient.

INS and the schools worked together toward a system that would use practical and logical means to manage data and to use that data not only to solve problems, but also to add value for all users. The practical applications included:

- Issue a student and exchange visitor ID card, something like the Border Crossing Card, that could be used by consular posts, ports, and DHS offices to identify the individual and access SEVIS data. This card would serve in place of the paper Form I–20 and Form DS–2019, both of which would be eliminated.
- Give consular posts full access to SEVIS so that officers would have all the information available on a visa applicant. That information would, in some cases, not only include current F or J student or scholar data, but also information on prior stays in the U.S.
- Establish SEVIS intake facilities at the major ports. Allow students and exchange visitors to go to a special line or area at the port to have their admissions processed by officers who were familiar with SEVIS and with student and exchange visitor issues. Make that process friendly and welcoming. Establish automated processes that would allow the students or exchange visitors to swipe their SEVIS ID cards and have their biometrics and identification verified electronically. In this way they would be treated more like frequent business travelers who have similar services. This special recognition would reinforce the fact that we value their contributions to the U.S. In addition we would gain security by subjecting each entry to biometrics verification and to verification that the student or exchange visitor is currently considered by his/her school or program to be in status and pursuing appropriate activities. The airport in Atlanta tested and used some of these components of admission as part of CIPRIS/SEVIS development.
- Connect employment authorization to the SEVIS ID card so that the degree and research related employment already provided for in the law and regulations could be authorized and tracked via the card. It would document whether a student is working on campus on an assistantship or working with an outside employer in required degree related work (example: field work for the Masters in

Social Work). Employers would have a secure document upon which to rely for employment verification. The Social Security Administration would have access to SEVIS for their purposes as well.

*The SEVIS of Today*

By the year 2001 most of the initial development was completed, and the 21 schools were fully converted to the prototype CIPRIS system, INS was well into writing and testing the final, and more robust SEVIS software based on the CIPRIS model. INS was planning the transition to the new, full SEVIS system and was mapping out a structured, measured roll-out across the country.

The attacks on 9/11 and the discovery that at least some, though by no means all of the perpetrators had, at some time, had student status, precipitated the urgent and immediate full implementation of SEVIS. Unfortunately, SEVIS was not ready for full implementation as it had been envisioned. What the schools and the nation got was essentially a scaled down beta test version. Both the schools and INS had to struggle to make it meet the demands placed on it. School international offices were literally in lock down mode for weeks as all staff members sat at computers putting in 20-hour days to manually enter massive amounts of data on hundreds of thousands of students and scholars. SEVIS, itself was full of yet to be discovered programming errors and unanticipated collateral "features." INS employees were also "sleeping in their offices" to deal with cascading problems.

Since that first launch SEVIS has been through many upgrades. Schools and DHS (legacy INS) have suffered and continue to suffer through arcane work arounds and jury rigged "data deceptions" to try to give the system accurate information in circumstances where the programming was not in place to take the data. DHS has worked cooperatively with schools and higher education organizations to identify and deal with problems. As with nurturing a premature baby, there was a lot of catching up to even approach the level performance from SEVIS that we would have expected had INS been allowed to develop it properly before launch.

During 2003–2004 academic year, schools were fully integrated into SEVIS and other groups such as consular posts and the Social Security Administration have now come on-line, though some to only a limited degree. Consular posts are beginning to see data that is useful in their visa deliberations and ports of entry are beginning to trust the database more than the I–20 and DS–2019 forms presented by the student or scholar, which is exactly what should happen. A paper form is static, but the schools update the SEVIS database constantly as circumstances change for their students or scholars. Ports can now consult SEVIS regarding the admission. For example a port officer reviewing a student's SEVIS file can learn that the I–20 document that the student carries and the visa stamp in the passport, both of which appear to be valid, relate, in fact, to a SEVIS record that has been invalidated by the school because the student withdrew from school last semester. He is no longer a student and is no longer admissible to the U.S. in that status.

Government agencies that have access to SEVIS need to use it to provide information on students and scholars. At the same time, they need to be informed about how to interpret what they see, and to contact schools and programs with questions before taking negative action based solely on SEVIS data. For example, a "completed" notation on a bachelor's program should not necessarily be interpreted as completion of SEVIS student or scholar status. It may mean only that the bachelor's has been completed and that the student is moving on to a higher degree.

*SEVIS as a Tool to Serve International Education and the Nation*

SEVIS holds many data elements on students and scholars from many sources. The schools and other users provide ongoing updates. As mandated by Congress, SEVIS is or soon will be interoperable with many other agency and law enforcement databases. We need to continue to develop it and make it the tool it was envisioned to be, and we need to use that tool.

Based on the current and future capabilities of SEVIS and related databases, and on the policy and procedure changes discussed elsewhere in this testimony, we can identify ways that SEVIS could serve to welcome students and scholars to the U.S. It could expedite their travel and return and inform the higher education community on trends in international education, while at the same time providing important security information to law enforcement.

- Issue a SEVIS student and exchange visitor ID card, something like the Border Crossing Card, that can be used by consular posts, ports, and DHS offices to identify the individual and access SEVIS data. Allow this card to serve in place of the paper Form I–20 and DS–2019.
- Use the SEVIS database and its ID card to manage the travel of students and exchange visitors to the U.S., to monitor their academic and related immigra-

tion activities while in the U.S., and to allow them to leave and reenter the U.S. in an efficient and timely manner.

- Once the student obtains the initial visa stamp, have the ID card serve as ongoing automatic revalidation of the visa stamp while the student or exchange visitor is carried as active in SEVIS. This would eliminate the need to apply for visa extensions at consular posts without compromising security. Remember that SEVIS holds various kinds of ID data that law enforcement can use to run algorithms to search for fact patterns or data clusters that might indicate security concerns. If this infonnation is available 24/7 to law enforcement, what purpose is served by filing a new visa application at a consular post? Further, appropriate government agencies would be immediately informed through the SEVIS system when degrees have been completed or employment has ended, signaling that the visa validation had also ended.
- Use SEVIS and connected databases to record and examine other immigration actions that an individual might take that would indicate immigrant intent. Those actions could then be the basis for review of "intent to return" rather than requiring consular officers to examine the same unchanged circumstances time after time in repeated visa applications. DOS and DHS could deal directly with students and scholars thus identified to determine if the visa should remain valid.
- Allow schools, if they wish, to establish 24/7 contact numbers for consular and port officers so that questions can be addressed quickly and easily. Maintain these contact numbers in the SEVIS database, making them easily accessible to government users. During the mass transition to SEVIS, DHS–ICE asked schools to establish such contacts, and, in our experience, it worked beautifully.
- Give schools and other organizations access to national SEVIS data (numbers, not individuals). This was part of the original SEVIS planning, but has been forgotten in the aftermath of 9/11 and the subsequent focus on security concerns. SEVIS should be used to enhance our security, but we should also use it to inform the discussion on international higher education. Consider the wealth of data available on fields of study, countries of origin, levels of study, areas of teaching and research, and so on that could be useful as individual data elements, and a treasure for statistical analysis of trends in international education and research. Imagine the collaborative efforts that could emerge among U.S. schools as they learn where certain concentrations of field specific knowledge or relevant research lie.
- Use SEVIS to populate the annual Open Doors census. Again, this was part of the original SEVIS planning. Currently Open Doors has only the data from schools that are willing to respond to its survey. SEVIS could provide data on every student or exchange visitor who holds "F," "M," or "J" (students and exchange visitors) visa status.
- Give students and scholars limited access to their own files to see what their records show and to facilitate correction of errors, if any, through their schools or through DHS. Control access through the SEVIS number as an identifier. As with all SEVIS users, the information to which they would have access should be filtered to include only those elements appropriate for their review.

*The SEVIS Fee*

The fact of the SEVIS fee and its amount are, at this time, of much less concern than the way it will be collected and the way refunds and overpayments will be managed. Making the payment of the SEVIS fee a separate action creates one more procedural and time hurdle for the small "summer months" window in which a new student must apply for a visa. It also says, in a very identifiable way, "We intend to charge you more and we want to make it difficult for you." Beyond the payment process are concerns regarding credits to proper accounts, refunds, and corrections for overpayment.

- Incorporate the SEVIS fee into the visa application payment so that the student or exchange visitor does not have to coordinate payment of two separate fees. While the total cost will be the same, making the process easier shows that we want to make coming to the U.S. possible and reasonably achievable.
- Refund the fee if no student or exchange visitor visa is issued. While the visa application fee may be nonrefundable, the SEVIS fee should only be charged for a true benefit. The SEVIS fee benefit only occurs if the student or exchange visitor is permitted to come to the U.S.
- Refund duplicate fees to the party or parties that paid them. Anyone can pay the fee for a student or scholar, which means that the school or a friend in the U.S. could pay it. This creates the very real potential for more than one person or organization to attempt to pay the fee for the same student or scholar. The

fee should be paid by the first payment received and refunds should be provided to all other payers.

WHAT IS REALLY AT STAKE?

American citizen who has traveled internationally, even in short trips to Canada, Mexico, or the Caribbean, can tell you that people outside the U.S. see us differently than we see ourselves. We cannot control all of the press and propaganda machines of the world. Others will always speak for us and about us. Our only successful response will be a strong voice speaking up for ourselves, and we must speak to individuals.

Most people here and abroad do not doubt that the U.S. media and entertainment industry has permeated most of the world with images of America that can make us proud or make us shudder with disgust. Those images go unmediated and unexplained into homes around the world. We cannot control how people receive and interpret those images.

But international education is the "real thing." It is an experience of America of the highest quality among friends, colleagues, and faculty that can challenge assumptions, obliterate stereotypes, embrace diversity, and empower minds to grow beyond the lessons of image and propaganda to the lessons and experiences of an open society. On our campuses and in our laboratories social argument meets community cooperation, political "enemies" find workable compromise, and the pure passion for knowledge fuels the relentless logic of science. The Center for Jewish Life provides meeting space for a discussion on religion and ethics in Islam, Christianity, and Judaism. A student from a country with a repressive government participates in her first political demonstration in support of a women's shelter and the shelter is saved. A young scientist is proud and amazed to be asked to "take charge" of a particular component of a research project even though he is a "foreigner" and not yet even 35 years old!

People around the world want what we have to offer for a thousand different personal reasons, some of which they can't even identify themselves until after they arrive. Allow me to share a few human moments.

- Duke sponsored a young man to do research in the J–1 exchange visitor status. His work went very well and he published a paper as "first author" (an academic indication that the research and the discoveries were primarily his). He was asked to present the paper at a conference. He came into my office to check his documents for travel, and in that conversation said, "At home I would never have been allowed to do this. I would never be first author or present." I asked why, assuming his answer would be no money or space for research. Instead he explained, "They maybe might have let me do the research, but they never would have given me credit as first author. In America you recognize people for what they do, for their own work." Turns out in his own country he was the wrong family, wrong social class, wrong color. By the time he left the U.S. he had a publication record that would open doors around the world. This happened before 9/11, and he was able to do that presentation and return to the U.S. to complete his project. Today he would probably be afraid to leave because he couldn't get back.
- In March of 2004 I spent three weeks in Egypt and Jordan as a visitor. In that short time I met three very different people for whom America was a distant but real place of learning and opportunity.
  - A young middle school student showed me medals she had won in international competitions in gymnastics and school competitions in English language, literature, and poetry. She was looking forward to applying to U.S. colleges in a few years.
  - A man in his late forties spoke with pride about his son who had gone to America to college and had come home to build a very good life for himself and his family. His grandchildren will see America as a place of generosity and opportunity for a better life for those who are willing to work hard and learn. They may apply to school here.
  - A young man of 16 or 17 talked about studying in America someday. He had learned English and he kept up with the global news and current events. Politics seemed to be his passion. He said to me, "Tell your president, Mr. Bush, that Egyptians want peace but it must be fair. You tell him, we want peace, but it must be fair."

This last comment is perhaps one of the most instructive, not for the political content, the discussion of which belongs in another venue, but because it tells us how very much we can gain if we support international education and solve these visa issues, and how much we can lose if we allow that support to languish. This young

man's core assumption, not subject to doubt, was that any American could go back and talk to her government, could convey a message to her president. And he was right. Even more importantly, he spoke of fairness, of this very American characteristic of equal recognition, of doing the right thing, of rewarding merit. When we open the door through admitting students and inviting scholars, and then build a barricade across that open door with unreasonable and illogical visa processes, we are being profoundly unfair in a way that shouts "Unwelcome!" to each individual.

The few with evil intent will always try to practice evil against us. No level of security can keep them out and keep us 100% safe. Our real security, our future, our success as a part of the global community, depends on the understanding and good will of our neighbors. It depends on that researcher of the "wrong color" making a difference in his part of the world in the way people think about him and about others. It depends on that young gymnast whose bilingual poetry may someday bring Arabic and English speakers to common understanding. It depends on that eager young man who, if he is allowed to realize his dreams in a U.S. college, may influence hundreds or thousands by sharing his experiences. It depends on all those who, if allowed to enter our universities and research facilities and to travel freely, will spread the message of democracy, not in speeches and political tracts, but in being what America lets them be, in showing others the confidence and success that comes from the American experience, in contributing their knowledge, their skills, and their understanding of America to the world.

The CHAIRMAN. Thank you very much for that testimony, which is very thoughtful. It incorporates comments from the first panel and our questions, and concisely directs our attention to something about which I think there is consensus among the Senators here to tackle. We thank you.

Dr. Goodman.

**STATEMENT OF ALLAN E. GOODMAN, PH.D., PRESIDENT AND CHIEF EXECUTIVE OFFICER, INSTITUTE OF INTERNATIONAL EDUCATION**

Dr. GOODMAN. Thank you, Senator, for focusing the Senate and the country on this topic and for this committee's unwavering support for the Fulbright Educational Exchange Program. Without Fulbright, there would be a lot less international education for our country and others. We also appreciate your personal interest in the Ford International Fellowship Program which you helped launch with us a few years ago.

I would like to briefly address just three questions: What do the numbers tell us about the past half century, what lies ahead for the next several years, and what strategic steps could we take to make a difference right now?

In the appendix to my statement, I try to display in a set of facts, "Fast Facts," that show what the past half century looks like. International education in America has grown in periods of sharp increases followed by plateaus. Lots of factors contribute to making that happen: turmoil in the countries that students are coming from, conflict on the international or regional scene, economic slowdowns, their policies and our policies, as well as competition.

Sometimes our visa policies discourage students, and sometimes, as we heard this morning, a country like Taiwan has a policy which provides disincentives for their students to study here. In recent years, we have heard about disincentives in Malaysia, Saudi Arabia, and China.

All of these factors are at work today. Recently, in India, the largest sending country, the Hindustan Times of New Delhi published a lead editorial. It suggested that, while America is the first choice for Indian students to study abroad and that visa regula-

tions "are a speed bump, not a red light," we face a lot of competition, especially from Australia and the United Kingdom, where Indian students are increasingly going. American higher education is described as exorbitantly expensive. In addition, Indians are less interested in the opportunity to stay behind after their education is complete because globalization is creating good jobs back at home.

That diagnosis and these mix of factors is the reality that we face. We have also heard, and we agree, that there are instances of decline. We are now in a period of plateau. It will deeply affect major research institutions in America and therefore American science and technology, and it will affect some disciplines, particularly math and computer sciences, where we think we will show either a plateau or a decline.

But what nobody can match is America's open doors and our capacity. We hear a lot about the organized campaigns in Australia and the United Kingdom to recruit students from elsewhere, but the 39 institutions of higher education in Australia and the 259 institutions of higher education in the United Kingdom simply do not have the capacity to take the students that our 4,000 colleges and universities do.

Significantly, we currently have 600,000 foreign students in America. Half of them are enrolled at just 80 schools. So America has open doors, and it also has room to accommodate what I think will be tremendous growth after this plateau in the demand for higher education abroad.

We could do three things now that would make a big difference. There is, with respect to SEVIS and the collection of the fee, a very strong pilot program on how you could harness the power of Western Union's quick pay system so that students everywhere could meet that financial obligation. If it works, it should be global.

Secondly, in my statement I said that I hoped that our own Foreign Service Institute officers in the consular course would be taught more about the value of international education. I am happy to note that the Assistant Secretary for Consular Affairs, Mara Hardy, personally addresses every new foreign service class, the A–100 class, on the value of international education. If we could build that into the consular curriculum, it would further underscore the importance of this.

As my colleagues have said, one thing we could do immediately that would ease the burden of the State Department and ease the anxiety of the students would be to grant visas for the entire course of their degree. That single step would assure that we have both open doors and the appropriate secure borders.

We stand, America stands, for unparalleled international education opportunity. The students that are here now and the ones that are coming tomorrow and in the years ahead will win the Nobel Prizes of the future. They will cure cancer, discover a vaccine for HIV–AIDS, and become, as you noted at the beginning, Senator, leaders of countries on whom the success in all the wars we face—disease, poverty, and terrorism—will ultimately depend.

Thank you.

[The prepared statement of Dr. Goodman follows:]

PREPARED STATEMENT OF ALLAN E. GOODMAN, PRESIDENT AND CHIEF EXECUTIVE OFFICER, INSTITUTE OF INTERNATIONAL EDUCATION

Mr. Chairman and Members of the Committee: I am Allan Goodman, President and Chief Executive Officer of the Institute of International Education. Thank you for providing me this opportunity to discuss an issue of critical import to the field of education. America needs a visa policy that supports and encourages international students to seek an education here in the United States and that keeps our borders secure.

It is a particular honor to appear before the Senate Foreign Relations Committee, which was once chaired by Senator J. William Fulbright. He created the nation's flagship educational exchange program, which the Institute administers on behalf of the Department of State. Through the years, this committee has strongly endorsed the importance of all the programs funded under the Fulbright-Hays Act. They are the best investments the country can make towards a less dangerous world.

INTERNATIONAL EDUCATION BY THE NUMBERS

The United States is the destination of choice for most foreign students seeking to study abroad. The education available at our 4,000 accredited colleges and universities is recognized and envied around the world. While other countries are actively competing to increase their share of internationally mobile students, none match America's diversity and capacity. There are more seats in higher education in California, for example, than in all of China. Only nine countries in the entire world have more institutions of higher education than the states of California and New York. To retain our leadership position, however, it is vital that the U.S. continue to be recognized as a welcoming host to all those legitimately seeking education and training abroad.

To assist the Committee in understanding trends in the flow of international students, as well as such things as their countries of origin, states where they are studying, fields of study and data about the international student market share, I am attaching "Fast Facts: Open Doors 2003" to these remarks. They demonstrate, in summary:

*Total International Student Enrollment*

- In 2002/2003, there were 586,323 international students studying in the U.S., which represents a 0.6% increase, following the previous two years' 6.4% increases.
- While the 0.6% increase is the smallest increase since 1995, there have been periods of strong growth followed by periods of slow growth throughout the history of the International Student Census of the Open Doors Report on International Educational Exchange.

*Leading Places of Origin*

- International students from Asia, particularly from India, China, and Korea, represent a growing concentration in international student enrollments in U.S. higher education.
- Students from the leading four places of origin (India, China, Korea, Japan) comprise 40% of all international students in the U.S.

*Fields of Study*

- Nearly half of all international students in the U.S. are studying in just three fields of study: business and management, engineering, and math and computer sciences.
- Business continues to be the top field of study, but engineering has increased steadily, with a nearly 10% increase from the previous year, reflecting substantial growth in Indian and Chinese graduate student enrollments over the past five years.

*International Student Market Share*

- U.S. market share of international students has declined since 1997; Australia and the United Kingdom are the biggest competitor countries, and have formulated and articulated national strategies for recruiting international students, unlike the U.S.
- International students are a large percentage of the overall higher education enrollments in Australia and the United Kingdom, but the international student total in those two nations is not even half of the U.S. international student total.

The trends we have noted lead us to believe that there is a leveling off of foreign students seeking to study in the U.S. Based on early feedback from campuses we anticipate enrollments continuing to soften—and perhaps show slight declines overall. Individual campuses and academic disciplines may also show steep declines. Initial data indicates that enrollment in mathematics and computer sciences will be down this year. This will have a particularly serious effect for the country's major research universities.

THE INSTITUTE'S HISTORY

IIE's commitment to this goal began in 1919, as America was turning inward after the devastation of World War I. IIE was created by Stephen P. Duggan, a distinguished professor of diplomatic history, and two Nobel Laureates, Elihu Root, who served in this body on your Committee on Expenditures in the Department of State, and Nicholas Murray Butler, the President of Columbia University, who believed that America needed to stay engaged in the world community and that international educational exchange could lead to a more peaceful future.

Eighty years ago, the Institute led a national effort to insure that international students would not be turned away as America's doors were closing to many kinds of foreign immigrants. At that time, many students and scholars were being detained at Ellis Island because U.S. law classified them as immigrants subject to highly restrictive quotas, which had been imposed in 1917. The Institute took the position that academics were really temporary visitors and succeeded in having them so classified in 1921. The Institute then developed a standard application form for foreign students so they could be easily identified and processed by university officials as well as by U.S. consular officers, a process that led to creation of the non-immigrant "student visa". We also published for many years a Guide Book for Foreign Students in the United States that explained U.S. immigration laws and advised students on these and other issues to be considered in planning for academic studies here.

Throughout this period, we worked closely with Members of Congress and the Commissioners of what were then the Bureaus of Immigration and of Education, as well as with officials in the Department of State. We did this, as the first president of the Institute wrote, because "our experience . . . justifies the belief that international good-will can hardly fail to result from the coming of the foreign student" and that "upon them, to a great extent, may depend the attitude adopted by their countrymen towards our country."

Nothing has happened over the years to change this belief—or to make mutual understanding any less important. Indeed, our founders' concerns in 1919 seem even more urgent today, as we are again engaged in a national debate on the importance of keeping America's doors open to students, scholars, and other professionals coming here to pursue their educational goals.

HOW AMERICA BENEFITS

With more than 50 years of experience in administering the Fulbright Program on behalf of the Department of State, we also know that educational exchange programs, and in particular, those under the Fulbright umbrella, are the best investment that America can make in reducing misunderstanding of our culture, our people and our policies. An educational experience in America pays dividends to our nation's public diplomacy over many years. More than 50 of the world leaders called by President Bush and Secretary Powell to join the coalition fighting terrorism studied in the United States or came to America early in their careers as part of the International Visitor Program which we also assist the Department of State in administering. The Department's special initiatives in the Middle East, North Africa and non-Arab Islamic countries have created opportunities for thousands more emerging leaders from those countries to have a positive experience in the U.S.

There are other benefits to having foreign students on our campuses. I was a professor at the Georgetown University School of Foreign Service for 20 years before assuming my current position at the Institute. What I know from that experience is that, with foreign students in your class, you teach differently—and better. They come into the classroom with a very different worldview from American students. Raised in a different culture with a different history, they enrich the classroom discussion and share their global perspectives with American classmates, many of whom may never have the opportunity to study or travel abroad.

According to IIE's data, published annually in Open Doors, less than 200,000 American students study abroad for credit each year, a tiny fraction of approximately 15 million enrolled in U.S. colleges and universities. For the vast majority who will never study abroad, academic dialog with foreign students on U.S. cam-

puses may well be their only training opportunity before entering careers which will almost certainly be global, whether in business, government, academia, or the not-for-profit sector.

Foreign students, especially in the sciences and engineering at the graduate level, often provide the necessary pool of teaching assistants needed to serve American undergraduate students, and to support faculty teaching and research at the leading U.S. universities. American students are simply not applying in sufficient numbers at the graduate level in these disciplines to support many of the fields in which America needs manpower and brainpower to sustain its academic edge and its groundbreaking research activities.

In addition to their intellectual contributions to the U.S., international students make important financial contributions to their host institution and to the local communities in which they live during their stay. Each year, students from abroad bring some $12 billion into the U.S. economy, making educational exchange one of the leading American service export industries, according the U.S. Department of Commerce. About two-thirds of foreign students in the U.S. are supported primarily with personal funds from abroad; for many states, the tuition, fees and living expenses paid by international students exceed the revenues generated by professional football and basketball combined.

OPEN DOORS REQUIRE SECURE BORDERS

Heated policy debate and extensive media coverage have focused on the need to eliminate the potential for abuse of student visas, while maintaining reasonable access for the many students who legitimately study here (and often become life-long friends, allies and trading partners for America when they return home.) We must balance these two goals in a way that insures that America remains the destination of choice for the best and brightest students from around the world.

We support the fundamental steps taken to increase scrutiny of candidates who are applying for student visas and the computerized record keeping that tracks their academic progress while in the United States. These improved systems help increase the certainty that the nearly 600,000 foreign students in this country, plus some 150,000 other international visitors and a like number of dependents, remain in legal visa status, fully engaged in the studies, research or other activities they came here to pursue. The success of the system relies on the professionalism of the nationwide network of foreign student advisors who work diligently and year-round to sort out the complex visa requirements as they affect each student's unique personal circumstances. While the new requirements have increased their workload and added substantial costs at the campus level, U.S. higher education has risen to the challenge and installed the new systems as quickly as required, working closely with the U.S. government to meet statutory deadlines.

OTHER OBSTACLES

But there are still some obstacles to be overcome.

The U.S. Department of State, through its embassies abroad, needs to communicate regularly and clearly the requirements and time constraints confronting international students applying for visas to study in the United States. The Department has already started posting such information on its website, which is very helpful to international students in their planning for the visa process, and a number of U.S. Ambassadors have issued very helpful statements to the local press about America's commitment to international education and our readiness to accept students from abroad.

SOLUTIONS

And, as Secretary Powell has urged, and I could not agree more whole heartedly, U.S. Embassy staff must find ways to expedite the visa review process so that students are not still waiting for visa approval back home as their academic program begins here in America. Consular staff at each U.S. Embassy is thinly stretched by the new screening and interview requirements. They need to assure that their procedures facilitate the handling of visa applicants expeditiously and respectfully, despite heavy caseloads and increased screening requirements. This would send the most important signal that our doors are open to legitimate students from abroad. They need to project the impression that students from abroad are welcome in the U.S., in spite of the heavy workloads and the often-challenging review process that confronts legitimate students and scholars seeking to come here. Thankfully, my colleagues and I hear increasingly that State Department officers abroad are doing just that.

Second. The Foreign Service Institute should review its consular training curriculum to assure that new officers are fully aware of the value of international educational exchange to America.

Third. One way of reducing consular officers' workload would be to reduce the number of times U.S. officials must review the records of students and scholars already approved. Currently, students and scholars, especially those in important scientific and technical fields, face lengthy delays as they must reapply for visa approval each time they return home, even for short visits during holiday breaks. IIE and the entire higher education community urge that visa approval be awarded for their entire study period in the United States, freeing consular officers to spend more time on new applicants. And those already approved for U.S. study would not face unreasonable concern that their desire to attend an academic conference outside the United States, or go home to visit family or attend to personal business may jeopardize their ability to reenter the U.S. and complete their studies or research here.

Fourth. The process by which the SEVIS fees are collected abroad also needs to be reviewed, so that students without home-country access to U.S. currency or credit cards are not excluded from access to U.S. higher education. There are some experiments being conducted in high volume countries such as China and India, which need to be evaluated and replicated quickly if they prove successful. If not, other means need to be devised to insure that students are not deterred from even applying to study by procedural or logistical hurdles.

ACCURATE INFORMATION

The American public also needs better and less sensationalized information on the visa issue. Because of inaccurate media coverage, some still believe that most of the September 11 terrorists came to the U.S. on student visas, when in fact only one of the 19 was on such a visa, which had been fraudulently obtained and had already expired. Americans need to know about the rigorous screening process now in place through which foreign students are admitted to our colleges and universities, and awarded visa approval. They also need to be better informed about the benefits that international students bring to the local communities in which they are studying, to the campuses that enroll them, and to the vast majority of American students who will not themselves have a chance to study abroad. We urge this Committee to consider making its own annual statement on international education as a part of how America celebrates International Education Week, which this year is November 15th to 19th.

We will do our part. The Institute's annual census of international student mobility, Open Doors, which we publish with the support of the Department of State's Bureau of Educational and Cultural Affairs, is shared with the widest possible circle of journalists and others writing about trends in higher education. Institute experts will continue to update this annual census with online surveys and periodic briefings and fact sheets to keep the public informed.

CONCLUSION

U.S. leadership in support of international education remains central to the kind of world in which we are going to live. A few weeks after 9/11, I had a visit from the Director of the Ministry of Education and Research of Germany. We spoke at some length about the need to keep the educational doors of both of our countries as open as possible. After our discussion he wrote that "We learnt from the United States how enriching it is to win the interest and support of the brightest minds from all over the world and we trust in your country to remain as open as it has been in the past. If you closed your borders . . . again you would set a model that others would follow all too soon."

The international educational opportunities that America stands for benefit our society and the world. In fact, 29 alumni of the Fulbright Program, as well as 15 other grantees of the Institute and four of our Trustees have won Nobel Prizes. They are listed in an attachment hereto. Some of the international students that are here today will win the Nobel prizes of the future. In the process, they may well cure cancer, discover a vaccine for HIV/AIDS, and become the leaders of the governments upon which ultimate success in all the wars we are fighting—against poverty, disease and terrorism—will depend.

Mr. Chairman, I thank you for the opportunity to appear before you today. I would be happy to answer any questions you may have, and I look forward to working with you and your staff in the future as you address these important issues.

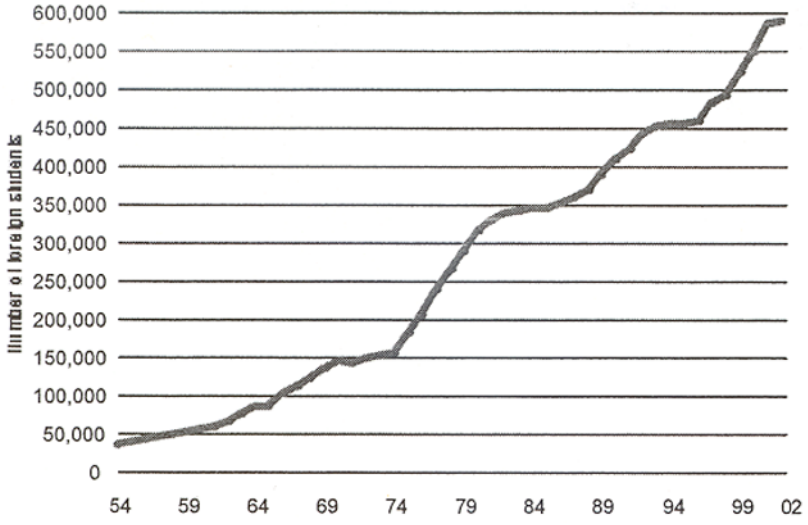
## FAST FACTS: OPEN DOORS 2003

### INTERNATIONAL STUDENTS IN THE U.S.

Total international student enrollment. In 2002/2003, the number of international students in the U.S. increased slightly, after five years of stronger growth rates. Periods of sharp increases since 1954, followed by plateaus, can be seen in the line graph below.

| Year | Int'l students | Annual % change | Total enrollment | % Int'l |
|---|---|---|---|---|
| 1954/55 | 34,232 | ..... | 2,499,800 | 1.4 |
| 1964/65 | 82,045 | 9.7 | 5,320,000 | 1.5 |
| 1974/75 | 154,580 | 2.3 | 10,321,500 | 1.5 |
| 1984/85 | 342,113 | 0.9 | 12,467,700 | 2.7 |
| 1994/95 | 452,653 | 0.6 | 14,554,016 | 3.1 |
| 1995/96 | 453,787 | 0.3 | 14,419,252 | 3.1 |
| 1996/97 | 457,984 | 0.9 | 14,286,478 | 3.1 |
| 1997/98 | 481,280 | 5.1 | *13,294,221 | 3.6 |
| 1998/99 | 490,933 | 2.0 | 13,391,401 | 3.6 |
| 1999/00 | 514,723 | 4.8 | 13,584,998 | 3.8 |
| 2000/01 | 547,867 | 6.4 | 14,046,659 | 3.9 |
| 2001/02 | 582,996 | 6.4 | 13,511,149 | 4.3 |
| 2002/03 | 586,323 | 0.6 | **12,853,627 | 4.6 |

*In 1997 the College Board changed its data collection process.
**College Board Annual Survey of Colleges data on U.S. higher education enrollment.



## INTERNATIIONAL STUDENT TOTALS BY LEADING PLACES OF ORIGIN, 2001/02 AND 2002/03

| Rank | Place of origin | 2001/02 | 2002/03 | 2002/03 % change | 2002/03 % of U.S. Int'l student total |
|---|---|---|---|---|---|
| 1 | India | 66,836 | 74,603 | 11.6 | 12.7 |
| 2 | China | 63,211 | 64,757 | 2.4 | 11.0 |
| 3 | Korea, Republic of | 49,046 | 51,519 | 5.0 | 8.8 |
| 4 | Japan | 46,810 | 45,960 | −1.8 | 7.8 |
| 5 | Taiwan | 28,930 | 28,017 | −3.2 | 4.8 |
| 6 | Canada | 26,514 | 26,513 | 0.0 | 4.5 |
| 7 | Mexico | 12,518 | 12,801 | 2.3 | 2.2 |
| 8 | Turkey | 12,091 | 11,601 | −4.1 | 2.0 |
| 9 | Indonesia | 11,614 | 10,432 | −10.2 | 1.8 |
| 10 | Thailand | 11,606 | 9,982 | −14.0 | 1.7 |
| 11 | Germany | 9,613 | 9,302 | −3.2 | 1.6 |
| 12 | Brazil | 8,972 | 8,388 | −6.5 | 1.4 |
| 13 | United Kingdom | 8,414 | 8,326 | −1.0 | 1.4 |
| 14 | Pakistan | 8,644 | 8,123 | −6.0 | 1.4 |
| 15 | Hong Kong | 7,757 | 8,076 | 4.1 | 1.4 |
| 16 | Kenya | 7,097 | 7,862 | 10.8 | 1.3 |
| 17 | Colombia | 8,068 | 7,771 | −3.7 | 1.3 |
| 18 | France | 7,401 | 7,223 | −2.4 | 1.2 |
| 19 | Malaysia | 7,395 | 6,595 | −10.8 | 1.1 |
| 20 | Russia | 6,643 | 6,238 | −6.1 | 1.1 |
| | World Total | 582,996 | 586,323 | 0.6 | |

International students from Asia, particularly from India, China, and Korea, represent a growing concentration in international student enrollments in U.S. higher education.

Students from the leading four places of origin comprise 40% of all international students.

## STATES WITH THE MOST INTERNATIONAL STUDENTS, 2002/03

| Rank | State/region | Total 2002/03 | Total economic impact* |
|---|---|---|---|
| 1 | California | 80,487 | 1,770,287,737 |
| 2 | New York | 63,773 | 1,517,701,997 |
| 3 | Texas | 45,672 | 794,899,274 |
| 4 | Massachusetts | 30,039 | 889,694,728 |
| 5 | Florida | 27,270 | 593,210,485 |
| 6 | Illinois | 27,116 | 616,955,647 |
| 7 | Pennsylvania | 24,470 | 626,921,387 |
| 8 | Michigan | 22,873 | 430,803,636 |
| 9 | Ohio | 18,668 | 425,028,251 |
| 10 | New Jersy | 13,644 | 322,840,177 |
| 11 | Indiana | 13,529 | 332,576,169 |
| 12 | Virginia | 12,875 | 250,753,835 |
| 13 | Maryland | 12,749 | 291,973,887 |
| 14 | Georgia | 12,267 | 248,059,190 |
| 15 | Washington | 11,430 | 244,498,296 |

*Tuition, fees, and living expenses paid by internation students from personal and family sources of funds.

## FIELDS OF STUDY OF INTERNATIONAL STUDENTS, 1998/1999 to 2002/03

| Field of study | 1998/99 Int'l students | 1999/00 Int'l students | 2000/01 Int'l students | 2001/02 Int'l students | 2002/03 Int'l students | % of total | % change |
|---|---|---|---|---|---|---|---|
| Business & Management | 102,083 | 103,215 | 106,043 | 114,885 | 114,777 | 19.6 | −0.1 |
| Engineering | 72,956 | 76,748 | 83,186 | 88,181 | 96,545 | 16.5 | 9.5 |
| Mathematics & Computer Sciences | 48,236 | 57,266 | 67,825 | 76,736 | 71,926 | 12.3 | −6.3 |
| Other* | 49,293 | 53,195 | 57,235 | 59,785 | 58,473 | 10.0 | −2.2 |
| Social Sciences | 40,062 | 41,662 | 42,367 | 44,667 | 45,978 | 7.8 | 2.9 |
| Physical & Life Sciences | 37,055 | 37,420 | 38,396 | 41,417 | 43,549 | 7.4 | 5.1 |
| Undeclared | 30,970 | 32,799 | 35,779 | 36,048 | 36,395 | 6.2 | 1.0 |
| Fine & Applied Arts | 31,486 | 32,479 | 34,220 | 33,978 | 31,018 | 5.3 | −8.7 |
| Health Professions | 20,260 | 21,625 | 22,430 | 24,037 | 28,120 | 4.8 | 17.0 |
| Humanities | 16,295 | 16,686 | 16,123 | 18,367 | 19,153 | 3.3 | 4.3 |
| Intensive English Language | 21,030 | 21,015 | 23,011 | 21,237 | 17,620 | 3.0 | −17.0 |
| Education | 13,261 | 12,885 | 14,053 | 15,709 | 16,004 | 2.7 | 1.9 |
| Agriculture | 7,949 | 7,729 | 7,200 | 7,950 | 6,763 | 1.2 | −14.9 |
| Total | 490,933 | 514,723 | 547,867 | 582,996 | 586,323 | 100.0 | 0.6 |

*"Other" mainly includes General Studies, Communications & Technologies, Law, and Multidisciplinary Studies.

## INTERNATIONAL STUDENT MOBILITY WORLDWIDE

[International student market share of the leading three anglophone receiving countries: United States, United Kingdom, Australia]

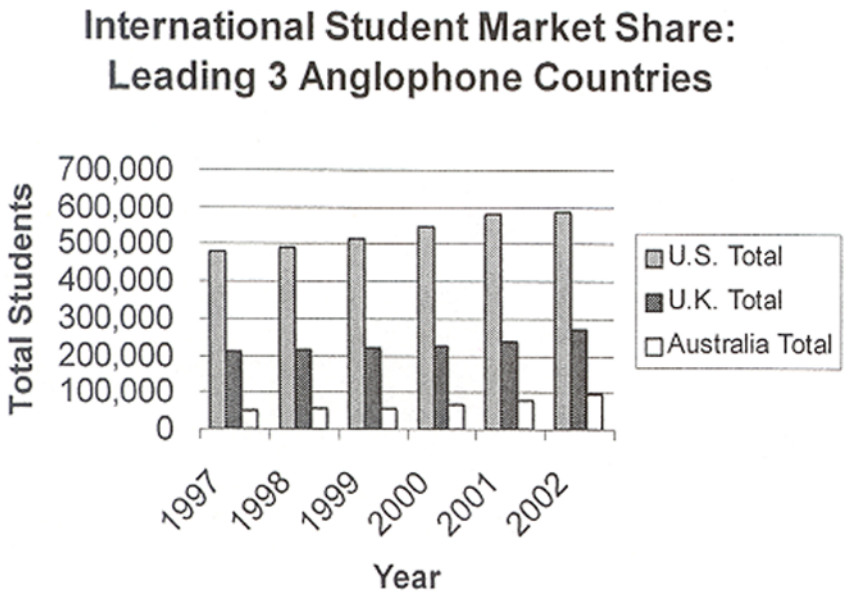
| Year | U.S. total | U.S. % | U.K. total | U.K. % | Australia total | Australia % | 3 country total |
|---|---|---|---|---|---|---|---|
| 1997 | 481,280 | 65.2 | 207,770 | 28.1 | 49,145 | 6.7 | 738,195 |
| 1998 | 490,933 | 64.7 | 213,205 | 28.1 | 54,195 | 7.1 | 758,333 |
| 1999 | 514,723 | 65.0 | 219,125 | 27.7 | 58,518 | 7.4 | 792,366 |
| 2000 | 547,867 | 64.9 | 225,615 | 26.7 | 70,137 | 8.3 | 843,619 |
| 2001 | 582,996 | 64.8 | 235,175 | 26.1 | 81,737 | 9.1 | 899,908 |
| 2002 | 586,323 | 61.5 | 270,090 | 28.3 | 96,569 | 10.1 | 952,983 |

Sources:
U.S. data—Open Doors 2003 Repoort on International Educatiional Exchange.
U.K. data—British Council.
Australia data—Global Student Mobility 2025: Analysis of Future Labour Market Trends and the Demand for Higher Education.

## International Student Total and Percentage of Higher Education Enrollment in Other Major Host Countries

| Country | Year | Int'l total | Higher education enrollment | % higher education |
|---|---|---|---|---|
| Canada | Year End 2003 | 61,303 | 1,032,167 | 5.9 |
| France | 2003 | 180,000 | 2,220,000 | 8.1 |
| Germany | Winter Term 2002/2003 | 227,026 | 1,938,811 | 11.7 |

Source: IIE, Atlas of Student Mobility Project.




These gifted men and women—and the next generation of international exchange students the Institute is currently identifying—are truly the hope of the world, working to serve mankind by conquering disease, advancing world peace, reducing poverty, preserving the environment, and creating a more just and prosperous global society.

| Prize year | Name | | Nobel Prize |
|---|---|---|---|
| 1904 | Sir William Ramsay | IIE Visiting Lecturer, UK to U.S., 1920s | Chemistry. |
| 1912 | Elihu Root | IIE Founder | Peace. |
| 1915 | Sir William L. Bragg | IIE Visiting Lecturer, UK to U.S., 1920s | Physics. |
| 1921 | Christian L. Lange | IIE Visiting Lecturer, Norway to U.S., 1933 | Peace. |
| 1925 | James Franck | Emergency Committee Scholar, Germany to U.S., 1930s | Physics. |
| 1929 | Thomas Mann | Emergency Committee Scholar, Germany to U.S., 1930s | Literature. |
| 1931 | Nicholas Murray Butler | IIE Founder and Trustee, 1919–1923 | Peace. |
| 1933 | Sir Norman Angell | IIE Visiting Lecturer, UK to U.S., 1920s–1940s | Peace. |
| 1937 | Lord Edgar A.R.G. Cecil | IIE Visiting Lecturer, UK to U.S., 1920s | Peace. |
| 1947 | Bernardo A. Houssay | IIE Fellow, Argentina to U.S., 1947–48 | Medicine. |
| 1950 | Ralph Bunche | IIE Trustee, 1950–1970 | Peace. |
| 1952 | Edward M. Purcell | IIE Graduate Student, to Germany, 1933–1934 | Physics. |
| 1952 | Felix Bloch | Emergency Committee Scholar, 1933; Fulbright, 1959 | Physics. |
| 1957 | Chen Ning Yang | Fulbright Scholar, to Brazil, Egypt, Malaysia, 1974 | Physics. |
| 1958 | Joshua Lederberg | Fulbright Scholar, to Australia, 1957 | Medicine. |
| 1959 | Emilio Segre | Fulbright Scholar, to Italy, 1950 | Physics. |
| 1962 | James D. Watson | Fulbright Scholar, to Argentina, 1986 | Medicine. |
| 1964 | Charles H. Townes | Fulbright Scholar, to France and Japan, 1955 | Physics. |
| 1966 | Robert S. Mulliken | Fulbright Scholar, to England, 1952–54 | Chemistry. |
| 1967 | Hans Bethe | Fulbright Scholar, to UK, 1955 | Physics. |
| 1968 | Lars Onsager | Fulbright Scholar, to England, 1951–52 | Chemistry. |
| 1969 | Jan Tinbergen | IIE Advisor, Norway to Pakistan, 1965 | Economics. |
| 1969 | Max Delbruck | Emergency Committee Scholar, Germany to U.S., 1930s | Medicine. |
| 1970 | Hannes Alfven | Fulbright Scholar, Sweden to U.S., 1954–55 | Physics. |
| 1970 | Paul Samuelson | Fulbright Scholar, to Asia, 1972 | Economics. |
| 1973 | Wassily Leontief | Fulbright Scholar, to France, 1961–62 | Economics. |
| 1973 | Henry A. Kissinger | IIE Trustee, 1999 | Peace. |
| 1976 | Milton Friedman | Fulbright Scholar, to UK, 1953–54 | Economics. |
| 1977 | Philip W. Anderson | Fulbright Scholar, to Japan, 1953–54 | Physics. |
| 1977 | Rosalyn S. Yalow | Fulbright Scholar, to Portugal | Medicine. |
| 1982 | Bengt Samuelsson | Fulbright Scholar, 1961 | Medicine. |

| Prize year | Name | | Nobel Prize |
|---|---|---|---|
| 1983 | William A. Fowler | Fulbright Fellow, to England, 1954–55 | Physics. |
| 1984 | Carlo Rubbia | Fulbright Fellow, Italy to U.S., 1958–59 | Physics. |
| 1985 | Franco Modigliani | Fulbright Scholar, to Italy, 1961–62 | Economics. |
| 1986 | James M. Buchanan | Fulbright Scholar, to Italy, 1955; to UK, 1961 | Economics. |
| 1986 | Wole Soyinka | IIE Travel Grantee, Nigeria to U.S., 1968 | Literature. |
| 1987 | Susumu Tonegawa | Fulbright Fellow, Japan to U.S., 1963 | Medicine. |
| 1989 | Trygve Haavelmo | Fulbright Scholar, Norway to U.S., 1957–58 | Economics. |
| 1991 | Simon Kuznets | IIE Advisor, U.S. to Ethiopia and Korea, 1971–72 | Economics. |
| 1991 | Erwin Neher | Fulbright Fellow, Germany to U.S., 1966 | Medicine. |
| 1993 | Douglass C. North | Fulbright Scholar, to Uruguay | Economics. |
| 1996 | James A. Mirrlees | IIE Consultant, UK to Pakistan, 1966–68 | Economics. |
| 1998 | Amartya Sen | IIE Visiting Professor, Bangladesh, 1974–75 | Economics. |
| 2000 | Alan G. MacDiarmid | Fulbright Fellow, New Zealand to U.S., 1950 | Chemistry. |
| 2001 | Joseph Stiglitz | Fulbright Fellow, to UK, 1969–70 | Economics. |
| 2001 | George A. Akerlof | Fulbright Scholar, to India, 1967–68 | Economics. |
| 2002 | Masatoshi Koshiba | Fulbright Fellow, Japan to U.S., 1953–55 | Physics. |
| 2002 | Riccardo Giacconi | Fulbright Fellow, Italy to U.S., 1956–58 | Physics. |

The CHAIRMAN. Thank you very much, Dr. Goodman, and we thank likewise the Institute of International Education for the amazing tables of figures and statistics that you have submitted as a part of your testimony. They are very important in helping us to get the facts right so that we will understand the dimensions of the problem. We thank you very much.

Dr. GOODMAN. Thank you, Senator.

The CHAIRMAN. Ms. Johnson, may we have your testimony.

## STATEMENT OF MARLENE M. JOHNSON, EXECUTIVE DIRECTOR AND CHIEF EXECUTIVE OFFICER, NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS

Ms. JOHNSON. Thank you, Mr. Chairman.

I have three messages for the committee today. First, in the global age and even more in the age of global terror, international education and exchange are integral to our national security. Second, our immediate task is to create a timely, transparent and predictable visa process in which efforts are focused on those who require special screening, rather than being wasted on repetitive and redundant reviews of legitimate visitors. Third, our long-range challenge is to reestablish the reputation of the United States as the destination of choice for students who wish to pursue higher education outside their home countries.

It is a particular honor to testify before the Committee on Foreign Relations. This is the birthplace of our educational exchange programs. As I come before you today, I am struck by the sense that we are back in 1948 again. At that time we confronted a new kind of war, the cold war, and we were just beginning a long process of learning how to fight it. In that year Congress had the wisdom and foresight to create the Fulbright program, the first of several exchange programs that have been fundamental to the ability of democratic values to prevail in the cold war.

But today we are once again near the beginning of what promises to be a long process of learning how to wage effectively a new kind of war. This war, like the cold war, is fundamentally about competing ideas, competing values, and competing visions of society, governance, and human rights. As was the case of the cold war, we have the resources to win this new version of the war of

ideas. One of them which is integral to success is educational exchange.

Today, as before, this committee is called on to lead. Obviously, Mr. Chairman, under your leadership and that of Senator Biden, two true friends of international education, I know it is obvious that this committee is rising to that challenge and we thank you.

We thank you also, Mr. Chairman, for your co-sponsorship in the last Congress of Senate Resolution 7 that was based on our policy paper, "Toward an International Education Policy for the United States," which elaborates on the importance of international education for our national security. That report is in the packet of information that we sent ahead.

I would also like to thank my colleague from Minnesota, Senator Coleman, for introducing the International Student and Scholar Access Act of 2004.

Mr. Chairman, it is now recognized at the highest levels of government that America's strong interest in robust educational and scientific exchange is ill served by the visa system that is currently in place. We have had much excellent testimony already today about it. Secretary Powell has said recently, "We have put in place too many restrictions and now we have to start backing off."

In the prepared statement that I have left for you, I document the worrisome trends that we are experiencing in international student enrollments on our campuses. The presidents of the campuses talked about that earlier today. This is particularly troublesome at the graduate level. These are trends that contrast starkly with the rising international enrollments prior to 9–11.

To reverse these trends, the beginning of wisdom is to understand that security versus exchange is a false dichotomy. Exchange is part of security, and it has been recognized as such by virtually every foreign policy leader in our country since World War II. The national security question is not how do you balance exchange versus security. It is rather, how do you maximize national security both by denying access to those who seek entry into our country in order to do harm to us and by facilitating access for those whose access to our country serves the national interest.

Our recommendations for doing so are in your packets. They are under the title "Promoting Secure Borders and Open Doors."* There are four things I just want to raise with you right now.

First, we need more effective policy guidance for consular officers, and this under the law must come from the Department of Homeland Security and the Department of State.

Second, we need specific reforms, which we enumerate, that focus visa reviews on those who most require special attention and to liberate consular officials and those involved in inter-agency clearance in Washington from the time-consuming repetitive and redundant reviews of legitimate visitors.

Third, we need specific reforms, which we enumerate, to create timely, transparent, and predictable inter-agency reviews.

Fourth, we need Congress to provide the resources for these officials to do the job that Congress requires.

---

*"Promoting Secure Borders and Open Doors," presented during earlier testimony can be found on page 19.

Mr. Chairman, we have the administration's attention and that is really good. But the administration needs to hear from this committee that these are priorities. It needs to be asked for progress reports. It needs to be asked when will this be done.

Some years ago we were the unrivaled leading destination for international education. That is no longer the case. While we have been seen as unwelcoming for international students since 9–11, as others have mentioned, other countries have used this opportunity. We must act decisively now to restore our reputation as the destination of choice. It will take a national effort. We have outlined our recommendations for that in this report, which is also in your packet, "In America's Interest: Welcoming International Students," which provides a road map.

I welcome the opportunity to respond to your questions later.

[The prepared statement of Ms. Johnson follows:]

PREPARED STATEMENT OF MARLENE M. JOHNSON, EXECUTIVE DIRECTOR AND CEO, NAFSA: ASSOCIATION OF INTERNATIONAL EDUCATORS

Thank you, Mr. Chairman, for inviting me to testify on this topic, which is of paramount importance for success in the war on terror and for our country's leadership role in the world.

NAFSA is the professional association of those who administer educational exchange programs at the postsecondary level. Our 9,000 members are employed at some 3,500 institutions, principally colleges and universities, in the United States and abroad. Our mission is to promote and advance international education and exchange, and we support public policies that expand international education and exchange programs between the United States and other nations.

I have three messages for the Committee today. First, in the global age—and even more in the age of global terror—international education and exchange are integral to the national security of the United States. Second, our immediate task is to create a timely, transparent, and predictable visa process in which efforts are focused on those who require special screening and are not wasted on repetitive and redundant reviews of legitimate visitors. Third, our long-range challenge is to re-establish the reputation of the United States as the destination of choice for students who wish to pursue their higher education outside their home countries—in business terms, to win back the loyalty of our customers.

My testimony focuses on visa issues, which are our greatest problem, rather than on SEVIS, where the remaining issues are largely technical. I will only say for the record that NAFSA and DHS have worked in very close partnership to surmount the daunting challenge of implementing SEVIS in a crisis mode. It is a pleasure to be able to acknowledge publicly the enormous efforts that our members have made to bring SEVIS where it is today.

INTERNATIONAL EDUCATION IN AN AGE OF GLOBALISM AND TERRORISM

It is a particular honor to testify before the Committee on Foreign Relations, the birthplace of our educational exchange programs. As I come before you today, I am struck by a sense that we are back in 1948 again. At that time, we confronted a new kind of war, the cold war, and we were just beginning a long process of learning how to fight it. In that year, Congress had the wisdom and foresight to create the Fulbright program, the first of several exchange programs which, during the course of the cold war, were fundamental to the ability of democratic values to prevail in that conflict.

Today, we are once again near the beginning of what promises to be a long process of learning how to wage effectively a new kind of war. That war, like the cold war, is fundamentally about competing ideas, competing values, and competing visions of society, governance, and human rights. As was the case with the cold war, we have the resources to win this new version of the war of ideas—and one of them, which is integral to success, is educational exchange. Today, as before, this Committee is called upon to lead. I know, Mr. Chairman, that under your leadership and that of Senator Biden—two true friends of international education—the Committee will again rise to the challenge.

Our policy paper, "Toward an International Education Policy for the United States," which we co-authored with the Alliance for International Educational and

Cultural Exchange, elaborates on the importance of international education for our national security. It is in your packets. You, Mr. Chairman, joined Senator John Kerry in 2001 in introducing a sense of the Senate resolution based on this paper, for which we are very grateful. S. Con. Res. 7 was adopted by the Senate by unanimous consent.

I would also like to take this opportunity to compliment my colleague from Minnesota, Senator Coleman, for his leadership, and specifically for introducing the International Student and Scholar Access Act of 2004. This legislation speaks directly to the problems we face. It was our privilege to work with Senator Coleman in drafting that bill, and I would hope that a similar bill might be considered in the next Congress. We would be pleased to work with you on that, Mr. Chairman.

PROMOTING SECURE BORDERS AND OPEN DOORS: A NATIONAL-INTEREST-BASED VISA POLICY FOR STUDENTS AND SCHOLARS

In this context, the ability of legitimate international students and scholars to gain access to the United States is paramount. The beginning of wisdom on this matter is to understand that security versus exchange is a false dichotomy. Exchange is part of security, and has been recognized as such by virtually every foreign policy leader in this country since World War II. The national security question is not: How do you balance exchange versus security? It is: How do you maximize national security, both by denying access to those who seek entry into our country in order to harm us, and by facilitating access for those whose access to our country serves the national interest?

I believe it is now recognized at the highest levels of government that America's strong interest in robust educational and scientific exchange is ill served by the visa system that is currently in place. As Secretary Powell has said, "We have put in place too many restrictions, and now we have to start backing off on them."

These controls were put in place piecemeal since 9/11, in all good faith, to better protect our security. But in their totality, they are now hindering international student and scholar access to the United States to an extent that itself threatens our security. Our current visa system maximizes neither our safety nor our long-term national interests in scientific exchange and in educating successive generations of world leaders—interests that the United States has recognized for more than half a century.

The trends are not good. In the academic year 2002–2003—the last year for which definitive data are available—international student enrollments in U.S. colleges and universities were essentially flat compared to the previous year, after many years of steady increases.

A spot survey that we and our colleague associations conducted last fall suggested that international student enrollments in 2003–2004 may have begun to decline; more responding schools reported a decline in enrollments than reported an increase.

Last February we surveyed international student applications to U.S. colleges and universities for this fall and found that, at the graduate level, they were down by an average of about 30 percent. This past summer, the Council of Graduate Schools found that admissions of international students to U.S. graduate schools were down, on the average, 18 percent compared to the year before. It is therefore predictable that our spot survey on international student enrollments for this fall, the results of which will be released next month, will be down, at least at the graduate level. Anecdotal evidence suggests that at some schools, the magnitude of the decline could be rather alarming.

More than a year ago, NAFSA issued recommendations for fixing this problem in a way that would not compromise security—indeed, we believe they would enhance security. We updated and re-issued our recommendations last April. Subsequently, we joined 33 colleague associations, principally scientific associations, in making similar recommendations.

NAFSA's recommendations, "Promoting Secure Borders and Open Doors," are in your packets. If you look at the bullets on the second page, you will see that we think four things need to be done.

First, State and DHS, who now share responsibility in this area, must get together on effective policy guidance for consular officials who make the day-to-day decisions. No such comprehensive visa policy guidance has been issued since 9/11. In a policy vacuum, every control looks like a good one—and therein lies the source of the problem.

Second, we must focus our efforts more effectively on those who require special screening. Today, far too many scarce human resources are wasted on routine reviews of low-risk visa applications. This particularly affects scientists, and people

from Arab and Muslim countries; both of these populations are subjected indiscriminately to special reviews. Repetitive, redundant reviews, particularly of well known people, clog the system, frustrate applicants, and detract from our ability to focus our attention where it is really needed.

Third, for those tens of thousands of visa applications—vastly more than before 9/11—that are sent to Washington for special security reviews, the process lacks appropriate time guidelines and transparency. Lately, the State Department has been making progress on speeding up clearances for scientists—the so-called "MANTIS" clearances. I remain concerned, however, about the so-called "CONDOR" clearances that Arab and Muslim males must go through. This process is very opaque; we have no good data on the CONDOR process. But our friends in the region tell us constantly of their extreme concern that we are cutting off access to an American education for a whole generation of future Middle Eastern leadership. Few things could be more short-sighted.

Fourth, Congress must provide greater resources for the State Department to provide the increased scrutiny of visa applications that Congress demands.

Mr. Chairman, we have gotten the administration's attention. Almost all of our recommendations are under consideration or being worked on at some level in our government. But the government moves slowly and with difficulty. It needs to hear from the Committee that these are priorities. It needs to be asked for progress reports. It needs to be asked, "When will this be done?" I urge the Committee to let the administration know it's interested. It will make a huge difference.

IN AMERICA'S INTEREST: WELCOMING INTERNATIONAL STUDENTS

Mr. Chairman, some years ago, the United States was unrivalled as the leading destination for international students. That is no longer the case. The last three years, in particular, have been tough on our image. I say that not to debate or complain about policy, but simply to state a fact that we have to deal with. Other countries, meanwhile, which were already implementing proactive international student recruitment strategies before 9/Il in an overt challenge to our leadership in international education, have had a field day recruiting since 9/11.

International student enrollments at universities in the UK increased 23 percent from 2002 to 2003. The British Council, which promotes British higher education abroad, predicts that the UK could triple its international student enrollments by 2020.

The number of international students at Canadian universities increased by more than 15 percent from 2002 to 2003. The number at Australian universities increased by more than 10 percent from 2003 to this year.

In addition, as you may know, under the Bologna Declaration, all EC university students now have seamless access to higher education anywhere in the community. To make this work, the common language of instruction tends to be English. You can now study for a university degree in English in virtually any country in Europe—an unthinkable concept just a few years ago. This creates yet another center of competition—and an increasingly vigorous one—for the English-speaking international student market.

All of that is fine. I'm delighted that international students are finding their way to high quality educations in these countries. But we need to be in the race. We, too, can attract international students to our country in significantly higher numbers. But to do that, we need to act decisively to restore our reputation as the destination of choice for international students. We have to win back the loyalty of our customers. It will take a national strategy to do this, and government, higher education, and the private sector will all have to do their part.

We set forth such a long-term national strategy in the report of our task force on international student access, whose honorary chair was former Secretary of Defense William Perry. The report, entitled "In America's Interest: Welcoming International Students," is in your packets. Time does not permit me to go into that, but I urge you to read the report, Mr. Chairman, and to consider holding a hearing in the next Congress on a long-term strategy to attract international students.

Mr. Chairman, thank you again for the opportunity to testify. I look forward to responding to questions.

## TOWARD AN INTERNATIONAL EDUCATION POLICY FOR THE UNITED STATES: INTERNATIONAL EDUCATION IN AN AGE OF GLOBALISM AND TERRORISM

### OVERVIEW

In the decades following World War II, visionary leaders understood that the challenges of the cold war required that Americans be knowledgeable about the world and that future world leaders have opportunities for a U.S. education and for exposure to American values. International education and exchange programs were created to serve these dual objectives.

On September 11, 2001, the challenges of global terrorism replaced those of the cold war as the central organizing concept of American foreign policy. An international threat of which Americans were largely ignorant proved capable on that day of doing more serious damage to the homeland than any foreign power had managed to inflict since the War of 1812. Nothing could have awakened us more dramatically to the continuing necessity of international knowledge and understanding.

September 11 sealed the case; on that date, international education became, beyond question, a national security imperative. It is now clearer than ever that the end of the cold war did not mean an end to international, civil, and ethnic conflict. The defense of U.S. interests and the effective management of global unrest in the twenty-first century will require more, not less, ability on the part of Americans to understand the world in terms other than their own. Yet today, the nation's commitment to international education is in doubt.

These post-September 11 security concerns, despite their gravity and immediacy, should not cause us to forget the other enduring factors that make international education a necessity. Globalization is obliterating the distinction between foreign and domestic concerns. Most domestic problems in today's world are also international. The global economic and technology revolutions are redefining the nation's economic security and reshaping business, life, and work. The opening of global markets, the explosion of trade, the globalizing effects of Internet technology, and the need for U.S. businesses to compete in countries around the world require much more global content in all U.S. education.

The world is coming to us, whether we like it or not—and was doing so in fundamental ways even before foreign terrorists attacked us on September 11. Immigrants are changing the face of American society. Foreign-born experts pace America's scientific leadership; indeed, U.S. scientific leadership rests so much on international expertise that the U.S. research community is now deeply worried about the effects of post-September 11 immigration controls on scientific exchange. The American workforce is now multicultural, and customers for American products are found everywhere the Internet goes.

These realities help fuel U.S. development—but they also create new needs, both for managers who can think globally and for tolerance and cross-cultural sensitivity in our neighborhoods and workplaces.

In short, international and cross-cultural awareness and understanding on the part of U.S. citizens will be crucial to effective U.S. leadership, competitiveness, prosperity, and national security in this century. Yet—all the laws on the books notwithstanding—the United States effectively lacks a coherent, clearly articulated, proactive policy for imparting effective global literacy to our people as an integral part of their education and for reaching out to future foreign leaders through education and exchange.

This situation, problematic before September 11, now constitutes a clear and present danger. We no longer have the option of getting along without the expertise that we need to understand and conduct our relations with the world. We do not have the option of not knowing our enemies—of understanding the world where terrorism originates and speaking its languages. We do not have the option of not knowing our friends—of understanding how to forge and sustain international relationships that will enhance U.S. leadership and help our values prevail. We do not have the option of not increasing—dramatically—the ability of the world's citizens to understand America, and of Americans to understand the world, through exchange relationships.

What is needed is a policy that promotes the internationalization of learning in the broadest sense, including supporting the learning of foreign languages and knowledge of other cultures by Americans, promoting study abroad by U.S. students, encouraging students from other countries to study in the United States, facilitating the exchange of scholars and of citizens at all levels of society, and enhancing the educational infrastructure through which we produce international competence and research.

We issue this updated policy statement in an effort to renew the momentum created when the statement was first released in November 1999. The Clinton administration made a start with its April 19, 2000, Executive Memorandum instructing federal agencies to take certain steps to promote and facilitate international education—the first such memorandum ever. Presidents Clinton and Bush have both proclaimed International Education Week in November of every year since 2000. In 2001, the Senate unanimously passed Senate Concurrent Resolution 7, expressing the sense of Congress that the United States should establish an international education policy. Now is the time to take the effort to the next level. We call upon the administration to renew and strengthen the U.S. commitment to international education.

ELEMENTS OF AN INTERNATIONAL EDUCATION POLICY

An international education policy that effectively promotes U.S. interests in the twenty-first century should do the following:

*Bolster International, Foreign Language, and Area Expertise*

Globalization and the war on terror expand the nation's need for international competence. To maintain U.S. security, well being, and global economic leadership, we need to increase the depth and variety of international expertise of Americans in government, business, education, the media, and other fields. Although the Internet dramatically increases opportunities for global collaboration, technology alone cannot substitute for the expertise developed through serious study and substantive international experience.

As the streamers across the bottom of our television screens in the days following the terrorist attacks—asking speakers of Arabic, Farsi and Pashto to come forward—dramatically demonstrated, American foreign language skills are in critically short supply. They will remain so until we take bold steps to enhance the infrastructure for teaching foreign languages at all levels of education. The U.S. government alone requires 34,000 employees with foreign language skills, and American business increasingly needs internationally and multi-culturally experienced employees to compete in a global economy and to manage a culturally diverse workforce.

An international education policy should:

- Set an objective that international education become an integral component of U.S. undergraduate education, with every college graduate achieving proficiency in a foreign language and attaining a basic understanding of at least one world area by 2015. New technologies should be employed creatively to help achieve this objective.
- Promote cultural and foreign language study in primary and secondary education so that entering college students will have increased proficiency in these areas.
- Through graduate and professional training and research, enhance the nation's capacity to produce the international, regional, international business, and foreign-language expertise necessary for U.S. global leadership and security.
- Encourage international institutional partnerships that will facilitate internationalized curricula, collaborative research, and faculty and student mobility.

*Welcome International Students*

The millions of people who have studied in the United States over the years constitute a remarkable reservoir of goodwill for our country, perhaps our most underrated foreign policy asset. To educate international students is to have an opportunity to shape the future leaders who will guide the political and economic development of their countries. Such students gain an in-depth exposure to American values and to our successful multicultural democracy, and they take those values back home to support democracy and market economies. International students contribute significantly to national, state, and local economies and to the financial health of their schools: The 583,000 who studied in the United States at the postsecondary level in the academic year 2001–2002, along with their dependents, spent nearly $12 billion on tuition, fees, and living expenses, making international education the fifth-largest U.S. service sector export.

This resource is now at risk. For a generation, the United States could take for granted its position as the destination of choice for international students. This is no longer the case, because the United States has failed to recognize and respond to the increasing competitiveness of the international student market. For lack of a proactive policy for attracting such students and facilitating their access to this country, the United States risks losing its market dominance to the United Kingdom, Canada, Australia, New Zealand, and other countries that have launched aggressive recruitment strategies. Indeed, the U.S. share of the international student

market fell nearly ten percentage points from 1982 to 1995, the last year for which data are available. If current practices continue, a further significant decline is inevitable.

The situation has become dire since September 11. The institution of harmful measures—including an unpredictable visa process characterized by increasing delays and denials, an unreliable student monitoring system still unable to perform effectively, and high-profile detentions of international students and exchange visitors—seriously threatens the attractiveness and accessibility of U.S. higher education for international students. These policies are disproportionately impacting students from those countries with which stronger ties of international understanding are most needed—the Arab and Muslim world. The long-term effects on U.S. national security of severing our exchange relationships with this part of the world and shutting down access for Arab and Muslim students will be profound.

An international education policy should:

- Outline a comprehensive strategy to enhance the ability of legitimate international students to pursue higher education opportunities in the United States
- Ensure that the United States attracts and provides opportunities for students from strategically important regions of the world to study in the United States, including those from predominantly Muslim and Arab countries.
- Facilitate entry into the United States for bona fide short-term and degree students, treat those who observe the terms of their visas as valued visitors while they are here, and adopt training and employment policies and regulations that enable students to maximize their exposure to American society and culture through internships and employment.
- Promote the study of English by international students in the United States, and promote the United States as the best provider of English training services and materials.

*Encourage Study Abroad*

The good news is that the number of U.S. students studying abroad for credit doubled in the past decade, to more than 150,000 in 2000–2001, according to the Institute of International Education. The bad news is that this number represents about one percent of enrollment. Clearly, most college students still do not study abroad, and many lack access to study abroad programs through their institutions.

This situation is no longer acceptable at a time when it is more important than ever for Americans to understand the world in which they live. We must not only increase vastly the numbers of U.S. students studying abroad, but also to increase the proportion studying in non-European areas of growing importance to U.S. interests, in academic and professional fields outside the liberal arts, and in languages other than English. We must also enhance the study abroad experience by incorporating out-of-the-classroom experiences that bring students into closer and broader contact with host-country people and culture.

If American students are to be able to function effectively in the world into which they will graduate, it must become the routine—not the exception—for them to study abroad in high quality programs. For that to happen, the United States requires a policy to promote global learning, which recognizes that providing Americans with opportunities to acquire the skills, attitudes, and perceptions that allow them to be globally and cross-culturally competent is central to U.S. security and economic interests in the twenty-first century.

An international education policy should:

- Set an objective that 20 percent of American students receiving college degrees will have studied abroad for credit by 2010, and 50 percent by 2040.
- Promote ethnic, socioeconomic, and gender diversity in study abroad.
- Promote the diversification of the study abroad experience, including: increased study in nontraditional locations outside the United Kingdom and Western Europe; increased study of major world languages—such as Arabic, Chinese, Japanese, Portuguese, and Russian—that are less commonly learned by Americans; and increased study abroad in underrepresented subjects such as mathematical and physical sciences and business.
- Promote the integration of study abroad into the higher-education curriculum, and increase opportunities for international internships and service learning.

*Strengthen Citizen and Scholarly Exchange Program*

The United States benefits from a great wealth of exchange programs, some federally funded but many more funded privately. They operate at all levels, from high school to higher education to the business and professional realms. Armies of American volunteers make these programs possible, hosting visitors in their homes and serving as resources and guides to their communities. Exchange programs uniquely

engage our citizenry in the pursuit of our country's global interests, and offer opportunities for substantive interaction in the broadest possible range of fields.

These exchanges also offer unparalleled opportunities for intercultural learning. Many of today's world leaders first experienced America and its values through exchange programs. But these valuable programs are hemmed in by diminished policy priority and by a federal regulatory regime that has lacked consistency and predictability. In addition, exchange program participants have suffered from the same visa and monitoring problems as have foreign students.

An international education policy should:

- Invigorate federal programs and reform regulations governing private efforts in order to dramatically strengthen citizen, professional, and other exchanges that bring future leaders from around the world to the United States for substantive exposure to our society, and that give future American leaders opportunities for similar experiences overseas.
- Promote the international exchange of scholars in order to enhance the global literacy of U.S. scholars, ensure that the United States builds relationships with the best scholarly talent from abroad, and improve the international content of American curricula.
- Ensure that exchanges with strategically important regions of the world—such as predominantly Arab and Muslim nations—receive adequate priority.

*Mobilize the Resources*

The federal government cannot do it all. Colleges, universities, and community colleges must further internationalize their curricula and campuses, and must provide enhanced global opportunities for students and faculty. Higher education institutions, state governments, private foundations, nongovernmental organizations, and the business community (which will be the primary beneficiary of a globally literate workforce) all need to accept their responsibilities, increase their support for international education, and forge creative partnerships to achieve these important national goals. But the federal role is crucial in setting a policy direction, creating a conceptual understanding within which members of the public can define their roles, and using federal resources to leverage action at other levels.

An international education policy should:

- Clearly articulate the national interest in international education and set a strong policy direction to which citizens can relate their own efforts.
- Dedicate federal resources that are appropriate for the national interests served.
- Stimulate involvement by, and leverage funding from, the states and the higher education, business, and charitable communities.

## A CALL TO ACTION

To be an educated citizen today is to be able to see the world through others' eyes and to understand the international dimensions of the problems we confront as a nation—skills that are enhanced by international experience. The programs we put in place today to make international experience integral to higher education will determine if our society will have a globally literate citizenry prepared to respond to the demands of the twenty-first century and an age of global terrorism.

We call on the President to:

- Announce the international education policy in a major address, decision memorandum, or message to Congress, and propose appropriate funding.
- Appoint a senior White House official who will be in charge of the policy and responsible for meeting its targets.
- Convene a White House summit of college and university presidents, other academic leaders, international education professionals, and NGO and business leaders to map out the specifics of the policy.
- Assign specific roles to appropriate federal agencies.
- Create an interagency working group of these agencies, chaired by the senior White House official, to ensure that policies and regulations affecting international education are consistent and coherent.
- Create an advisory commission consisting of business leaders, state-level officials, and international education professionals from institutions of higher education, exchange programs, foundations, and appropriate professional associations to offer advice and guidance on program implementation.

## IN AMERICA'S INTEREST: WELCOMING INTERNATIONAL STUDENTS—REPORT OF THE STRATEGIC TASK FORCE ON INTERNATIONAL STUDENT ACCESS

### EXECUTIVE SUMMARY

At a time when efforts to counter the global threat of terrorism have highlighted the importance of building ties and friendships around the world, the United States needs a comprehensive strategy to enhance the ability of legitimate international students to pursue educational opportunities here. Such is the conclusion of a task force established by NAFSA: Association of International Educators to examine the issue of international student access to higher education in the United States.

In its report, "In America's Interest: Welcoming International Students," the Strategic Task Force on International Student Access identifies the major barriers to the ability of prospective international students to access U.S. higher education, and sets forth a strategic plan to address each of them.

*The Continuing Importance of International Students*

The task force report affirms that openness to international students serves longstanding and important U.S. foreign policy, educational, and economic interests. The terrorist attacks of September 11, 2001, presented new challenges for screening visa applicants more carefully to keep out those who wish us harm. At the same time, the terrorist threat also highlights the importance of building friends and allies across the world to better counter such global threats. The task force report therefore restates the case for encouraging and enabling legitimate international students to study in the United States. The task force believes strongly that international education is part of the solution to terrorism, not part of the problem.

*Barriers to International Student Access*

The U.S. position as the leading destination for international students has been eroding for years in the absence of a comprehensive national strategy for promoting international student access to U.S. higher education. In this strategic vacuum, four barriers, which impede access, remain unaddressed. The principal barriers are (1) the failure of the relevant U.S. government agencies to make international student recruitment a priority and to coordinate their recruitment efforts, and (2) burdensome U.S. government visa and student-tracking regulations. Lesser barriers are (3) the cost of U.S. higher education, and (4) the complexity of the U.S. higher education system.

*A Strategic Approach to Promoting International Student Access*

The task force recommends that the U.S. government, in consultation with the higher education community and other concerned constituencies, develop a strategic plan for promoting U.S. higher education to international students, based on a national policy that articulates why international student access is important to the national interest. In the context of such a strategic plan, the task force makes the following recommendations for addressing each of the four barriers to international student access cited above.

*A Comprehensive Recruitment Strategy*

A recruitment strategy must be developed that specifies the roles of the three federal agencies that share responsibility for international student recruitment—the Departments of State, Commerce, and Education—and provides for coordination of their efforts. Such a strategy must rationalize and create an effective mandate for the State Department's overseas educational advising centers, resolve issues of responsibility and coordination in the Commerce Department, and provide a clear mandate for the Department of Education.

*Removing Excessive Governmentally Imposed Barriers*

Three broad actions are required to remove governmentally imposed barriers that unnecessarily impede international student access to U.S. higher education. First, immigration laws affecting international students must be updated to reflect twenty-first century realities, particularly by replacing the unworkable "intending immigrant" test set forth in section 214(b) of the Immigration and Nationality Act with a standard that focuses on whether or not the applicant is a legitimate student. Second, a visa-screening system is needed which permits necessary scrutiny of visa applicants leading to decisions within reasonable and predictable periods of time. Third, the administration must strive to implement the congressionally-mandated student monitoring system in a way that maintains the attractiveness of the United States as a destination for international students without sacrificing national security.

*Addressing Issues of Cost*

Issues of cost must be addressed through innovative and expanded loan, tuition exchange, and scholarship programs for international students. Scholarship assistance, through the Agency for International Development, should be directed at countries or regions—such as Africa—where the United States has a strong foreign policy interest in providing higher education opportunities but where the cost of a U.S. higher education is an insurmountable barrier. A financial aid information clearinghouse should be developed to help international students understand the options available to them.

*Addressing Complexity With a Marketing Plan*

A marketing plan should be developed that sends a clear, consistent message about U.S. higher education and that transforms the complexity of the U.S. higher education system from a liability to an asset. A user-friendly, comprehensive, sophisticated, Web-based information resource is needed, through which international students will be able to understand the multiple higher education options available to them in the United States.

*Conclusion*

Rather than retreating from our support for international student exchange—and forgoing its contribution to our national strength and well being—we must redouble our efforts to provide foreign student access to U.S. higher education while maintaining security. The task force calls on the U.S. government, academe, the business community, and all who care about our nation's future to step up to the task of ensuring that we continue to renew the priceless resource of international educational exchange.

## INTRODUCTION: THE AFTERMATH OF SEPTEMBER 11

The increased awareness of international issues to which the secretary-general referred in his Nobel Peace Prize acceptance speech has placed special emphasis on the work of this task force, which was formed before September 11, 2001. Our mandate is to identify barriers to international student access to U.S. higher education and to recommend measures to address those barriers.

For at least the second half of the twentieth century, it was an unquestioned verity of U.S. foreign policy that programs to promote international understanding advanced the national interest. It was almost universally accepted that educating successive generations of world leaders in the United States constituted an indispensable investment in America's international leadership.

After September 11, 2001, these assumptions are being questioned to an unprecedented degree. Those who have recently argued against international exchange programs seem to see today's United States of America as a country so vulnerable in the face of the terrorist threat that it has no option but to close its borders. They have portrayed the U.S. consular officer corps as an inadequately trained group that unselectively hands out visas as a way to curry favor with foreign governments. From their perspective, programs that have for generations educated the people who now lead many countries of the world are suddenly nothing more than avenues for fraudulent entry into the United States. Their views, asserted persistently since September 11, seek to persuade Americans to lead from their insecurities and fears, rather than from their strengths and hopes. This is not the America we see. Nor, in our opinion, is it the nation that most Americans know.

Without question, September 11 was a wake-up call that changed many of the security imperatives of our country. Like all Americans, we and our colleagues in higher education mourn the thousands of lives lost on that terrible day, grieve for their families, and are determined that it shall not happen again. But in our horror of those tragic events, it is important not to draw self-defeating lessons. The United States had a strategic need to act to enhance international student access to U.S. higher education before September 11. The need is only stronger now.

We cannot know what the future holds, but we do know one thing: There will be other crises. When the next generation's crises occur, and the United States needs friends and allies to confront them, we will look to the world leaders of that time who are being educated in our country today. If we act out of fear and insecurity, rather than confidence and strength, we risk making the future worse, not better, for our country and our world.

Continued—indeed, enhanced—U.S. openness to international students is integral to America's security in today's world. International student exchanges are part of the solution to terrorism, not part of the problem. In the pages that follow, we propose bold initiatives to increase international student access to U.S. higher edu-

cation. We commend our recommendations to all who are not content to lead from fear, and who dare to hope for a better, more secure future.

THE CONTINUING CALL FOR INTERNATIONAL STUDENT EXCHANGE

Forward-looking leaders have called time and again for continued international educational exchange as an important part of a strong response to terrorism. Nine weeks after September 11, 2001, President George W. Bush said:

> . . . We must also reaffirm our commitment to promote educational opportunities that enable American students to study abroad, and to encourage international students to take part in our educational system. By studying foreign cultures and languages and living abroad, we gain a better understanding of the many similarities that we share, and learn to respect our differences. The relationships that are formed between individuals from different countries, as part of international education programs and exchanges, can also foster goodwill that develops into vibrant, mutually beneficial partnerships among nations.
>
> America's leadership and national security rest on our commitment to educate and prepare our youth for active engagement in the international community. . . ."

On February 27, 2002, Secretary of State Colin Powell reaffirmed the State Department's support for foreign students:

> The Department's policy on student visas is based on the democratic values of an open society and the perception that foreign students make an important contribution to our nation's intellectual and academic climate, as well as to our nation's economy. We must continue to nurture these vital relationships even as we improve the security of our borders.
>
> . . . American values, including democracy, economic freedom, and individual rights, draw students from many nations. As these students and scholars from other countries gain from our society and academic institutions, they also serve as resources for our campuses and communities, helping our citizens to develop the international understanding needed to strengthen our long-term national security and enhance our economic competitiveness. The professional partnerships and lifelong friendships that are created through international education are important for a secure, prosperous future, not only for our own country but also for the world as a whole.

The New York Times, in a September 24, 2002, editorial, suggested that our efforts to spread our influence and understanding of our culture should be stepped up, not abandoned. Cautioning that government policies must not impede legitimate exchange, the editorial said, "Higher education is one of the best methods we have of spreading the word about who we are and of exposing our citizens to non-Americans. Bringing foreign students onto our campuses is among the best favors we can do ourselves."

This task force enthusiastically agrees that we must engage this world without walls, this indivisible humanity. We must learn to understand our similarities and respect our differences. We must continue to nurture our greatest foreign policy asset: the friendship of those who know our country because we have welcomed them as students. That is the counsel of strength and hope, which we believe Americans, with their innate common sense, understand intuitively.

BENEFITS THAT FAR OUTWEIGH THE RISKS

Why do we care if international students choose U.S. colleges and universities to pursue their education and to improve their English language skills? The case has been articulated many times, but September 11 made us forget it. It is, therefore, worth restating the ways in which openness to international students continues to serve the fundamental interests of U.S. foreign policy, our economy, and our educational system—even more so in an age of global terrorism.

*Foreign Policy Benefits*

Secretary Powell has spoken eloquently of the foreign policy benefits that accrue to the United States from being the destination of choice for the world's internationally mobile students and, especially, from educating successive generations of world leaders. By hosting international students, we generate an appreciation of American political values and institutions, and we lay the foundation for constructive relations based on mutual understanding and goodwill. The ties formed at school between fu-

ture American and future foreign leaders have facilitated innumerable foreign policy relationships. The millions of people who have studied in the United States over the years constitute a remarkable reservoir of goodwill for our country perhaps our most undervalued foreign policy asset.

Is there a danger that terrorists will gain access to the United States by posing as students? Of course there is; that danger exists with respect to all nonimmigrant visitors, of which students constitute only a minuscule two percent. All countries must confront a central question of our age, which is how to reconcile global mobility with global terrorism. Openness to mobility carries dangers; higher education wants to be a part of the greater attention to these dangers that is now necessary, and of the more robust enforcement measures that are now required.

In this context, the task force fully supports appropriate screening and monitoring measures. Schools are collectively spending millions of dollars and countless hours to implement the international student tracking system that became a federal priority on September 11. They are working with the Department of State to protect the integrity of student visas and to prevent their fraudulent use by those who seek access to the United States for illegitimate reasons. Research institutions are wrestling with questions of access to sensitive scientific information and are doing their best to strike the appropriate balance. In these and other ways, higher education is doing its part to help protect our country.

But to unduly restrict the access of future leaders—and, indeed, the youth of the world—to this country is to court a greater danger, which is to nurture the isolationism, fundamentalism. and bigoted caricatures that drive anti-Western terrorism. After September 11, it seems clear that the more people who can experience this country first-hand, breaking down the stereotypes they grow up with and opening their minds to a world beyond their borders, the better it is for U.S. security.

*Economic Benefits*

International students are good for the U.S. economy, as well. This, while not in the task force's judgment the most important reason for reaching out to such students, is nevertheless the basic driving force leading competitor countries to adopt proactive strategies for attracting them. NAFSA estimates that international students and their dependents spent nearly $12 billion in the U.S. economy in the last academic year, which makes international education a significant U.S. service-sector export. This economic benefit is shared by schools, communities, states, and the U.S. economy as a whole. According to the Institute of International Education, more than 70 percent of undergraduate international students pay full tuition and receive no financial aid, thus allowing schools to offer more financial assistance to American students. In addition, U.S.-educated students take home preferences for American products, and business students in particular take home an education in U.S. business practices.

*Educational Benefits*

International students enrich American higher education and culture. For many American students, college or university life provides their first dose and extensive contacts with foreigners. These contacts begin the process of preparing these students to be effective global citizens. Foreign graduate students make important contributions to teaching and research, particularly in the scientific fields, and their enrollment in under-enrolled science courses often makes the difference for a school's ability to offer those courses. Indeed, graduate education as we know it could not function without international students.

Immigration opponents argue that international students compete with Americans for slots in the U.S. higher education system and the U.S. economy, as though international education were a zero-sum game and any slot a foreigner gets is one an American does not get. The task force is unaware of anything but anecdotal evidence to support the thesis that international students take spots in universities that Americans would otherwise occupy. There is, however, ample evidence for a contrary proposition: International student enrollments and international teaching assistants enable universities to offer classes to American students that would not otherwise be available.

On the job front, it is worth remembering that laws and regulations provide for visitors to adjust their status to remain in the United States and work precisely so that people with needed skills can work in the U.S. economy. The fact is that, although most students return home and contribute to their countries after studying in the United States, some remain legally in the United States and contribute to the U.S. economy. And increasingly, in this age of global mobility, some do both—effectively becoming citizens of two countries, moving back and forth, and contributing to both. In any of those cases, they contribute to long-term U.S. interests.

As former Secretary of Defense William Perry noted in an address to the 1998 USIA–ETS conference, "Attracting foreign students to study in the U.S. is a win-win-win situation: it's a win for our economy; it's a win for our foreign policy; and it's a win for our educational programs"—and all the more so since September 11. Without question, September 11 gave us a new appreciation of the importance of identifying and screening out international visitors of any kind—students or otherwise—who would do us harm. We consider it equally without question, however, that openness to international students is overwhelmingly a net asset for the United States.

THREATS TO U.S. LEADERSHIP IN INTERNATIONAL EDUCATION

Thanks in part to the broad support it continues to receive, educational exchange to the United States is still going strong. The Institute of International Education reports that the number of international students in U.S. higher education institutions has increased in most years since 1955. According to IIE's Open Doors 2002, the authoritative source of data on international student enrollment for academic year 2001–2002, "This year's 6.4 percent increase in international student enrollment in U.S. colleges and universities equals last year's increase, which was the largest increase in the past 20 years. This continues a trend of substantial growth in foreign student enrollments that began in 1997, after a four-year period of minimal growth."

What's wrong with this picture? At first glance, nothing. But although the absolute numbers are increasing, U.S. market share is going in the opposite direction. According to IIE, the U.S. share of internationally mobile students—the proportion of all international students who select the United States for study—declined by almost ten percent from 1982 to 1995, the last year that IIE did the calculation (39.2 to 30.2 percent).

In itself, that is not an alarming statistic. U.S. market share is still healthy, and the argument could be made that our nearly 40 percent market share was unsustainable. It is what lies behind that statistic that is alarming.

Declining U.S. market share is not simply a function of the free market. It is due to at least two factors. First, it reflects aggressive recruitment efforts by our competitors—the United Kingdom, Australia, New Zealand, Canada, and others—who have determined that they want to reap more of the foreign policy, economic, and educational benefits that international students bring. Conversely, it reflects the absence of such a conclusion on the part of the United States, which apparently assumes that international students will always come because they always have. In sum, the international student market has become highly competitive, but the market leader is not competing. Such complacency risks the loss of our country's leadership in international education, with the accompanying negative ramifications for our security, foreign policy, and economy.

Second, declining U.S. market share does not appear to reflect any decline in international demand for U.S. higher education. Demand is strong; people still want to study here. The problem is access: How does one get here? How does one understand where one fits in the uniquely complex U.S. higher education system, finance the high cost of a U.S. education, and—above all—surmount the formidable, governmentally imposed barriers to studying here? While competing nations seek to remove disincentives to study in their countries, U.S. policy ignores—and sometimes exacerbates—the disincentives to study here. The problem lies not in the internationally popular product, nor in the highly motivated customer, but rather in market imperfections that keep the two from finding each other. Those imperfections are all subject to our control or influence. If we ignore them, we will continue to lose out in the competition.

Ultimately, what's wrong with this picture is the absence of a strategy to sustain the numbers. For a generation after World War II, the United States had a strategy of promoting international student exchange as a means of waging the Cold War and promoting international peace. But now more than ever, the U.S. government seems to lack overall strategic sense of why exchange is important—and, therefore, of what U.S. interests are at risk by not continuing to foster exchanges. In this strategic vacuum, it is difficult to counter the day-to-day obstacles that students encounter in trying to come here—and that schools encounter in trying to recruit them.

In addressing the need for a comprehensive national initiative to promote international student access to U.S. higher education, therefore, it is as important to understand what the problem is not as it is to understand what the problem is. At the most basic—and encouraging—level, the problem is not one of weakness. The United States has every resource it needs to be successful in attracting international students—and, indeed, has been successful at it.

The United States has more higher education capacity than our major competitors combined, the high quality of U.S. higher education is universally recognized, and the United States is a magnet for many throughout the world. The problem is not how to make the United States and its higher education system more attractive, but how to make them more accessible.

Many colleges and universities are already sophisticated in actively recruiting undergraduate international students, either individually or through consortia. U.S. higher education is highly entrepreneurial and market driven. The problem is not a lack of competitiveness; but how to harness higher education's competitive energies into a national strategy.

At the level of the federal government, the Departments of State, Commerce, and Education all have programs that relate to attracting international students. These programs are uncoordinated and seemingly operate in complete isolation from one another. For example, the Commerce Department's "Study USA" program and the State Department's "Education USA" program have nothing to do with each other. Although more resources are needed, it is not clear that more resources for current programs, absent a coordinated strategy, would make a difference. The problem is not the absence of resources, programs, and dedicated civil servants, but a lack of policy, strategy, and coordination.

## BARRIERS TO INTERNATIONAL STUDENT ACCESS

The task force has identified four barriers to international student access to U.S. higher education. We believe a strategic plan is needed to address them. The principal barriers to access, on which we focus most of this report, are: (1) the absence of a proactive, coordinated effort to recruit international students; and (2) burdensome U.S. government regulations, which often effectively cancel out recruitment efforts. Lesser barriers are (3) the cost of U.S. higher education, and (4) the complexity of our higher education system. To effectively address each of these barriers, the task force recommends that the United States articulate and develop a strategic plan to increase access.

### *The Need for a Proactive Access Strategy as Part of an International Education Policy for the United States*

The U.S. government has not yet made it a strategic objective to increase international student access to the United States and, consequently, lacks a strategic plan for doing so. The time has passed when the United States could idly assume that it will continue to attract the world's best and brightest without such a plan. As articulated earlier in this report, our nation's foreign policy, economic, and educational interests require such a strategy now more than ever before.

NAFSA, along with numerous other higher education and exchange organizations, has articulated the need for an international access strategy before, as part of a more comprehensive national policy that promotes international education in the broadest sense. In the past two years, a national policy on international education, originally put forth by NAFSA and its colleague association, the Alliance for International Educational and Cultural Exchange, has received strong bipartisan public support. In 2000, the Clinton administration issued a memorandum to federal agencies instructing them to take certain steps to promote and facilitate international education, and Congress has introduced and passed bipartisan resolutions to create a national policy on international education. The task force strongly supports the continuation of these efforts, and in particular, it urges the U.S. government to articulate the need for a national strategy to facilitate access to U.S. higher education and to develop a plan to implement that strategy.

The presence of such an access strategy would provide the policy basis for addressing the following four barriers to international student access.

### *Uncoordinated Recruitment Efforts*

One consequence of the absence of strategy is uncoordinated recruitment efforts on the part of both the U.S. government and higher education. At the government level, there is no lead agency, there is no interagency coordination, and there is no coordination within agencies to ensure that one bureau does not work at cross-purposes with another. At the level of colleges and universities, some are more active—and some more successful—than others in recruiting international students; but, with rare exceptions at the state level, schools do not enter into strategic partnerships for the purpose of increasing recruitment overall.

### *Burdensome U.S. Government Regulations*

Another consequence of the absence of strategy is unnecessarily burdensome government regulations that restrict international student access to the United States.

Uninformed rhetoric since the September 11 tragedy has fostered the impression that student visas are handed out to all corners. The reality is quite different. Student visas are not—and never have been—easy to get. The student visa denial rate was 28 percent in fiscal year 2001; in countries where consular officers suspect that the desire to emigrate to the United States is prevalent, it is significantly higher.

Although data are not yet available, a post-September 11 sea change appears to be occurring in visa processing for male Muslim applicants and for applicants who intend to pursue a science major. Many such applicants were unable to enroll for the fall 2002 semester because their visa applications were sent to Washington where they sat for months, without being decided, until the program start date had passed. This denial through delayed decision making is devastating our exchanges with the Muslim world—at the same time that Congress creates highly touted new Muslim exchange programs. Here is the absence of strategy: foreign policy going in one direction and visa policy in another, with the former pursuing forward-looking public diplomacy objectives while the latter makes the implementation of those objectives impossible.

It is at the level of visa policy where the primary strategy needs to be directed. Operationally, there are no exchange programs if the participants cannot get visas. Nothing could be more shortsighted than to deny exchange opportunities to people from countries where isolation from the rest of the world is driving terrorism. This will only increase security risks in the long run.

Applicants for visas to the United States need to be subject to appropriate screening. After September 11, increases in such screening—carefully targeted at real risks—may be necessary. Having said that, burdensome laws and regulations, arbitrary decision making, and a severely overburdened consular corps still make it unnecessarily difficult to study in the United States. With effort, this barrier could be significantly reduced.

Visas are not the only problem. One would never know it from what one reads in the press, but the lives of those students who make it here are in fact controlled by a large body of federal regulation that far exceeds that which applies to any other category of nonimmigrant. Although that is not strictly speaking a barrier to entry, it hardly presents a welcoming image to those contemplating study in the United States—especially since September 11, as each new regulation is trumpeted in a press conference as cracking down on terrorism. Each new layer of regulation increases the resources—time, personnel, and money—that schools must spend to comply, robbing them of those resources for proactive efforts to recruit international students and enhance their integration into campus and community. This is another reflection of the absence of strategy—the imposition of costs without consideration of foregone benefits. Meanwhile, our competitors are asking the strategic question: How can we streamline our regulations to enhance our position in the international student market?

*The Cost of U.S. Higher Education*

Higher education, already expensive for Americans, looks even more so from abroad. It is a simple competitive fact of life that U.S. higher education, while of the highest quality, is also the most expensive—a factor that is only exacerbated as more schools add international student processing fees to pay for expensive monitoring systems. Other countries have a cost advantage over us. Because there is no prospect of changing this factor, the task is to find ways to ameliorate it.

*The Complexity of U.S. Higher Education*

The fourth barrier is the flip side of a strength. The U.S. higher education system is the most complex in the world, and is very difficult for foreign students to decipher. This is not something we should want to change, for the diversity of U.S. higher education is a great strength. In fact, this diversity provides multiple points of access for foreign students to U.S. higher education, which they do not find in any other country. With respect to this barrier, the task is to provide foreign students with the tools to understand and navigate this complexity, thus turning complexity from a liability into an asset.

RECOMMENDATIONS: HOW TO ENHANCE INTERNATIONAL STUDENT ACCESS

The United States requires a strategic plan for enhancing international student access consistent with national and homeland security. At its most elementary level, a strategic plan must provide a coherent government approach to international students, as opposed to an approach where one part of the government cancels out the other. Accordingly, such a plan must: (1) specify the roles, and provide for coordinating the efforts, of the principal agencies that must be involved in a comprehensive effort to recruit international students; and (2) provide guidance for removing

unnecessary governmentally imposed barriers to international student access. Those two elements would address the major problems with the U.S. government approach to international students. In addition, the plan should address the issues of (3) the cost and (4) the complexity of U.S. higher education.

The task force makes the following recommendations for implementing a strategy to enhance international student access.

I. Articulate a Policy and Develop a Strategic Plan

The United States government, in consultation with the higher education community and other concerned constituencies, must develop a national policy that articulates why promoting study in the United States to international students is important to the national interest. Only when that is done will we be able to move to a strategic plan for promoting U.S. higher education abroad.

II. Develop a Recruitment Strategy

The three federal agencies that share responsibility for international student recruitment must have their roles specified and must cease operating in a vacuum, as they do today. Specifically, each agency must be tasked with the following:

*The Department of State*

The Department of State must rationalize and create an effective mandate for the currently under-resourced State Department overseas educational advising centers. Some 450 advising centers are spread around the world, existing on a shoestring budget of some $3 million a year. With that meager amount, the advising centers help to leverage $12 billion of foreign student spending in the U.S. economy by serving as the initial gateway for people inquiring about study in the United States. This is surely one of the most cost-effective government efforts ever recorded. The task force has nothing but admiration for the job that the advising centers do with virtually no resources. Yet they are a shadow of what they could be under a real strategic plan.

More funds are needed—but not yet. First, these centers need to be given a mission—that of promoting U.S. higher education. The mission should anchor a strategic plan—one that specifies how many centers there should be, where they should be located, what they should do, and how they fit into a strategic international student recruitment plan for the United States. The task force believes that Congress will respond to a call by the President to support a strategic effort at a level that it has not been prepared to provide for the existing effort, and that the higher education community will be in the trenches with the administration fighting for that support.

*The Department of Commerce*

The second task is to rationalize the role of the Department of Commerce in international student recruitment. An industry that generates $12 billion of spending in the U.S. economy would seem to qualify as a business worthy of Commerce Department support. Yet, the department's effectiveness in promoting this industry is compromised by its organizational structure and the lack of overriding policy or direction.

Responsibility is currently claimed by both the Office of Trade Development. which sees international education as an agenda item in multilateral trade negotiations, and the U.S. and Foreign Commercial Service, which sees international students as a marketing issue. Each appears to go about its business with nearly complete lack of awareness of the other and therefore lacking a common conception of what each is trying to do. This not only makes it impossible for Commerce to act strategically to promote international education products and services, it also makes it challenging, to say the least, for those who seek to collaborate with Commerce to promote international education.

*The Department of Education*

The third task is to provide a clear mandate for the Department of Education regarding international student recruitment. Other countries' efforts center on their Ministries of Education. Yet in the United States, the Department of Education presently seems to have no strategic role at all when it comes to international student enrollment in U.S. colleges and universities. The only departmental program that supports international student recruitment is the U.S. Network for Education Information (USNEI), a Web site that provides general information about the U.S. educational system for those from other countries. In addition, the department participates, with the State Department, in International Education Week. The task force was encouraged by the new international education policy priorities recently announced on November 20 by Secretary of Education Rod Paige, particularly the

component that supports "U.S. foreign and economic policy by strengthening relationships with other countries and promoting U.S. education." While we commend the department for these activities and initiatives, we believe it has the capacity to play a much greater leadership role in increasing international student enrollments in U.S. higher education. The assistant secretary for post-secondary education should be tasked with providing this leadership and should have the strong support of the secretary.

*A Comprehensive Strategy*

The fourth task is to coordinate all of these efforts and combine them into a coherent, comprehensive strategy to promote international student access. Under that strategy, all of the agencies involved must deploy their resources in complementary ways with the aim of increasing international enrollments in U.S. higher education.

III. Remove Excessive Governmentally Imposed Barriers

In the new, post-September 11 security environment, everyone accepts that greater scrutiny is necessary to try to keep people from entering the country under false pretenses and to discover them once they are here. Inevitably, this entails greater government controls on mobility. This applies no less—and no more—to the minuscule proportion of nonimmigrant visitors who are students. Because this population has been especially targeted since September 11, schools have already been called upon to do their part, and they are devoting enormous resources to complying with what is required of them.

But in the emotion of the moment, it is too easy to carry that consensus to its illogical conclusion: The more barriers, the better. U.S. national interest dictates otherwise. Because of the great benefit that the United States derives from mobility, the objective should be the minimum controls consistent with national and homeland security. To achieve this objective for students, updated legislation, improved visa screening, and a rational student monitoring system are required.

International student mobility has increased more than tenfold since our basic immigration law was written, and other immigrant and nonimmigrant flows have grown concomitantly. U.S. higher education has also been revolutionized during that time—leading, for example, to the far greater prevalence of part-time and continuing education. Demographically, the United States now finds itself with an immigrant-dependent economy. In the face of these massive shifts, U.S. immigration laws, their enforcement, and visa practices are still in the pre-global era. Post-September 11 politics has had the unfortunate effect of reinforcing their outdatedness, as if we could somehow insulate ourselves from danger by moving backwards: making our immigration laws even less reflective of contemporary reality, making each visa decision take longer, and growing the mountains of unanalyzed data on international students ever higher.

Security lies in the opposite direction. We need to update our immigration laws. We need to find ways to make the routine granting of visas to non-threatening populations easier, so that consular officials—who will never be able to scrutinize everyone equally—can devote their attention to the problematic cases. We need to collect the information that we really need about foreigners in our midst without diverting scarce resources to expensive systems that produce ever more data but ever less-useful information. If we do all that, we will make access to U.S. higher education easier for bona fide students, even as we increase our security.

*An Immigration Law for the Twenty-First Century*

The effort to remove unnecessary, governmentally imposed barriers must start at the level of immigration policy. Immigration law (section 214(b) of the Immigration and Nationality Act) requires that applicants for nonimmigrant visas be presumed to have an intent to immigrate to the United States unless they can demonstrate otherwise to a consular officer—that is, prove a negative. That requirement imposes an unrealistic burden on students, who are typically not yet sufficiently well established in their societies to be able to demonstrate a likelihood of return. It also imposes an unreasonable burden on consular officials, who are in effect required by law to know the unknowable and to determine the intent of the visa applicant in an interview lasting a few minutes. Because the consular decision must necessarily be based on a guess, this requirement too often produces arbitrary and unaccountable consular decision making. This creates great frustration on the part of those who wish to study in the United States and wreaks havoc with college and university enrollments.

If the policy of the United States were, in fact, as articulated by section 214(b), we might just have to live with these problems. But it is not—nor, in this day and age, can it be. As far as students are concerned, the United States does not, in fact, practice the policy that they must return to their home country; in practice, we do—

and we should—permit graduates of our educational institutions to adjust their status legally and remain in the United States if they possess skills that we need. Demographic trends dictate this policy because the United States cannot fill all the skilled jobs in its economy from the native-born population.

Current law does not provide sensible, workable, enforceable guidance for a global age and a global job market. A huge barrier to international student access to the United States would be removed, with no ill effects on safety or security, simply by replacing the "intent-to-immigrate" standard with one that is more appropriate for student visas: Does the applicant have a bona fide reason and sufficient financial means to enter the United States as a student? Unlike the question posed by current law, that is an answerable question. What happens if they wish to stay—which some clearly do anyway—is a matter governed by other laws. (Like all other visa applicants, of course, students would still have to undergo applicable security and background checks, including having their names checked against terrorist watch lists.)

Only when our 1950s-vintage immigration law catches up to twenty-first century immigration reality will consular decision making become rational, predictable, and accountable to those wanting to study in the United States and to the institutions that seek to enroll them. This task force proposes that a joint government-higher education task force be formed to devise a new legislative standard for student visas.

Another legal anomaly deserves mention. Every one of our English-speaking competitors in the international student market permits nonimmigrants to pursue short-term study for up to 90 days on tourist visas. This enables international students to take short-term English courses or other short-term summer courses in those countries, return for a week to defend their dissertations, and engage in all kinds of other short-term educational programs that are common in today's world, for which a student visa is inappropriate. In the United States, this practice is technically illegal, and post-September 11 crackdowns jeopardize these worthy activities. The law needs to be updated to reflect this common practice.

*Improved Visa Screening*

Notwithstanding an anomalous decline in visa applications in 2002, it is predictable that the volume of visa applicants will only continue to increase over the long term. The State Department's professional consular officers, scurrilous attacks to the contrary notwithstanding, do a responsible job, under adverse conditions, of trying to keep up with the flow. It's an impossible task. As in the classic "I Love Lucy" television show, the conveyor belt is only going to keep moving faster. Legislating that consular officers must give greater scrutiny to every applicant and treat everyone as a security risk is like legislating rain; it just can't happen. Post-September 11, a system is urgently needed that permits necessary scrutiny of visa applicants leading to decisions within reasonable and predictable periods of time.

So that they may devote adequate attention to visa applications with real security implications, consular officers must find ways to devote less attention to the rest, without any loss of overall effectiveness. The visa decision cannot be delegated; it is an essential government function. Some of what informs the visa decision, however, can be delegated. Through the creative use of partnerships, consular officers can use others to help inform their decisions. The result will be better, safer, more reliable visa decisions.

In the student visa area, we propose two such partnerships: first, a partnership with the higher education community to train new consular officers in the student visa process; and second, a partnership with the department's own overseas educational advising centers, whereby the latter would prescreen student visa applicants. We also propose increased funding for the consular affairs function in the State Department's budget.

First, the State Department should ask higher education to produce and deliver, in partnership with the department, an international student module for use by the Foreign Service Institute in training new consular officers. This module would help new officers understand the foreign policy, educational, and economic roles of international students in our society; the complexity of U.S. higher education and the international student admissions process; the documentation required of such students; the effects on schools when visa decisions are unpredictable; and other relevant factors. The point is not to suggest that any of these factors should drive the visa decision; they should not. The point is to make sure that the decisions are informed and are not made in an information vacuum, as is too often the case today. The result will be more rational accountable visa decision making.

Second, to reduce the burden on consular officers, the Department should use its own overseas educational advising centers to prescreen student visa applicants. A

model for this exists in Malaysia, where the overseas educational advising centers have an agreement with the U.S. consulate that they will prescreen students' visa applications to make sure that all the necessary documents are in order before sending the applications to the consulate. (This is particularly important in view of new, post-September 11 visa requirements, with which students may not be familiar.) Once the consulate approves the visa, the documents are sent back to the advising center for the student to pick up. In denial cases, the consulate returns the documentation to the advising center, which notifies the student. In this way, two purposes are accomplished: The consular officer is relieved of routine document verification and of having to process routine denials based on incomplete documentation; and recruitment is enhanced by driving applicants to the centers, where they can be counseled and provided with information. The British, who have been very effective at streamlining access for international students, have employed this method with good results. This is a case where we would do well to emulate our competitors.

Third, recent congressional attacks on the Bureau of Consular Affairs ring somewhat hollow in view of the fact that Congress has routinely underfunded this bureau, as it has much of the Department. Educators have long advocated greater funding for Consular Affairs. Thankfully, September 11 appears to have induced Congress to recognize the necessity of funding Consular Affairs at a level commensurate with its role as a first line of defense. The task force urges Congress to follow through and sustain necessary funding increases over time. The nation asks much of its consular officers; we will only get it if we pay for it.

*A Rational Student Monitoring System*

There has been much debate in recent years on the advisability of a nationwide international student monitoring system. That debate ended on September 11, 2001; it is not our intention to restart it. Such monitoring will soon be a reality, with the full support of higher education.

It is important, however, to remain focused on what the monitoring system was intended to accomplish. It was intended to be a tool for enforcing our immigration laws by enabling the government to know if international students were abiding by the terms of their visas and of their admission to the United States. And it was billed by the INS as capable of producing efficiencies for both the INS and academic institutions in the administration of educational exchange. As such, it was unobjectionable. It was not intended to be a barrier to exchange.

Unfortunately, as we lead from fear instead of from confidence, the system threatens to become what it was not intended to be. Many violations of student status are technical and inadvertent, stemming from lack of knowledge or understanding by young people of what are, after all, fairly complex regulations. Others are minor, routine infractions that the INS has considered to be harmless and, as such, are rarely subject to enforcement actions. And indeed, it is not unheard of for students to be deemed, incorrectly, to be out of status because INS officials do not understand their own regulations.

It has been possible, heretofore, for harmless technical violations or misunderstandings to be corrected, once discovered, without the student losing status. The system gave enough discretion to designated school officials to permit a rule of reason to prevail in the overwhelming preponderance of the cases that involved infractions with no national security implications. As we are now only too painfully aware, there were also enough "gaps" in the system to permit violations with profound national security implications to go undetected. The task is now to achieve a new balance, which maintains the attractiveness of the United States as a destination for international students without sacrificing national security.

It is not clear that the international student monitoring system that will go into effect on January 30, 2003, will achieve that necessary balance. The rigidities of the system are so great that inadvertent loss of status threatens to be a common occurrence, and the remedies are so difficult that significant numbers of international students may face significant disruptions in their studies and may even have to leave the country. This is not idle speculation. Reports have surfaced periodically since September 11 of international students being jailed for technical violations with no national security implications, or due to a misunderstanding of the regulations by enforcement officials.

It is certainly necessary to tighten enforcement, increase training for school officials, and do more to help international students understand how to remain in status and the consequences of failing to do so. But it is quite simply impossible for the United States to retain a robust international student industry if students must live in constant fear of making a mistake that costs them their education or even their freedom. Our competitors do not impose such burdens. It is they who will reap

the benefits, and the United States that will incur the loss, if we continue down this road.

IV. Address Issues of Cost

Although U.S. education is of the highest quality available worldwide, other countries appear to enjoy a competitive cost advantage over the United States. This primarily reflects the high cost of higher education in the United States for those unable to take advantage of in-state tuition rates. It also reflects the high cost of living and, for some, the high cost of travel to the United States, and is often exacerbated by a strong dollar on the exchange market.

What we need are more financial aid opportunities for international students and an easy mechanism for accessing information about these options. Through creative partnerships among the stakeholders who have an interest in increasing international student access to the United States—including higher education institutions, the U.S. government, foreign governments, and the business community—the task force proposes that more loans, tuition exchanges, and scholarships be made available to international students.

*Loans*

More private loans need to be available to foreign students and their families, particularly loans that permit co-signers from abroad. There are several promising models for such loans.

Citi-Assist International Loans and Citi-Assist Global International Loans, both offered by Citibank, have operated successfully for years. Unlike most other loans, which require a U.S. co-signer, these loans simply require that the student be enrolled at a participating school. If the student does not have sufficient individual financial assets, the student must only have a declaration of financial support from a family member.

Another model is the Duke MBA Opportunity Loan. International students attending the Fuqua School of Business may borrow up to $30,000 per academic year with a 5 percent disbursement fee and an interest rate of prime plus 2 percent. This partnership exemplifies the kind of cooperation that is needed between higher education institutions and the business community—in this case, between Duke's business school, SLM Corporation (Sallie Mae), and HEMAR Insurance Corporation.

In yet another innovative program being considered by First Financial Partners, Inc., families abroad could contribute money toward an investment fund that will safeguard their money in U.S. dollars and would accrue tax-free interest that can be invested in their children's education at U.S. institutions. This type of program is particularly promising for students in countries where their families know early on that they will want to send their children to study in the United States and where depositing money in their own national banks is viewed as high risk for them.

The task force calls upon the higher education and business communities to develop more innovative partnerships like these to make U.S. higher education more accessible to foreign students.

*Tuition Exchanges*

In what is truly a reciprocal exchange, students from other countries change places with students from the United States. They pay tuition and fees to their home institutions, so no money changes hands between the participating institutions. Because tuition expenses can be significantly lower in other countries, this type of tuition exchange offers foreign students an affordable opportunity to study in the United States, while encouraging U.S. students to study abroad. There are many examples of such partnerships between U.S. and foreign universities, operated successfully at minimal cost to both institutions. Many more such programs are needed.

*Scholarships*

There are also existing scholarship programs for international students that could serve as models for a broader effort. The approaches fall into two categories: first, at the state level, providing financial aid for international students in exchange for public service commitments by the students to the states; and second, at the national level, providing financial aid for international students to further specific U.S. foreign policy and international development objectives in the students' home countries.

At the state level, colleges and universities (even public ones) can offer tuition scholarships to international students. In a program to encourage public service in exchange for financial aid, the University of Oregon system offered out-of-state tuition remission to international students. In return, the students provided services

to the campus and the local community, including providing translation services for local businesses and teaching in elementary schools about their countries and cultures. The program proved so valuable that, when the system lost its ability to offer tuition remission, the chancellor decided to keep it going by offering tuition scholarships financed with university funds.

To this point, our recommendations for addressing the cost of higher education for international students would entail minimal or no cost to the public treasury. This approach is deliberate. However, a strong case can be made for publicly funded scholarship programs targeted at countries or regions where they would serve a strong U.S. foreign policy interest. This applies particularly to areas, such as Africa, whose economic development is important to the United States but that are too poor to afford their people the opportunity for a U.S. education. Where international student access is important to U.S. interests, but cost considerations are an obstacle to such access, appropriate programs are needed to address that problem.

In one model, the U.S. Agency for International Development offers seed money for scholarship programs for study in the United States that require the recipients to repay the scholarship through service in their home country. These partnerships have led to programs like one currently operated by the Academy for Educational Development. The program brings Botswanan students to the United States for their education in exchange for a commitment by the students to spend 2 years in public- or private-sector service in Botswana upon completion of their program. The program, initially funded with AID seed money, is now fully funded by the Botswanan government and is very successful, boasting a 99 percent return rate.

The Vietnam Education Foundation Act, sponsored by Senators John Kerry and John McCain, represents a different approach. The act creates a Vietnam Debt Repayment Fund, into which payments on debts assumed by the Socialist Republic of Vietnam, which were owed to the United States by the former South Vietnamese government, are deposited. The fund will be used to finance higher education in the United States for Vietnamese nationals, as well as service in Vietnam by U.S. citizens. The act provides for matching contributions by U.S. universities. Variants of this model could be used to recycle the debt payments of other countries into activities that support their economic development in furtherance of U.S. foreign policy goals.

These are examples of highly cost-effective programs that provide international students with opportunities to pursue higher education in the United States and, in the process, enhance the public good in various innovative ways. It should not be difficult to increase significantly the funding available for international students by building on these models. The task force calls for more such programs.

*A Financial Aid Information Clearinghouse*

Our nation's most important disadvantage pertaining to the cost of education is that other countries are aggressively marketing their advantages over the United States, while we are doing nothing to combat the notion that a U.S. education is unaffordable. As loan, scholarship, and tuition exchange opportunities are expanded, a comprehensive resource must be developed for international students to help them understand the financial options available to them. This needs to be part of the comprehensive information system on U.S. higher education that we propose in the next section.

V. Address Complexity With a Marketing Plan

To arrest the decline in the U.S. share of the international student market, the United States, through the coordinated efforts of the Departments of State and Commerce, must do what its competitors are doing: strategically market overseas the value of a U.S. education. The marketing strategy must address the problem of the complexity of U.S. higher education by transforming complexity from a liability into an asset. This must be done in two ways: first, through a coherent message that explains to consumers why the product is superior; and second, through an effective information tool that enables consumers to navigate the complexity and locate their needs in relationship to what the product offers.

*A Coherent Message*

The U.S. government and higher education institutions need to send out a dear, consistent message about U.S. higher education. The message should convey that the United States can provide a high-quality educational opportunity for everyone, even if they have limited financial means. Our higher education system's great diversity can help each individual who seeks an education in the United States to find the right fit. The message should help students understand that a U.S. education, although costly, is the best investment that students can make in their lives, careers, and financial future. It should convey to international students—and their

families—that they will be welcomed by the U.S. government, the universities, and the American public and that they will be safe.

Essentially, this is the branding of U.S. higher education as value and opportunity. A brand is a template that both government agencies and schools can use to craft their own messages to ensure that the overall U.S. message is consistent. By producing high-quality materials, which can be modified as necessary and distributed widely by all stakeholders, branding allows the pooling of resources for maximum impact and encourages the best use of marketing dollars.

In crafting this message, the State Department public affairs offices and Commerce Department Foreign Commercial Service offices should share responsibility for overseeing the market research necessary to enhance our understanding of how to appeal to overseas audiences on behalf of U.S. higher education. Admissions professionals in the schools, many of whom possess considerable expertise on marketing to international students, should be enlisted in this effort.

*An On-line Resource*

If the message is effective in conveying that a U.S. education is a good value, then students will want to know how to access this value. It is essential to develop a user-friendly, comprehensive, sophisticated, Web-based information resource through which international students wifi be able to understand and assess the higher education options available to them in the United States and identify possible financing options. This online resource should allow students to rank their personal preferences (cost, location, academic program, etc.) and should provide links to institutions that match up with their preferences. Ideally, these links would then allow students to apply for admission online.

CONCLUSION

The need is clear. Rather than retreating from our support for international student exchange—and foregoing its contribution to our national strength and well being—we must redouble our efforts to provide access to foreign students while maintaining security. We need to develop a strategic plan for promoting study in the United States to international students, rationalize the recruitment effort, remove excessive governmentally imposed barriers to access, and address issues of cost and complexity. The task force calls on the U.S. government, academe, the business community, and all who care about our nation's future to step up to the task of ensuring that we continue to renew the priceless resource of international educational exchange. We pledge our continuing support for the effort.

The CHAIRMAN. Thank you very much, Ms. Johnson. Thank you also for including in the packet a good number of suggestions and publications that are very important and that exemplify the work of your group. We appreciate that.

I would like to call now on Dr. Kattouf.

## STATEMENT OF HON. THEODORE H. KATTOUF, PRESIDENT AND CHIEF EXECUTIVE OFFICER, AMIDEAST

Ambassador KATTOUF. Mr. Chairman, members of the committee: I am honored to appear before you today on the status of international students and exchange visits in the United States in light of the new visa regulations and other measures implemented since 9/11.

As a former ambassador to both Syria and the United Arab Emirates and as someone who has spent 21 of 31 years in the foreign service at U.S. embassies and missions in the Arab world, I well appreciate the threat that terrorists pose to this country. I have been on the wrong end of a couple incoming missiles myself when I was out in the field. But, as we all know, U.S. security does not depend solely on the strength of our armed forces or on the effectiveness of the CIA, the FBI, Homeland Security, U.S. Customs, and others charged with uncovering and preempting plots against us.

As this committee well recognizes, the war against terrorism requires that we isolate to the greatest extent possible those who would slaughter civilians and indeed stop at virtually nothing to achieve their goals. We cannot kill even the most twisted and evil ideology with force alone.

I think, as is clear from everybody who has spoken today and from the opinions expressed by committee members that exposure to liberal education and values such as academic freedom and open inquiry are among the best tools we have to inspire a new generation in the Arab and Islamic world to resist the siren calls of those who would subvert one of the world's great monotheistic religions to achieve their political interests.

Let me say in this regard that the Fulbright program continues to be one of the best means ever conceived to bring international scholars and academics here and to send our young scholars and academics abroad. In the past decade alone, tens of thousands of Middle Eastern students, scholarship recipients as well as those who are self-funded, have returned to their own countries and assumed leadership positions in which they are able to serve as cultural interpreters by virtue of their first-hand perspectives on U.S. society.

It has already been noted that 10 of 21 outgoing Jordanian cabinet members—they have just had a cabinet re-shuffle—but 10 out of 21 of the last cabinet are graduates of U.S. universities. It may surprise some to learn that most of the ministers in the government of Saudi Arabia and also in their consultative council have received degrees from U.S. universities. This is true across the Middle East, not necessarily in those numbers, but there are people who are holding positions in business, academia, and other professional leadership positions.

Mr. Chairman, I know that you and your committee, along with some other key Members of Congress, strongly support programs and policies that are both consistent with homeland security and keeping the welcome mat out for legitimate students who wish to benefit from our educational system and learn more about our way of life.

My organization is much smaller than the others who have testified here today, but we do have 15 offices in 11 Arab countries, that is AMIDEAST. And we are proud that for decades we have received a grant from the State Department that has permitted us to assist hundreds of thousands of Middle Eastern students interested in attending U.S. institutions of higher learning. We are no less proud that we manage over 200 Arab Fulbright students who are currently studying in this country.

My organization, further, has been involved for many years in various exchange programs, and I want to thank this committee for the support it has given recently to such innovative exchange programs as the Youth Exchange and Study program, or YES, that brings Middle Eastern and South Asian youth to this country for 1 year of high school and home stays with American families. Similarly, the Partnerships for Learning Undergraduate Studies, PLUS, program offers disadvantaged students from the region the opportunity to get a liberal arts degree in this country; and the Congress has funded the Middle East Partnership Initiative, which is admin-

istered by the Near East Bureau of the Department of State and allows organizations like my own to come up with innovative programs that help fill needs in terms of bringing students to this country, bringing exchange student professionals to this country, and doing projects in the field as well.

The response to these new programs has been extremely positive, even overwhelming. I cite statistics which show that for every, for instance, scholarship we have in the U.S. program there are 50 or 100 applicants. I had the honor, Mr. Chairman, of attending a reception here on Capitol Hill co-hosted by you and Senator Kennedy, and I can attest to the fact that all the students I talked with were uniformly enthusiastic. Their only concern was, how are we going to explain to the folks back home how good America really is?

I would just say in conclusion, sir, that this committee, besides having our gratitude, that we need to continue to fund at a high level such programs as I have mentioned—YES, PLUS, the Middle East Partnership Initiative. I think more can be done in this regard and should be done in this regard.

It is also important, as a number of speakers have pointed out, that the Department of State, the Department of Homeland Security, and other concerned government entities be adequately funded to handle their visa processing caseloads, and that they work smarter and that they work closely and cooperatively together to refine and streamline the visa issuance and entry processes. It is in our national interest to get out the word that the United States remains a country welcoming of foreign students and other visitors.

Thank you, sir.

[The prepared statement of Ambassador Kattouf follows:]

PREPARED STATEMENT OF AMBASSADOR THEODORE H. KATTOUF, PRESIDENT AND CHIEF EXECUTIVE OFFICER, AMIDEAST

Mr. Chairman, Members of the Committee. I am honored to testify before you today on the status of international students and exchange visitors in the United States in light of the new visa regulations and other measures implemented since 9/11 to protect the homeland and the American people. As the former Ambassador to Syria and the United Arab Emirates, and as someone who has spent 21 years of a 31-year career at U.S. embassies and missions in the Arab world, I well appreciate the threat that terrorists pose to our vital interests, and nothing I say today should be construed as intended to weaken our resolve to combat them.

U.S. security, however, does not depend solely on the strength of our armed forces or on the effectiveness of the CIA, FBI, U.S. Customs, and others charged with uncovering and preempting plots against us. As this committee well recognizes, the war against terrorism requires that we isolate to the greatest extent possible those who would slaughter civilians and, indeed, stop at nothing to achieve their goals. But military might and timely intelligence cannot do this alone. We can't kill even the most twisted and evil ideology with force, and indeed, the use of force sometimes has the unintended effect of strengthening such ideologies.

It is my firm belief that exposure to liberal education and values such as academic freedom and open inquiry are among the best tools we have to inspire a new generation in the Arab-Islamic world to resist the siren calls of those who would subvert one of the world's great monotheistic religions to achieve their political self-interests. In this regard, the Fulbright Program continues to be one of the best means ever conceived to bring international scholars and academics to this country and to send our young scholars and academics abroad.

In the past decade alone, tens of thousands of Middle Eastern students—scholarship recipients as well as those who are self-funded—have returned to their own countries and assumed senior leadership positions in which they are able to serve as cultural interpreters by virtue of their firsthand perspective on U.S. society. I will not be the first to note that 10 out of 21 outgoing Jordanian cabinet members and most of the ministers in the Saudi government received degrees from U.S. academic

institutions. Significant numbers of ministers in other Arab countries such as Lebanon, Egypt, Kuwait, and Morocco also have studied in the United States, as have those in business, academia, and other professional leadership positions regionwide.

Yes, it is true, Mr. Chairman, that disdain for—and suspicions of—U.S. government policies and intentions are widespread throughout the region. Indeed, the current level of anti-Americanism is higher than I can remember it being except at critical times such as during and after the 1967 Arab-Israeli war. Yet what we cannot quantify is how much worse the situation would be for American interests in the region if there were not a cadre of responsible regional leaders, who through their U.S. studies, have gained an appreciation of what is good and decent about America and who know and respect our values.

Mr. Chairman, I know you and your committee, along with some other key members of the Senate and the House, strongly support programs and policies that are both consistent with homeland security and keep the welcome mat out for legitimate students who wish to benefit from our educational system and learn more about our way of life. My own organization, AMIDEAST, with 15 offices in 11 Arab countries and territories, is proud that for decades it has received a grant from the State Department that has permitted us to assist hundreds of thousands of Middle Easterners interested in attending U.S. institutions of higher learning. We are no less proud to have been chosen to manage the Fulbright Foreign Student Program for Arab grantees, over 200 of whom are currently studying in this country. My organization has further been involved for many years with various exchange programs, and I want to thank this committee for the support it has given recently to such innovative exchange programs as the Youth Exchange & Study (YES) program that brings Middle Eastern and South Asian youth to this country for one year of high school and homestays with American families; the Partnerships for Learning Undergraduate Studies (PLUS) program that offers disadvantaged students from the region and South Asia the opportunity to complete a U.S. undergraduate liberal arts degree; and for allocating funds at an increasing annual rate for the Middle East Partnership Initiative (MEPI) that is overseen by the State Department's Near East Bureau. The response to these new programs among the target populations has been highly positive even in the current atmosphere, evidenced by the impressive number of applicants for the YES program in particular—683 in Lebanon (from which 24 were selected), 449 in Jordan (from which 18 were selected), and 497 in the West Bank (from which 25 were selected).

I had the honor and pleasure, Mr. Chairman, of attending a reception here on Capitol Hill co-hosted by you and Senator Kennedy in honor of the first group of YES students just prior to their return home. I talked with a number of them, including some students from Syria where I most recently served. I can honestly relate, Sir, that each and every one of these young people was enthusiastic about the high school academic year they had just experienced. Time and again, they commented that they found Americans warm and welcoming and that they did not feel themselves strangers once they came to appreciate the true diversity of this country and the great number of immigrants who call America home. The one problem—if it can be called that—voiced by many of these young people was their concern that it would be hard to explain their positive feelings for this country and its people to their families and friends back home who had not had the same opportunity for first-person exposure. Therefore, I laud Congress and the Administration for renewing and expanding this program from the initial 160 students who participated last academic year to the 450 expected this year.

Despite the impressive response to the YES program, the United States risks suffering a net loss if the overall numbers of students coming here to study are outnumbered by those who make the conscious choice not to come. Unfortunately, this is a real possibility if not already a reality. The number of Saudi, Kuwaiti, and Bahraini students studying in the U.S. fell by over 25% the first academic year after 9/11. Other countries that sent significantly fewer students included the UAE, Yemen, Syria, Jordan, Oman, Egypt, and Tunisia. Some of these previously U.S.-bound students have ended up at AUB, AUC, and the other more recently established U.S.-style universities in the region that have witnessed a surge in applications; in Qatar's new Education City, U.S. universities have established campuses and are awarding degrees identical to those they confer in the United States. While I will be the first to applaud an increase in the number of individuals who can benefit from a U.S.-style education in the region, these opportunities do not provide the first-hand exposure to U.S. culture and society that is so essential. Meanwhile, more Middle Eastern students are enrolling in universities in Australia, Canada, and the United Kingdom, whose representatives are actively recruiting in the region. Word of mouth is extremely important in the Middle East; and just as many Arabs have chosen U.S. study because their family and friends had positive experiences here

years ago, today's international scholars will one day be recommending universities elsewhere in the world if current trends continue.

Many of the reasons behind the declining enrollments of Middle Easterners at U.S. universities are well known, but they bear repeating. Initially, many Arab students heard stories, often exaggerated, about compatriots in this country suffering hostility and harassment immediately following 9/11. Worries about personal safety in the U.S. has largely subsided, but in its place is a growing fear of being humiliated at points of entry and concern about the U.S. attitude to the Arab world in general. The speed with which new visa regulations have had to be formulated and enforced has resulted in considerable confusion, not least within the U.S. government agencies charged with implementing the new policies. Some foreign students nearing the end of successful degree programs have been denied reentry into the United States or expelled from the United States because of an inadvertent minor visa violation or a bureaucratic mistake. Others have undergone intense investigation at their ports of entry—or have been sequestered for hours only to eventually be given a cursory interview and permitted through. The latter has occurred with a number of U.S. government-sponsored students and other visitors administered by AMIDEAST, and in some cases the problem seems to have been insufficient immigration staffing rather than concerns about the visitors themselves. Sometimes these situations can be rectified, but by then students may have missed a semester or more of study and incurred significant additional expense, not to mention the ill will generated in the process.

While the number of U.S. study-related visits to our field offices is on the upswing after two years of decline, far fewer students appear to be actively pursuing U.S. study options. Attendance at our preadmissions advising sessions reached a high of over 9,000 students in calendar year (CY) 2000, after which we have experienced a steady decline to just over 5,000 students in CY 2003; statistics from the first half of CY 2004 indicate that this trend is continuing. Our field staffs confirm that the fear of running afoul of visa regulations during a long course of academic study—and of lengthy and humiliating interrogation at points of entry—is discouraging many legitimate students from seriously considering higher education in the United States. If fewer Arab youth choose to come to this country for higher education, who in the next generation will be able to serve as cultural interpreters? Who will be able to explain that while U.S. regional policy may fall short in Arab eyes, there is much that is worthy of emulation in U.S. society?

Finally, Mr. Chairman, I want to emphasize the importance of American students and scholars going to the Arab world for study. Despite the recent targeted violence against Americans and other foreigners in Iraq and Saudi Arabia in particular, many other parts of the region remain hospitable to visiting scholars, and interest in study abroad in the region among U.S. universities and students alike is on the upswing. Anything the U.S. government can do to encourage and promote this interest is most welcome. It is vital that we continue to develop linguistic and regional expertise. Failure to do this can literally kill us. A shortage of linguists, particularly in difficult Middle Eastern and South Asian languages, too often results in U.S. foreign affairs and law enforcement agencies being slow to recognize the importance of information already available to them. According to a Modern Language Association study released last November, only 8.7% of all college students are enrolled in foreign language courses, half of whom are studying Spanish. In a National Geographic survey done in 2002, when there was much speculation that the United States military would be asked to go into Iraq, only 13% of young adults ages 18–24 could locate Iraq or Iran on a map of the region. By contrast, 34% of young Americans correctly identified the South Pacific as the location of the island used for the show Survivor during that television season.

In conclusion, I want to thank this committee and the Congress for its current commitment to funding the expansion and innovation of programs intended to bring Middle Eastern students to this country. I believe that even more can and should be done in this regard. The safeguarding of our borders must remain a top priority, of course. However, it is also important that the Department of State, the Department of Homeland Security, and other concerned government entities be adequately funded to handle their visa processing caseloads and that they work closely, cooperatively, and expeditiously to refine and streamline the visa issuance and entry processes. It is in our national interests to get out the word that the U.S. remains a country welcoming of foreign students and other visitors.

The CHAIRMAN. Thank you very much, Ambassador.

Let me just suggest now that we have a round of questioning. We will have a 3-minute limit and ration our time. That will allow us each maybe one question.

I would like to direct my question to you, Ambassador. You have extensive experience with students from the Middle East. Picking up a question that Ms. Johnson asked, she said why spend so much time on people who are obviously no problem? Devote your time to those that seem to be a problem. Now, there seem to be two problems in a practical mind. People outside this hearing might say, on the one hand we talked earlier about problems of technical expertise or trade secrets or that type of thing. We were worried about the Chinese and the Russian students.

But with the Middle Eastern students, many people would say, well, after all, that is where the war on terrorism is going on. This is where the people are coming from. Some Americans would say, well, now you are profiling. You are looking at very specific countries, and here these people are perfectly innocent. As a matter of fact they probably oppose what the mullahs are doing.

How do we get to a point where as a practical measure we know who we want to look at, and how intensively we want to do so? Or do we discriminate in any fashion? How do we simplify the whole business?

Ambassador KATTOUF. Thank you for your question, sir. I was the Ambassador to Syria, where a lot of the most stringent visa regulations took effect prior to going into effect in a number of other countries. I can give you a vignette in which a Sunni Muslim woman, the daughter of two doctors who were well and favorably known to me, who were upstanding members of the community, who were very, very pro-American, who had come to this country all the time, came back to visit her parents during the summer. While she was there, her visa expired and the new visa regulations kicked in for Syria. She was working in her last year for a Ph.D. at MIT in the biological sciences. Her number one mentor at the university was a Jewish professor who thought extremely highly of her and had recommended her for teaching assistantships and the like.

I as the U.S. Ambassador could do nothing to speed the process up. My word, my knowledge, counted for nothing. It had to be vetted, her name had to be vetted by Homeland Security, and it was impossible for me at that time to find out where in the system, if anywhere, you could intervene.

Finally, we got her back in time to—but it was almost just serendipity that we got her back in time to do her assistantship.

These stories can be repeated hundreds and hundreds of times. Right now, sir, in this country we have 3,500 Syrian-American doctors, not people who came 100 years ago and are descendants of people who came 100 years ago, but people who got their university degrees in Damascus and Aleppo and are practicing as board-certified physicians in places like Appalachia today.

So the benefit we have reaped by people coming from all over the world, including the Middle East, far outweighs any security threats. And I agree with Ms. Johnson, we need to concentrate our attention on those who would truly hurt us.

The CHAIRMAN. Senator Sarbanes.

Senator SARBANES. Thank you very much, Mr. Chairman.

I would like to put to each of you, let us do a hypothetical. Assuming that you have been established as the coordinator or the person in charge in the Executive Branch of our government with respect to this visa question, what changes, what are the top changes you would institute which could be done, as it were, immediately in order to address this question?

Why do we not go right across the panel.

Ms. JOHNSON. Well, the first thing that we need is policy guidance. There needs to be—the Department of Homeland Security has a responsibility for the policy guidance under the law. They, along with the Department of State, need to write something that is the policy guidance for the consular affairs, because without that the individual consul who is deciding has no choice really but to always make the most conservative decision, because nobody wants to be the one that made the mistake and they cannot be making individual policy down there.

Secondly, we need to give consulates discretion to grant waivers of personal appearances based on a risk analysis that the State Department guidance provides. We need to refine the controls on advanced science and technology. There are a list of these which we have given, we have submitted, that are in your packet. Rather than using up all the time, I could go through them again, but——

Senator SARBANES. We will take a look at it.

Ms. JOHNSON. Yes. But I think we have given—and we have been talking to the Department of Homeland Security. I have to say that we are working actively with the Department of Homeland Security and with the Department of State, and there is progress and we are told that there is more progress under way and that you will be pleased.

Senator SARBANES. Who do you work with when you work with the Department of Homeland Security?

Ms. JOHNSON. Well, starting at the top, with Asa Hutchinson and Stewart Verteray and on down.

Senator SARBANES. Do you think there should be a person in the Department of Homeland Security tasked with just this problem alone?

Ms. JOHNSON. Which, the visa problem?

Senator SARBANES. Yes.

Ms. JOHNSON. Well, there must be. I do not know. I mean, there is—there are people with this responsibility, but it is not the only responsibility at the Department. But there are individuals whose primary responsibility is visa policy.

Senator SARBANES. No, I meant just student visas.

Ms. JOHNSON. Yes, student visas.

Senator SARBANES. There is such a person?

Ms. JOHNSON. Yes.

Senator SARBANES. I did not think there was.

Ms. JOHNSON. Well, you mean, are you talking about a person who has no responsibility other than student visas?

Senator SARBANES. That is right—a specific person who is the go-to person by universities all across the country, by ambassadors with their problems. This is your fairly high-level person within the Department who has the authority and the power to handle just

this problem, and everyone knows that this is the person and this is the office to go to; this particular problem within the broader visa problem is of sufficient importance that it ought to have this kind of bureaucratic structure to deal with it.

Ms. JOHNSON. Well, I think I am not sure if you are asking if they should have a place where individual universities are going to for case work. I do not know that that is what we need here, because we really need a policy driver that gives, provides the flexibility for individual consular affairs people at each embassy to work with. That is the framework.

Senator SARBANES. I am hard put to see how the guidance is going to get the consular officer off the hot spot of being extremely defensive about who he lets in, because no one wants to be the consular officer who gave a visa to someone who turns out to be a bad actor.

Ms. JOHNSON. Exactly, right.

Senator SARBANES. You are finished if that happens. So somehow you have to get it to a point where you have people who are prepared to make these decisions and in effect take the responsibility for them. I am searching for a way to do that, to break through the system in order to make it work.

Ambassador KATTOUF. Senator, if I may, if might say, I as a former Ambassador, I think that is an excellent idea, that there needs to be an ombudsman maybe in the Department of Homeland Security, somebody who could cut across all the various agencies that vet visas and run the name checks and say, okay, we have an ambassador out here or we have a consul general out here or a Fulbright commission out here who have reviewed this person. We know who this person is, even if their name is similar to that of a terrorist because they have a tribal name or something. We know this is not the person you are looking for. It is not necessary to do 6 months of further background checks. We know who we have got here; please admit this person.

Because you are absolutely right, the consuls cannot take that responsibility. The vice consuls are finished if they just make one mistake of a serious nature.

The CHAIRMAN. Thank you for that suggestion.

Thank you, Senator Sarbanes.

Senator Alexander.

Senator ALEXANDER. Thank you, Mr. Chairman.

I will make a brief comment and ask one question so we have time for Senator Coleman, who has displayed such an interest in this subject. On Senator Sarbanes' comment about rationale, I would guess the rationale for all this is, for the importance of the visas, is, one, public diplomacy. One could argue that the best spent dollars that the United States has ever spent on improving our position around the world has been at American universities educating people from around the world. I believe that.

Two, jobs. The National Academy of Sciences says that half our new jobs since World War II have come from investments in science and technology, and you have told us or reminded us that a quarter to a third of our science and engineering degrees, new degrees, are held by foreign—well, more than that are held by for-

eign, earned by foreign nationals. But maybe a third of them stay here.

Then the third is—and I do not mean this in any disparaging way—600,000 students times whatever the tuition is is a lot of money, and that is very important to many colleges and universities in the United States. They are glad to have the customers.

My question is this. Are you involved with the national laboratories in your work to solve this problem? They have the same problem. They are similar institutions. They are managed by yet another department of our government, the Department of Energy, and might be a valuable ally in solving the problem.

For example, three physicists approved to do research at Oak Ridge National Laboratory went to Canada for a conference during their stay at Oak Ridge and were not allowed to return to Oak Ridge, so they spent the next 6 weeks in Canada trying to get back. The same sort of problem that you have with repetitive visas.

So my question is, are national labs involved in the work you are doing at all? Do you work with them?

Dr. GOODMAN. Senator, many of us have also testified with the National Academy of Sciences, which takes also the lead in the scientific community for just this thing. We all face similar problems. We communicate with each other a great deal.

I think Senator Sarbanes has really hit the nail on the head. If we had the Homeland Security counterpart to the Assistant Secretary for Cultural Exchange at the Department of State, it would elevate the problem and also the urgency of the solution in that Department in the way that the State Department has acted very proactively. They are not the problem. It is the other Department and they need to treat educational exchange and scientific exchange as just as important as any other aspect of their business in homeland security.

Ms. COTTEN. Might I add? Once we have done all of this—and people mentioned before. Once we have subjected each of these people to this review and we have decided that they can come in, then give them visas that are the duration of their programs, that are tied directly to the educational or research activities, rather than truncated.

The CHAIRMAN. Thank you very much, Senator Alexander.

Senator Coleman.

Senator COLEMAN. Thank you, Mr. Chairman.

I take great pleasure in having Ms. Johnson here. She is a former lieutenant governor of the State of Minnesota. Eleven years ago we participated in a series of debates together when we were both candidates for mayor of the city of St. Paul. So we have all come a long way since those days. It is great to have you here.

Reflecting on the issue raised by my colleague from Maryland, the idea of having a single person in Homeland Security, I would also raise at least from my discussion of these issues a larger need for coordination among a number of agencies. I do not know if the Department of Education has a specific role in this, but you would think they would be involved in some of these discussions. The Department of Commerce, Department of State, they have programs to promote higher education. I think they have got to be at the table. My sense is that their efforts are not well coordinated.

The Department of Homeland Security has a clear role in this, but I am not sure if their activities, if they are involved in this discussion integrated with others. So I would—as we focus on a question of perhaps an ombudsman, I am certainly willing to explore that idea.

Could you talk to me about how do we bring together the various agencies of government so we are all focusing on the same page and on the same tune? I will add just a second part to the question. I worry about the outreach. Assuming we make changes, I think there is concern in the world today in terms of whether folks want to come here. I think our competitors, Australia and England, are doing a heck of a job marketing. They are selling. Though we have a multitude of opportunity here, I am not sure that we are doing the best job of selling our products.

Can you talk to me about coordination and then marketing, reflections? Mr. Goodman, Dr. Goodman.

Dr. GOODMAN. Thank you, Senator. We have an executive order which establishes an International Education Week under the guidance of the Secretary of Education and the Secretary of State. We do not have as a national policy of international education which provides the resources, the policy guidance, gets all the players at the table, and does what other countries that are competing with us every day do, as Britain does, as France does, as Germany, Japan, Australia, countries we have talked about this morning.

So a major step forward would be for this country to have not only an International Education Week, but a national policy for international education.

Senator COLEMAN. Thank you, very helpful.

Any other comments? Ms. Johnson.

Ms. JOHNSON. I think the issue of coordination is essential, and the international education policy that Dr. Goodman just talked about is part of a proposal and was reflected in the Senate Resolution 7 that you co-authored, Mr. Chairman.

I think that the lack of a policy and the lack of coordination is one of the most significant impediments to moving forward, because there are so many unintended consequences of virtually every fix that we come up with. So without that policy and without an inter-agency look at this, we will just go from one more unintended consequence to another, and we are getting ourselves in a deeper hole and we must work on this in a more disciplined way.

Senator COLEMAN. Thank you, Ms. Johnson.

Thank you, Mr. Chairman.

The CHAIRMAN. Well, thank you very much, Senator Coleman.

Let me just comment in summary. The last hearing we had on this general subject, we had where you are now sitting representatives from the State Department, from Immigration, from Homeland Security, in an attempt for each of these officials to listen to each other as well to our general pleas for progress. I state it that way. It is not incrementalism, but we appreciated that they were not going to all change their minds and policies during one hearing. We were asking them to consider the problem together.

We had on that occasion people from the tourism industry in addition to education. The thing was oriented much more toward the trade impact and imbalances in terms of income and so forth. Of

course, the trade people had a whole raft of things about why tourism is down in various parts of our country, and they went through all of this.

Our officials are cognizant of this. They are sensitive to this. However, I think the hearing today refines a good number of points. It is important that we try to find out what happens with regulations and statutes, specifically which agencies are players and which need to coordinate or listen to each other or can unilaterally make changes.

In the collective testimony that the witnesses have given, including both our first panel and this panel, there are a number of pointed suggestions, including the idea of a roundtable of sorts. I am trying to envision in my mind's eye who all needs to be around the table, but I have some pretty good ideas. The Senators who were here today have manifested a strong interest for a long time in these issues, as have you, the witnesses.

We will do our best to push ahead and we will try to do so in a timely way. Although the Congress will not be in session, we suspect, through much of the rest of this year, some of us will, in fact, still be working at our day jobs and we will try to formulate some plans and maybe even some activities or meetings that will be helpful.

I thank each one of you for your testimony, as well as your colleagues who helped you prepare for the hearing, and all Senators who have participated.

So saying, the hearing is adjourned.

[Whereupon, at 11:36 a.m., the committee was adjourned.]

---

## ADDITIONAL STATEMENTS AND QUESTIONS AND ANSWERS SUBMITTED FOR THE RECORD

### PREPARED STATEMENT OF SENATOR RUSS D. FEINGOLD

Thank you to the Committee for holding this hearing today. It is imperative that we look closely at how our visa regulations are affecting international student and researcher access to the United States. In our efforts to enhance our national security, we must remember that international exchange programs also contribute to making America safer. In an increasingly interconnected world, exchange programs equip Americans with the necessary skills to tackle global problems, such as dismantling terrorist networks and stemming the proliferation of weapons of mass destruction, and to compete in the global marketplace. Exchange programs also assist in dispelling negative stereotypes of Americans. They foster trust and mutual understanding and allow the United States to transcend anti-American rhetoric and define itself to others.

I believe that diplomacy must occur at all levels of society and not only through government representatives. For this reason, I introduced S. Res. 313, the People-to-People Engagement in World Affairs resolution, with Senator Chuck Hagel. This resolution is a call to Americans to look beyond our borders to engage with the wider world at an individual, human level. It encourages Americans to seize opportunities to engage in the global arena—through participating in a professional or cultural exchange; studying or volunteering abroad; working with an immigrant or refugee group in the United States; hosting a foreign student or professional; participating in a sister-city program; and learning a foreign language. This resolution supports the efforts, of so many organizations, some of whom are represented at this hearing, to increase international exchange, awareness and understanding.

I am especially proud of my constituents in Wisconsin, who have continued to demonstrate a commitment to international education. Wisconsinites have opened up their homes to international students and professionals from all over the world. They have trained dairy farmers in South America and Eastern Europe, participated in sister-city exchanges with Russia and Colombia, traveled to refugee camps

in Thailand, built schools in Tanzania, and hosted Pakistani educators. Wisconsin is also one of the biggest contributors of Peace Corps volunteers in the United States, and Wisconsin's universities and colleges host students from around the world. Through these activities, my constituents have fought stereotypes and created openings for greater trust and cooperation.

The 9/11 Commission recommended that we "defend our ideals abroad vigorously" and "act aggressively to define" ourselves in the Islamic world through a variety of channels, including rebuilding scholarship and exchange programs that reach out to others abroad. Congress must commit to assist in creating a predictable, transparent and timely visa process that protects our national security, in order to facilitate these types of programs. I believe that we can simultaneously protect our country and welcome international students and researchers.

---

RESPONSE BY MARLENE JOHNSON TO QUESTION FROM SENATOR FEINGOLD

*Question.* What do you believe are the major contributing factors to declining application rates from international students to study in the United States, as the statistics seem to demonstrate? Is it a perception of an arduous visa process, the actual visa process itself, anti-American sentiment, the attractiveness of other countries to student, or other factors?

Answer. Unfortunately, I think each of the factors you've listed has contributed to something of a "perfect storm" leading to declining application rates. The visa process was incredibly arduous and unpredictable for quite some time after 9/11. While the Departments of State and Homeland Security have made much progress over the last few months, which we truly appreciate, problems remain.

For instance, Visas Mantis security checks are taking much less time on average than they were last year, or even earlier this year, but far more people are being subjected to them—requests for these checks have increased from only 1,000 in FY2001 to nearly 22,000 in FY2004. And the same people are often caught up in the process all over again when they leave the country for a short period of time, and then return—even when they're returning to resume the exact same program.

Moreover, the perception that it is unnecessarily difficult to obtain a visa to study in the United States will be difficult to quell without proactively and decisively addressing it. As they say, "you only get one chance to make a first impression." For many prospective students who were "introduced" to us during these tumultuous times, we cannot just sit back and hope they will give us a second chance. We need to redeem ourselves and roll out the welcome mat.

Other countries have been challenging our near-monopoly of the international student market for years—and they are more than happy to step into the void we are currently leaving. We need to reestablish the United States as the destination of choice for international students. To do this, we will need a national strategy—which my organization has outlined in a report entitled "In America's Interest: Welcoming International Students", which I would be happy to share with the Committee.

---

RESPONSES BY AMBASSADOR TED KATTOUF TO QUESTIONS FROM SENATOR FEINGOLD

*Question.* How has the growing anti-Americanism in the Middle East affected your programming?

Answer. AMIDEAST enjoys a longtime, well-regarded presence in the Middle East and North Africa. Our mission is to strengthen understanding and cooperation between peoples of the region and the United States, which we do through assisting individuals interested in pursuing U.S. study, carrying out institutional development projects in the region, and teaching English to interested parties. For the most part, these programs have not been affected by changing regional perspectives vis-a-vis the United States. In recent years, our office functions have become more security-conscious to some degree, but not in a manner that affects our work. In Lebanon, Jordan, and Northern Iraq, for example, AMIDEAST is intentionally subtle in its signage in order not to draw attention to an American-based organization and its local clients. In certain offices in the region, we employ a security guard. Occasionally, our offices may close on recommendations from the U.S. Embassy or the local security services, but this happens more often in areas of greater tension like the West Bank and Gaza than it does for the region as a whole.

*Question.* How receptive are people in the Middle East to exchange programs with the United States and to learning English?

Answer. AMIDEAST's three activities which are most indicative of public interest include advising services for students interested in U.S. higher education, recruit-

ment for U.S.-bound exchange programs, and English language education. Overall, our statistics indicate a consistently high level of interest in exchange programs and language learning, while the practical difficulties many students associate with U.S. study compromise advising numbers.

Statistics on the number of students taking advantage of our free advising services have exhibited a decrease since 2001, with the numbers beginning to recover in 2003. Several country-specific examples follow.

- In Egypt, there has been a 30% decline in advising, accompanied by a 10% decline in the number of students studying at U.S. institutions.
- Since the introduction of more strictly imposed visa regulations, Kuwait has experienced a 50% decline in applications to the United States.
- In Lebanon, attendance at regular advising sessions deceased by 52% in the year following 9/11, and remains 41% lower through CY2003, although the numbers have begun to climb again. Attendance at the free, weekly graduate advising session on September 10, 2001 was 93 attendees; weekly attendance since then averages 10 students per week.
- In Syria, educational advisers report increased interest in American-style universities in the region as an alternative to institutions in the U.S., with 50% more applications to the American University in Beirut, 32% more to the American University in Sharjah, and 68% more to the Lebanese American University.
- During advising sessions in Morocco, attendees are asking more questions about American universities in Europe with a special emphasis on those located in Spain.

Yet while the number of students taking advantage of our advising services has declined, applications for exchange programs continue to increase. In three of the U.S. government-sponsored exchange programs for which AMIDEAST conducts recruiting in the region—Youth Exchange and Study (YES), Partnerships for Learning Undergraduate Study (PLUS), and the Fulbright Foreign Student Scholarship Program—demand far outstrips the available slots. For newer programs like YES and PLUS, which are just entering their third year of recruitment, application numbers continue to increase. It is significant that these programs offer opportunities at several levels of education: YES targets for high school students, PLUS is for undergraduates, and Fulbright funds graduate students. Students and their families at all of these levels express keen interest in the opportunities available in a U.S. education.

Third, AMIDEAST's English language course enrollments have increased steadily over the past decade, with an appreciable increase especially since 2001. For fiscal year 2000, which closed at the end of September 2001, regional English language course enrollments were 12,854. In the next fiscal year, enrollments rose to 15,565, increasing again to 20,816 in FY2003 and to 25,569 in FY2004. Put more succinctly, AMIDEAST's English language program enrollments have more than doubled since 2001, indicating an increasing interest in the opportunities provided by learning the language, even as it is increasingly difficult for students to take advantage of U.S. study opportunities.

*Question.* How often do you confront misperceptions of the United States in your daily work?

Answer. Broadly speaking, people in the Middle East and North Africa tend to make a distinction between U.S. foreign policy in their region, and the culture, opportunities, and people they may encounter in the U.S. For example, a Middle Eastern student may oppose U.S. foreign policy, but have a positive view of Americans and be enthusiastic about the opportunity to study in the U.S. Accurate and inaccurate perceptions may more often stem from an unwelcoming experience, either at the Embassy or consulate, or upon encountering the airport security apparatus. Word of mouth is a particularly meaningful conduit in the region, and one student's bad experience can be repeated ad infinitum, in many cases serving to discourage other students. This information contributes to the perception that students are unwelcome in educational contexts, when the opposite is true. Our educational advisers in the region work to correct these misperceptions and encourage students to continue applying to programs in the U.S.

---

PREPARED STATEMENT OF TIM HONEY, EXECUTIVE DIRECTOR, SISTER CITIES INTERNATIONAL

On behalf of the 700 U.S. communities partnered with more than 1,800 international communities in 125 countries, I want to thank the committee for addressing the issues surrounding the current visa policy as it impacts international edu-

cational, cultural and development exchanges. Sister Cities International is an international nonprofit, citizen diplomacy network that creates and strengthens partnerships between U.S and international communities at the local level. Sister Cities International works to promote sustainable development, youth involvement, cultural understanding, and humanitarian assistance through citizen diplomacy. Citizen diplomacy is a peaceful way to promote American foreign policy by establishing links between people within the international community. Sister Cities International works to create citizen-to-citizen connections by promoting peace through mutual respect, understanding, and cooperation at the local, county and state level. Annually, 7,000 to 13,000 citizen exchanges occur between sister city programs.

In the three years since September 11, 2001, the need to eliminate global terror and institute avenues of intercultural understanding has grown. Today, citizen diplomacy programs hold the highest incentive for governments who are interested in establishing goodwill between states. International education and exchange programs are critical elements in the conduct of U.S. foreign policy and advance our national security interests. The United States must make deliberate efforts to forge sustainable, mutually cooperative relationships between the U.S. and other countries around the globe, especially in the Middle East, Africa, and Commonwealth of Independent States and Russia, in order to rebuild global security. Sister Cities International is well positioned to play an integral role by supporting long-term community partnerships through reciprocal exchange programs.

Today, the impact of international exchanges is being significantly reduced by the current visa policy. Last year alone, many sister city programs have been affected by visa decisions that have reduced or limited the ability of sister city affiliated groups in East and West Africa, Russia, Eastern Europe and the Middle East to come to the United States on official exchanges between sister cities. For instance, in Russia, participants have been denied visas on a continued basis to travel on sister city exchange programs. In many cases, these individuals have been involved with their respective sister city programs for ten to fifteen years, and all of the sister city visitors have returned home to share their ideas and experience from the U.S. Despite the long-term relationship and clear ties to their homes and jobs, they were denied entry to the United States.

Of particular concern in Russia is the tendency for individuals between the ages of 15–30 to be denied visas to participate on sister city exchanges. Youth exchanges are an important component of Sister Cities International as they build connections for our youth to work and communicate cross-culturally with one another. Without educating youth around the world about the opportunities and cultures that exist, we deny them the ability to make close friendships and the exposure to American cultures, values and beliefs. Sister city partnerships are unique because youth are able to explore new experiences and new ideas when they are able to participate on international exchanges. As one of our sister city communities writes: "During a visit to Togliatti [Russia], I proposed an education program to benefit a young female Russian teacher. . . . [the young Russian teacher was denied a visa] . . . I asked if she had given a reason for the denial; she replied that she had not given a reason, but had been questioned in a manner that would suggest she was suspected of being a spy. She added that her interview was conducted in a hostile manner, full of accusation and innuendo."

In Ghana, where we have strong sister city programs, sister city participants in Cape Coast, Ghana (sister city with Hanover Park, IL) were denied visas on two occasions even though they were participating on a federally sanctioned HIV/AIDS prevention and education grant program through the U.S. Department of State's Bureau of Educational and Cultural Affairs. The delegations included the Mayor of Cape Coast and a number of local government officials—all of whom have significant ties to their hometowns. In Tamale, sister city to Louisville, KY, exchange participants seeking to attend Louisville's 2004 Sister City Summit were also denied visas. Again, the delegation included local government officials and civil servants. The Summit involved all six of Louisville's sister cities and celebrated the 25th Anniversary of the signing between Louisville and Tamale.

It is clear from these examples that a more coherent, transparent and predictable visa policy is needed to ensure that international exchange participants traveling on officially recognized programs are able to enter the United States. To that end, Sister Cities International recommends that the Department of State and the Department of Homeland Security review the current visa policy as it pertains to international exchange participants, especially for students and international professionals who seek to enter the United States on officially-sanctioned exchange programs run by reputable organizations such as Sister Cities International. While I agree that efforts must be undertaken to secure the United States against further

terrorist activities, a crucial balance must be struck between our nation's security needs and the ability of international students and professionals to visit the United States to learn about this great nation. International exchange organizations such as Sister Cities International, the International Visitors program, the Fulbright Program, the American Council for Young Political Leaders, AYUSA International, Institute of International Education, and countless others play a vital role in supporting the Department of State's citizen diplomacy efforts. Without a transparent and predictable visa adjudication process, many exchange participants will be denied the privilege of coming to the United States, and efforts to bridge the divide that exists between many peoples of the world and the United States will be hampered.

Sister Cities International believes that three important things can be done to support a more transparent and predictable visa process. First, Sister Cities International is willing to provide a letter of support certifying each sister city exchange program. This letter would be sent to the public affairs and consular affairs officers at the respective U.S. Embassy. Recognition by the public affairs or consular affairs office in each Embassy of the existence of sister city relationships could also be a mechanism to ensure that visa applicants are given a fair hearing. Sister Cities International would be open to discuss with the Department of State possible ways to share information about our programs with the Embassy staff in specific countries, especially in countries where we are administering federal exchange programs.

Second, efforts should be undertaken to give visa applicants better and more information about how the process works and a concrete timeframe for adjudication and decision. Steps have already been undertaken by the Department of State to provide this information through the new Bureau of Consular Affairs website. However, given that many applicants live in less affluent countries and do not always have access to the internet, it is important for consular officials to provide estimated waiting and processing times through other communication mediums as well. Sister Cities International is also in the process of creating a webpage for its members that outlines the steps necessary to apply for visas for both U.S. and international exchange participants participating in sister city programs.

Third, Sister Cities International would like to see an appeals process established that would allow visa applicants the ability to reapply for a visa if denied without having to go through the entire process from the very beginning. Because sister city programs rely heavily on local funding sources, multiple visa application payments can cause financial hardships and could discourage applicants from participating in sister city exchanges. In addition, a number of our programs tend to apply for visas in a group—as the group plans on attending a conference or summit hosted by our member communities. Recent summits/conferences have been held in Illinois and Louisville, KY. In both cases, applying as a group reduced the chance for visas being issued. An appeals process in this case would greatly expedite reapplication, hopefully allowing some of the participants to attend these important summits/conferences.

Sister city and other international exchange programs are time-tested and uniquely cost effective. They help ensure a prosperous future for the United States and a more democratic world. Individuals who participate in citizen diplomacy programs experience a profound change in the way they think about the world, leading to greater understanding, mutual respect and cooperation around the complex issues affecting our global community. This is the vision that drove President Dwight D. Eisenhower to establish our organization in 1956 and it remains the vision today by which we hope to promote peace—one individual, one community at a time.

---

PREPARED STATEMENT OF DR. MICHAEL VANDE BERG, DIRECTOR OF INTERNATIONAL PROGRAMS, GEORGETOWN UNIVERSITY

Chairman Lugar, Ranking Member Biden and Members of the Committee, I appreciate this opportunity to share with you some of my thoughts on visa policies as they relate directly to international student and scholar exchanges. We at Georgetown are immensely proud of the vibrant international dimension of the educational opportunities we offer our students. More than 10 percent of our student body and over 500 of our faculty and researchers are from abroad. I would note that former Spanish President Jose Maria Aznar has just joined our faculty. This international presence is central to the University's mission and character, and it has an important and enduring impact on the educational experiences of all of our students. I would add that more than half of Georgetown students study abroad at some time during their undergraduate academic studies. When it comes to the international character of the Georgetown educational experience, I think you can see that it is

most definitely a two-way street. And it is a street that we most definitely want to keep open in both directions.

Being located in the Nation's Capital, we are sensitive to the need for effective measures to protect against terrorism. We have invested heavily in security measures on our campus, including what will amount to more than $150,000 by next year to ensure that the new SEVIS system is operating effectively. It has not been easy, but we understand the importance of protecting our students in this post-9/11 world. We are also keenly aware of the very important role that effectively crafted international education programs can play in fostering international understanding. I would mention that two current international leaders—both of whom have been key allies of the United States in this challenging time—Philippine President Gloria Arroyo Macapagal and Jordan's King Abdullah—studied on Georgetown's campus. Their understanding of this great country of ours has no doubt influenced their views as international leaders. It is very possible that future world leaders are studying on our campus today, and I trust that their experience here will prove beneficial to the United States in the years to come as has been the case throughout Georgetown's history.

Having said that, I would like to share with the Committee several examples of situations that have arisen on our campus in recent months that, while anecdotal, do highlight how current regulatory strictures have inhibited students and faculty from pursuing legitimate and beneficial educational and research objectives:

- An English language-training program for Japanese teachers funded by the Japanese Ministry of Education, which had operated at Georgetown for eleven consecutive years, shifted the program to an Australian university after encountering difficulties in securing visas for the teacher participants.
- A highly regarded faculty member in the Georgetown University Department of Physics received funding from the Department of State's Civilian Research and Development Fund for collaborative research involving researchers from the Ukraine and from Georgetown. The Ukrainian scientists' initial visit to the United States was delayed a full year because of visa issuance delays. A subsequent trip was delayed, but for a shorter period of time. As a result, it became necessary to secure a six-month extension so that the research funded by the Department of State could be completed.
- A Chinese doctoral candidate in the Department of Psychology, scheduled to graduate this year, has been involved in significant research on dopamine receptors and hypertension. The researcher returned to China to explore post-graduation employment opportunities, but unexpected delays in issuing the student a new visa put his research at risk because, while he was awaiting the new visa in China, the mice used in his experiment were aging beyond the stage useful for the experiment. A visa was finally granted just in time for the researcher to present his work to the American Society of Hypertension last May, but the delays precluded any opportunity to update his research prior to the presentation.
- A Saudi student, whose family currently resides in England, has traveled without difficulty between the U.S. and England on several occasions since September 11, 2001, without difficulty. However, when he applied for a visa revalidation on July 8, 2003, the visa was not issued until December. The student was forced to miss a semester of academic work and, rather than graduating with classmates this past May, will instead be graduating in December.

These are examples of what, I am confident, Members of the Foreign Relations Committee will understand to be very frustrating situations which, taken separately, may seem rather insignificant. But when circumstances like this arise so frequently—and I can assure you that colleagues in the field of international education on campuses across the country have been confronting them as well—they have a cumulative impact that is very significant.

While we appreciate the special efforts of the State Department to resolve individual cases, I strongly urge that a dispassionate review be undertaken of the visa policy changes implemented since September 11, 2001, with an open mind to making adjustments which will ease unnecessary burdens on valuable international educational exchanges without lessening needed homeland security protections. I know that the Department of Homeland Security is currently evaluating a proposal to replace the current requirement for annual security checks for international students studying in this country with a security clearance that, instead, covers a four-year period. I strongly encourage the Department to act quickly and favorably on that proposal. In my view, it reflects good common sense.

Not long ago, Assistant Secretary of State for Consular Affairs Maura Harty provided educators a very encouraging update on the visa-processing situation. We appreciate very much her personal understanding of the value of educational ex-

changes and the attention she has given to these issues. Ms. Harty is also undertaking an important initiative to demonstrate, through consular offices in India and China, collection of the fees mandated to cover the costs of the SEVIS system in the same manner that other visa fees are collected. This has always seemed to me to be the most logical means of collecting the SEVIS fees without creating a parallel and complicated fee collection system, and I hope this Committee and others in the Congress will encourage her initiative and study its results quite carefully. While a fee collection system relying on payments by mail using checks or money orders issued by U.S. banks or by credit card over the internet was implemented by the Department of Homeland Security effective just over a month ago, many of us in the field remain concerned that this system will result in a good number of prospective students not being able to secure visas. In that I have advocated, along with many others, that the fee would most logically be collected at consulates as visa applications are submitted, we are hopeful that Assistant Secretary Harty's demonstration will prove successful and pave the way for this improved fee collection system to be implemented across the board in the not too distant future.

In closing, I would like to thank Senator Coleman, a member of this Committee, for his thoughtful legislative proposal, the International Student and Scholar Access Act. His approach is an important step in the direction of making the policies governing international students workable. In introducing his legislation, Senator Coleman made an important point that this is ". . . a world that, at times, I think may hate us because they don't know us." My experience tells me that the Senator has summed up in a few words a profound reality that many of us in international education are facing. I trust his words will guide the Committee in its deliberations.

Thank you.

○