



Society of Counseling Psychology

Division 17, American Psychological Association

<http://www.div17.org>

EXECUTIVE BOARD 2020-2021

President

Mary O'Leary Wiley
mary.oleary.wiley.17@gmail.com

President-Elect

Amy Reynolds
alr24@buffalo.edu

Past President

Anneliese Singh
annelieseasingh@gmail.com

Secretary

Heidi Zetzer
heidi.zetzer@ucsb.edu

Treasurer

Annette Kluck
askluck@olemiss.edu

VP for Communications

Valene Whittaker
valenewhittaker@gmail.com

VP for Diversity & Public Interest

Germán Cadenas
gec218@lehigh.edu

VP for Education & Training

Kimberly Howard
khoward@bu.edu

VP for International Affairs

Andrés Consoli
aconsoli@ucsb.edu

VP for Professional Practice

Lisa Ferdinand
lferdinand@usf.edu

VP for Scientific Affairs

Dorothy Espelage
espelage@unc.edu

Council of Representatives

Y. Barry Chung (2018 - 2020)
ybchung@sdsu.edu

Bryana French (2019 - 2021)
bryana.french@stthomas.edu

Ashley Randall (2019 - 2021)
Ashley.K.Randall@asu.edu

Early Career Professional

Roberto Abreu
rabreu26@ufl.edu

SAS Co-Chairs

Alexis Rhames
arhames@mail.missouri.edu

J. Robina Onwong'a
jro4k4@mail.missouri.edu

Gloria McGillen
ggm2gf@mail.missouri.edu

EDITORS

The Counseling Psychologist

Bryan Kim, Editor
bryankim@hawaii.edu

Journal of Prevention and Health Promotion

Sally Hage, Editor
shage@springfieldcollege.edu

SCP Connect

Douglas Knutson
knutson.doug@gmail.com

October 23, 2020

To: Sharon Hageman, Acting Regulatory Unit Chief, Office of Policy and Planning,
U.S. Immigration and Customs Enforcement, Department of Homeland Security
From: The Society of Counseling Psychology, Division 17, American Psychological
Association
Re: Proposed Rule 85 FR 60526

We appreciate the opportunity to submit a formal comment regarding the Proposed Rule 85 FR 60526, DHS Docket No. ICEB-2019-0006, *Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media*. This is an official statement of the Society of Counseling Psychology, Division 17 of the American Psychological Association, and does not represent the position of American Psychological Association or any of its other Divisions or subunits.

We have grave reservations about the Proposed Rule in its entirety yet will focus our formal comments on a few, troubling aspects of the document.

We would like to impress upon DHS the significant presence of international students in U.S. doctoral programs in psychology. In fact, international students have a considerable presence in U.S. graduate psychology programs, including counseling psychology (Hazelrigg, 2020). On average, almost 10% of counseling psychology doctoral students in American Psychological Association (APA) accredited programs in the U.S. are international students (APA, n.d.). Moreover, almost 80% of doctoral programs in psychology have international students, with some programs reaching a high of 30% of international doctoral students among their graduate student body (Sayette & Norcross, 2018).

In light of this sizable presence, we agree wholeheartedly with DHS in its appreciation of "the academic benefits, cultural value, and economic contributions these foreign nationals make to academic institutions and local communities throughout the United States" (Executive Summary, Section A). Yet, the Proposed Rule will negatively impact not only these foreign nationals but all other constituents at U.S. institutions, such as faculty members and domestic students, who consistently and systematically benefit from the international perspectives and multilingual abilities international students bring to U.S. university campuses and classrooms throughout our Nation.

While we focus our comments below on the impact to doctoral students, we would like to underscore that similar concerns apply to Master's level students if they were subjected to the two-year FTP terms.

The Proposed Rule seeks to change the historical standards of Duration of Status (D/S) and convert into Fixed Time Period (FTP) terms. While the latter terms may be appropriate for other populations (e.g., tourists), imposing such terms onto international students will create undue stress and uncertainties. To begin with, these terms are likely to result in a sizable drop of international student applicants across universities in the U.S. as the 4-year, initial FTP is insufficient for the completion of a doctoral degree (see data in the next paragraph). Moreover, the timing could not be worse as academic institutions are confronted with major financial shortcomings in the midst of the COVID-19 pandemic. Both public and private institutions of higher learning throughout our Nation have become significantly dependent on international students due to the fact

that they pay full tuition, unlike the vast majority of domestic students. Furthermore, international students are not eligible for financial aid.

The average length for completion of a doctoral degree in psychology in the U.S. exceeds six years (APA, 2019). The Proposed Rule, which sets forth a four-year maximum length under its new Fixed Time Period terms, is incompatible with the average length to complete a doctoral degree. We respectfully request that DHS reconsiders its assertion: “DHS does not believe such a requirement would place an undue burden” among international doctoral students (p. 60528). International doctoral students would be forced to reapply to extend their status, which will indeed place undue burden on them. They will find themselves spending additional monies and personal time securing the extension of their status when those limited resources would be best devoted to advance their scientific research and carry out the professional practice that ultimately benefit U.S. science and U.S. populations. Furthermore, the Proposed Rule will put the scientific contributions of international doctoral students at risk as it may lead them to settle for quicker yet less weighty research projects. For example, one of the best contributions in science comes from longitudinal research projects that span international doctoral students’ stay in the U.S. We are concerned that doctoral students will be less likely to engage in such gold-standard research projects out of concern that they will not be able to complete them before their FTP expires.

We would like to elaborate on the typical experiences that take place during the fourth year of a graduate program in psychology. Specifically, graduate students engaged in a 6-7 years course plan (typically those with a previous Bachelor’s degree) are likely to spend the summer at the end of their third year preparing for their comprehensive/qualifying examinations that regularly takes place during their fourth year in order to advance to candidacy. Once advancement to candidacy has been secured, they will present their dissertation proposals and defend it at the beginning of their fifth year. The following year they will be continuing their research projects, completing their dissertation and defending it, all the while applying for internship (i.e., final year of the graduate program). For those in a 5-6-year plan (typically those with a previous Master’s degree), the timeline is markedly compacted and quite stressful. Successfully navigating these important yet challenging milestones is necessary to keep doctoral students on track for graduation. Applying for an Extension of Stay (EOS) – including scheduling for a biometric appointment – while maneuvering these important program requirements will unnecessarily exacerbate the existing, high stress levels. Additionally, the fees associated with applying for an EOS adds to the financial stressors of international students who pay higher fees for the duration of their program. Furthermore, the psychological stress created by the uncertainty about whether the extension will be processed on time and/or granted creates an unnecessary burden to international students who come to the U.S. primarily to seek a higher education degree and remain in lawful status while doing so. Such unnecessary stress is a sufficient deterrent for future international students, and can further the worrisome decline in international student enrollment numbers observed in the past 4 years.

On another note, the DHS states that the primary aim of the proposed regulation is to encourage international students to maintain lawful status. However, the visa overstay reports being cited to justify this change are flawed (Anderson, 2019). As the article states, using these reports to support the new regulation raises significant concerns; one of them is that the data includes individuals from three distinct categories: those who overstay, those who have departed from the United States but have not been accurately tracked by the DHS, and those who have lawfully changed their status while remaining in the U.S. (e.g., to H1-B or OPT). Instead, as the National Foundation for American Policy suggest, issuing alerts via the Student and Exchange Visitor Information System (e.g., through additional text or email reminders for students, working with universities) would be a much less burdensome and more effective mechanism than the proposed rule’s solution of compelling hundreds of thousands of international students each year to file extensions (National Foundation for American Policy, 2020).

To further inform ourselves and DHS, we have surveyed our members across the Nation and found a consistent message expressed by those who train international students, be they faculty members, advisors, directors of clinical training, department chairs, or field supervisors, as well as among international doctoral students and graduates. Here are excerpts of representative responses:

“Typically, 20-30% of the students in our doctoral program in counseling psychology are international students. We actively recruit a diverse student body, as we believe it enhances both the clinical and research training environment. The proposed change in student visa policy would effectively end our ability to train international students. This would negatively impact the quality of our doctoral training for all students, and would lessen the international reputation of our program as well as opportunities for international research collaboration. The growth of psychology as a science depends on our ability to determine the extent to which our theories and interventions transcend cultural boundaries, as well as the role of culture in shaping human functioning. The proposed visa policy change will create yet another barrier to the pursuit of productive international collaborations.”

“Our program is a minimum of 5 years so this change would be untenable. We have a focus on transnational psychology and have many international students. It will have a major impact on our program and the success of our training.”

“Our counseling psychology PhD program has a minimum of 5 years to complete, with the last year being a full internship year to gain practical clinical training. As a program that emphasizes multiculturalism and diversity, we are proud to attract scholars and practitioners internationally with cross-cultural perspectives that contribute to and enrich our research and clinical practice. This change of international student visa policy would severely disrupt international students’ normal study progress in the U.S. and adds unnecessary burden to both the students and the program as well.”

“At [name of institution] we offer a PhD in urban education with a counseling psychology specialization (APA-Accredited). All of our students have earned a master’s degree in psychology or related field as a prerequisite for admission. Even with this previous training, our program takes at least 5 years with the required internship. Thus, all of our international students would be in the position of having their visas reviewed in the midst of the program. Our recent graduates also use OPT to gain the necessary post-doctoral training for licensure. Any further limits to OPT will make it more difficult for early career international psychologists to pursue their career goals and contribute in their areas of expertise. I am deeply concerned by the influence of xenophobic prejudice on immigration policies. We have seen with COVID-19 how quickly visa proceedings can be delayed or halted all together for reasons entirely beyond a student’s control. How can we expect international students to feel secure in pursuing a degree in counseling psychology in the U.S. under these conditions? Counseling psychology international students and faculty with international backgrounds have already been affected, professionally and personally, by the current H1-B restrictions/suspensions. Our counseling psychology community would be further harmed by these additional burdens placed on international students.”

“Our counseling psychology PhD program takes 5 to 7 years to complete, depending on each student’s prior training. The proposed rule would create major barriers for international students seeking to apply for, and matriculate through, our program. The presence and contributions of our international students are essential to the health, productivity, and sustainability of our doctoral program. With the ever-increasing internationalization of our world and profession, it is essential that our graduate trainee pool reflects global diversity. The proposed rule would weaken counseling psychology programs like ours, programs which are essential for training the next generation of

mental health professionals tasked with meeting the increasingly complex behavioral health challenges of our national population.”

“Our counseling psychology doctoral program takes a minimum of 5 years to complete, and we have many international students in our program. International students are an integral part of our program and research teams, bringing different perspectives, teaching undergraduate students, conducting important research, and serving as counselors in the Houston community. The proposed changes in student visas would add another burden and source of insecurity for students who already face regular uncertainty, administrative barriers, xenophobia, and racism in the US. Midway through an extremely challenging doctoral program, international students will have to reapply for their visa and worry about their ability to stay in the US. This is an unnecessary stressor and source of uncertainty, which we know has dire implications for the mental health and well-being of international students. I am also deeply concerned that such changes communicate that the US is unwelcoming to international students, which will contribute to the declining number of international scholars who want to study in the US.”

“Similar to other doctoral programs, the PhD in Counseling Psychology at [name of institution] typically takes students 5 to 7 years to complete. International students have, and continue to be valued members of our program and local communities who help contribute to and enrich the professional landscape of professional psychology. International students are already bearing the extra weight of xenophobia, language differences, and having to constantly document their presence within the United States. The proposed changes to student visa policies would effectively deny international students equitable access to doctoral-level education in the United States. In addition to being unjust, the larger message of this proposed policy change is one of exclusion - a message that many international students, foreign nationals, and individuals with transnational backgrounds already grapple with.”

“Our counseling psychology PhD program at [name of institution] typically requires 5 years to complete after obtaining a master’s degree, with the last year being devoted to a full-time predoctoral internship. About 30-40% of our current doctoral students are international students. They are highly intelligent and hard-working students and are a great asset to the program. They create a rich learning environment by bringing their diverse life experiences, worldviews, and knowledge as well as creative research ideas. The change of international student visa policy would severely disrupt international students’ normal study progress in the U.S. and add unnecessary burden and stress to the students, their peers, and the program. International students and scholars enrich our learning experiences and facilitate creative and global scholarship. I was an international student years ago and experienced difficulties in renewing visa status, securing visa status for internship, visiting parents back home, and more for multiple years. The proposed change in the visa policy would cause even more obstacles to international students and bring much loss to the U.S. academia in general.”

“I am an early career professional and I came to the U.S. as an international student in 2010 with a master's degree in Clinical Psychology from [country of origin]. When I first started my doctoral program, there were already several challenges – cultural and systemic that I had to navigate to settle into my student life. There are several rules and regulations that you have to comply with that already influenced my academic and career journey as an international student in comparison to my domestic peers. It took a total of 6.5 years to finish my doctoral degree, between working on my dissertation, to finishing all my coursework as well as getting enough clinical hours to apply for competitive internships. In addition to the stressors of being a graduate student, there was always immigration paperwork to deal with, updating addresses, applying for OPT and CPT and then eventually applying for the H1-B visa for work. If the current rules were in place in 2010, I don’t know if I would’ve managed as well as I was able to. Despite all the support and resources, it still took me more than 4 years to finish.

Between juggling training and academic demands that I had to fulfill as a Counseling Psychology student, there were always immigration related stressors that impacted my life as an international student. Further, although our academic programs are structured to provide us with clinical and academic experiences efficiently, the timeframe of 4 years is short even for most domestic students to meet all the academic and training requirements of our programs and finish their doctoral degrees (even when they are able to waive courses and start practicum work sooner). Therefore, it is unrealistic and unfair to expect international doctoral students to complete their degree programs within four years, especially given how a year-long internship is a requirement in Counseling, Clinical, and School Psychology. Even with the situation as is, it still takes months to get CPT approved for the internship and then to wait more time to get OPT and then, to start the H1-B process to legally work and live in the U.S. I cannot imagine how much more complicated the process would be if students need to apply for visa extensions on top of CPT/OPT applications. I am deeply saddened by the series of recent changes that have caused great sense uncertainty for many international students currently enrolled in Counseling and Clinical Psychology doctoral programs in the U.S. This is also deterring so many scholars from wanting to come to the U.S. to study because of the many hoops they will potentially have to jump. I hope that APA can support and advocate to stop these changes from being implemented.”

“I believe that the proposed changes to student visa rules would likely make a graduate degree in psychology, which for my program typically takes 1-3 years longer than the proposed 4 year limit to complete, much less attractive to international students. Without international perspectives, the global relevance of psychological research from the US will surely diminish over time, and American students will miss out on opportunities for valuable connections and intellectual growth. For those international students who do still decide to come to the US, being required to regularly reapply for an extension of status by demonstrating “compelling academic reasons” creates an unnecessary administrative burden - a burden that will also be felt by their institutions (e.g., professors who need to regularly confirm academic progress). The proposed changes would also increase the likelihood that students spend considerable time in the US with (renewed) legal immigration status but with expired visas. This would mean they would be unable to temporarily leave the US (e.g., to conduct research, attend conferences, or see their families) and return unless they reapply for a new visa in their home countries - a process that can take considerable time and significantly interrupt a course of study, delay research, and negatively impact any communities to which international trainees are providing clinical services. There are already many additional burdens and limitations I and my international peers have faced in completing a counseling psychology PhD degree compared to our American peers. The structure of these degrees is not well aligned with current immigration requirements, which restrict off-campus clinical work opportunities, prevent many sites from offering internship spaces for non-citizens, and can limit post-graduation work opportunities (e.g., OPT is no longer offered if students have used 12 months or more of CPT to get authorization to complete clinical work during their studies, in line with APA requirements). The proposed student visa rule changes would add further to these disparities. International students have a lot to offer, but are often doing so at the cost of their own mental health and wellbeing. I urge the APA to continue to advocate against both existing and (proposed) new barriers to international student participation in psychology training and scholarship in the US, and to seriously review ways in which its own program requirements may differentially impact international and other marginalized student groups.”

“I came here in [year] with a master's degree in the same field (Counseling Psychology). However, it still took me four years to finish my coursework, accumulate enough clinical hours, and complete my dissertation before I started my internship this August as a fifth-year student. I believe that many international students share my experience. Because of differences in curricula, we often don't get to waive as many credits as our American peers who come with a master's. Due to similar reasons, we often do not get

to start practicum until our second year. Therefore, I believe it is unrealistic and unfair to expect international doctoral students to complete their degree programs within four years, especially given how a year-long internship is required in applied fields like Counseling, Clinical, and School Psychology. Even with the situation as is, it still took me months to get my CPT approved for the internship. I cannot imagine how much more complicated the process would be if students need to apply for visa extension on top of CPT/OPT application. I am deeply saddened by the series of recent changes that have caused great sense of instability and uncertainty among international students and hope that the APA could be a part of the solution.”

As it can be appreciated from these quotes and the references below, universities across the U.S. and U.S. society as a whole benefit significantly from the presence of international doctoral students. We join with colleagues and graduate students in expressing serious concerns about the impact these drastic changes will have on our collective ability to recruit, retain, and graduate not only international doctoral students but also domestic doctoral students due to the unreasonable and untimely changes proposed by DHS.

References

- American Psychological Association. (2019). Commission on Accreditation Annual Report.
- American Psychological Association. (n.d.). Total number and percentage of students who are foreign nationals in APA-accredited doctoral programs by area, 2008-2013. <https://www.apa.org/ed/accreditation/about/research/doctoral-foreign-nationals.pdf>
- Anderson, S. (2019, May 1). *Questionable DHS visa overstay reports used for immigration crackdown*. Forbes. <https://www.forbes.com/sites/stuartanderson/2019/05/01/questionable-dhs-visa-overstay-reports-used-for-immigration-crackdown/#7ec17fa84932>
- Hazelrigg, K. (2020, February). *International graduate application and enrollment rates increase at U.S. institutions after two consecutive years of decline*. Council of Graduate Schools. https://cgsnet.org/ckfinder/userfiles/files/Intl_Survey_Report2019_release.pdf
- National Foundation for American Policy. (2020, September). International students and DHS data. <https://nfap.com/wp-content/uploads/2020/09/Analysis-of-DHS-Data-on-International-Students.NFAP-Policy-Brief.September-2020-1.pdf>
- Sayette, M. A., & Norcross, J. C. (2018). *Insider's guide to graduate programs in clinical and counseling psychology*. Guilford.
- Zak, D. (2020, April 30). *Fact sheet: international students*. National Immigration Forum. <https://immigrationforum.org/article/fact-sheet-international-students/>