

INTRODUCTION

A WELL-KNOWN SONG by country singer Alan Jackson asked the question, “Where were you when the world stopped turning that September day?” The ancient university town of Salamanca, in northwestern Spain, is my answer. I was a 19-year-old study-abroad student on my very first trip outside the United States. Only weeks into the trip, 9/11 happened. It was a day of confusion, fear, and utter bewilderment, exacerbated by being miles away from home in a different country, watching news in a different language.

Yet, there was also great solidarity and shared concern. Throughout the day, many fellow students (Spanish, French, German, Italian, and more) came over to me to show their support and sympathy. On September 14 at noon, the whole city of Salamanca had three minutes of silence for the victims of the terrorist attack, followed by mass. We all cried together; the tragedy had touched us all.

That semester was life-changing for me. I became fully immersed in the benefits of international education and exchange (diversity of perspective, open mindedness, solidarity, empathy, and so on) just before our immigration system underwent dramatic changes that would frame immigration primarily as a national security issue. This experience was a major driver of my decision to become an immigration attorney.

Now nearly 25 years later, I am honored to interact daily with physicians providing desperately needed medical services in this country; researchers and students engaged in groundbreaking research related to medicine, science, and social studies; students building the next great companies, and so on. Many students and scholars also return to their home countries where they will foster positive views of the United States and improve future diplomatic efforts.

As succinctly stated by the prior Biden Administration:

The robust exchange of students, researchers, scholars, and educators, along with broader international education efforts between the United States and other countries, strengthens relationships between current

and future leaders. These relationships are necessary to address shared challenges, enhance American prosperity, and contribute to global peace and security.¹

Even as the higher education landscape continues to dramatically shift under the current Trump Administration, the truth of this statement continues to be supported by several facts, including the following:

- Since 2000, immigrants have received 40 percent of the Nobel Prizes won by Americans in chemistry, medicine, and physics.² According to research by the National Foundation for American Policy, “Between 1901 and 2025, immigrants have been awarded 36 percent of the Nobel Prizes won by Americans in chemistry, medicine and physics.”³ Additionally, immigrants have been awarded 33 percent of the Nobel Prizes won by Americans in economics, including 31 percent since 2000.⁴
- Around 25 percent of licensed U.S. doctors are international medical graduates (IMGs)⁵ and more than 20 million people live in areas of the United States where IMGs account for at least half the physician workforce.⁶ IMGs are also more likely to serve areas with greater poverty, less education, and more minorities.⁷
- We all know about famous immigrant entrepreneurs, such as Levi Strauss (Germany), Elon Musk (South Africa), Sergey Brin (former Soviet Union), and so many others. In 2019, immigrant entrepreneurs made up 21.7 percent of all business owners in the United States, and according to 2017 data, employed 8 million people at their companies.⁸ Additionally, more than 46 percent of 2025 Fortune 500 companies had at least one immigrant founder or a founder who is the child of immigrants.⁹

¹ U.S. Department of State and U.S. Department of Education’s Joint Statement of Principles in Support of International Education *available at* https://educationusa.state.gov/sites/default/files/intl_ed_joint_statement.pdf.

² See <https://www.forbes.com/sites/stuartanderson/2025/10/09/half-of-the-2025-us-nobel-prize-winners-in-science-are-immigrants/>.

³ See NFAP’s policy brief entitled “Immigrants and Nobel Prizes: 1901-2025” *available at* <https://nfap.com/research/new-nfap-policy-brief-immigrants-and-nobel-prizes-1901-2025/>.

⁴ *Id.*

⁵ See <https://www.ama-assn.org/education/international-medical-education/advocacy-action-clearing-imgs-route-practice>.

⁶ *Id.* See also <https://www.ama-assn.org/education/international-medical-education/why-img-physicians-are-vital-us-health-security>.

⁷ See https://www.americanimmigrationcouncil.org/sites/default/files/research/foreign-trained_docs_are_critical_to_serving_many_us_communities.pdf.

⁸ See <https://www.americanimmigrationcouncil.org/about-immigration/entrepreneurship/>; see also <https://www.americanimmigrationcouncil.org/uncategorized/new-data-shows-immigrant-owned-businesses-employed-8-million-americans-immigrants-wield-1-1-trillion-in-spending-power/>.

⁹ See <https://www.americanimmigrationcouncil.org/report/fortune-500-companies-founded-by-immigrants-2025/>.

- According to NAFSA, “[I]nternational students studying at U.S. colleges and universities contributed \$42.9 billion and supported 355,736 jobs to the U.S. economy during the 2024–25 academic year.”¹⁰

This last point merits further discussion because the 2023–24 academic year boasted higher numbers of monetary contributions and supported jobs. An analysis by NAFSA and JB International noted that a 17 percent decline in new international student enrollment contributed to over \$1.1 billion of lost revenue and nearly 23,000 fewer jobs.¹¹ Much of this decline has to do with immigration policy.

Over the course of a nearly 20-year career as an immigration attorney, I have seen first-hand the dramatic shifts that can occur in the field of immigration law with each incoming presidential administration. The practice of immigration law is largely determined by regulations and agency policies, which change with each presidential election.

Despite clear data placing the benefits of international education and exchange on display, the U.S. immigration system is overly cumbersome, unforgiving, and often unaligned with the best interests of the nation in attracting global talent. Actions since the beginning of the second Trump Administration have damaged the ability to recruit such global talent in all industries, including academic immigration. To highlight just a few, the following actions have occurred since January 1, 2025:

- A wave of student SEVIS record terminations and visa revocations (the record terminations were largely reactivated due to litigation pressure, though litigation is ongoing regarding multiple visa revocations);
- Travel bans affecting nationals of multiple countries in various ways;¹²
- An adjudications pause at USCIS for pending benefit applications for those whose country of birth or country of citizenship is one of 39 countries;
- Social media vetting practices affecting foreign nationals entering in multiple visa categories, including F, M, J, and H-1B;
- A weighted selection process for the H-1B cap subject lottery, which favors higher wage earners and may prejudice students entering into post-graduation jobs in H-1B status;
- The Presidential Proclamation restricting the entry of H-1B workers unless the employer pays a \$100,000 fee;
- The issuance of a proposed rule eliminating the “duration of status” expiration period for F and J students and exchange visitors and instituting various other course of study restrictions; and

¹⁰ See <https://www.nafsa.org/policy-and-advocacy/policy-resources/nafsa-international-student-economic-value-tool-v2>.

¹¹ See <https://www.nafsa.org/fall-2025-international-student-enrollment-snapshot-economic-impact>.

¹² See <https://www.nafsa.org/regulatory-information/quick-reference-country-restriction-table> for a very helpful resource from NAFSA.

- The issuance of a proposed rule changing the methodology used to calculate prevailing wage levels, which would increase required wages across-the-board for employers sponsoring foreign nationals for H-1B, H-1B1, E-3, and PERM green card processes.

In the face of these challenges we must continue to advocate, litigate, and provide timely and credible information to our students, scholars, and institutions. In the spirit of this latter point, the purpose of *The Academic Immigration Handbook* is to demystify the journey of students, professors, researchers, residents, fellows, and others through the “alphabet soup” of visas (Fs, Ms, Js, Hs, etc.) and into the green card process. The first and second segments will detail the paths of students and scholars, respectively. From there, permanent residence options will be addressed in detail. Finally, the book will raise important institutional considerations, a helpful discussion for university counsel, administrators, student and scholar advisors, and others.

I am pleased to offer the fifth edition of this resource to the academic immigration community and welcome your feedback. Please contact me at acohen@visalaw.com.

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