



September 29, 2025

DHS Docket No. ICEB-2025-0001 submitted via <http://www.regulations.gov>  
RIN 1653-AA95

Office of Regulatory Affairs and Policy  
U.S. Immigration and Customs Enforcement  
Department of Homeland Security  
500 12th Street SW, Washington, DC 20536

To Whom it May Concern:

On behalf of The New England Council, I write today to express our significant opposition to U.S. Immigration and Customs Enforcement's (ICE) 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." This proposed rule will create unnecessary fear, confusion, and procedural roadblocks for international students, exchange visitors, and universities. It will impede institutions of higher education in New England and across the United States from attracting and retaining the best and brightest minds to study and engage in research for issues and fields critical to our nation's prosperity and well-being.

By way of background, The New England Council is the nation's oldest regional business association. We are a non-partisan alliance of businesses, academic and health institutions, and public and private organizations throughout New England formed to promote economic growth and a high quality of life in the New England region. Among our 650+ members are dozens of colleges and universities, as well as a wide array of employers who depend upon those institutions to educate a highly skilled workforce to support continued growth in the region.

As a region, we are gravely concerned about the impact of this proposed rule, given that international students have a significant positive economic impact in our region. In total, the New England region received \$5.148 billion which supported 47,425 jobs from the 115,086 enrolled international students during the 2023-2024 academic year.<sup>1</sup>

For the following reasons, The New England Council strongly urges the withdrawal of this proposed rule and that international students and scholars continue to be admitted for the duration of their status.

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<sup>1</sup> <https://www.nafsa.org/policy-and-advocacy/policy-resources/nafsa-international-student-economic-value-tool-v2>



### **1. The Proposed Rule Is Not in Line with Timelines for Degree or Exchange Program Completion**

This NPRM proposes implementing a maximum period of stay of up to the program of study or exchange's completion or four years, whichever is shorter, for all F and J visa holders. For those who need additional time to complete their studies, training, or assignments, the proposed rule requires filing an extension of stay with U.S. Citizenship and Immigration Services (USCIS) officers to complete their studies, training, or assignments. That extension would be at the discretion of USCIS officers. The proposed rule states that this timeline would be appropriate, but this kind of arbitrary timeline is out of step with the typical time required for many programs, including all PhD programs, and creates uncertainty that a student or exchange visitor will be unable to complete their programs. Additionally, the extension would be at the discretion of USCIS officers and only for compelling reasons, although USCIS officers lack the necessary expertise of campus officials, who have this responsibility currently, to determine if an international student or scholar is making normal progress in their educational or research programs.

### **2. The Proposed Rule Places Harmful Constraints on Students' and Scholars' Ability to Complete Their Education and Research Programs and Pursue Additional Opportunities**

The New England Council is also concerned about the proposed language in the NPRM that imposes constraints on international students' ability to transfer schools, change their educational objectives, participate in a co-op program, and pursue additional opportunities after their current program. The NPRM proposes that students below a graduate degree level are not allowed to change programs, or objectives within their first year of study, unless an exception is provided. Those at the graduate level are prohibited from changing their program at any point. Finally, the NPRM proposes limitations on a student's ability to pursue additional education, without providing any clarity concerning what degree levels are considered "the same" or "lower" than others. In so doing, the proposed rule would deny international students and scholars the flexibility to follow the varied and often highly individualized educational or research paths that drew them to the US.

### **3. Resulting Confusion and Strain on Resources**

The proposed rule would implement a costly and time-intensive process that would undoubtedly increase the burden on international students and scholars, their sponsoring institutions, and USCIS without adequate rationale for the proposed changes, given that international students and scholars are tracked in SEVIS and are the most closely monitored nonimmigrant visa category by their host institutions as well as by USCIS, ICE, and State. In addition, the proposed rule would place considerable restraints on academic mobility, constraining international students and



scholars from being able to adjust their educational or research objectives and curtail postgraduate activities in the US.

The added procedural requirements created by this proposed rulemaking will lead to significant cost and burden on international students, scholars, and host institutions. Furthermore, the limitations created for international students seeking to adjust their studies or to pursue additional education through another degree will sow stress and confusion among international students and school officials seeking to monitor and guide these students.

#### **4. The Proposed Changes Will Hurt Our Ability to Attract and Retain Talent**

Implementing a fixed period of stay for international students and exchange visitors will have a detrimental impact that extends beyond just New England, ultimately impacting U.S. students, and scholars, the higher education and research enterprise, businesses, and ultimately competitiveness. U.S. colleges and universities are the envy of the world.

At a time when the United States is facing increased competition from other countries for the brightest minds, we cannot afford to implement policies that encourage international students to start or finish their studies elsewhere. Doing so would not only have a significant impact on institutions of higher education but also on U.S. businesses, the U.S. economy, and U.S. citizens.

#### **Conclusion**

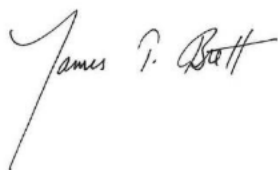
For these reasons, The New England Council urges DHS and ICE to reconsider their plans and withdraw this proposed rulemaking that would have a significant adverse impact on our institution, international students seeking to enroll in our undergraduate and graduate programs, as well as exchange visitors performing valuable research and engaging in medical training.

Right now, as countries across the globe are racing to strengthen their research enterprises by building pipelines for domestic and international students to enter the workforce, the United States should be looking to expand, not limit, our role as the leader in attracting the world's best and brightest students to our institutions of higher education. Instead, this proposed rule seeks to add a complex extension process and unnecessary restrictions on academic mobility that will result in significant burden for universities, students, and the U.S. government, without significant benefit. It is contrary to the interests of the United States and our nation's citizens and should be withdrawn.

Thank you for your consideration.

Sincerely,

THE  
NEW ENGLAND  
COUNCIL

A handwritten signature in black ink, reading "James T. Brett". The signature is written in a cursive style with a large, stylized "J" and "B".

James T. Brett

President & CEO