

Congress of the United States
Washington, DC 20515

July 14, 2020

The Honorable Chad F. Wolf
Acting Secretary
U.S. Department of Homeland Security
3801 Nebraska Ave. NW
Washington, D.C. 20528

Dear Acting Director Albence:

We write to express strong concern regarding the U.S. Immigration and Customs' (ICE) July 6, 2020 Student and Exchange Visitor Program (SEVP) guidance ("ICE SEVP Guidance") limiting the ability of international students at institutions of higher education to take online classes and respectfully request that ICE rescinds this guidance.

We believe the temporary exemption granted by ICE earlier this year on March 13, which allowed international students with F-1 visas to attend classes online while retaining their visa status should be continued, given the difficult and uncertain circumstances the higher education community is facing because of the COVID-19 pandemic. The ICE SEVP guidance issued on July 6 would have a negative impact on our nation's economy, interrupt the educational attainment of international students, and place a burden on institutions of higher education. Additionally, these students came to the U.S. legally in the first place and that should also be taken into account.

The termination of the March 13 exemption will burden our institutions of higher education by requiring them to certify by July 15 – less than one week away – whether or not fall semester courses will be offered online only, in-person only, or using a hybrid model. Under the new guidance, foreign students will not be granted visas to enroll this fall in colleges and universities offering courses only online. Consequently, international students currently enrolled in these institutions must transfer to another institution, leave the country, or face deportation. It is unrealistic and unfair to expect these students to comply with this new guidance in the few weeks remaining before the start of the fall semester. Furthermore, even if these students somehow manage to quickly transfer to other colleges and universities offering in-person courses, they can be forced to withdraw and leave the country if these institutions later shift to an online model.

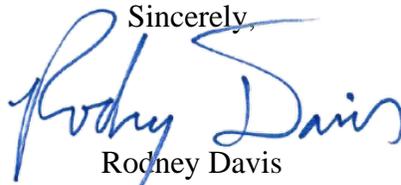
According to the National Association of Foreign Student Advisers (NAFSA), International students studying at U.S. colleges and universities contributed \$41 billion and created or supported 458,290 jobs in the U.S. economy during the 2018-2019 academic year. That economic impact is seen in hundreds of college towns across the country and we are grateful to them for their hard work.

These students are law-abiding members of our community and are seeking to better themselves with a college education, and our communities are better for it. They followed the rules, and the rules are being changed on them in the middle of the game. That's unfair. International students

deserve to stay in their university towns if they choose, regardless of how they receive their class instruction, whether that's online or in-person.

This guidance will deal a long-term blow to our collegiate communities and deter international students from living and working in these towns while obtaining higher education degrees in the future, hampering growth and innovation. We oppose this new guidance and respectfully request ICE reverts back to the original March 13 guidance governing F-1 visa holders.

Thank you for your time and consideration and we look forward to your response.

Sincerely,

Rodney Davis
Member of Congress

Co-signers:

Representatives,

Rob Woodall (GA)
Brian Fitzpatrick (PA)
John R. Curtis (UT)
Peter T. King (NY)
Pete Olson (TX)
Tom Reed (NY)
Tom Cole (OK)
Fred Upton (MI)
Steve Stivers (OH)
David P. Joyce (OH)
Adam Kinzinger (IL)
Frank D. Lucas (OK)
Elise Stefanik (NY)
Don Bacon (NE)

CC: Matthew T. Albence, Acting Director, U.S. Immigration and Customs Enforcement