Immigration Impact of the Iranian Sanction Law – August 2012

On August 10, 2012, the Iran Sanctions, Accountability and Human Rights Act [PL 112-158] was signed into law. Section 501 of the law affects Iranian citizens seeking to come to the U.S. to study in certain fields:

a) The Secretary of State shall deny a visa to, and the Secretary of Homeland Security shall exclude from the United States, any alien who is a citizen of Iran that the Secretary of State determines seeks to enter the United States to participate in coursework at an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)) to prepare the alien for a career in the energy sector of Iran or in nuclear science or nuclear engineering or a related field in Iran.

The provision is effective with regard to visa applications made by Iranian nationals after August 10th, 2012. The Student and Exchange Visitor Program has indicated that further guidance is forthcoming for stakeholders, such as institutions of higher education who may be sponsoring such students for student visa statuses by issuing I-20 or DS-2019 forms.

The focus of the law prohibits Department of State from issuing a visa to an individual covered by the law, and requires the Department of Homeland Security to exclude from the U.S. any covered individual. Nothing in the law explicitly prohibits schools from sponsoring such students, nor does it specifically indicate how we might determine what fields of study would serve to exclude a prospective student from receiving a visa.

Students who plan to study, or who are currently studying, within nuclear science, nuclear engineering, or a related field of study may be impacted by this law. Difficulties may be encountered in the future, should these students apply for a new visa to come to the U.S., or leave the U.S. and need to apply for a new visa to return. There also may be difficulties should they need to apply for a related student benefit from within the U.S. (work permission, change of immigration status, etc.).

We have initially and tentatively reviewed CIP codes that might trigger application of the law. These may include, but are not limited to, the following:

14 14.0802 Geotechnical and Geoenvironmental Engineering
14 14.2301 Nuclear Engineering
14 14.2501 Petroleum Engineering
15 15.0503 Energy Management and Systems Technology/Technician
15 15.0505 Solar Energy Technology/Technician
15 15.0901 Mining Technology/Technician
15 15.0903 Petroleum Technology/Technician
15 15.0999 Mining and Petroleum Technologies/Technicians, Other
15 15.1401 Nuclear Engineering Technology/Technician
29 29.0302 Directed Energy Systems
40 40.0606 Geochemistry and Petrology
40 40.0802 Atomic/Molecular Physics
40 40.0804 Elementary Particle Physics
40 40.0805 Plasma and High-Temperature Physics
40 40.0806 Nuclear Physics
41 41.0204 Industrial Radiologic Technology/Technician
41 41.0205 Nuclear/Nuclear Power Technology/Technician
41 41.0299 Nuclear and Industrial Radiologic Technologies/Technicians, Other

Please address any questions pertaining to this law or relevant fields of study to our offices: telephone: (706) 542-2900, or email: rcatmur@uga.edu.