

# PRESIDENTS' ALLIANCE | ON HIGHER EDUCATION AND IMMIGRATION

## Overview of Trump Administration Immigration Policies and Their Impact on Students and Campuses, 2017-2021

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## Introduction

The first Trump Administration significantly impacted immigrant, international, and refugee students, as well as staff, faculty, and their families. According to the Migration Policy Institute (MPI), the administration implemented [over 400 immigration-related actions](#), targeting border and interior enforcement, visa processing, and asylum policies. These measures affected both unauthorized and legal immigration, disrupted asylum processes, and weakened refugee resettlement pathways. As a result, numerous students, graduates, employees, and their families were affected, including Deferred Action for Childhood Arrivals (DACA) recipients, fully undocumented students, Temporary Protected Status (TPS) holders, international students, displaced and refugee students, and others.

The [Presidents' Alliance on Higher Education and Immigration](#) was founded in late 2017 to support Dreamers and other immigrant, international, and refugee students and campus members and to advocate for bipartisan, commonsense immigration reform. During the first Trump administration, the Alliance worked to inform and mobilize its member institutions around litigation efforts, submitted amicus briefs, organized educational meetings with members of Congress, and coordinated campaigns and resources to create welcoming campus environments and drive positive systemic change.

This document outlines the Trump administration's immigration actions from 2017–2021, along with key responses from the Presidents' Alliance.

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## Undocumented and other Immigrant Students

Undocumented and other immigrant students faced significant challenges during the Trump administration as numerous policy changes sought to restrict immigration pathways, eliminate legal protections, and constrain access to higher education. Efforts to rescind Deferred Action for Childhood Arrivals (DACA), tighten immigration rules, and expand immigration enforcement created widespread uncertainty and instability for these students and their families and communities.

### Key Administrative Actions

- 1. Rescission of DACA:** In September 2017, the Trump administration [announced plans to rescind](#) DACA, which provides deportation protections and work authorization to eligible undocumented individuals who came to the U.S. as children. The administration argued that DACA was unlawful and exceeded the executive branch's authority. This announcement triggered widespread legal challenges, including three consolidated cases that reached the U.S. Supreme Court. In June 2020, the Court [determined](#) that the Trump administration's attempt to terminate DACA violated the Administrative Procedure Act (APA) because it failed to provide a reasoned explanation, deeming the decision "arbitrary and capricious." Meanwhile, Texas and several other states filed a separate lawsuit questioning the legality of DACA. This case [remains active](#) in the U.S. Court of Appeals for the Fifth Circuit, which has previously ruled against the program. If the Fifth Circuit decides again that DACA is unlawful, the case is expected to return to the Supreme Court for final resolution, prolonging uncertainty for DACA recipients.

- 2. Reopening DACA Recipients' Removal Cases:** In October 2019, Immigration and Customs Enforcement (ICE) began requesting that immigration courts reopen the removal cases of some DACA recipients, creating heightened uncertainty and instability for these individuals. At the time, ICE [stated](#) that "re-calendar of administratively closed cases is occurring nationwide and not isolated to a particular state or region." This move exemplified the administration's broader approach to rolling back protections for undocumented immigrants and underscored the precarious position of DACA recipients, who remain in the absence of a permanent legislative solution.
- 3. Denial of FHA Loans:** In 2018, the Department of Housing and Urban Development (HUD) started advising lenders to deny Federal Housing Administration (FHA) loans to DACA recipients. Although HUD had previously allowed DACA recipients to qualify for FHA-insured loans, it [quietly shifted](#) its stance and began reinterpreting the "lawful residency" requirement to exclude those with DACA status. This shift was never formally announced as a policy change, but [internal communications](#) within HUD indicated that FHA loan eligibility for DACA recipients was being denied. By July 2019, HUD [confirmed](#) that DACA recipients were no longer eligible for FHA loans, citing that DACA did not confer lawful status.
- 4. Public Charge Rule:** The Department of Homeland Security (DHS) significantly [expanded the criteria](#) used to determine whether immigrants would be considered a "public charge," or *likely* to become primarily dependent on the U.S. government for support. Immigrants who used certain benefits, or who were deemed likely to use them in the future, risked being denied green cards or other pathways to legal status. The policy change penalized lawful permanent residents—including students, faculty, and staff on campuses—for using public benefits that are often critical to their success in higher education and their ability to contribute to their communities and the nation. The rule's chilling impact likely discouraged eligible immigrant students and their families from accessing critical services, leading to food and housing insecurity and worse health outcomes. It also had the potential to adversely affect former international students and their families.
- 5. Expansion of Immigration Enforcement:** Early in the Trump administration, DHS [updated](#) immigration enforcement guidance, significantly increasing the number of individuals subject to detention and deportation. This raised [serious concerns](#) among campus administrators worried about the potential risks to undocumented students and those with temporary statuses, such as DACA recipients, if their personal data was shared with immigration authorities. In response, many institutions took proactive steps to protect their students, including establishing free legal representation programs. Additionally, some colleges and universities declared themselves [sanctuary campuses](#), pledging not to cooperate with federal immigration enforcement efforts and offering additional protections for their students.
- 6. Expansion of Expedited Removal:** The [Executive Order](#) from February 2017 also expanded expedited removal, which allowed individuals to be removed from the U.S. without a formal hearing if they were not in the country for at least two years, creating additional concerns for students in precarious immigration situations.

## Presidents' Alliance Actions

1. **Statements to Congressional Committees:** The Steering Committee submitted a [statement for the record](#) for the House Judiciary Committee's March 2019 hearing on protecting Dreamers and TPS & DED holders, and a [statement for the record](#) in May 2019 for the House Judiciary Committee markup of the Dream and Promise Act.  
**Letters to Congress:** The Steering Committee sent a [letter](#) to the U.S. House of Representatives in support of Pell and Section 505 Repeal in the Dream and Promise Act (May 2019); a [letter](#) to the U.S. Senate supporting the Dream Act of 2019 and SECURE Act (April 2019); and a [letter](#) to the House supporting the Dream and Promise Act of 2019 (March 2019).
  2. **Amicus Briefs:** The Presidents' Alliance conducted informational briefings and outreach and connected presidents and their institutions to opportunities to join *amicus curiae* briefs in immigration related cases.
    - a. **DACA:** The Alliance coordinated [informational briefs](#) and outreach for an [amicus brief](#) in support of DACA cases before the Supreme Court, to which 165 institutions from 32 states and the District of Columbia signed on.
    - b. **Public Charge:** Led by the Presidents' Alliance and the Fiscal Policy Institute, eleven economic, immigration, and research organizations filed [amicus briefs](#) in five federal cases supporting a preliminary injunction against USCIS's expanded public charge rule. The rule sought to significantly broaden the definition of "public charge," affecting admissibility to the United States.
  3. **Policy Analyses:** In spring 2019, we released our [Higher Education Immigration Policy And Action Guide](#) in collaboration with FWD.us, summarizing immigration policies, regulations, and legislation impacting the higher ed community.
  4. **Toolkits and Briefings:** The Alliance prepared [advocacy toolkits](#) and held a [telephonic briefing](#) on the [H.R.6](#), American Dream and Promise Act of 2019, legislation that would have established a pathway to citizenship for Dreamers and Temporary Protected Status & Deferred Enforced Departure holders.
    - a. We developed a higher education template to assist institutions in commenting on the proposed public charge rule in fall 2018 and co-submitted a [joint comment](#) with CCCIE in December 2018.
    - b. In November 2020, the Presidents' Alliance produced a [compilation](#) of top administrative actions, including those related to DACA recipients and Dreamers, that the Biden Administration should undertake to revert the actions of the Trump administration.
  5. **New Data Estimates:** The Alliance commissioned research by the Migration Policy Institute (MPI) on the number of [undocumented students graduating U.S. high schools annually](#), the number of [undocumented students in post-secondary education](#), and the number of first and second generation [immigrant students in post-secondary education](#). Upon publication, the Presidents' Alliance rolled out the report to campuses, immigration advocates, higher education organizations, media, and members of Congress and incorporated the data in letters, statements, and amicus briefs.
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## International Students

During the first Trump administration, international student enrollment in U.S. colleges and universities saw a [decline](#) after years of growth. This decrease was driven by several factors, including stricter visa policies, heightened scrutiny, especially in STEM fields, and the COVID-19 pandemic in 2020. Between 2016 and 2019, new international F-1 student enrollments declined each year, [with a cumulative drop of 11.4%](#). These visa restrictions and heightened screening processes made the U.S. less attractive to international students. Measures to end the “duration of status” rule for F-1 visas and restrictions on Optional Practical Training (OPT) generated uncertainty among prospective students. The pandemic further accelerated this trend. The administration’s attempt to bar international students from remaining in the U.S. if their courses moved online was met with significant backlash and lawsuits. Although the policy was eventually rescinded, it contributed to the sense of instability for international students.

### Key Administrative Actions

- 1. Travel Bans and Increased Visa Scrutiny:** In January 2017, President Trump issued the "Muslim travel ban," restricting entry into the U.S. from several predominantly Muslim countries. This ban was part of a broader effort to impose tighter scrutiny on certain visa applicants, including international students. Non-citizen campus employees and their families were impacted by the travel bans and delays. Students in sensitive STEM fields, including technology and engineering, were subject to [additional scrutiny](#), with visa denials or delays affecting their [ability to study](#) and [conduct research](#) in the U.S. In May 2020, a presidential [proclamation](#) banned entry for Chinese graduate students and researchers with connections to institutions affiliated with the Chinese military, affecting thousands of students. These policies weakened the ability of U.S. higher education institutions to attract and retain international students, undermining global competitiveness in education.
- 2. Restrictions on Optional Practical Training (OPT) and Curricular Practical Training (CPT):** While OPT was not formally eliminated, the administration considered [curtailing the program](#) at different points, sparking significant debate and legal challenges regarding its continuation. In 2019, ICE SEVP issued updated FAQs on Curricular Practical Training, which included a narrow interpretation of when it can be used. In 2020, the Trump administration considered imposing stricter provisions on the OPT program, which allows international students to work in the U.S. after graduation. During this period, the [Washtech case](#) was also ongoing, which challenged the ability of the U.S. government to authorize OPT and STEM OPT. Subsequently, in October 2023, the U.S. Supreme Court decided not to hear the [Washtech case](#). This decision was seen as a significant [victory](#) for U.S. higher education, ensuring that international students could continue accessing valuable work opportunities through OPT.
- 3. Accrual of Unlawful Presence for Students:** In 2018, USCIS revised its [policy on unlawful presence](#) for international students and exchange visitors, starting the accrual of unlawful presence immediately upon status violation rather than after formal findings. This change risked imposing severe reentry bans on affected individuals. However, a federal court [blocked](#) the policy in February 2020, ruling it violated federal law.

4. **Proposed Ending Duration of Status Rule:** In September 2020, DHS [proposed](#) ending the "duration of status" policy for international students (F) and exchange visitors (J) and replacing it with an exact date of expiration of status. Under the new rule, most international students would have been limited to a four-year visa, with some students from predominantly African and Middle Eastern countries limited to two years. The change would have required students to apply for extensions to remain in the country, creating uncertainty and potentially increasing costs. This rule was [withdrawn](#) by the Biden administration in 2021.
5. **Review of International Students' Employment Status:** In August 2020, ICE [announced](#) a review of employer information for all international students on OPT. Students were reminded to report accurate employer details in the Student and Exchange Visitor Information System, with the warning that failure to comply could result in the termination of their visa status, jeopardizing their ability to stay in the U.S.
6. **H-1B and Family Restrictions:** In December 2017, the administration [proposed](#) eliminating work authorization for spouses of H-1B visa holders under the H-4 EAD program, which would have impacted international students whose families were dependent on that income. Family members of international students also faced potential [visa restrictions and increased barriers](#) to joining students in the U.S. In October 2020, DHS issued an [interim final rule](#) introducing significant changes to the H-1B visa program, including redefining "specialty occupation" and "employer-employee relationship," and instituting penalties for refusing worksite inspections. Simultaneously, DHS [proposed](#) replacing the H-1B lottery with a wage-based selection system that prioritized higher salaries. Federal courts [blocked](#) these regulations before they could take effect and Trump officials ran out of time when they [attempted to reintroduce](#) parts of the rule before leaving office.
7. **COVID-19 Online Learning Policy:** In July 2020, the administration issued [guidance](#) that would have required international students to leave the U.S. if their coursework was moved entirely online due to COVID-19. This policy was widely opposed by universities, who argued that it was unsafe and unfair. Following intense backlash and lawsuits from universities, the administration rescinded the guidance, allowing international students to remain in the U.S. for online studies during the pandemic. The administration also imposed additional barriers for students entering the U.S., including an attempt to deny visas due to the lack of in-person classes during the pandemic.
8. **Increased Fees for Visa Applications:** International students and exchange visitors faced [increased visa application fees](#) as the administration sought to cover what it claimed were rising costs of visa processing and security screening. These increased costs imposed a financial burden on prospective and current international students.

## Presidents' Alliance Actions

1. **Congressional Record Statement:** In June 2018, we submitted a [statement for congressional record](#) in support of international students.
2. **Amicus Briefs and other Participation in Litigation:** In close consultation with members of our Legal Advisory Council, the Presidents' Alliance conducted informational briefings and outreach and connected presidents and their institutions to



opportunities to join as plaintiffs or on Presidents' Alliance coordinated *amicus curiae* briefs in immigration related cases.

- On December 21, 2018, the Presidents' Alliance coordinated an [amicus brief](#) for 65 of our members to support the legal challenge to changes regarding the calculation of "unlawful presence" for holders of F, J, or M visas. We had earlier informed our member institutions of the opportunity to join as a plaintiff, which led Guilford College to join as a plaintiff in the case.
- On November 21, 2019, the Presidents' Alliance, in collaboration with Jenner & Block, filed an [amicus brief](#) in support of Optional Practical Training (OPT) in the [Washtech case](#). 118 public and private universities and colleges joined the brief, representing all sectors of higher education.
- On July 6, 2020, the Presidents' Alliance [coordinated](#) an amicus brief for 180 campuses in support of Harvard and MIT's legal complaint against the DHS, challenging the ban on international students enrolled in online-only courses.
- On October 20, 2020, the Presidents' Alliance [joined](#) with a coalition of business organizations and higher ed institutions in a lawsuit against the federal government challenging: (a) the U.S. Department of Labor's interim final rule, which makes unreasonable and arbitrary changes to the required minimum wage to employ H-1B workers and (b) DHS's interim final rule, which would revise the definitions and standards for "speciality occupation" and more.

**3. Letters to Congress & the Administration:** The Presidents' Alliance sent letters on a range of international student-related issues and produced letter template kits for our members. Templates supported individual institutions or a coalition of state public and private institutions to send to their congressional delegations.

- The Steering Committee sent a [letter](#) to Congress expressing its qualified support for the Fairness for High-Skilled Immigrants Act of 2019; a [letter](#) to the White House in support of OPT and STEM OPT in June 2020; and a [letter](#) to DHS and DOS containing recommendations to international students in March 2020.
- In 2018, we sent a [Statement](#) to the Senate Judiciary Subcommittee on Border Security and Immigration in support of international students.
- We sent a [2018 Letter](#) to Senate Judiciary Committee concerning USCIS Guidance.
- We sent a [2020 Letter](#) to CBP Port Director on international student entry eligibility requirements.

**4. Comment Letters:** The Presidents' Alliance submitted several comment letters, often in partnership with other associations.

- In 2018, we submitted a [comment letter](#) to USCIS Director expressing concern over how the agency wanted to calculate unlawful presence for F, M, J visa holders.
- We joined other higher education organizations in a 2018 [comment letter](#) to the Department of State regarding proposed revisions to visa applications.
- We submitted a [comment letter](#) on the proposed SEVIS fee increases and developed [template comment](#) letters for our members.

**5. Policy Analyses & Briefings:** The Presidents' Alliance hosted numerous rapid response briefings related to policies or proposed policies that would adversely harm

international students and scholars, and produced a variety of memos and fact sheets. For example:

- In June 2019, we published a [memorandum](#) analyzing the Fairness for High-Skilled Immigrants Act of 2019, a bill that would have eliminated the per-country caps for employment-based green cards and raised per-country caps for family-sponsored green cards;
- In June 2020, we hosted a [rapid response briefing](#) on the Presidential Proclamation that suspended immigrant visas, including for international workers and professionals.
- In September 2020, we produced a [fact sheet](#) on the proposed regulation that would eliminate duration of status.
- In November 2020, we produced a [compilation](#) of top administration actions, including those related to international students, that the Biden Administration should undertake to revert the actions of the Trump administration.

**6. Advocacy Templates and Talking Points:** The Presidents' Alliance developed a range of talking points, templates, and toolkits.

- The Presidents' Alliance and NAFSA created a [template comment](#) to assist individual colleges and universities in drafting comments regarding the proposed Duration of Status rule.
- We developed [template letter and messaging](#) in support of international students and scholars.
- We developed [talking points](#) for institutions on ICE SEVP guidance.
- In 2020, we created [advocacy toolkits](#) for colleges and universities with information and resources on the administration's travel ban.
- We created the [2020 Directory](#) of Presidents' Alliance advocacy resources for international students.

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## Refugee Students and Other Populations

Refugee resettlement to the U.S. plummeted from 2017 to 2020, severely weakening the refugee resettlement system. Several actions contributed to a substantial reduction in the number of refugees admitted to the U.S. and led to widespread closures of resettlement offices across the country.

### Key Administrative Actions

- 1. Suspension of refugee travel and limit on refugee admissions:** From June through October 2017, the Trump administration [suspended all refugee travel](#) to the United States and limited refugee admissions from some predominantly Muslim countries. In October 2020, the Administration [limited refugee admissions](#) to 15,000 in fiscal year 2021, the lowest Presidential Determination since the establishment of the refugee admissions program in 1980. From 2017 to 2020, 134 affiliate offices around the United States [closed](#) due to these restrictions or because of insufficient funding, representing a 38 percent decrease in the country's resettlement capacity.



- 2. Termination of TPS:** In 2019, the Trump administration [terminated](#) Temporary Protected Status (TPS) for nationals from several countries, including El Salvador, Nepal, Honduras, Nicaragua, Haiti, and Sudan. TPS provides temporary relief from deportation and work authorization for individuals from countries experiencing conflict or natural disasters, including students and employees at many colleges and universities. The termination of TPS for these countries left thousands of individuals, including students and their families, facing uncertainty about their ability to remain in the U.S. and pursue their education.

## **Presidents' Alliance Actions**

- 1. Letters to Congress:** The majority of the letters that the Presidents' Alliance sent to Congress and the administration highlighted the contributions of refugee students and scholars in higher education and urged the admission of refugee students and scholars.
  - a. In June 2019, the Steering Committee [transmitted a letter](#) to the Senate urging them to support legislation to provide a roadmap to citizenship for Dreamers and TPS and DED holders and a [letter](#) to Congress expressing support for the NO BAN Act of 2020 to rescind the executive orders implementing the travel ban, the asylum ban, and the extreme vetting of refugees.
  - b. We submitted a [statement](#) for the record for the House Judiciary Committee hearing on Dreamers and TPS.
  - c. In 2020, we submitted a [statement](#) for the record on the NO BAN Act.
- 2. Toolkits and Advocacy:**
  - a. We partnered with refugee groups to amplify efforts against TPS terminations.
  - b. We [joined](#) other organizations in a 2018 letter to the DHS Secretary urging TPS for Guatemala.
  - c. We produced a [toolkit](#) for campuses in 2020 on the administration's expanded travel ban and how to support refugee and displaced students.
  - d. In November 2020, we produced a [compilation](#) of top administrative actions, including those related to refugees and DED and TPS holders, that the Biden Administration should undertake to revert the actions of the Trump administration.