

July 10, 2020

The Honorable Chad Wolf
U.S. Department of Homeland Security
Office of the Secretary
Washington, D.C. 20528

Dear Acting Secretary Wolf,

On behalf of the American Council on Education (ACE) and the undersigned associations, we write to oppose in the strongest possible terms the July 6 directive (Number 2007-01) issued by Immigration and Customs Enforcement (ICE) regarding international students and the upcoming 2020-21 academic year.¹ We ask that you withdraw this guidance as soon as possible, and grant needed flexibility for our international students and institutions during the global pandemic.

Given the great uncertainty and multiple challenges facing our institutions and our students for the fall 2020 semester, the guidance is deeply troubling and misguided, causing great concern on campuses across the country. Colleges and universities would like to reopen in the fall in as safe a manner as possible. But no one size fits all. As a result, colleges and universities have announced and continue to announce multi-faceted, nuanced models for reopening campuses this fall. Some are proceeding with online learning only, others intend to be primarily in-person, and many others have a range of plans for hybrid models. Regrettably, this guidance will undermine those efforts, creating confusion and complexity for our institutions and international students, rather than certainty and clarity.

For example, the guidance requires institutions to inform ICE by July 15 if programs of study will be online-only for the fall. This is an incredibly short time for institutions to make a decision of that magnitude, which under this guidance will negatively impact all of their international students. But let us be clear: the issue is that the entire premise of this guidance is wrong.

At a time when institutions are doing everything they can to help reopen our country, we need flexibility, not iron-clad federal rules that are a big step in the wrong direction. ICE should allow any international student with a valid visa to continue their education regardless of whether a student is receiving his or her education online, in person, or through a combination of both, whether inside or outside the United States, during this unprecedented global health crisis.

¹ <https://www.ice.gov/doclib/sevis/pdf/bcm2007-01.pdf>

Some one million international students attend U.S. colleges and universities annually, contributing greatly to this country's intellectual and cultural vibrancy. They also yield an estimated economic impact of \$41 billion and support more than 450,000 U.S. jobs.²

The Trump administration has indicated in the past that it understands the value of the United States being the destination of choice for the world's most talented students and scholars. That is why this guidance is both disappointing and counter-productive.

We urge the administration to rethink its position and offer international students and institutions the flexibility necessary to safely navigate resuming their educational activities in the midst of this crisis in ways that take into account the health and safety of our students and staff in the upcoming academic year. We ask that the Department of Homeland Security (DHS) withdraw this guidance. DHS should, instead, grant a one-year waiver for international students who have a valid F-1 or M-1 visa and are enrolled or entering the U.S. to begin a course of study on a full-time basis at an institution of higher education in an academic program that is conducted online or may shift to remote instruction during the semester due to the pandemic.

We look forward to working productively with you as our nation works to reopen in a safe manner.

Sincerely,



Ted Mitchell
President

On behalf of:

Accrediting Commission for Community and Junior Colleges
Achieving the Dream
ACPA-College Student Educators International
American Association of Colleges of Nursing
American Association of Collegiate Registrars and Admission Officers
American Association of Community Colleges
American Association of State Colleges and Universities
American Association of University Professors
American College Health Association
American Council on Education
American Dental Education Association
American Indian Higher Education Consortium

² <https://www.nafsa.org/policy-and-advocacy/policy-resources/nafsa-international-student-economic-value-tool-v2>

APPA, "Leadership in Educational Facilities"
Asociación de Colegios y Universidades Privadas de Puerto Rico
Associated Colleges of the Midwest
Association of Advanced Rabbinical and Talmudic School
Association of American Colleges and Universities
Association of American Law Schools
Association of American Universities
Association of Catholic Colleges and Universities
Association of Community College Trustees
Association of Governing Boards of Universities and Colleges
Association of Jesuit Colleges and Universities
Association of Independent California Colleges and Universities
Association of Independent Colleges and Universities of Pennsylvania
Association of Independent Colleges and Universities of Rhode Island
Association of Independent Colleges of Art & Design
Association of Presbyterian Colleges and Universities
Association of Public and Land-grant Universities
Association of Research Libraries
Association of Vermont Independent Colleges
College and University Professional Association for Human Resources
Commission on Independent Colleges and Universities-NYS
Common App
Conference for Mercy Higher Education
Connecticut Conference of Independent Colleges
Consortium for Global Education
Council for Advancement and Support of Education
Council for Christian Colleges & Universities
Council for Higher Education Accreditation
Council of Graduate Schools
Council of Independent Colleges
Council of Regional Accrediting Commissions
Council on Social Work Education
EDUCAUSE
ETS
Higher Learning Advocates
Higher Learning Commission
Hispanic Association of Colleges and Universities
Independent Colleges and Universities of Florida
Independent Colleges and Universities of Missouri
Independent Colleges and Universities of Texas
Independent Colleges of Washington
International Association of Baptist Colleges and Universities
Institute for Higher Education Policy
Iowa Association of Independent Colleges and Universities
Kansas Independent College Association
Louisiana Association of Independent Colleges and Universities

Middle States Commission on Higher Education
Minnesota Private College Council
NAFSA: Association of International Educators
NASPA - Student Affairs Administrators in Higher Education
National Association for College Admission Counseling
National Association of College Stores
National Association of Colleges and Employers
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
National Association of Intercollegiate Athletics
National Association of Student Financial Aid Administrators
National Collegiate Athletic Association
Network of Colleges and Universities, Evangelical Lutheran Church in America
North Carolina Independent Colleges and Universities
Northwest Commission on Colleges and Universities
Oregon Alliance of Independent Colleges & Universities
Phi Beta Kappa Society
Southern Association of Colleges and Schools Commission on Colleges
State Higher Education Executive Officers Association
Tennessee Independent Colleges and Universities
The College Board
UPCEA
Wisconsin Association of Independent Colleges and Universities
Yes We Must Coalition
Young Invincibles

Cc: Kenneth T. Cuccinelli, Senior Official Performing the Duties of the Director, U.S. Citizenship and Immigration Services
Matthew Albence, Deputy Director and Senior Official Performing the Duties of the Director, U.S. Immigration and Customs Enforcement
Rachel Canty, Director, Student and Exchange Visitor Program