



# **Durbin, Duckworth Join Bicameral Letter Urging Ice and DHS to Immediately Withdraw New Guidance That Threatens International Students With Deportation**

July 10 2020 10:43 AM

WASHINGTON – U.S. Senators Dick Durbin (D-IL) and Tammy Duckworth (D-IL) joined Senators Elizabeth Warren (D-MA), Edward J. Markey (D-MA.), Jeff Merkley (D-OR), and Richard Blumenthal (D-CT), along with Representatives Ayanna Pressley (D-MA-7), Jerrold Nadler (D-NY-10), Zoe Lofgren (D-CA-19), Pramila Jayapal (D-WA-7), Joe Neguse (D-CO-2), Katherine Clark (D-MA-5), Seth Moulton (D-MA-6), and 85 other Senate and House Democrats, to send a letter to U.S. Immigration and Customs Enforcement (ICE) and the U.S. Department of Homeland Security (DHS) urging the agencies to withdraw new guidance issued by ICE that imperils the status of international students who would be studying online at U.S. institutions this coming academic year. The guidance threatens international students with deportation if they do not comply with the requirement that they take in-person classes.

In the letter, the lawmakers expressed deep concerns that ICE's guidance is motivated not by public health considerations, but rather by animus toward non-citizens and immigrants and is a flagrant attempt to hold international students hostage in order to force schools to reopen even as COVID-19 cases are rising. The [2018-2019 academic year](#) saw more than one million international students in the United States.

"ICE's announcement of their plans to force out or deport international students who remain at U.S. colleges and universities and who are taking a full online course load is cruel and unconscionable," the lawmakers wrote. "These students are already in the United States, are established members of educational communities, and have been determined through the visa screening process to pose no danger to the United States."

"We call out this policy for what it is: a cruel, senseless, and xenophobic attempt to use noncitizens as political pawns in order to financially coerce colleges and universities to reopen campuses this fall, despite what is best for public health," the lawmakers continued. "This policy is dangerous to the health and well-being of numerous communities."

Some colleges and universities have transitioned to online learning due to the pandemic, consistent with guidelines from the U.S. Centers for Disease Control and Prevention (CDC), which recognizes the diversity of various institutions of higher education and advises them to "adjust() to meet the unique needs and circumstances" they face when trying to keep their communities safe. On Monday, ICE issued guidance that altered the Student and Exchange Visitor Program's requirements for international students, imposing a one-size-fits-all standard on all colleges and universities. According to that guidance, international students on F-1 visas (for full-time study at an academic institution) and M-1 visas (for vocational or other nonacademic training) will not be allowed to take a full online course load while in the United States. This affects incoming students, who will not be permitted to receive their visas or enter the country, as well as international students already in the United States. Under the new guidance, current international students in the United States will have to transfer to another school with in-person classes or leave the country-or else face deportation.

Due to the Trump Administration's catastrophic mishandling of the pandemic, COVID-19 continues to rage throughout the United States, causing many institutions of higher education to move most or all of their courses online to protect their students, faculty, and staff. Some colleges developed these plans in consultation with local public health officials, and these plans are consistent with the [CDC's guidance for colleges and universities](#), which advises them to "offer virtual learning and telework options, if feasible."

Although the Trump Administration is attempting to blame this new guidance on existing regulations, it is failing to preserve or pursue options to provide flexibility to international students and to institutions of higher education. At the same time, recent statements by Administration officials suggest that DHS and ICE released this guidance as a pretext to force institutions of higher education to reopen against the advice of public health experts and local officials.

In addition to urging ICE and DHS to rescind this policy immediately, the lawmakers requested a staff briefing to discuss the Administration's rationale for this reckless policy by July 16, 2020.

The letter was also signed by Senators Charles E. Schumer (D-NY), Patty Murray (D-WA), Mazie Hirono (D-HI), Cory Booker (D-NJ), Jack Reed (D-RI), Tim Kaine (D-

VA), Patrick Leahy (D-VT), Amy Klobuchar (D-MN), Sheldon Whitehouse (D-RI), Bernie Sanders (I-VT), Tammy Baldwin (D-WI), Sherrod Brown (D-OH), Robert Menendez (D-NJ), Catherine Cortez Masto (D-NV), Kirsten Gillibrand (D-NY), Martin Heinrich (D-NM), Chris Coons (D-DE), Tom Carper (D-DE), Chris Van Hollen (D-MD), Ron Wyden (D-OR), Tina Smith (D-MN), Jacky Rosen (D-NV), Kamala D. Harris (D-CA), Bob Casey (D-PA), Michael Bennet (D-CO), and Tom Udall (D-NM).

The letter was also signed by Representatives Jesús G. "Chuy" García (D-IL-4), Nydia M. Velázquez (D-NY-7), Gerald E. Connolly (D-VA-11), Alexandria Ocasio-Cortez (D-NY-14), Bonnie Watson Coleman (D-NJ-12) Ilhan Omar (D-MN-5), Eleanor Holmes Norton (D-DC), Danny K. Davis (D-IL-7), Jamie Raskin (D-MD-8), Peter Welch (D-VT), Lori Trahan (D-MA-3), Jan Schakowsky (D-IL-9), Yvette D. Clarke (D-NY-9), Betty McCollum (D-MN-4), Jim Cooper (D-TN-5), Hakeem Jeffries (D-NY-8), Mark Pocan (D-WI-2), Dina Titus (D-NV-3), Jackie Speier (D-CA-14), Henry C. "Hank" Johnson, Jr. (D-GA-4.), James P. McGovern (D-MA-2), Rosa L. DeLauro (D-CT-3), David Price (D-NC-4), Judy Chu (D-CA-27), Grace F. Napolitano (D-CA-32), Juan Vargas (D-CA-51), David N. Cicilline (D-RI-1), Adam Smith (D-WA-9), Deb Haaland (D-NM-1), Alan Lowenthal (D-CA-47), Diana DeGette (D-CO-1), Ted Deutch (D-FL-22), Carolyn B. Maloney (D-NY-12), Lois Frankel (D-FL-12), Sylvia R. Garcia (D-TX-29), Debbie Wasserman Schultz (D-FL-23), Gregory W. Meeks (D-NY-5), Val B. Demings (D-FL-10), Emanuel Cleaver, II (D-MO-5), Suzanne Bonamici (D-OR-1), Ted W. Lieu (D-CA-33), William R. Keating (D-MA-9.), Albio Sires (D-NJ-8), Lisa Blunt Rochester (D-DE.), John Yarmuth (D-KY-3), Joseph P. Kennedy, III (D-MA-4), Filemon Vela (D-TX-34), Rashida Tlaib (D-MI-13), Tony Cárdenas (D-CA-29), Debbie Dingell (D-MI-12), André Carson (D-IN-7), Nita M. Lowey (D-NY-17), Mike Doyle (D-PA-18), Jahana Hayes (D-CT-5), Raúl M. Grijalva (D-AZ-3), Paul D. Tonko (D-NY-20), Jimmy Panetta (D-CA-20), Eric Swalwell (D-CA-15), and Earl Blumenauer (D-OR-3.).

The full text of the letter is available [here](#).