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July 22, 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On behalf of the undersigned higher education associations, we write to follow up on the now withdrawn July 6 Immigration and Customs Enforcement (ICE) directive¹, seeking clarity regarding the status of incoming international students. Given the quickly approaching start of the fall semester, and the need for flexibility for international students and institutions during the global pandemic, further clarification is required, particularly regarding new or initial international students at our institutions. We estimate that over 250,000 international students are planning to enter the United States for the coming academic year, either as new or returning students. In addition, there are several thousand international students awaiting admission decisions. We seek assurances that all students with a valid visa will be able to enter the U.S. during this uncertain time.

We are especially concerned that the July 15 FAQ issued by ICE states that initial students who have not yet arrived in the U.S. should remain in their home country.² As you know, given the diversity of our institutions, as well as the various state and local public health responses to COVID-19, colleges and universities are planning 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. Even most of the institutions pursuing an online-only strategy already provide housing and support for international students, and will continue to do so for new students upon arrival. International students are eager to come to the United States to start their education this fall so they can take classes in person (if they are being offered), engage in the campus residential experience to the extent possible, and at a minimum be on or near campus receiving technical and other support in order to have a safe and productive environment for learning. In short, all international students enrolled in full-time study at a U.S. college or university should be allowed to enter this country.

As a follow up to the July 15 FAQ, we ask that the Department of Homeland Security (DHS) issue additional guidance providing the following clarification:

¹ <https://www.ice.gov/news/releases/sevp-modifies-temporary-exemptions-nonimmigrant-students-taking-online-courses-during>

² <https://www.ice.gov/doclib/coronavirus/covid19faq.pdf>

- Incoming and continuing international students should be permitted to enter the United States if they plan to attend full-time an institution offering online, hybrid, or in-person instruction. DHS should clarify that international students with an “initial status” in the Student and Exchange Visitor Information System (SEVIS) are able to come to the United States to begin their studies.
- Hybrid status for institutions should include any mode of instruction that requires the physical presence of an international student for any portion of an academic course, or for any portion of an academic term.
- If an initial incoming student enters the U.S. to attend an institution employing a hybrid model that subsequently shifts to a full online mode as a result of COVID-19, that student should remain in status and be allowed to remain in the United States.
- SEVIS transfer-in students who are currently overseas and are considered to have established F-1 visa status in the U.S. should be allowed to enter the country for the upcoming fall semester.
- If a student with an F-1 or M-1 visa is outside the U.S. for the 2020-21 academic year due to the COVID-19 crisis, for the purposes of Optional Practical Training (OPT) eligibility those students will remain eligible to apply for OPT from outside the United States.

We urge DHS and ICE to continue to work with the Department of State to prioritize the processing of student visas as the State Department begins the phased reopening of U.S. consulates. Once a student’s visa is processed, DHS and State should work in collaboration to bring international students here in a safe and efficient manner so they can start their studies for the fall 2020 semester.

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

Sincerely,



Ted Mitchell
President

On behalf of:

Achieving the Dream
ACPA-College Student Educators International
Alliance for International Exchange
American Association of Colleges for Teacher Education
American Association of Collegiate Registrars and Admissions 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
APPA, "Leadership in Educational Facilities"
Association of American Colleges and Universities
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 Public and Land-grant Universities
Association of Research Libraries
Coalition of Urban and Metropolitan Universities
College and University Professional Association for Human Resources
Common App
Council for Christian Colleges & Universities
Council for Higher Education Accreditation
Council of Graduate Schools
Council of Independent Colleges
Council on Governmental Relations
Council on Social Work Education
EDUCAUSE
ETS
Hispanic Association of Colleges and Universities
NAFSA: Association of International Educators
NASPA - Student Affairs Administrators in Higher Education
National Association for College Admission Counseling
National Association for Equal Opportunity in Higher Education
National Association of College and University Business Officers
National Association of Colleges and Employers
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators
National Collegiate Athletic Association
National Council of University Research Administrators
Phi Beta Kappa Society
State Higher Education Executive Officers Association
The Consortium of Universities of the Washington Metropolitan Area
UPCEA

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