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Fears for student visas

Bush plan to tighten immigration laws criticized

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Civil libertarians and university administrators fear that President Bush's plan to tighten immigration laws could unfairly paint all immigrants and foreign visitors as would-be terrorists — and make it more difficult for legitimate students to get visas to attend U.S. institutions.

"We need to tighten up some of the loopholes we have," said Yenbo Wu, San Francisco State University's director of international programs. "At the same time, if we are not careful, we will overdo it and make it so difficult for international exchange and make it so frustrating that people do not want to come to the United States."

Bush formed a task force this week to develop sweeping changes to U.S. immigration laws, and he has said that he wants to tighten rules on student visas and ensure that foreigners do not overstay the length of their visas. In addition, there is pressure to get a long-debated electronic tracking system, which would keep track of foreign students, up and running.

No one disputes the federal government's right to control the country's borders and monitor foreigners visiting the United States. But the details of Bush's plans have yet to be developed, and many are worried that the government will go overboard.

"Our concern is that the category of immigrant is being conflated with the category of terrorist," said Nancy Chang, an attorney at the Center for Constitutional Rights. "These proposals appear to stem from an anti-immigrant bias, a climate in which immigrants are viewed as suspicious — and that is troubling."

Victor Johnson, associate executive director of policy for NAFSA: Association of International Educators, said it was unfair that the president and other politicians had singled out foreign stu-

dents immediately during the first meeting of the Homeland Security Council.

One of the 19 terrorist hijackers was in the United States on a student visa to study at an Oakland language school and never enrolled.

"You can't find bin Laden, you can't find who is sending anthrax, so you look for things you can do," Johnson said. "You can't

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Center for Constitutional Rights

crack down on tourists, and you can't crack down on business visas because those people have powerful lobbies. So you crack down on foreign students."

Still, NAFSA has dropped its opposition to the electronic tracking system of foreign students. The plan was voted into law in 1996, but implementation was delayed because of concerns that the system would be a major burden on universities and a barrier to students.

"That seems to be something we have to do now, no matter how we like it or don't like it," Wu said. "It is something people believe we were lacking. We do need to have a better handle of where people are and what they are doing. Whether it goes overboard or not, we can't say until it starts."

Tina Li, 24, of Taiwan said that U.S. immigration policies were already strict and that she probably

would not have come to San Francisco State to get her master's in communications and speech if the rules had been tighter.

"It is really unfriendly for a foreigner like me," she said. "If I were just about to come, I would probably decide not to come. I would look at different countries."

Now, she is nervous that even though she has a valid visa, she won't get back in when she goes home for the winter break. Many of her friends have decided to stay at school because of similar fears.

Nationally, the United States is already losing foreign students to other countries. Stricter immigration rules that make it more difficult for legitimate foreigners to get visas to study in this country can hurt the bottom line of colleges and universities, which often rely on tuition for survival. Foreign students generally pay full price.

During the 1999-2000 academic year, 514,723 foreign students — approximately 3.8 percent of the total enrollment — were studying for degrees at U.S. institutions and brought \$12.3 billion into the domestic economy.

"We certainly could see that Canada or Australia or the United Kingdom where English is (also) taught might be chosen over the United States," said Ted Goode, director of services for international students and scholars at the University of California at Berkeley.

But Goode and other international program administrators say they are most concerned with the impacts on international exchange and understanding.

"By hosting international students and scholars, we are making friends, we are letting other people understand our democratic values and society," Wu said. "We are not training terrorists."

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THE VOICE OF THE WEST

EDITORIALS

Vetting student visas

EVERYONE WANTS to weed out terrorists who enter this country disguised as students. But to do that, we must target the right people, and protect U.S. civil liberties.

Sen. Dianne Feinstein, D-Calif., has twice introduced legislation that fails to meet these concerns. Last month, she proposed a six-month moratorium on *all* student visas, an idea quickly rejected and shot down by educational and civil rights leaders.

Now, she and Sen. Jon Kyl, an Arizona Republican, plan to introduce legislation that would deny a student visa to any individual whose country has been designated by the State Department as a sponsor of terrorism. This list includes Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria, which over the past 10 years, have sent approximately 16,000 students to American institutions of higher learning.

The two senators rightly argue that the process for granting visas to foreign students is seriously under-regulated. But the list they would use to exclude students just doesn't pass the giggle test. Cuba and North Korea do not allow their young people to attend American colleges and universities. The prohibition of students from Syria, Sudan and Libya, moreover, ignores the fact that these countries have serious

ideological and religious reasons for opposing Osama bin Laden and his terrorist network. That is why our own government is now able to obtain intelligence assistance from them.

At the same time, the State Department's list excludes at least two countries where al Qaeda terrorists are recruited and nurtured — namely, Saudi Arabia and Pakistan.

The American Council on Education has proposed a better system for vetting foreign students. Its plan embraces special scrutiny of foreign students, including extensive background checks. It accepts the need for universities and colleges to report whether foreign students arrive and enroll in classes. The council would welcome a new database that tracks stu-

dents who overstay their visas.

On Monday, President Bush announced that the government will begin a full review of foreign visas. Clearly, we must scrutinize student visas with great care. But we must never forget that our system of higher education — long considered one of our most precious and profitable exports — also introduces international students to civil liberties, free speech and the peaceful transfer of power.

In the fight against terrorism, it is perhaps our most valuable weapon.

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