

LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
MICHAEL S. LEE, UTAH
TED CRUZ, TEXAS
JOSH HAWLEY, MISSOURI
THOM TILLIS, NORTH CAROLINA
JOHN KENNEDY, LOUISIANA
MARSHA BLACKBURN, TENNESSEE
ERIC SCHMITT, MISSOURI
KATIE BOYD BRITT, ALABAMA
ASHLEY MOODY, FLORIDA

RICHARD J. DURBIN, ILLINOIS
SHELDON WHITEHOUSE, RHODE ISLAND
AMY KLOBUCHAR, MINNESOTA
CHRISTOPHER A. COONS, DELAWARE
RICHARD BLUMENTHAL, CONNECTICUT
MAZIE HIRONO, HAWAII
CORY A. BOOKER, NEW JERSEY
ALEX PADILLA, CALIFORNIA
PETER WELCH, VERMONT
ADAM B. SCHIFF, CALIFORNIA

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

September 23, 2025

The Honorable Kristi Noem
Secretary, Department of Homeland Security
Washington, DC 20528

Dear Secretary Noem,

I am concerned about the job prospects of young Americans. The Federal Reserve recently found that “the unemployment rate of males ages 22 to 27 is roughly the same, whether or not they hold a degree.” It also found that recent American graduates with STEM majors have higher unemployment rates than the general population. I find these employment trends deeply troubling.

Competition from foreign graduates is contributing to rising unemployment rates among college-educated Americans. This should not be the case. Congress placed caps on employment visas for foreign graduates to ensure that American jobs are filled by American graduates.

The Department of Homeland Security (DHS), however, is issuing hundreds of thousands of work authorizations to student visa holders in direct violation of the law. DHS even allows foreign graduates to stay in the United States on their student visas for years after graduation in order to work. These work authorizations are incompatible with the Immigration and Nationality Act, which clearly states a student visa is “solely” for the purpose of pursuing an education, not employment.

In addition to harming American job seekers, foreign student work authorizations also put our nation at risk of technological and corporate espionage. For example, over 33,000 Chinese student visa holders have STEM work authorizations that allow them to work in sensitive tech positions. The FBI has warned that China is engaging in the “systematic theft of intellectual property” by targeting businesses and academic institutions, and the USCIS ombudsman has found that foreign student work authorizations are “currently being used by government actors from countries such as the [People’s Republic of China] as a means of conducting espionage and technology transfer.”

In March, I gave a speech on the Senate floor calling on you to stop issuing work authorizations to foreign students. My office has also reached out directly to DHS about this issue several times. It appears, however, that DHS is still issuing work authorizations to student visa holders. I am again asking you to put an end to these unlawful employment authorizations.

If your reply to this letter does not contain a commitment to ending work authorizations for student visa holders, then I expect a detailed explanation of what legal authority DHS is relying on to issue these authorizations, and whether the Department has reevaluated that authority in light of the Supreme Court’s recent rulings on the major questions doctrine and administrative deference. I would also like a staff-level briefing on the matter. Please provide a response by October 10, 2025.

Sincerely,



Sen. Charles E. Grassley
Chairman, Senate Judiciary Committee