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December 4, 2020

Tony H. Pham, Senior Official Performing the Duties of Director
Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Rachel E. Canty, Director
Student and Exchange Visitor Program
Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Dear Director Pham and Director Canty:

On behalf of the American Council on Education (ACE) and the undersigned higher education associations, we write to you today seeking guidance for international students and exchange visitors for the Spring 2021 semester. We ask that such guidance be issued as soon as possible, no later than mid-December, and allow for maximum flexibility. This will enable colleges and universities and international students to plan for the coming semester and allow our institutions to continue to fully support their international students during the continuing COVID-19 crisis.

Currently, institutions and students are following the March 9, 2020, guidance for F and M nonimmigrant students¹ that was updated on August 7, 2020, by a Frequently Asked Question (FAQ) document² for Student and Exchange Visitors Program (SEVP) stakeholders. The current guidance allows international students on F and M visas to remain in the United States if their programs need to pivot to an online-only instruction platform during the pandemic. Unfortunately, the guidance does not allow new international students to travel to the United States to begin a program if that program is online only due to COVID-19, or allow institutions to issue a Form I-20 “Certificate of Eligibility for Nonimmigrant Student Status” for those new students.

Timely and updated guidance is also important given the shocking decline of international student enrollment in the Fall 2020 semester. The recent IIE *Fall 2020 International Student Enrollment Snapshot* found a 43 percent drop in new international student enrollment for U.S. institutions this semester.³ The survey also

¹ <https://www.ice.gov/doclib/sevis/pdf/bcm2003-01.pdf>

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

³ <https://www.iie.org/Research-and-Insights/Open-Doors/Fall-International-Enrollments-Snapshot-Reports>

found that 99 percent of institutions are holding classes online or implementing a hybrid model.

As you know, international students have an enormous economic impact on the U.S. economy. A recent study from NAFSA: Association of International Educators found that the overall economic impact generated by international students had already started to decline in 2019, down to \$38.7 billion (or \$1.8 billion less than 2018).⁴ The declining enrollment numbers for 2020 are likely to have an increasingly large negative impact as we continue to deal with the economic consequences of the global pandemic.

Given this complex and difficult situation, we ask that USCIS issue updated guidance for the Spring 2021 semester that continues to allow flexibility for existing students in the United States to attend hybrid or online programs of study. The updated guidance should also allow new international students to travel to the United States for programs that may have had to pivot from in-person learning to an online platform during the COVID-19 crisis. In addition, we ask that ICE work with the Department of State to ensure that consulates will honor the guidance and with other Department of Homeland Security bureaus and offices to honor each other's COVID-19 policies.

Finally, we ask that SEVP work with our institutions to remove the flags in the SEVIS system for students who returned to their home countries but continued to participate in their U.S. programs of study. These flags are continuing to cause confusion and concern for our institutions and students.

We look forward to working with you on these important matters for institutions and international students during the COVID-19 pandemic.

Sincerely,



Ted Mitchell, President

On behalf of:

American Association of Colleges for Teacher Education
American Association of Collegiate Registrars and Admissions Officers
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"

⁴ <https://www.nafsa.org/policy-and-advocacy/policy-resources/nafsa-international-student-economic-value-tool-v2>

Association of American Colleges and Universities
Association of American Universities
Association of Catholic Colleges and Universities
Association of Governing Boards of Universities and Colleges
Association of Jesuit Colleges and Universities
Association of Public and Land-grant Universities
Common App
Consortium of Universities of the Washington Metropolitan Area
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 on Social Work Education
EDUCAUSE
ETS
Higher Education Consultants Association
Middle States Commission on Higher Education
NAFSA: Association of International Educators
NASPA - Student Affairs Administrators in Higher Education
National Association for College Admission Counseling
National Association of College and University Business Officers
National Association of Independent Colleges and Universities
National Association of Student Financial Aid Administrators
Northwest Commission on Colleges and Universities
Southern Association of Colleges and Schools Commission on Colleges
State Higher Education Executive Officers Association
WASC Senior College and University Commission