

24. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
LANTOS OF CALIFORNIA, OR HIS  
DESIGNEE, DEBATABLE FOR 10 MINUTES:

**AMENDMENT TO H.R. 2601, AS REPORTED  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Redesignate title XI as title XII and redesignate sections 1101 through 1126 as sections 1201 through 1226, respectively.

Insert after title X the following new title:

1 **TITLE XI—OPENING DOORS FOR**  
2 **FOREIGN STUDENTS**

3 **SEC. 1101. SHORT TITLE.**

4 This title may be cited as the “Opening Doors for  
5 Foreign Students Act of 2005”.

6 **SEC. 1102. FINDINGS.**

7 Congress finds the following:

8 (1) Opening doors to well-intentioned foreign  
9 students and exchange visitors has wide-ranging  
10 benefits to the United States.

11 (2) Upon their return to their countries of ori-  
12 gin, foreign students and exchange visitors dissemi-  
13 nate the core values of the United States as they re-  
14 late their positive experiences with the democratic  
15 form of governance, the dynamic multicultural soci-



1 ety, and the entrepreneurial spirit of the United  
2 States.

3 (3) The United States earns approximately  
4 \$13,000,000,000 a year in tuition and living ex-  
5 penses paid by foreign students, making higher edu-  
6 cation the United States' fifth largest service export.

7 (4) Since the terrorist attacks on America on  
8 September 11, 2001, the United States institutions  
9 of higher education and nongovernmental exchange  
10 sponsors have faced great challenges in retaining  
11 their competitive position in the market for foreign  
12 students.

13 (A) During the 2002–2003 academic year,  
14 the first year after the 9/11 attacks, the growth  
15 of overall international student enrollment in  
16 the United States slowed to 0.6 percent after  
17 having increased by 6.4 percent in the two pre-  
18 vious academic years. During the 2003–2004  
19 academic year, according to the Institute of  
20 International Education, the number of inter-  
21 national students studying in the United States  
22 declined 2.4 percent to 572,509. This was the  
23 first overall decline in international students  
24 studying in the United States since the 1971–  
25 72 school year.



1 (B) Community Colleges have been par-  
2 ticularly hard-hit by overall declines in enroll-  
3 ments of foreign students. During the 2003-  
4 2004 academic year, the number of foreign stu-  
5 dents enrolled a public two-year schools fell by  
6 10 percent, according to the Institute of Inter-  
7 national Education.

8 (5) Some foreign students have expressed anx-  
9 iety and alarm about the new visa processes. A sur-  
10 vey conducted in 2004 at the University of Cali-  
11 fornia of 1,700 foreign students found that 60 per-  
12 cent reported that they had to endure “unreasonable  
13 delays” to obtain student visas.

14 (6) Competitors in the marketplace for higher  
15 education, including Canada, Australia, New Zea-  
16 land, Germany and the United Kingdom, are aggres-  
17 sively recruiting students to take advantage of  
18 changed perceptions of the United States.

19 (7) If the United States is to regain its com-  
20 petitive advantage in attracting foreign students and  
21 exchange visitors, it will be essential for the Depart-  
22 ment of State to work to ensure that new visa proce-  
23 dures are administered in the most efficient and  
24 user-friendly possible manner. Furthermore the De-  
25 partment must continue to engage in public outreach



1       designed to dispel negative perceptions about study  
2       in the United States.

3       **SEC. 1103. DEVELOPMENT OF A COMPREHENSIVE STRAT-**  
4                               **EGY TO ATTRACT FOREIGN STUDENTS TO**  
5                               **STUDY IN THE UNITED STATES.**

6       (a) DEVELOPMENT OF STRATEGY.—Not later than  
7       one year after the date of the enactment of this Act, the  
8       Secretary of State, in consultation with the Secretary of  
9       Homeland Security, the Secretary of Education, and the  
10      Secretary of Commerce, shall develop a comprehensive  
11      strategy to counter widespread perceptions among foreign  
12      students that the United States no longer welcomes them  
13      to study in the United States or to participate in exchange  
14      programs, and to increase applications by foreign students  
15      to come to the United States for study and exchange. Not  
16      later than 180 days after the date of the enactment of  
17      this Act, the Secretary shall submit to the appropriate  
18      congressional committees a written account of this strat-  
19      egy.

20      (b) CONSULTATIONS WITH STAKEHOLDERS.—Begin-  
21      ning not later than 180 days after date of the enactment  
22      of this Act, the Secretary of State shall undertake annual  
23      consultations with individuals and organizations involved  
24      in international education, including consultations with  
25      nongovernmental institutions concerned with the recruit-



1 ment of foreign students to the United States; officials  
2 from United States educational institutions concerned  
3 with the recruitment of foreign students, foreign student  
4 representatives, nongovernmental organizations des-  
5 igned by the Department of State as sponsors in the  
6 Exchange Visitor Program, and other concerned parties  
7 for the purpose of discussing and seeking input on the  
8 development of the comprehensive strategy described in  
9 subsection (a).

10 **SEC. 1104. IDENTIFICATION OF PRIORITY MISSIONS AND**  
11 **MISSIONS EMPLOYING BEST PRACTICES FOR**  
12 **ATTRACTING STUDENT VISA APPLICANTS.**

13 (a) REVIEW OF STUDENT VISA APPLICATIONS.—The  
14 Secretary of State shall review the application and  
15 issuance rates for F-1 and J-1 nonimmigrant visas  
16 (issued under subparagraphs (F) and (J) of section  
17 101(a)(15) of the Immigration and Nationality Act (8  
18 U.S.C. 1101(a)(15)) at every diplomatic or consular mis-  
19 sion of the United States providing consular services. Such  
20 review shall encompass the five-year period immediately  
21 preceding the date of the enactment of this Act and shall  
22 be used to identify missions that have experienced signifi-  
23 cant declines in such visa applications, the issuance of  
24 such visas, or both, and shall also identify diplomatic or  
25 consular missions that have experienced recovery in the



1 rate of such applications or such issuances after experi-  
2 encing significant declines in such applications, such  
3 issuances, or both.

4 (b) OBTAINING INFORMATION ON BEST PRACTICES  
5 FOR GAINING INCREASES.—Upon identifying diplomatic  
6 or consular missions that have experienced recoveries in  
7 the rates of such visa applications, issuances, or both, the  
8 Secretary shall direct the chiefs of mission of such mis-  
9 sions to submit to the Secretary a report concerning con-  
10 sular, public diplomacy, public outreach, or other practices  
11 that may have contributed to such recoveries.

12 (c) CORRECTIVE MEASURES.—Upon identifying dip-  
13 lomatic or consular missions in key foreign policy coun-  
14 tries that have suffered significant declines in the rates  
15 of such applications, issuances, or both without experi-  
16 encing recovery in either or both of such rates in accord-  
17 ance with the review required under subsection (a), the  
18 Secretary shall direct the chiefs of mission of such mis-  
19 sions to develop a plan appropriate to each such mission  
20 to attract additional F-1 and J-1 visa applicants and to  
21 address any inefficiencies in processing visa applications  
22 specific to each such mission.

23 (d) REPORT.—

24 (1) IN GENERAL.—Not later than 180 days  
25 after the date of the enactment of this Act, and one



1 year thereafter, the Secretary shall submit to the ap-  
2 appropriate congressional committees a report con-  
3 cerning trends in the application and issuance rates  
4 for F-1 and J-1 visas at all diplomatic and consular  
5 missions of the United States providing consular  
6 services.

7 (2) REPORT ELEMENTS.—

8 (A) STATISTICAL INFORMATION.—The  
9 first report submitted pursuant to this section  
10 shall contain data from the five-year period im-  
11 mediately preceding the date of the enactment  
12 of this Act. The second report shall contain up-  
13 dated data covering the calendar year preceding  
14 the issuance of the report and comparisons with  
15 previous data.

16 (B) BEST PRACTICES.—Each report shall  
17 contain a “Best Practices” section identifying  
18 diplomatic or consular missions that have expe-  
19 rienced a recovery in the rates of such applica-  
20 tions, such issuances, or both after experiencing  
21 declines in the rates for such applications, such  
22 issuances, or both. For each diplomatic or con-  
23 sular mission so identified, the report shall in-  
24 clude post activities that may have contributed  
25 to such recovery.



1 (C) PRIORITY POSTS.—Each report shall  
2 also contain a section entitled “Priority Posts”  
3 that identifies critical diplomatic and consular  
4 missions from key foreign policy countries that  
5 have experienced declines in the rates of such  
6 applications, such issuances, or both without ex-  
7 periencing a significant recovery in any of such  
8 rates. For each diplomatic or consular mission  
9 so identified, the report shall contain an action  
10 plan that describes new initiatives, such as con-  
11 sular services, public diplomacy, and public out-  
12 reach, that are designed to improve the rates of  
13 such applications and such issuances.

14 **SEC. 1105. ENHANCED TRAINING IN PROCESSING AND FA-**  
15 **CILITATING STUDENT VISAS.**

16 (a) TRAINING PROGRAMS.—Chapter 7 of the Foreign  
17 Service Act of 1980 (22 U.S.C. 3901 et seq.) (relating  
18 to career development, training, and orientation) is  
19 amended by adding at the end the following new section:  
20 **“SEC. 708. TRAINING IN PROCESSING AND FACILITATING**  
21 **VISA APPLICATIONS FOR STUDENTS AND EX-**  
22 **CHANGE VISITORS FOR STUDY IN THE**  
23 **UNITED STATES.**

24 “The Secretary shall establish a training program for  
25 members of the Service who have responsibilities related



1 to the issuance of visas to prepare such members for the  
2 unique challenges that visa applicants face in completing  
3 the F-1 and J-1 nonimmigrant visa application process  
4 and to provide such members with proven tools, including  
5 in the area of consular services, public diplomacy, outreach  
6 to non-governmental institutions and educational institu-  
7 tions, and public outreach to combat perceptions that the  
8 United States is no longer a welcoming place for foreign  
9 citizens to study or to participate in exchange programs.”

10 **SEC. 1106. ENHANCED DIPLOMATIC EFFORTS TO NEGOTIATE FAVORABLE RECIPROCAL AGREEMENTS WITH FOREIGN GOVERNMENTS CONCERNING STUDENT VISA TERM LIMITS.**

14 The Secretary of State should undertake a sustained  
15 diplomatic dialogue with key foreign governments, includ-  
16 ing the Government of the People’s Republic of China and  
17 the Government of the Russian Federation, aimed at re-  
18 negotiating the terms of existing reciprocal agreements to  
19 provide for extended validity of student and exchange visas  
20 in order to reduce the need for frequent renewals of F-  
21 1 and J-1 nonimmigrant visas by foreign students.

