

October 13, 2016

**NAFSA: Association of  
International Educators**

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Samantha Deshommès  
Chief, Regulatory Coordination Division  
Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
Department of Homeland Security  
20 Massachusetts Avenue, NW  
Washington, DC 20529

Re: U.S. Citizenship and Immigration Services International Entrepreneur  
Proposed Rule; DHS Docket No. USCIS-2015-0006

Dear Ms. Deshommès:

NAFSA: Association of International Educators commends the United States Citizenship and Immigration Services (USCIS) for the thoughtful approach taken within the scope of its authority to create an opportunity for international entrepreneurs to remain in the United States to grow their start-up businesses. NAFSA is the world's largest association of international education professionals with over 10,000 members, many of whom work with international students who are seeking entrepreneur opportunities after graduation. NAFSA recommends improvements to the rule that would: allow the United States to further benefit from talented international student graduates who work in collaboration with institutions of higher education to develop new enterprises; eliminate the requirement of parole in place for international entrepreneurs; and clarify the requirements and limitations of a grant of parole.

**Include On-Campus Business Incubators and Accelerators**

NAFSA urges USCIS to expand the rule to include business incubators and accelerators at U.S. higher education institutions that allow international entrepreneurs to grow start-up companies. These programs meet the goal of the proposed rule while providing benefits to the U.S. economy and local communities.

The proposed rule contemplates a traditional start-up arrangement, creating requirements based on ownership interest, type of investor, and amount of money invested. Immigrant entrepreneurs engaging with campus-based incubators and accelerators cannot meet these requirements because the structure and opportunities provided by a higher education institution do not follow this model. Therefore, alternative criteria is needed to recognize the role of higher education in fostering international entrepreneurs, the attendant funding structures, and varied institutional investment such as free or affordable workspace, use of equipment, and mentoring.

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**Allow Parole in Place**

NAFSA recommends USCIS eliminate the proposed rule requirement that international entrepreneurs leave the country and return to obtain parole and instead allow for parole in place (PIP). The significant public benefit provided by immigrant entrepreneurs supports USCIS exercising discretion to allow PIP.

Creating a successful start-up is exceedingly time consuming and challenging with inherent risks to the creators and investors. Under the proposed rule, an entrepreneur must waste time and resources on unnecessary bureaucratic activities, such as travel outside the country. Leaving the United States for the sole reason to obtain a grant of parole is disruptive and unnecessary when USCIS has the authority to grant PIP.

**Explain the Limits of Parole**

Although parole is currently available in limited circumstances, it is still a term unfamiliar to many in the field of immigration and rarely understood by anyone who does not practice immigration law. This creates an additional responsibility on the part of USCIS to explain the limitations and requirements of parole. We recommend providing clear guidance to those granted parole and developing easily understood resources for the USCIS website.

Thank you again for developing an opportunity for international entrepreneurs to remain in the United States to grow their start-up companies. If you have any questions, please do not hesitate to contact me.

Sincerely,

Marlene M. Johnson  
Executive Director and CEO