



International Programs and Initiatives
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Senator Fred Dyson
Chairman, State Affairs Committee
Sent via email

Dear Senator Dyson,

I have been asked to comment on the impact on UAF international students, faculty and researchers should House Bill 1 – An Act relating to issuance of drivers' licenses – pass. The bill mandates that if an individual is authorized to stay in the U.S. less than 5 years, the drivers' license will be issued for the period of authorized stay or for one year if the authorized stay is indefinite.

Under current state statute, people wishing to legally drive in Alaska are required to obtain an Alaska drivers' license within 90 days on entering the state. My experience over the last 9 years has been that people who are planning on remaining less than a year do not wish to apply for a license but are advised that if they wish to legally drive and they will be remaining over 90 days, that they should do so.

The way the bill is currently written means that the majority of the international population sponsored by UAF will have to apply for drivers licenses on an annual basis. Students in F-1 status and their dependents as well as visiting Exchange Visitors in J-1 status (researchers and faculty) and their dependents, although having program end dates listed on their official immigration form (F-1 students: I-20 and J-1 exchange visitors: D-2019), have indefinite stays as indicated by the Customs and Border Protection annotation of "D/S" in their passport on their arrival at the U.S. port of entry. D/S means duration of status which in turn means that as long as the I-20 or DS-2019 is valid, the person is eligible to remain in the U.S. Rather than receiving a drivers' license valid for 5 years, they will need to renew every year.

Application process: In order for someone to apply for an Alaska drivers' license, if they do not have a U.S. social security number, there is additional documentation that must be provided from other offices. The steps must be followed every time a drivers' license is applied for, including renewals.

1. In the case of students in F-1 status and exchange visitors not eligible for SSNs and accompanying dependents, a letter from the sponsor SEVP (Student and Exchange Visitor Program) Primary Designated School Official or U.S. Department of State Responsible Officer to the SSA verifying the immigration status must be presented. This impacts the UAF International Programs Office in that I will be required to issue 4 times as many letters every year.
2. A letter must be obtained from the Social Security office stating that they are not eligible for the number (commonly referred to as a social security rejection letter).
3. Once they have received the SSA rejection letter, they may apply for an Alaska drivers' license.

Legal Grace Period: The law does not address the legal grace period under provisions of the F-1 and J-1 status. F-1 status-holders are eligible for a 60-day grace period following the program completion. Likewise J-1 status-holders have a 30-day period. They may remain in the U.S. legally during that time. However, if they have obtained an Alaska drivers' license, although they are legally present in the state, the drivers' license will have expired and they cannot legally drive or renew the license for that period.

Changes of status/changes of program level/additional employment authorization periods: Many times students will complete one academic program and apply for a more advanced degree or will apply for employment authorization. There is a gap in the authorization dates, although they are legally allowed

to remain in the U.S. This is the reason for the "duration of status" referred to earlier. Under this law, students would not be able to renew expired drivers' licenses or legally drive during the time between programs while waiting for employment authorization.

H-1B and TN status holders: The maximum length of time for an initial H-1B (specialty occupation worker, notably faculty and researchers) and TN (Trade NAFTA) authorization is 3 years with eligibility for an additional 3-year authorization period, and indefinite extensions for people in TN status. These individuals are eligible for an automatic 240-day extension of stay in the U.S. and employment once the extension petition is filed if it is not approved prior to the current authorization end. Since the immigration document would have expired, the drivers' license will have also expired. The individual would not be able to renew the license until the new authorization approval was received ~ even though he or she is in valid, legal U.S. immigration status. Further, for varying reasons, UAF units may choose to apply for the authorization in one-year implements rather than 3. This will then move the H-1B status holders to a position of needing to apply for the drivers' license on an annual basis.

While local DMVs have means of verifying immigration statuses through the SAVE system and hotlines to U.S. Immigration and Customs Enforcement, there are many times when the immigration status has not updated correctly. As the Associate Director for Immigration Compliance at UAF, I serve on a national task force that regularly hears of problems with students and scholars in attempting to apply for drivers' licenses due to the electronic system not updating properly and other issues. The problems have become so widespread that SEVP implemented an outreach program to state DMVs and a dedicated email address for U.S. college and university immigration staff in an attempt to expedite problem cases.

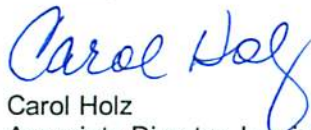
The bill also indicates that the license may be renewed "during a period of up to five years after the first issuance of the license." This would indicate that further renewals would not be possible after the five years and would therefore place individuals in a position of being unable to legally drive.

In moving to require applications for drivers' licenses on a more frequent basis, this essentially increases the workload of local Social Security offices, my office and most importantly the DMV offices. My office handles a caseload of over 400 international students and scholars enrolled at and/or working at UAF on an annual basis. This does not include accompanying family members legally old enough to drive. Nor does this address the impact on UAA, UAS and Alaska Pacific University which increases the numbers of people impacted. It seems to me that the bill, if passed as written, will have a significant impact on the operations of the local DMV offices and cannot help but have a fiscal impact. This also does not address the loss of productivity on the part of UAF students and employees who must take time away from work to reapply for the drivers' license on an annual basis.

This bill does nothing to address the possibility and likelihood of undocumented individuals obtaining drivers licenses for the full five-year period but serves to penalize people who are legally present in the U.S.

Please feel free to contact me if you have questions or wish more information.

Sincerely,



Carol Holz
Associate Director, Immigration Compliance

Copies to: Donna Anger, Director, UAF Office of International Programs and Initiatives
Mike Sfraga, Vice Chancellor, UAF Division of University and Student Advancement
Brian Rogers, Chancellor, University of Alaska Fairbanks