



# NIAC

National Iranian American Council | Community. Democracy. Universal Rights.

February 24, 2015

Michael Rao, Ph.D.  
President  
Virginia Commonwealth University  
Office of the President  
910 West Franklin Street  
P.O. Box 842512  
Richmond, VA 23284-2512

Dear President Rao,

I am writing on behalf of the National Iranian American Council, the largest grassroots organization representing Americans of Iranian descent, regarding Virginia Commonwealth University's policy to deny Iranian citizens entry into certain graduate programs. This policy was brought to our attention in the aftermath of news that the University of Massachusetts at Amherst had adopted a similar policy, which was soon reversed following an uproar on campus and beyond. We believe Virginia Commonwealth University's policy is overbroad, unnecessary, and discriminatory. As such, we strongly urge the university to reverse the policy.

According to VCU's Graduate Admissions webpage, the university bars Iranian citizens from admittance "in the graduate fields of mechanical and nuclear engineering or in programs that have nuclear content." Besides serious questions we have over the scope of this ban (including whether it captures U.S.-Iran dual nationals), it is also far from clear what provision(s) of law mandates this outcome. We fear that this policy is based on a flawed interpretation of the relevant U.S. law and may run counter to federal and state law protections against discrimination based on national-origin. 31 C.F.R. § 560.505(a)(1) expressly authorizes Iranian persons granted a student visa "to carry out in the United States those activities for which such a visa has been granted by the U.S. State Department..." Provided that Iranian students do not surpass the bounds of their visa authorization and the university faithfully observes the limitations imposed by 31 C.F.R. § 560.505(d), there does not appear to be any clear reason why Iranian students should be subjected to a total ban on admissions in certain fields.

In adopting an overbroad policy, VCU risks setting a harmful precedent that undermines productive academic exchanges between the United States and Iran and potentially violates protections against discrimination on the basis of national-origin. Virginia Commonwealth University is not the first institution to over-comply with sanctions prohibitions in a way that both adversely impacts Iranians and Iranian Americans. When confronted with complaints, institutions such as Apple, Bank of Hawaii, and the Educational Testing Service ("ETS") all took steps to correct their original policies. It is thus critical that the university replicate their example and remediate its policy where appropriate. In doing so, VCU will not only

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appropriately tailor its policy regarding Iranian students to the demands of the law, but will also uphold its academic values and protect its esteemed reputation.

We trust that the university will revisit and revise this policy, especially in light of the reversal at the University of Massachusetts at Amherst, and we are prepared to engage with the university and offer our support in seeking a quiet resolution to this issue. We urge the university to revisit its decision and take necessary action to ensure that it is not discriminating against its Iranian and Iranian-American students. NIAC stands eager to help broker a resolution to this issue with you, and we look forward to your engaged response.

Sincerely,

Jamal Abdi  
NIAC Policy Director

cc: F. Douglas Boudinot  
Dean of the Graduate School