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August 7, 2020

Ms. LaFonda Sutton-Burke
Port Director, LAX
U.S. Customs and Border Protection
Los Angeles International Airport
11099 S. La Cienega Blvd.
Los Angeles, CA 90045

Via email: LAX-WATCH-CMDR@cbp.dhs.gov

RE: International Student Entry Eligibility Requirements Per SEVP's Updated March 6, 2020 Guidance for Fall 2020 Semester

Dear Port Director Sutton-Burke:

We write this letter to express our concern regarding U.S. Customs and Border Protection's (CBP) inspection process for new and returning international students through the Los Angeles International airport (LAX). The non-partisan Presidents' Alliance on Higher Education and Immigration brings together college and university leaders dedicated to increasing public understanding of how immigration policies and practices impact our students, campuses and communities, and supporting policies that create a welcoming environment for undocumented, immigrant, and international students. The Alliance is composed of approximately 500 presidents and chancellors of public and private colleges and universities, enrolling over five million students in 41 states, D.C. and Puerto Rico.

We recently received reports that students are being returned back to their home country following LAX CBP inspection due to a failure to provide CBP inspectors an official letter from their institution showing the university will be holding all "in-person" classes this fall semester. However, U.S. Immigration and Customs Enforcement's (ICE) updated Student and Exchange Visitor Program (SEVP) guidance regarding F and M students during the COVID-19 pandemic (issued in March 2020 revised on July 24, 2020) does not require a new or returning student to remain outside of the United States if they will be attending in-person or hybrid (in-person and online) course of study. The guidance only specifically states, "new or initial students after March 9 will not be able to enter the U.S. to enroll in a U.S. school as a nonimmigrant student for the fall term to pursue a fall course of study that is 100% online." The guidance further states that students actively enrolled at a U.S.-based school on March 9, 2020, who subsequently took courses online while outside of the country can re-enter the United States, even if their school is engaged solely in distance learning for the fall semester. The March 2020 guidance applies to continuing F and

M nonimmigrant students who were in valid F-1 or M-1 nonimmigrant status on March 9, 2020, including those previously enrolled in entirely online classes who are outside of the United States and seeking to re-enter the country this fall.

While we understand LAX CBP has discretion in its inspection process, it is not the intent of the updated SEVP guidance to turn away new students attending hybrid courses of study just because they are not attending a fully in-person course of study. Nor is it the intent to turn away returning/continuing students just because their programs may be fully online. With the rescission of the July 6th directive, and the updated guidance, admission is now expressly allowed. Therefore, we respectfully request CBP LAX review the updated guidance and ensure that all of the LAX CBP inspectors are aware of the updated guidance.

As the Fall 2020 semester has been chaotic for all parties involved, we thank you for your continued partnership with the various universities and colleges in the United States and hope we can find the right mix of flexibility in this space to ensure all students pursuing a higher education during this pandemic can continue to meet the goals of ensuring a strong economy, world class innovation, and cutting edge education. If you have any questions regarding this request, please contact Jose Magaña-Salgado at jose@presidentsalliance.org or (480) 678-0040.

Sincerely,

A handwritten signature in black ink that reads "Miriam Feldblum". The signature is fluid and cursive, with a long horizontal stroke at the end.

Miriam Feldblum

Executive Director

Presidents' Alliance on Higher Education and Immigration

miriam@presidentsalliance.org