

July 10, 2020

The Honorable Chad Wolf  
Acting Secretary  
Department of Homeland Security  
2707 Martin Luther King Jr. Ave. SE  
Washington, DC 20528-0525

**RE: STUDENT AND EXCHANGE VISITOR PROGRAM TEMPORARY FINAL RULE ON F-1 AND M-1  
NONIMMIGRANT STUDENTS**

Dear Acting Secretary Wolf:

The undersigned organizations, as part of the Federation of Associations of Schools of the Health Professions (FASHP), write to strongly oppose the new guidance released by U.S. Immigration and Customs Enforcement (ICE) that prohibits international students from returning to or remaining in the United States if the institutions they attend adopt online-only instruction models amid the COVID-19 pandemic.

FASHP was created in 1968 as a forum for representatives of health professions education institutions to address education's role in organizational patterns of health care; to encourage effective collaboration among the professions in education and practice; to prepare health professions education for the future; and to serve as liaison with other organizations sharing an interest in health professions education. FASHP comprises 18 associations representing a health professions education community that includes 7,429 programs, institutions, hospitals, and health systems, and more than 1.3 million students, faculty, clinicians, administrators, residents, and researchers.

The new policy modifications outlined by ICE requiring nonimmigrant F-1 and M-1 visa holders to leave the United States or transfer schools if their institution moves to fully online operations as a result of COVID-19 raises multiple questions and concerns while limiting the flexibility needed during these challenging times. Colleges and universities continue to develop models for reopening campuses this fall, including hybrid and adaptable approaches, as the pandemic continues to evolve throughout the country. This guidance further complicates decision-making for schools as they seek to ensure the safety of all students and faculty and the sustainability of their programs.

There are approximately one million international students attending schools and universities in the United States, which include students receiving their health professions education. These students are not only highly talented but also contribute to America's public health by incorporating models of inclusion into health professions education, thereby benefiting all students and the treatment of patients, and providing a more culturally competent health workforce to meet the needs of an increasingly diverse U.S. population. This health workforce is needed now more than ever, as the COVID-19 pandemic adds to the strain of caring for and keeping safe the aging U.S. population. The ability to recruit and attract the best students from around the world is an important driver of America's dynamic and innovative biomedical and behavioral research ecosystem. All Americans benefit from the vaccines, drugs, and health interventions created by our global workforce and student researchers. Policies like the recent ICE guidance have the potential to drive current students out and decrease the attractiveness of the United States as a destination for students and researchers. Although schools are working on reopening to serve their students and advance their research programs, campus and community safety is their top priority. Collaboration is paramount during these

unprecedented times. ICE should allow students with valid visas the opportunity to continue receiving their education in the manner determined by their school to be the safest and most effective for them and their classmates. This may be online or in person, or a combination of the two, in the United States or in their home country, and circumstances may shift as state and local jurisdictions institute mandates on behalf of their communities. The need for practical and laboratory instruction in the health professions and the difficulty of transferring research projects between schools further complicate the interpretation and implementation of this policy.

There are many scenarios where adherence to this policy would create hardships both for faculty administration and students, including interruption of program completion, loss of international students, and health concerns. Students who begin the fall semester in person at schools that later shift to 100% remote instruction could be forced to leave the United States, even though their home country may have closed its border to entry from the United States. These students would also face the possibility of not being able to return to the United States to complete their studies. Furthermore, there is an inherent risk in sending students back to their home countries now if their programs begin online, then shifting to a hybrid in-person format during the year, which would require them to travel into the United States during the pandemic.

Further clarification is needed as it relates to the requirements for F-1 visa holders who have extended absences from the United States and how their visa status could change if they are gone longer than five months. Students should not be penalized for compliance under this policy by losing their visa status.

Institutions of higher education are doing their best to create safe environments and adhering to Centers for Disease Control and Prevention, federal, and state guidelines on reopening, but it is impossible to see what will happen during the fall months as hotspots continue to flare up throughout the country. Many colleges and universities are already planning to shift classes entirely online if the pandemic worsens in their areas. Flexibility is needed to assist in planning how classes and programs are conducted, and the ICE policy greatly adds an unnecessary burden on faculty and students. We urge the administration to revoke this policy and offer international students and institutions the maximum flexibility they need to continue their studies and programs. During these rapidly evolving and challenging times, collaboration is needed to ensure that the health and safety of our students are at the forefront in the upcoming academic year. Now, more than ever, we should be supporting health professions education to ensure workforce continuity and the medical teams needed to deliver state-of-the-art health care to all Americans.

Sincerely,

American Association of Colleges of Nursing  
American Association of Colleges of Osteopathic Medicine  
American Association of Colleges of Pharmacy  
American Association of Colleges of Podiatric Medicine  
American Dental Education Association  
American Occupational Therapy Association  
American Physical Therapy Association  
American Psychological Association  
Association of Academic Health Centers  
Association of Accredited Naturopathic Medical Colleges



Association of American Medical Colleges  
Association of American Veterinary Medical Colleges  
Association of Chiropractic Colleges  
Association of Schools & Colleges of Optometry  
Association of Schools Advancing Health Professions  
Association of University Programs in Health Administration  
Council on Social Work Education  
Physician Assistant Education Association