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**REPRESENTING**

Flushing, Queensboro Hill, Hillcrest,  
Fresh Meadows, Auburndale,  
Oakland Gardens, Bayside, Douglaston

July 14th, 2020

Dear Acting Director Albence:

We write to declare our resounding opposition to the recent guidance issued by the United States Immigration and Customs Enforcement (“ICE”) regarding the Student and Exchange Visitor Program modifications to temporary exemptions for nonimmigrant students taking online courses during the Fall 2020 semester. By requiring those on student visas to depart the U.S. until in-person classes resume, ICE is placing an unjust burden on these students.

As you know, the evolving nature of the COVID-19 pandemic has forced school systems across the country to implement remote learning so that students can continue their education without the risk of exposure. Although some states have made strides in overcoming the peak of the virus, precautions are still being taken to prevent a second wave. This includes universities that have opted to maintain remote learning for the upcoming fall semester.

Accessing online courses requires a consistent WiFi connection so that students can complete their coursework and partake in instruction outside of the virtual classroom. By leaving their residences in the U.S., many students would be returning to their home countries where they may not have access to the internet at all, or a weak connection at best. Additionally, some countries have blocked academic websites that are generally permitted in the U.S. which would make it difficult, if not impossible, for students to complete their required coursework.

Forcing students to return to their home countries could have unintended implications due to time zone differences. Students dealing with significant time differences would likely be disadvantaged as they would have to attend classes in the middle of the night or miss instruction altogether. Either of these scenarios would negatively affect their academic performance and ability to fully immerse themselves into online learning alongside their classmates and instructors.

These students are facing challenging circumstances at no fault of their own and are now forced to choose between returning to their home countries or transferring to a school that offers in-person instruction. While the latter might seem like a reasonable option, it overlooks the time and effort students have invested in finding communities on campus that they would eventually return to as facilities begin to reopen. It also neglects the health and wellbeing of students who have the ability to complete their courses remotely in the U.S. and would be more comfortable doing so if they are high-risk and taking extra measures to avoid exposure to the COVID-19 virus.

Regardless of immigration status, over the past few months, all students have had to grapple with sudden changes throughout their academic careers in the midst of a global pandemic that has upended our lives. But to threaten deportation because students would rather opt for the safe choice of remote learning adds to the growing list of actions taken by this agency lacking decency and compassion for those seeking a brighter future and new opportunities in the U.S. As such, we urge you to reconsider this decision and to reinstate the former rules so that international students with visas can stay on course in their pursuit of higher education in the U.S.

Sincerely,

Nily Rozic  
25th Assembly District

Steve Englebright  
4th Assembly District

Edward Braunstein  
26th Assembly District

Aravella Simotas  
36th Assembly District

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42nd Assembly District

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67th Assembly District

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71st Assembly District

Rebecca Seawright  
76th Assembly District

Steven Otis  
91st Assembly District

Kevin Cahill  
103rd Assembly District

Barbara Lifton  
125th Assembly District

William Magnarelli  
129th Assembly District