



**THE BIDEN ADMINISTRATION SHOULD PROACTIVELY PROMOTE IMMIGRATION**, and can take many positive steps towards that through executive action, including but not limited to removing the lingering [anti-immigrant legacy](#) of the Trump administration. The following steps should be taken immediately:

## REVERSE TRUMP-ERA EXECUTIVE ACTIONS

1. USCIS processing delays and unpredictable waiting times cause great anxiety and inconvenience among recent US graduates trying to obtain proper work authorization. Issuance of OPT receipt notices and EADs to F-1 visa holders and EADs to J-2 dependents [takes several months](#). These trends must be reversed. **President Biden must ensure that the agency is properly funded and operated so that all applications are processed in a timely manner.**
2. The Trump administration's proposed "[fixed duration of status](#)" rule would severely constrain the ability of student/research/work visa holders to arrange their school, work, and international travel plans based on their needs and create unnecessary anxiety by requiring fixed time periods for visas rather than visas that last for their entire program in the US. **The proposed "fixed duration of status" rule should be rescinded. Every student/scholar should be treated the same, regardless of country of residence or birth country.**
3. Chinese students and scholars have been racially [targeted and scapegoated](#), leading to continuous anxiety and a feeling of being unwelcome for those within the US, and dramatically reduced numbers of visas for Chinese students. The UAW supports multi-entry visas, as students and scholars from other countries receive. **The Trump administration's discriminatory guidance limiting visas to 1 year for Chinese students and scholars should be rescinded.**
4. During their studies and research projects, international students and scholars wish to study abroad for work collaborations and family visits among other reasons. [Discriminatory policies](#) force international students and scholars from certain countries to re-apply upon leaving the US. **The discriminatory issuance of single-entry visas should be ended.**
5. The Trump administration's [late changes to H-1B visas](#) might put a US work visa out of reach for international workers at the start of their careers, and especially those working in the public and non-profit sector. The proposed changes were designed to make the H-1B work visas more restrictive by arbitrarily narrowing the scope of eligible occupations, significantly raising the eligible wage levels and prioritizing high-salary positions. **The Trump administration's changes to H-1B visas must be rescinded.**

## PROACTIVELY IMPROVE IMMIGRATION FOR INTERNATIONAL STUDENTS AND SCHOLARS

6. Many international students rely upon [Optional Practical Training \(OPT\)](#) after finishing their degrees and programs to perform important research at many Universities. These research projects are critical and take many years to complete. **The duration of OPT and STEM OPT should be extended.**
7. Many early-career students and scholars come to work at the University with their families. Allowing the family members of all students (F-1) and guest workers (F-1 OPT, H-1B) to work will promote economic equity. As such, where feasible, **executive action should be taken to allow more access to work opportunities for working families.**
8. Many international students and scholars are subjected to unpredictable "[further administrative processing](#)" that can take many months, disrupting their education, career, and research in the US. Necessary steps to **expedite and clarify visa processing times** for all international students and scholars should be taken.
9. The US immigration system is filled with unjust and [arbitrary decision making](#). International students and scholars suffer, along with their research projects, from the delays caused by the current evidentiary processes. Fair immigration must be promoted by **reducing arbitrariness in adjudication and issuance of capricious RFEs, and increasing predictability, transparency and accountability.**

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10. International students and scholars need to travel abroad to renew their visa stamp, which is costly to them and often disrupts academic and research progress. This can be prevented by **reinstating visa reissuance in the US**, e.g. at DOS in Washington DC.

11. Of 102 forms on USCIS, only 11 can be filled out electronically. The digital inaccessibility is both [costly and time-consuming](#). **USCIS immigration forms should be digitized** to promote efficiency, climate justice, and accessibility.

12. USCIS visa interviews delay the immigration process, are costly to the agency and applicants, and in the current pandemic also jeopardize public health. It's time to **reverse the Trump era rule that requires all green card applicants to attend an interview** and require it only when the documentation is insufficient/inconclusive, as was previously the case.

13. Some international students and their dependents receive [public benefits](#), such as MediCal in California, along with other benefits. To ensure that these students, their families, and many other families in the US can receive public benefits, **the remaining legal processes regarding the public charge rule need to be resolved so that it is permanently rescinded.**

14. Every year, H-1B and green cards go unused because of delays in processing and administrative hurdles. **Recapturing unused H-1B visas and green cards by USCIS** would allow international students and scholars more access to employment in the US after finishing their degrees.

15. Immigrant visas are limited by country caps. Many immigrants on visas come to the US with family members. **DHS should not count dependents in calculating visa limits from various countries.**

16. International students and scholars come to the US from all over the world. Increasing the US annual refugee numbers is important to them and their families. The Administration's [proposed](#) increases are not sufficient. The Administration should **hasten the work of accepting the pledged 62,500 refugees for the current fiscal year and increase the number of annual refugees more broadly.**

## **FIX THE OBSOLETE IMMIGRATION SYSTEM THROUGH LEGISLATION**

It is well past time for Congress to update the US immigration system to meet current needs and pass legislation to improve the current and dysfunctional framework that was [passed in 1965](#). Building a life and career is impossible for many of our international members because of low and outdated green card and H-1B visa caps, and limited avenues for work authorization and permanent residency.

17. **Defund the bloated enforcement agencies within the Department of Homeland Security** (CBP, ICE) and emphasize the positive aspects of immigration by properly funding and overseeing USCIS. Ultimately, Congress should restructure DHS and abolish ICE, which, by the nature of its core mission, criminalizes immigration.

18. Our members suffer from the years-long and growing green card backlogs, caused by outdated caps for available green cards set in 1990. These caps are too low across many categories. **Increase the annual green card numbers** by passing bills such as Sen. Dick Durbin's [RELIEF Act](#) and the [US Citizenship Act of 2021](#).

19. **Create an easier path to permanent residency** for graduates of US institutions. We support bills that aim to do this such as Sen. Durbin's [Keep STEM Talent Act](#) and the US Citizenship Act of 2021. These proposals should be expanded to include non-STEM degree holders as well as post-PhD researchers who have lived and worked in the US for 5+ years.

20. **Raise the annual H-1B cap.** The annual [number of available H-1B visas](#) was set in 1990, and currently, the number of applications is more than double that number.

21. Pass legislation to permanently **establish a path to permanent residency and citizenship for DACA recipients and TPS holders.** We support bills that aim to do this such as the US Citizenship Act of 2021 and the [American Dream and Promise Act](#), which recently passed the House of Representatives.

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