



The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230 US Capitol
Washington D.C. 20510

July 8, 2020

Dear Majority Leader McConnell:

On behalf of the New York University (NYU) community, I am writing to urge Congress to reverse the harmful guidance announced by Immigration and Customs Enforcement (ICE) this week regarding the status of international students for the Fall 2020 semester by either passing legislation or working constructively with the Trump Administration to alter its position.

The ICE guidance effectively states that international students in the US whose coursework is virtual – through no fault or choice of their own – must leave the country or be subject to deportation. This is unfair to these students, who travel to the US to pursue the best education available to them. It serves no discernibly valid educational purpose. And it unnecessarily pits two principles against one another – a university’s obligation to follow public health directives about moving to remote instruction, and its commitment to even-handed treatment of all its students.

With colleges and universities across the nation currently doing everything possible to keep students, administrators, and local communities safe while attempting to reopen campuses, this announcement only provides increased confusion, anxiety, and complexity rather than needed certainty and clarity.

At NYU, our fall curriculum includes in-person classes, remote learning, and classes that blend elements of both. However, there remains the possibility that the COVID-19 crisis could compel public health authorities to require institutions to once again move fully to remote instruction, as was the case last spring. Yet, under the new guidelines, doing so would require international students to abruptly leave the country for no good reason. If ever there were a moment for flexibility in delivering education, this would be it.

International students, who number some 1.1 million across the U.S., have long been an integral part of our campuses. They contribute to the vibrancy of university education in the U.S., learn about our values, and bring diverse skills and knowledge to our nation. Our country’s universities routinely attract the most talented students from around the world, and they in turn help make discoveries, advance knowledge, and spur science, technology, and innovation, generating more than 450,000 U.S. jobs annually. However, the ICE guidance suggests that the

U.S. will continue to lose ground to other nations in the global competition to attract these talented students and scholars.

As I stated at the outset, during this unprecedented global health crisis, we respectfully request that the U.S. Congress either pass legislation or work constructively with the Trump Administration to allow any international student with a valid visa to continue their education regardless of whether the student is receiving an education in a virtual capacity online, in person, or through a combination of both, whether in the U.S. or in their home country. In addition, at a minimum, we request a one-year waiver that would allow enrolled international students to continue their education either in-person or virtually.

It is essential that institutions are given general flexibility as we continue to develop plans and contingencies that will ensure maximum safety for students, faculty, staff, and our local community. The Trump Administration provided institutions of higher education with this flexibility when the pandemic initially forced classes online during the spring semester. This makes the inflexible guidance released this week all the more unexpected and frustrating given the many uncertainties that remain for campuses across the nation.

If I or anyone at NYU can be helpful in this effort, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew D. Hamilton". The signature is fluid and cursive, with the first name "Andrew" being the most prominent.

Andrew Hamilton
President
New York University

cc: The New York Congressional Delegation