

SUSAN M. COLLINS
MAINE

413 DIRKSEN SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1904
(202) 224-2523
(202) 224-2693 (FAX)

United States Senate
WASHINGTON, DC 20510-1904

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July 8, 2020

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

Dear Acting-Secretary Wolf:

I am writing to express my concern that the guidance issued earlier this week by the Student and Exchange Visitor Program (SEVP) regarding online course requirements for international students is punitive and will have grave long-term consequences for the U.S. colleges and universities at which these students are enrolled. For this reason, I ask that the Department immediately rescind this guidance and replace it by extending the exemption adopted on March 13 by United States Immigration and Customs Enforcement (ICE) through the end of the upcoming school year.

The ICE exemption allowed international students with F-1 visas to attend classes online while retaining their visa status. That exemption worked and ought to be extended. Its termination on short-notice is especially troubling given that SEVP's new guidance requires colleges and universities to certify by July 15 – just one week from now – whether or not fall semester courses will be offered online only, in-person only, or using a hybrid model. This arbitrary deadline seems intended to force a hasty decision to fully reopen for in-person instruction.

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.

It is hard for me to imagine a good reason for this arbitrary requirement. While I can understand the imposition of reasonable restrictions on travel from foreign countries in the midst of a pandemic, the guidance makes no sense with respect to students who are already in the U.S. Allowing these students to take courses online, if that option is available to them, would tend to slow the spread of COVID-19, whereas the SEVP's new guidance could have the opposite effect. Further, students on F-1 visas who are presently outside of the U.S. and unable to return due to travel restrictions are unfairly penalized by the new guidance.

SEVP's new guidance not only puts the education of one million foreign students at risk, but also the reputation of hundreds of institutions of higher education around our country, including many in Maine, such as Bowdoin, Bates, and Colby colleges, as well as the University of Maine system. These institutions are America's champions in the worldwide competition to draw the best and brightest to our shores. I fear

that the arbitrary and capricious SEVP guidance will cause real, deep, and long-lasting harm to these institutions and to our nation interests. It must be rescinded.

I thank you for your attention to this urgent request.

Sincerely,



Susan M. Collins
United States Senator