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July 20, 2021

The Honorable Antony Blinken
U.S. Department of State
Office of the Secretary
2201 C Street NW
Washington, DC 20520

The Honorable Alejandro Mayorkas
U.S. Department of Homeland Security
Office of the Secretary
3801 Nebraska Avenue NW
Washington, DC 20395

Dear Secretary Blinken and Secretary Mayorkas,

On behalf of the undersigned higher education associations, we write regarding the current travel restrictions due to COVID-19 and the national interest exemption (NIE) for our students starting on or after August 1st. Our institutions and students are pleased that students will be allowed to travel to the United States from countries currently under COVID-19 travel restrictions to start the 2021-2022 academic year. We are also grateful for the additional guidance that allows NIEs to remain valid for 12 months from the date of approval and for multiple entries, as long as they are used for the purpose under which they were granted.

As we prepare for the upcoming academic year, we have several clarifying questions for students and academics traveling to the U.S. under the NIE:

- While the NIE clearly states eligibility for new international students, the August 1, 2021, date is ambiguous as applied to continuing students who were present in those countries under COVID travel restrictions and who seek to return to the U.S. to continue their studies. Returning international students will likely have academic programs or optional practical training (OPT) that "began" before August 1, 2021. Can you confirm that continuing F-1 and M-1 students are covered by the NIE if their next session start date is on or after August 1, 2021, and that they can reenter the U.S. under this NIE? In addition, can you confirm that all students on OPT may reenter the U.S. under the NIE to resume their practical training?
- What is sufficient for a student to show at entry to the U.S. to demonstrate the start date of their program to qualify for the NIE? Are U.S. Customs and Border Protection (CBP) officers prepared to recognize students under the NIE for entry after August 1st?
- Can U.S. embassies and consulates publish a standard FAQ document, to ensure consistent application of the NIE, with information and resources for students and others looking for information? Can CBP update its Carrier Liaison Program guidance documents to clarify the NIE for students for airlines?

- Would the NIE for students include J-1 students or will they continue to need an individual NIE before traveling to the U.S. to begin or continue a J-1 exchange visitor program in the college or university student category? These students are often engaged in the exact same types of programs of study that F-1 students participate in. Can they be considered under the blanket NIE policy?
- We are also concerned about the ability of our faculty and researchers, from countries under the COVID travel restrictions and on non-F or M visas, to travel to the U.S. before the start of the academic year. Will faculty or scholars traveling under other visa types, and who need to be in place for the start of the academic year, be allowed to enter the U.S. under the NIE?

We appreciate the ongoing efforts to prioritize student visa processing as embassies and consulates reopen, and we look forward to continuing to work with you to ensure that our students, faculty, and researchers can arrive safely in the U.S. for the fall semester.

Sincerely,



Ted Mitchell
President

Cc:

Ian Brownlee, Acting Assistant Secretary for Bureau of Consular Affairs, U.S. Department of State

Tracy Renaud, Acting Director, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security

Traci Silas, Acting Executive Director for Academic Engagement and Campaigns, U.S. Department of Homeland Security

Rachel E. Canty, Director, Student and Exchange Visitor Program

On behalf of:

ACPA-College Student Educators International

Alliance for International Exchange

American Association of Collegiate Registrars and Admissions Officers

American Association of State Colleges and Universities

American Association of University Professors

American Council on Education

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
Consortium of Universities of the Washington Metropolitan Area
Council for Christian Colleges & Universities
Council of Graduate Schools
ETS
Hispanic Association of Colleges and Universities
NAFSA: Association of International Educators
National Association of College and University Business Officers
National Association of Colleges and Employers
National Association of Independent Colleges and Universities
Presidents' Alliance on Higher Education and Immigration
State Higher Education Executive Officers Association
Thurgood Marshall College Fund