

July 9, 2020

The Honorable Chad Wolf
Acting Secretary
2707 Martin L. King Avenue, SE
U.S. Department of Homeland Security
Washington, DC 20528

The Honorable Matthew Albence
Deputy Director and Senior Official Performing
the Duties of the Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Dear Acting Secretary Wolf and Acting Director Albence:

On behalf of the physician and medical student members of the American Medical Association (AMA), I am writing to **urge the Administration to withdraw its modifications to the temporary exemptions for nonimmigrant students taking online classes due to the pandemic for the Fall 2020 semester**, so that medical students seeking to study in the U.S. on an F-1 visa can enter or remain in the country.

On July 6, 2020, the Student and Exchange Visitor Program (SEVP)¹ announced modifications to temporary exemptions for nonimmigrant students taking online classes due to the public health crisis for the Fall 2020 semester.² Specifically, SEVP announced 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 United States. The U.S. Department of State will not issue visas to students enrolled in schools and/or programs that are fully online for the fall semester nor will U.S. Customs and Border Protection permit these students to enter the United States. 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.”

These SEVP modifications will directly impact nonimmigrant F-1 medical students. In 2019, 48 U.S. undergraduate medical institutions accepted 325 foreign applicants.³ Moreover, in the 2018 application cycle, 59 foreign matriculants of U.S. Doctor of Osteopathic Medicine (DO) programs—or 76.6 percent of

¹ The SEVP is part of U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations within the U.S. Department of Homeland Security (DHS).

² <https://www.ice.gov/news/releases/sevp-modifies-temporary-exemptions-nonimmigrant-students-taking-online-courses-during>

³ <https://students-residents.aamc.org/applying-medical-school/article/applying-international-applicant/?fbclid=IwAR1JpQx0vsZHiUBDAWz3PiZ0GleJ7n9mS0A68yy37Kg157xtnYVwaV7wrjE>

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all foreign DO applicants—held F-1 student visas.⁴ To ask these students to transfer to a new school or program weeks before the beginning of the term is not a viable solution and is completely unfair to students that have worked for years of their lives to be able to go to medical school.

As the summer progresses, and communities across the U.S. reopen, there is no doubt the number of cases, hospitalizations, and deaths from COVID-19 will continue to rise putting even more pressure on our already stressed health care system. As of July 6, 2020, there were more than 2.9 million confirmed cases of COVID-19 and more than 130,000 deaths in the U.S.⁵ Moreover, states with large populations such as California, Arizona, Texas, and Florida are seeing surges in new cases and hospitalizations. At a time when the nation is battling a novel coronavirus in the setting of a projected physician shortage of up to 139,000 physicians by 2033,⁶ it is imperative that we provide medical students as many options as possible to successfully obtain their education.

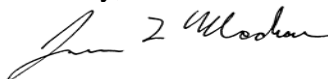
According to recent reports, approximately 9 percent of all U.S. colleges and universities are planning to be online-only this fall and 2 percent are still making a determination.⁷ If an academic institution determines that it is in the best interest of the safety of its faculty and students to offer online-only courses in the fall of 2020 as a result of the COVID-19 pandemic, then students on F-1 visas should not be penalized and subsequently deported based on a health and safety decision that a university makes. Additionally, based on the issued modifications, should the student be deported, it is uncertain if the student will be able to enter the U.S. post-COVID-19 to either resume their studies or work in the U.S. At a time when physicians are needed in the U.S. more than ever, it is unwise to deter medical professionals from coming to the U.S. now and potentially in the future. Moreover, this modification will likely cause medical students to attend school in other countries leading to less revenue for colleges and universities that tend to charge more tuition for foreign students and leading to a brain drain as other countries obtain and likely retain the brightest young medical minds from across the world.

We implore the Administration to withdraw the modifications to its temporary exemptions for nonimmigrant students taking online classes due to the pandemic for the Fall 2020 semester.

However, should the U.S. Department of Homeland Security (DHS) choose to move ahead with its plans to publish the procedures and responsibilities related to the announced modifications in the Federal Register as a Temporary Final Rule, we urge DHS to strongly consider an exemption during the 2020-2021 academic year for those F-1 visa students seeking to attend or currently attending medical school in the U.S.

Thank you for your attention to this important matter.

Sincerely,



James L. Madara, MD

⁴ <https://www.aacom.org/docs/default-source/data-and-trends/2018-aacom-as-applicant-matriculant-profile-summary-report.pdf>

⁵ <https://coronavirus.jhu.edu/us-map>

⁶ <https://www.aamc.org/system/files/2020-06/stratcomm-aamc-physician-workforce-projections-june-2020.pdf>

⁷ <https://www.chronicle.com/article/Here-s-a-List-of-Colleges-/248626>