Guidance Regarding Study in the Energy and Nuclear Fields

The U.S. government recently passed legislation which went into effect August 10, 2012. The relevant section of the legislation reads as follows:

**Exclusion of Citizens of Iran Seeking Education Relating to the Nuclear and Energy Sectors of Iran.**

(a) **In General** - 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.

(b) **Applicability** - Subsection (a) applies with respect to visa applications filed on or after the date of the enactment of this Act.

[H.R. 1905, Sec. 501]

Students are advised of this section of the Act and should consider it when making decisions with regard to applying for their admissions or selection of programs of study, as it is the position of the U.S. Consulate to deny visas pursuant to the Act. **It is important to note that this procedure stems from the mandates imposed by the U.S. government – not Western Michigan University.**

This could mean that if a prospective student is a citizen of Iran seeking to enter the U.S. to study in a field that the U.S. government deems as being related to preparation for a “career in the energy sector of Iran or in nuclear science or nuclear engineering or a related field in Iran” then the student may be subject to administrative delay and visa denial. This could also result in difficulty with travel and/or return to the U.S., and/or interruption or cessation of the program of study. Further, WMU understands that Iranian applicants in the United States wishing to change their immigration status to F-1 to pursue study in these fields will be denied by U.S. Department of Homeland Security.

It is too early to tell how the U.S. government will further interpret this act or how broadly the U.S. Department of State and the U.S. Department of Homeland Security will define a “related” field. It is also unclear how this will impact Iranian students applying for subsequent visas while continuing their studies or applying for Optional Practical Training, but these students are likely to be affected. It is expected that further regulations may follow and additional information may be available in the future.

Please note that WMU wishes to make students aware of this important recent development that may affect students’ decisions regarding courses of study and travel plans. However, WMU will not be able to provide legal or other advice regarding this new law or how it may impact students’ particular circumstances.