

March 9, 2015

Mr. Steve Linick
Inspector General,
U.S. Department of State
Office of Inspector General
Room 8100, SA-3
2201 C Street, N.W.
Washington, D.C. 20520

Dear Inspector General Linick:

I am deeply concerned over recent reports that the Department of State is attempting to circumvent existing U.S. law to place Universities into the unnecessary position of deciding whether or not to allow students from countries we currently have economic sanctions against— Iran in particular – to pursue specifically restricted material. Inappropriately, the State Department wants to allow Iranian students to study nuclear engineering, among other programs at U.S. universities, even though our U.S. sanctions on Iran are due to Iran’s threat of developing nuclear weapons.

In the interest of our national security, as the State Department’s Inspector General, I request that you investigate the State Department’s position on Iranian students in sensitive fields of study and what guidance they are giving academic institutions and report back to Congress. The Department of State absolutely should not be putting our educators in a position of deciding what constitutes a danger to the national security of the United States. That is the Administration’s job.

Specifically, the State Department has seemingly changed its interpretation of Section 501 of the Iran Threat Reduction and Syria Human Rights Act of 2012. I believe that is not only a security threat; it goes against our current sanctions, and it’s unfair to our academic institutions.

While I fully support a university’s commitment to provide wide access to educational opportunities, I strongly oppose the actions by the State Department to shift responsibility onto independent universities or to reinterpret the law away from its obvious intent. To put it frankly, we’re still at war with terrorist organizations and we still need strong economic sanctions on Iran until they comply with nuclear nonproliferation agreements and stop their support of terrorism.

The 2012 law requires the Secretary of State and the Secretary of Homeland Security to respectively exclude student visas and decline access to any alien who is a citizen of Iran and is applying to participate in coursework at an institution of higher education to prepare for a career in the energy sector of Iran or in nuclear science or nuclear engineering or a related field in Iran.

The University of Massachusetts Amherst (UMass) recently announced that it will accept Iranian students into nuclear science and engineering programs, developing individualized study plans to meet the requirements of federal sanctions law and address the impact on students.

According to the university, the decision to revise the university's approach follows consultation with the State Department and outside counsel.

Moreover, a 2013 "Note from the Department of State" made it clear that Section 501 of the law would not allow visas for Iranian students to study nuclear science. It appears to contradict their current statement and position. The 2013 document says individuals seeking to study in other fields, such as business, management or computer science, but who intend to use these skills in Iran's oil, natural gas or nuclear energy sectors, are also ineligible for visas.

According to reports, State Department counsel is now indicating that a visa ban (Sec.501) is a misleading characterization of the law and that applicants to graduate programs, including nuclear science and engineering, can be evaluated on an individual basis. Additionally, the National Iranian American Council is pressuring the State Department to work with schools (particularly UMass) to change standing policies that are in accordance to Sec.501.

There is clearly a need for improved oversight pertaining to Sec.501. Therefore, I request a thorough investigation by the State Department's Inspector General to be provided to Congress within the next 30 days that answers the following five requests:

1. Provide clarification on the Department of State's official position pertaining to Sec.501.
2. Provide documentation for everyone involved in the State Department's decision to grant an Iranian student a Visa to access U.S.-funded graduate education in a nuclear related program.
3. What guidance did the State Department give the University of Massachusetts Amherst to allow an Iranian student access to graduate education in a nuclear related program?
4. Provide a full accounting for the exact amount of U.S. taxpayer dollars universities are receiving for foreign students including recruitment, education, training and living expenses.
5. Provide a full list of all U.S. universities who are allowing Iranian students to participate in any of the following fields: business, management or computer science, nuclear science or engineering, or any other field that could be used to benefit Iran's oil, natural gas or nuclear energy sectors.

Sincerely,

David Vitter
United States Senate

C.C.
The Honorable John Kerry
Secretary of State
U.S. Department of State
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