



July 8, 2020

The Honorable Catherine Cortez-Masto
United State Senate
516 Hart Senate Office Building
Washington, DC 20510

The Honorable Jacky Rosen
144 Russell Senate Office Building
Washington, DC 20510

The Honorable Dina Titus
2464 Rayburn House Office Building
Washington, DC 20515

The Honorable Mark Amodei
104 Cannon House Office Building
Washington, DC 20515

The Honorable Susie Lee
522 Cannon House Office Building
Washington, D.C. 20515

The Honorable Steven Horsford
1330 Longworth House Office Building
Washington, DC 20515

Re: Negative impacts of ICE guidance and SEVP's modification of temporary exemptions for nonimmigrant students taking online courses during fall 2020 semester

Dear Members of Congress:

I greatly appreciate the opportunity offered by your offices over the past few months for the Nevada System of Higher Education (NSHE) and its institutions to have virtual face-to-face communication via Zoom and BlueJeans calls on issues that are pertinent to higher education amidst the COVID-19 pandemic. Another issue of concern has surfaced that could drastically impact many students within NSHE. As you might be aware, on July 6, ICE released guidance on international students taking classes online during the fall semester. The new regulations introduced mandate the following:

- Nonimmigrant F-1 and M-1 students attending schools operating entirely online may not take a full online course load and remain in the US. Active students currently in the United States enrolled in such programs must depart the country or take other measures, such as transferring to a school with in-person instruction to remain in lawful status. If not, they may face immigration consequences including, but not limited to, the initiation of removal proceedings.
- Nonimmigrant F-1 students attending schools operating under normal in-person classes are bound by existing federal regulations. Eligible F students may take a maximum of one class or three credit hours online.
- Nonimmigrant F-1 students attending schools adopting a hybrid model—that is, a mixture of online and in person classes—will be allowed to take more than one class or three credit hours online. These schools must certify to SEVP, through the Form I-20,

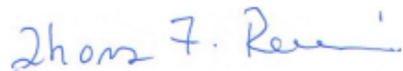
“Certificate of Eligibility for Nonimmigrant Student Status,” certifying that the program is not entirely online, that the student is not taking an entirely online course load this semester, and that the student is taking the minimum number of online classes required to make normal progress in their degree program.

These changes could adversely affect over 2,000 international students attending NSHE’s institutions. Firstly, NSHE anticipates offering both in-person and on-line classes for the upcoming fall semester, which could cause ICE to revoke or not approve visas for our international students.

Although our institutions are working to process the ramifications of these regulations for their specific institution, we do know broadly that international students contribute \$41B to the US economy; US universities and research programs depend on revenue from international students to survive; US universities may be compelled to prematurely open in-person instruction causing a higher risk of virus transmission, and STEM companies thrive and depend on global talent widely (D.V., 2020).

NSHE recognizes the valuable cultural and intellectual contributions our 2,000+ international students make to Nevada’s eight public higher education institutions. I ask that you continue to advocate on behalf of NSHE and our eight institutions in requesting that ICE rescind their decision to force international students back to their home countries during this pandemic. Our institutions will be happy to share what this impact looks like for their campus if need be.

Respectfully,



Thom Reilly, Chancellor
Nevada System of Higher Education