

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.<sup>1</sup> 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.

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<sup>1</sup> <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.<sup>2</sup>

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

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<sup>2</sup> <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