

Comments of the University of Illinois System
Regarding Notice of Proposed Rulemaking “Establishing a Fixed Time Period of Admission and an
Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and
Representatives of Foreign Information Media”
DHS Docket No. ICEB-2025-0001
September 2025

Introduction and Background

The University of Illinois System (System) is submitting comments in response to the Department of Homeland Security’s (DHS) Notice of Proposed Rulemaking Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media, published in the Federal Register on August 28, 2025, DHS Docket No. ICEB-2025-0001.

The System is Illinois’ largest system of higher education. With more than 101,000 students at three universities in Chicago, Springfield and Urbana-Champaign and campuses in Peoria and Rockford, we serve the entire state. The System has roughly 30,000 full-time equivalent faculty and staff, an annual operating budget of \$8.3 billion and an annual economic impact on the state of \$24.9 billion. With close to 18,000 international students, the System has significant experience with J-1 and F-1 visas, and any material changes to those visa categories could have a substantial impact on our operations and mission.

Comments

We write to express our strong opposition to the proposed rule, which would create cumbersome new requirements and uncertainty for international students and visitors, impose significant administrative and financial burdens on universities, and undermine the international collaborations that generate economic growth and workforce development in our state and country.

Some nonimmigrant students and exchange visitors are already concerned that they are no longer welcome in the United States. The proposed rule would further deter future international students and exchange visitors from pursuing their academic studies, collaborative research or clinical training in this country. This would have a negative economic impact on academic and health institutions and would result in lost revenue and reduced job creation in surrounding communities and states.

Detailed comments are provided below.

1. The proposed rule will make it unnecessarily difficult for international students and exchange visitors to complete their academic program, collaborative research or clinical training.

For decades, international students and scholars have been admitted into the United States for “duration of status.” This entry allows admission to the United States for the length of their academic program and, critically, it allows their academic program to determine that length. If individual students or scholars experience an unexpected delay in thesis research, need more time to complete their program due to circumstances beyond their control, or have another legitimate academic reason for needing to remain in their program, their academic program can explain the

unique circumstances to a Designated School Official (DSO) or Alternate Responsible Officer (ARO) who can extend their legal period of time in the United States provided they are making “normal progress.” The current system works well because normal academic progress is determined by the educational professionals most familiar with the program, and those professionals take into account all aspects of the student’s educational progress.

The proposed rule creates needless uncertainty by replacing duration of status with a fixed time period for nonimmigrant academic students and exchange visitors. Moreover, it eliminates the “normal progress” requirement and effectively removes DSO/ARO and university discretion. Instead, students who are unable to complete their program in four years—two years for master’s students—would have to take the additional step of pleading their case for a program extension to U.S. Citizenship and Immigration Services (USCIS) officers. J-1 exchange visitors would need to first petition the Student and Exchange Visitor Program (SEVP) for a recommendation and then apply for the extension with USCIS.

USCIS would then need to evaluate each case and decide whether there was a “compelling” academic or medical reason for an extension, or whether there were circumstances beyond the student’s or exchange visitor’s control, such as a natural disaster or health crisis. This takes the decision out of the hands of those with relevant knowledge and expertise and places that decision with immigration officers who may not understand the complexities of individual academic programs or be aware of why delays may be common for certain programs in particular fields.

USCIS already has a significant backlog of cases, and it is unclear that it has the resources or expertise to adjudicate these requests appropriately and in a timely manner. The result is likely to be a cumbersome, bureaucratic process with uncertain outcomes. DHS dismisses the likely impact of these changes on nonimmigrant student enrollment as “marginal.” In fact, the net result of these changes will be to strongly discourage international students and exchange visitors from choosing to begin their studies or clinical training, or to conduct collaborative research, in the United States.

2. The proposed rule would impose significant costs and burdens on academic institutions.

The proposed rule places significant burdens on the professional staff at our universities who are responsible for providing timely and accurate advice and assistance to international students and scholars. DSOs and AROs across the System already expend significant time processing program extensions. In the 2024-25 academic year alone:

- The University of Illinois Urbana-Champaign (Urbana) processed 5,185 extensions and requests, all of which would need a USCIS application under the new rule. This includes
 - 1,020 F-1 student extensions,
 - 197 J-1 student extensions,
 - 177 J-1 scholar extensions,
 - 293 change of level requests, and
 - 3,498 Optional Practical Training (OPT) requests including STEM OPT and cap gap.
- The University of Illinois Chicago (UIC) processed 1,923 program extensions and requests, including:
 - 500 program extensions,
 - 210 change of level requests, and
 - 1,213 OPT requests including STEM OPT and cap gap.

- The University of Illinois Springfield (UIS) processed 899 extensions and requests, including:
 - 49 program extensions,
 - 35 change of level requests, and
 - 815 OPT requests including STEM OPT and cap gap.

Under this new rule, given that each of these extensions would then need to form part of an application to USCIS, our universities would need to provide in-person advising or a workshop, as we do for other applications to USCIS. The total additional commitment of time and money is extensive. Based on USCIS estimates *it would require 13 full-time positions, one part-time position and close to \$2 million across the System for the first year alone:*

- DHS estimates the rule would require 3 hours per application for DSO/ARO work. If accurate, that would represent 15,555 hours for Urbana, or nine full-time positions. DHS further estimates that the cost to the school per extension would be \$233. If accurate, this would cost Urbana \$1,208,105 per year. DHS estimates \$3,342 in additional first-year costs for each DSO, which would represent an additional \$76,866 and bring the total cost for Urbana to \$1,284,971.
- For UIC, 1,923 extensions and requests would take 5,769 hours of work per year or three full-time positions. At \$233 each, the cost of these types of requests would amount to \$448,059. The \$3,342 in additional first-year costs for each DSO would represent an additional \$33,420 and bring the cost for Chicago to \$481,479.
- At UIS, 899 extensions would require 2,697 hours of additional hours of work per year or one full-time and one part-time position. The total cost at \$233 per case would be \$209,467. The additional first-year costs for each DSO would represent an additional \$16,710 and bring the total cost for UIS to \$226,177.

With universities already facing financial challenges, now is not the time to put further strains on limited resources.

3. The proposed rule would undermine graduate education programs.

Our academic and research enterprise benefits from the talent and expertise of over 10,100 international graduate and professional students. The maximum initial admission period permitted under the proposed rule is four years. Consistent with national data across US universities, 82% of PhD students at Urbana and UIC need more than four years to complete their program. For UIC, the average time to complete a PhD program is five years. If these students know that they may not be able to stay in the United States to complete the program they start, even though they are making normal progress, they are likely to choose competing countries for their doctoral studies.

Moreover, the proposed rule seeks to prevent graduate students “from changing educational objectives or transferring from within the United States.” The rationale for severely limiting academic flexibility for those students is unclear, and the effect would be to further discourage those students from seeking to study in the United States.

A decrease in the number of international graduate students would in turn reduce the number of Teaching and Research Assistants available. This would then require the hiring of more part-time specialized faculty and part-time researchers which will be difficult given the specialized nature of this work.

4. The proposed rule would unnecessarily rush undergraduate education.

Urbana has over 30 undergraduate programs that require more than 120 credit hours to complete. Limiting initial entry to four years would require students in these programs to take more than 15 credits every semester for four years, which would reduce performance and graduation rates. Undergraduate students should be encouraged to take course loads appropriate for success rather than rush towards an arbitrary completion date determined by their date of entry to the United States.

Undergraduate students often need more than four years of study due to cooperative internships with US companies. Restricting time to completion will reduce these internship opportunities, thus harming companies that benefit from the contributions of international students and hampering workforce development.

5. The proposed rule would potentially disrupt important patient care and collaborative research.

The proposed rule would require exchange visitors to apply for an extension of their program through DHS. To illustrate the challenges this would create, UIC currently hosts 75 international medical residents and fellows who are sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG) and are in various medical training and fellowship programs at the university. Traditionally, medical residents and fellows sponsored by ECFMG are issued a DS-2019 annually. The proposed rule would require them to submit a request for an extension each year of the program. Not only would this place a financial burden on these residents and fellows, but it could result in a disruption to the patient care they provide and to their training program while the extension is pending adjudication.

In addition, the proposed rule would negatively impact collaborative research activities between our institutions and exchange visitors. Currently, there are 330 Research Scholars sponsored by UIC and 556 sponsored by Urbana. Under the proposed rule, these individuals would have to apply for an extension each time they need to extend their J-1 program. In addition, their J-2 dependents would also need to apply separately for an extension. The proposed rule may result in research activities being interrupted while the extensions are being adjudicated. This could delay or disrupt important advancements, especially in medical research.

6. Applying the proposed rule to current international students and exchange visitors would be unfair, burdensome and disruptive.

Current international students and exchange visitors across the System applied, were admitted and enrolled based on an understanding that they would be able to complete their academic program, collaborative research or clinical training provided they maintained normal academic progress, as determined by academic professionals. Those students and visitors have made significant commitments of time and money, and the System has invested significant resources in their education and research.

Rather than allowing those currently in the United States to continue with a duration of status admission, however, DHS proposes to convert all those admissions into ones that will expire within four years of the rule's implementation. This means that individuals who initially were told they would be enrolled until their academic program was complete will experience a significant rule change mid-stream, and now may not be allowed to finish their academic program depending on a

discretionary decision from USCIS. Forcing students and researchers out mid-program would cause immediate disruptions to ongoing state and federally funded work, halting multi-year projects and risking noncompliance with federal and state deliverables.

Unless students and scholars who are current holders of D/S I-94s are grandfathered in, there will be an unmanageable number of extension requests in a short period of time before and after the rule is implemented. The sudden need for these extensions would destabilize project planning and overwhelm both USCIS and university offices, creating costly and disruptive backlogs.

7. The proposed rule would undermine language training programs and the ability of international students to learn English.

The proposed rule would limit F-1 students to 24 months of language study in their lifetime, which could have a negative impact on language schools' enrollment and on the ability of these students to achieve their English learning goals. Many students attend the University of Illinois Intensive English Institute (IEI) at Urbana and the Tutorium in Intensive English at UIC. UIC also offers pathway programs that are approved by SEVP in which international undergraduate students progress in their language training program and enroll part-time in academic courses to fulfill their general education requirements.

The goal of these programs is to help students improve their English skills so as to prepare them to matriculate at a US college or university. However, it takes some students longer than others to achieve this goal. If a student arrives with rudimentary English language skills and begins to study English intensively, even with diligent study and language immersion, 24 months of study may not be sufficient for that student to reach the level of language proficiency necessary for academic study. During the 2024-25 academic year, seven of the 144 UIC students who matriculated from language training pathway programs to degree programs took longer than 24 months to complete their full-time language training program. In recent years, five international students studied at the Urbana IEI program for more than 24 months. Three of those students then transferred to degree-seeking programs at other schools in the United States and one completed a graduate degree at Urbana. Under the proposed rule, these students would never have had these opportunities.

8. The proposed rule would undermine the international collaborations and engagement that are vital to our universities' educational and research mission.

International students and scholars add to the diversity of backgrounds and perspectives in our student body, providing a richer cultural and academic experience for all. They also support pioneering research and knowledge creation. The proposed rule would undermine the gains academic institutions have made in recruiting talented international students and exchange visitors to our campuses and harm our ability to prepare our domestic students to become global citizens.

9. The proposed rule would have a negative economic impact on Illinois.

As noted above, the System has an annual economic impact on the state of \$24.9 billion. This positive economic impact depends, in part, on our continued ability to attract and retain the best and brightest students from around the world. International students create jobs and economic growth in the communities where they live. Over 62,000 international students are enrolled in universities across

Illinois, and they contributed an estimated \$2.4 billion to the state's economy in the 2023-24 academic year and supported over 23,000 jobs. By discouraging those students from matriculating in the United States, the proposed rule would have an immediate negative economic impact on our surrounding communities and state.

The proposed rule would also undermine the talent pipeline that is crucial to future economic growth by creating new barriers to participation in OPT and STEM OPT. Requiring OPT applications to be accompanied by an extension of stay application would further increase the financial burden for international students. For Urbana alone the additional cost to our students would be approximately \$1.5 million annually. The ability to gain hands-on experience in their field of study after graduation is one of the reasons international students choose to study in the United States. Putting up new barriers to OPT would discourage students from choosing a US education and it would deny US companies the opportunity to benefit from their skills.

10. The proposed rule imposes arbitrary limits on academic flexibility.

Under the proposed rule, all international students would be prohibited from changing their field or level or transferring to another Student and Exchange Visitor Information System (SEVIS) school in their first year. This prohibition ignores the reality that many undergraduates—domestic and international—reconsider their academic path after their first year. Moreover, under the rule, international graduate students would be prohibited from changing their field of study at any point. Such a restriction shows a lack of understanding of graduate education and would significantly limit the attractiveness of US universities to international students as they would not be free to explore and develop their research. Graduate education often involves changes of fields as a student's research and interests evolve, and limiting students to the specific field they started in will deter many applicants. In the 2024-25 academic year, UIC processed 186 program changes, Urbana processed 109 graduate program changes, and UIS processed 35 program changes that would be prohibited under this new rule.