

Trump Travel Ban

Over 600 Presidents Sign Letter Supporting International Students and Scholars; Federal Appeals Court Maintains Freeze on Trump Travel Ban



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I am writing to you later than usual this morning to include news on President Trump's [executive order](#) imposing a 90-day travel ban on individuals from seven majority Muslim countries and halting admissions into the United States. A federal appeals court panel last night left in place a decision issued last Friday blocking the order. Prior to that decision, more than 600 of you signed a [letter](#) to Secretary of Homeland Security John F. Kelly, and I would like to thank all of you for quickly adding your voice to the powerful message coming from nearly all quarters of higher education. We value our international students, faculty, researchers and staff, and international exchange programs as a source of strength of American higher education. More on the status of the executive order is below, along with news on the Senate vote to confirm Betsy DeVos as secretary of education and the nascent effort to restore Obama-era higher education regulations.



Federal Appeals Court Maintains Freeze on President's Travel Ban; Still No Movement on DACA

A federal appeals panel late Thursday left in place a ruling blocking President Trump's immigration executive order meaning previously barred refugees and citizens from seven majority-Muslim countries can enter the United States. As [The Washington Post reported](#), three judges from the U.S. Court of Appeals for the 9th Circuit unanimously rejected the government's argument that suspension of the order should be lifted immediately for national security reasons and asserted their ability to serve as a check on the president's power. The paper also reported that the judges did not declare outright that the order was meant to disfavor Muslims, saying it was too early in the legal process for them to rule on that point.

This new decision upholds a ruling issued last Friday by a federal judge in Seattle, James

dering a nationwide stay on the travel ban issued Jan. 27 by President Trump via executive order. The court's ruling came in response to a suit filed Jan. 30 by the state of Washington and joined by several other states. The court ordered that the entire executive order be halted nationwide until a federal judge can rule on its constitutionality. (See [The Chronicle of Higher Education](#) on the role Washington public institutions played in the suit.)

As [Inside Higher Ed reported](#) this morning, in maintaining the freeze on the travel ban, the court judges said that Washington State and Minnesota had legal standing to challenge the ban because of the impact on students and faculty members at public universities.

Inside Higher Ed noted that in their decision, the panel said that the states “allege that the research missions of their universities are harmed by the executive order's effect on their students who are nationals of the seven affected countries. These students and faculty cannot conduct research, academic collaboration, or for personal reasons, and their families abroad cannot visit. They have been stranded outside the country, unable to return to the universities at all. The schools cannot consider attractive student candidates and cannot hire faculty from the seven affected countries as they have done in the past.”

The Trump administration has vowed to continue fighting in court to have the ban reinstated. It remains uncertain how the legal and political process will play out. But last night's ruling means the travel ban remains blocked for the time being, and the question seems headed to the Supreme Court for final resolution.

As of this writing, there has yet to be any movement by the White House on the Deferred Action for Childhood Arrivals (DACA) program, but Press Secretary Sean Spicer said in a press briefing that a decision on DACA will be coming “very shortly.”



DeVos Confirmed as Secretary of Education; Focus on Federal Regulation Seen as Potential Focus on Higher Education

After a highly publicized debut on the national stage, Betsy DeVos, a wealthy Republican and donor to K-12 charter schools and voucher programs, was confirmed Tuesday by the Senate as secretary of education. Two Republicans—Sens. Susan Collins of Maine and Lisa Murkowski—joined Democrats to tie the vote at 50-50. The tiebreaking vote was cast by Vice President Mike Pence, the first time a vice president had been required to break a tie on a cabinet nomination.

The focus of DeVos' background and potential agenda since her nomination in November has been K-12 schools. She has no record in the higher education sector and said little about it during her [confirmation hearing](#) last month. But the consensus seems to be the one area where DeVos may have the support of congressional Republicans—is the federal regulation of colleges and universities. [It has been reported](#) that the Trump administration has asked Liberty University (VA) President Richard Scott Jr. to lead a panel on reform of higher education regulations, although no official announcement has been made. However, it is our hope that any effort in this area will be careful and deliberate and will happen given the rocky rollout of the administration's travel ban.

House Begins to Look at Higher Education Rules: The careful consideration of how to regulatory process for higher education was among the topics addressed at a House Education and the Workforce hearing Tuesday on the “[Challenges and Opportunities in Higher Education](#).” My thanks to William E. “Brit” Kirwan, chancellor emeritus of the University of Maryland, for appearing at the hearing to [discuss the findings](#) of the [Senate Task Force on Higher Education](#). In his testimony, Brit stressed the need to reduce the federal burden on colleges and universities while maintaining important protections for students, families and taxpayers.

In related news, the Obama administration’s rule on teacher preparation programs was on education-related regulations [overturned](#) Tuesday by the House. ACE had outlined a [number](#) with the rule throughout the rulemaking process and [supported](#) the action to overturn it. It goes to the Senate, and we expect that chamber to follow suit.



IN BRIEF

House Bill Would Expand AOTC: Along with 12 other higher education groups, we sent a letter to Rep. Lloyd Doggett (D-TX) endorsing the Expand American Educational Opportunity Act ([H.R. 823](#)), a bill to enhance access to college by making important reforms to the American Opportunity Credit (AOTC) and Lifetime Learning Credit. We strongly support the goal of this bill to simplify higher education tax credits, which are overly complex and difficult for students and their families to use correctly.

Countdown to ACE2017: We are now only one month away from [ACE2017](#), our 99th Anniversary which will take place March 11-14 in Washington, DC. Confirmed speakers include Joichi Kishimoto, internationally prominent activist, entrepreneur and venture capitalist; Teresa A. Sullivan, president of the University of Virginia; Arthur C. Brooks, president of the American Enterprise Institute; and John Tanden, CEO of the Center for American Progress. We have much to discuss this year on higher education issues, so please make plans now for you and your leadership team to attend.

New Report on 50 Years of the ACE Fellows Program: A study released this week co-authored by ACE’s Center for Policy, Research and Strategy and ACE Leadership looks at the first fifty years of the ACE Fellows Program. The report, “[Looking Back and Looking Forward: A Review of the ACE Fellows Program](#),” affirms the value of the program itself and charts a path for the future of higher education leadership development. I am sure many of you have participated in the program, either as a participant or mentor or as a Fellow yourself, so I hope you will take the time to read this important report.

ACE IN THE NEWS

[How Will DeVos Influence Higher Education?](#)

The Washington Post (Feb. 8, 2017)

[ACE Publishes Review of Fellows Program](#)

UPCOMING EVENTS

[ACE/AIEA Internationalization Conference](#)

Feb. 18, Washington, DC. Send faculty and administrators to further your campus’s internationalization agenda.