

# EXHIBIT A

# Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564

August 17, 2022

## **VIA FAX**

U. S. Department of State  
Office of Information Programs and Services  
2201 C Street N.W., Suite B266  
Washington, D.C. 20520-0000  
FAX: (202) 485-1669

**Re: Freedom of Information Act – Request for *EXPEDITIOUS HANDLING***

**Request of F-1 Nonimmigrant Visa Refusal Statistics by Post and Nationality for Fiscal Year 2021, and Fiscal Year 2022 (year-to-date)**

Dear Sir or Madam:

On behalf of my client, Shorelight Education, a leading education company focused on providing educational experiences for international students and partnering with U.S. universities as a clearinghouse for information, we are respectfully filing a Freedom of Information Act request seeking public information that is possessed by the State Department, but is not specifically provided to the public in the State Department’s non-immigrant visa statistics.

Specifically, we seek the following information/data:

1. Each year, the State Department publicly releases a document that is titled as: “ADJUSTED REFUSAL RATE - B-VISAS ONLY BY NATIONALITY”  
*See* <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/RefusalRates/FY20.pdf>

We seek the exact same statistics, in the exact same format, but for **F-1 student visas**. In other words, the numbers that would be provided would be for F-1 Student Visas instead of for B-visitor visas. We seek these statistics for Fiscal Year 2021, and Fiscal Year 2022 (year-to-date)

2. Alternatively, if the data in Request Number 1 cannot be provided—and a lawful explanation is provided as to why this data cannot be provided—we respectfully ask that the State Department then refer to the annual document it publicly releases titled: “**Worldwide NIV Workload by Visa Category FY 2021.**”  
*See* <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/NIVWorkload/FY2020NIVWorkloadbyVisaCategory.pdf>

We would respectfully ask that the State Department then simply disaggregate the “refused” data contained within this document so that it can provide, and make publicly available, **by post and nationality**, the total number of F-1 student visas that were counted as “refused.”

# Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564

As you can see in the linked document below, the State Department already disaggregates the number of F-1 student visas “issued” by post and nationality, but does not similarly disaggregate the number of “refused” F-1 student visas by post and nationality.

<https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/MonthlyNIVIssuances/JUNE%202022%20-%20NIV%20Issuances%20by%20Nationality%20and%20Visa%20Class.pdf>

<https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/MonthlyNIVIssuances/JUNE%202022%20-%20NIV%20Issuances%20by%20Post%20and%20Visa%20Class.pdf>

We seek these “refusal” statistics for **F-1 student visas** for Fiscal Year 2021, and Fiscal Year 2022 (year-to-date). Again, we simply seek data that disaggregates the numbers already contained and publicly reported in the “refused” column so that those numbers can be understood by post and nationality.

If an example is needed, please see the State Department’s response to the exact same FOIA request made last year. All that is needed are these same numbers for Fiscal Year 2021, and Fiscal Year 2022 (year-to-date)

## **II. Compelling Need Justifying Expeditious Handling**

Substantial economic concerns of colleges and universities in the United States are implicated by the failure to process this FOIA request immediately. Universities across the United States require this information quickly so that they may better understand the changing landscape of the international student visa adjudication process and to make extremely important decisions about which international students to invest-in and recruit from around the world. This data is critical to preventing schools from wasting hundreds of millions of dollars in time and resources to recruit students from areas where they are statistically less likely to obtain visas.

## **III. Payment of Fees**

Undersigned counsel consents to, and is prepared to pay, all fees that are necessary to obtain any and all documents responsive to the requests above.

Please feel free to contact the undersigned at (202)469-5129 or by email at [leon.fresco@hklaw.com](mailto:leon.fresco@hklaw.com) should there be any questions.

# Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564

Sincerely,

HOLLAND & KNIGHT LLP

A handwritten signature in blue ink that reads "Leon Fresco". The signature is written in a cursive style with a large, stylized initial "L" and "F".

Leon Fresco



**United States Department of State**

*Washington, D.C. 20520*

July 26, 2021

Case No. F-2021-02037  
FL-2021-00491

Mr. Leon Fresco  
Holland & Knight LLP  
800 17<sup>th</sup> NW Suite 1100  
Washington, DC 20006

Dear Mr. Fresco:

This letter is in response to your requests dated December 17, 2019 and April 8, 2021, under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552. The Department of State has located three responsive records subject to the FOIA. Upon review, we have determined that all three records may be released in full. This concludes the processing of your request.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. To the extent another agency asserts that it can neither confirm nor deny the existence of certain records, the Department of State will similarly take the position that it neither confirms nor denies the existence of those records.

If you have any questions, your attorney may contact Assistant United States Attorney Stephanie R. Johnson at 202-252-7874 or Stephanie.Johnson5@usdoj.gov. Please refer to the case number, F-2021-02037/FL-2021-00491, and the civil action number, 21-cv-01490, in all correspondence about this case.

Sincerely,

A handwritten signature in black ink that reads "Jeanne Miller". The signature is written in a cursive, flowing style.

Jeanne Miller  
Chief, Programs and Policies Division  
Office of Information Programs and Services

Enclosures: As stated.

**The Freedom of Information Act (5 USC 552)**

**FOIA Exemptions**

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |   |
|----------------|---|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

**Other Grounds for Withholding**

- NR Material not responsive to a FOIA request excised with the agreement of the requester

<b>F1 Adjusted Refusal Rates by Nationality: FYTD 2021</b>		<b>(through June 30, 2021)</b>
<b>Nationality</b>	<b>Adjusted Refusal Rate</b>	
Afghanistan	60%	
Albania	22%	
Algeria	31%	
Andorra	0%	
Angola	48%	
Antigua and Barbuda	41%	
Argentina	4%	
Armenia	42%	
Australia	3%	
Austria	2%	
Azerbaijan	27%	
Bahamas, The	5%	
Bahrain	17%	
Bangladesh	16%	
Barbados	6%	
Belarus	27%	
Belgium	1%	
Belize	10%	
Benin	45%	
Bermuda	0%	
Bhutan	5%	
Bolivia	13%	
Bosnia-Herzegovina	0%	
Botswana	19%	
Brazil	20%	
British Virgin Islands	0%	
Brunei	17%	
Bulgaria	12%	
Burkina Faso	25%	
Burma	9%	
Burundi	40%	
Cabo Verde	38%	
Cambodia	33%	
Cameroon	70%	
Canada	8%	
Cayman Islands	15%	
Central African Republic	50%	
Chad	85%	
Chile	13%	
China - mainland	16%	
China - Taiwan	9%	
Colombia	13%	

Congo, Democratic Republic of the	51%
Congo, Republic of the	64%
Costa Rica	7%
Cote d'Ivoire	39%
Croatia	8%
Cuba	77%
Cyprus	8%
Czech Republic	4%
Denmark	2%
Djibouti	81%
Dominica	21%
Dominican Republic	20%
Ecuador	27%
Egypt	32%
El Salvador	19%
Equatorial Guinea	78%
Eritrea	73%
Estonia	12%
Eswatini	0%
Ethiopia	37%
Fiji	38%
Finland	5%
France	5%
Gabon	25%
Georgia	19%
Germany	2%
Ghana	40%
Gibraltar	0%
Greece	6%
Grenada	30%
Guatemala	16%
Guinea	55%
Guinea-Bissau	60%
Guyana	17%
Haiti	83%
Honduras	10%
Hong Kong S.A.R.	4%
Hong Kong-BNO	21%
Hungary	22%
Iceland	0%
India	28%
Indonesia	3%
Iran	60%
Iraq	29%
Ireland	9%
Israel	4%
Italy	4%



Jamaica	24%
Japan	1%
Jordan	35%
Kazakhstan	70%
Kenya	63%
Kiribati	100%
Kosovo	13%
Kuwait	5%
Kyrgyzstan	50%
Laos	67%
Latvia	15%
Lebanon	31%
Lesotho	9%
Liberia	81%
Libya	58%
Liechtenstein	0%
Lithuania	6%
Luxembourg	0%
Macau S.A.R.	5%
Madagascar	25%
Malawi	27%
Malaysia	3%
Maldives	0%
Mali	52%
Malta	0%
Mauritania	82%
Mauritius	3%
Mexico	4%
Moldova	48%
Monaco	0%
Mongolia	30%
Montenegro	20%
Montserrat	0%
Morocco	44%
Mozambique	14%
Namibia	7%
Nepal	26%
Netherlands	4%
New Zealand	1%
Nicaragua	16%
Niger	46%
Nigeria	57%
No Nationality	60%
North Macedonia	9%
Norway	2%
Oman	11%
Pakistan	50%

Palestinian Authority Travel Document	54%
Panama	5%
Papua New Guinea	10%
Paraguay	5%
Peru	13%
Philippines	30%
Poland	6%
Portugal	7%
Qatar	28%
Romania	9%
Russia	25%
Rwanda	59%
Saint Kitts and Nevis	16%
Saint Lucia	17%
Saint Vincent and the Grenadines	40%
Samoa	0%
San Marino	0%
Saudi Arabia	19%
Senegal	55%
Serbia	8%
Seychelles	25%
Sierra Leone	65%
Singapore	5%
Slovakia	8%
Slovenia	0%
Somalia	46%
South Africa	16%
South Korea	4%
South Sudan	48%
Spain	4%
Sri Lanka	40%
Sudan	48%
Suriname	11%
Sweden	3%
Switzerland	3%
Syria	52%
Tajikistan	79%
Tanzania	21%
Thailand	22%
The Gambia	65%
Timor-Leste	0%
Togo	4%
Trinidad and Tobago	5%
Tunisia	31%
Turkey	25%
Turkmenistan	62%
Turks and Caicos Islands	0%

Uganda	43%
Ukraine	18%
United Arab Emirates	8%
United Kingdom	3%
Uruguay	2%
Uzbekistan	51%
Vanuatu	100%
Venezuela	27%
Vietnam	24%
Yemen	80%
Zambia	27%
Zimbabwe	14%

**\*"No nationality" refusals includes individuals presenting travel documents issued by a competent authority other than their country of nationality, including, for example, aliens traveling on a Laissez-Passer issued by the United Nations and refugees residing in another country.**

**The Adjusted Refusal Rate is calculated as follows: (Refusals minus Waived/Overcome) divided by (Total Applicants minus Waived/Overcome). When there are more Waived/Overcome than refusals (for example, when refusals from a prior fiscal year are waived/overcome), the result is a negative adjusted refusal rate.**

**Only nationalities that have data available during the indicated fiscal year are listed.**

**F1 Adjusted Refusal Rates by Nationality: FY 2019**

<b>Nationality</b>	<b>Adjusted Refusal Rate</b>
Afghanistan	76%
Albania	32%
Algeria	72%
Andorra	0%
Angola	31%
Anguilla	0%
Antigua and Barbuda	9%
Argentina	4%
Armenia	52%
Australia	2%
Austria	2%
Azerbaijan	30%
Bahamas, The	8%
Bahrain	14%
Bangladesh	38%
Barbados	1%
Belarus	12%
Belgium	4%
Belize	16%
Benin	78%
Bermuda	0%
Bhutan	45%
Bolivia	14%
Bosnia-Herzegovina	12%
Botswana	25%
Brazil	20%
British Virgin Islands	8%
Brunei	0%
Bulgaria	5%
Burkina Faso	59%
Burma	13%
Burundi	59%
Cabo Verde	24%
Cambodia	32%
Cameroon	84%
Canada	8%
Cayman Islands	9%
Central African Republic	88%
Chad	89%
Chile	2%
China - mainland	11%
China - Taiwan	2%
Colombia	25%

Comoros	80%
Congo, Democratic Republic of the	70%
Congo, Republic of the	84%
Costa Rica	6%
Cote d'Ivoire	53%
Croatia	5%
Cuba	53%
Cyprus	2%
Czech Republic	8%
Denmark	1%
Djibouti	95%
Dominica	10%
Dominican Republic	42%
Ecuador	21%
Egypt	38%
El Salvador	20%
Equatorial Guinea	47%
Eritrea	80%
Estonia	3%
Eswatini	4%
Ethiopia	50%
Fiji	46%
Finland	0%
France	6%
Gabon	58%
Georgia	34%
Germany	1%
Ghana	62%
Gibraltar	0%
Greece	8%
Grenada	28%
Guatemala	25%
Guinea	93%
Guinea-Bissau	74%
Guyana	11%
Haiti	63%
Honduras	25%
Hong Kong S.A.R.	7%
Hong Kong-BNO	8%
Hungary	2%
Iceland	0%
India	37%
Indonesia	11%
Iran	50%
Iraq	66%
Ireland	12%
Israel	9%

Italy	6%
Jamaica	32%
Japan	2%
Jordan	70%
Kazakhstan	52%
Kenya	51%
Kiribati	0%
Kosovo	22%
Kuwait	6%
Kyrgyzstan	47%
Laos	53%
Latvia	11%
Lebanon	17%
Lesotho	7%
Liberia	78%
Libya	67%
Liechtenstein	0%
Lithuania	7%
Luxembourg	0%
Macau S.A.R.	6%
Madagascar	17%
Malawi	60%
Malaysia	2%
Maldives	30%
Mali	80%
Malta	0%
Mauritania	87%
Mauritius	4%
Mexico	7%
Moldova	28%
Monaco	0%
Mongolia	60%
Montenegro	7%
Morocco	52%
Mozambique	6%
Namibia	7%
Nepal	77%
Netherlands	3%
New Zealand	1%
Nicaragua	23%
Niger	52%
Nigeria	77%
No Nationality*	33%
North Macedonia	20%
Norway	2%
Oman	5%
Pakistan	57%

Palestinian Authority Travel Document	61%
Panama	7%
Papua New Guinea	8%
Paraguay	9%
Peru	21%
Philippines	40%
Poland	9%
Portugal	5%
Qatar	13%
Romania	6%
Russia	15%
Rwanda	48%
Saint Kitts and Nevis	24%
Saint Lucia	7%
Saint Vincent and the Grenadines	2%
Samoa	14%
San Marino	0%
Saudi Arabia	13%
Senegal	64%
Serbia	13%
Seychelles	0%
Sierra Leone	65%
Singapore	2%
Slovakia	3%
Slovenia	1%
Solomon Islands	0%
Somalia	66%
South Africa	15%
South Korea	4%
South Sudan	46%
Spain	5%
Sri Lanka	55%
Sudan	48%
Suriname	0%
Sweden	2%
Switzerland	1%
Syria	70%
Tajikistan	61%
Tanzania	42%
Thailand	43%
The Gambia	81%
Timor-Leste	0%
Togo	73%
Tonga	32%
Trinidad and Tobago	5%
Tunisia	31%
Turkey	42%

Turkmenistan	70%
Turks and Caicos Islands	29%
Uganda	54%
Ukraine	39%
United Arab Emirates	6%
United Kingdom	4%
Uruguay	2%
Uzbekistan	73%
Vanuatu	0%
Venezuela	39%
Vietnam	36%
Yemen	69%
Zambia	28%
Zimbabwe	25%

**\*"No nationality" refusals includes individuals presenting travel documents issued by a competent authority other than their country of nationality, including, for example, aliens traveling on a Laissez-Passer issued by the United Nations and refugees residing in another country.**

**The Adjusted Refusal Rate is calculated as follows: (Refusals minus Waived/Overcome) divided by (Total Applicants minus Waived/Overcome). When there are more Waived/Overcome than refusals (for example, when refusals from a prior fiscal year are waived/overcome), the result is a negative adjusted refusal rate.**

**Only nationalities that have data available during the indicated fiscal year are listed.**



**F1 Adjusted Refusal Rates by Nationality: FY 2020**

<b>Nationality</b>	<b>Adjusted Refusal Rate</b>
Afghanistan	81%
Albania	48%
Algeria	76%
Andorra	14%
Angola	41%
Anguilla	0%
Antigua and Barbuda	10%
Argentina	2%
Armenia	58%
Australia	5%
Austria	4%
Azerbaijan	38%
Bahamas, The	12%
Bahrain	17%
Bangladesh	41%
Barbados	5%
Belarus	22%
Belgium	4%
Belize	10%
Benin	58%
Bermuda	0%
Bhutan	60%
Bolivia	10%
Bosnia-Herzegovina	6%
Botswana	19%
Brazil	30%
British Virgin Islands	13%
Brunei	14%
Bulgaria	9%
Burkina Faso	75%
Burma	22%
Burundi	82%
Cabo Verde	35%
Cambodia	36%
Cameroon	83%
Canada	6%
Cayman Islands	5%
Central African Republic	93%
Chad	94%
Chile	9%
China - mainland	20%
China - Taiwan	7%
Colombia	29%

Comoros	100%
Congo, Democratic Republic of the	74%
Congo, Republic of the	77%
Costa Rica	13%
Cote d'Ivoire	48%
Croatia	3%
Cuba	70%
Cyprus	2%
Czech Republic	9%
Denmark	2%
Djibouti	100%
Dominica	17%
Dominican Republic	42%
Ecuador	28%
Egypt	52%
El Salvador	26%
Equatorial Guinea	47%
Eritrea	84%
Estonia	3%
Eswatini	4%
Ethiopia	51%
Fiji	38%
Finland	1%
France	12%
Gabon	66%
Georgia	32%
Germany	2%
Ghana	75%
Greece	7%
Grenada	13%
Guatemala	28%
Guinea	88%
Guinea-Bissau	67%
Guyana	5%
Haiti	60%
Honduras	19%
Hong Kong S.A.R.	9%
Hong Kong-BNO	22%
Hungary	8%
Iceland	0%
India	44%
Indonesia	15%
Iran	62%
Iraq	58%
Ireland	12%
Israel	13%
Italy	10%

Jamaica	30%
Japan	2%
Jordan	65%
Kazakhstan	68%
Kenya	54%
Kiribati	0%
Kosovo	13%
Kuwait	14%
Kyrgyzstan	71%
Laos	67%
Latvia	11%
Lebanon	26%
Lesotho	33%
Liberia	80%
Libya	68%
Liechtenstein	0%
Lithuania	6%
Luxembourg	4%
Macau S.A.R.	5%
Madagascar	28%
Malawi	78%
Malaysia	9%
Maldives	0%
Mali	84%
Malta	25%
Mauritania	79%
Mauritius	0%
Mexico	6%
Moldova	39%
Monaco	0%
Mongolia	60%
Montenegro	21%
Morocco	53%
Mozambique	20%
Namibia	7%
Nepal	78%
Netherlands	2%
New Zealand	3%
Nicaragua	15%
Niger	65%
Nigeria	77%
No Nationality*	53%
North Korea	100%
North Macedonia	18%
Norway	3%
Oman	6%
Pakistan	54%

Palestinian Authority Travel Document	69%
Panama	7%
Papua New Guinea	10%
Paraguay	3%
Peru	22%
Philippines	49%
Poland	7%
Portugal	4%
Qatar	16%
Romania	7%
Russia	26%
Rwanda	64%
Saint Kitts and Nevis	36%
Saint Lucia	13%
Saint Vincent and the Grenadines	57%
Samoa	0%
San Marino	0%
Saudi Arabia	31%
Senegal	74%
Serbia	6%
Sierra Leone	67%
Singapore	10%
Slovakia	3%
Slovenia	2%
Somalia	91%
South Africa	13%
South Korea	4%
South Sudan	63%
Spain	5%
Sri Lanka	57%
Sudan	50%
Suriname	8%
Sweden	3%
Switzerland	3%
Syria	63%
Tajikistan	69%
Tanzania	54%
Thailand	47%
The Gambia	79%
Timor-Leste	0%
Togo	80%
Tonga	67%
Trinidad and Tobago	5%
Tunisia	29%
Turkey	44%
Turkmenistan	67%
Turks and Caicos Islands	0%

Uganda	62%
Ukraine	25%
United Arab Emirates	11%
United Kingdom	5%
Uruguay	6%
Uzbekistan	79%
Vanuatu	0%
Venezuela	38%
Vietnam	32%
Yemen	84%
Zambia	38%
Zimbabwe	21%

**\*"No nationality" refusals includes individuals presenting travel documents issued by a competent authority other than their country of nationality, including, for example, aliens traveling on a Laissez-Passer issued by the United Nations and refugees residing in another country.**

**The Adjusted Refusal Rate is calculated as follows: (Refusals minus Waived/Overcome) divided by (Total Applicants minus Waived/Overcome). When there are more Waived/Overcome than refusals (for example, when refusals from a prior fiscal year are waived/overcome), the result is a negative adjusted refusal rate.**

**Only nationalities that have data available during the indicated fiscal year are listed.**