

To Whom It May Concern:

The Iranian American Bar Association (IABA) submits this comment in strong opposition to the proposed removal of *Duration of Status* for F-1 and J-1 nonimmigrants and its replacement with fixed admission periods plus required Extension of Stay (EOS) applications.

The proposed rule would impose unnecessary burdens on all international students, but its impact will be particularly severe for students from Iran—a community that has long faced unique barriers in pursuing higher education in the United States. Iranian students represent a significant portion of the international student population in STEM fields, and their presence contributes to U.S. research, innovation, and the broader economy. Curtailing their ability to study and work through Duration of Status protections and Optional Practical Training (OPT) will undermine U.S. interests in education, workforce development, and international collaboration.

Objections & Impacts

1. Fixed Admission Periods and EOS Requirement Will Disproportionately Burden Iranian Students

- The rule would eliminate D/S and require students to be admitted only for “a fixed time period of authorized stay” (see NPRM, Summary, 90 FR 42070, 42072).
- Under proposed 8 CFR 214.2(f) amendments, F-1 students could be limited to a fixed stay “up to the program length, not to exceed a 4-year period” (see NPRM, “Summary of Proposed Regulatory Provisions,” 90 FR 42073).

Many Iranian students are enrolled in multi-year STEM graduate and doctoral programs that regularly exceed four years. Under the proposed rule, they would be forced to file EOS multiple times, generating a significant financial, administrative, and emotional burden, especially for students who already operate under constrained flexibility. In some cases, students will be unable to complete their academic program objectives.

2. The Rule Wastes Taxpayer Funds and Creates Massive Federal Bureaucracy

The federal rules governing international students’ Duration of Status were changed back in 1979 because of the enormous burden that the prior system placed on the federal government. The proposed rules likely will trigger an extension of stay application for more than half of all the international students studying in the U.S., including any anyone seeking to utilize the OPT or STEM OPT extension program (unless they are in a one-year degree program), anyone pursuing a PhD requiring longer than four years, any bachelor’s candidate requiring more than four years (for example, dual majors), any associates degree or English language program candidate requiring more than two years, anyone transferring between majors or universities, anyone pursuing a master’s degree followed by a PhD.

DHS estimates that it will cost the federal government over \$300 million per year to administer these changes or more than \$3 billion over the next decade. That is a significant expansion of federal bureaucracy to pore over biometric data, rereview applications, conduct interviews and create numerous government forms.

Iranian students, many of whom already bear high financial burdens, will be forced to pay EOS filing fees, biometrics fees, and possibly legal services repeatedly. The administrative complexity will deter universities, DSOs, and students from navigating the process, reducing participation and harming the United States academic sector.

3. Negative Signaling to Iranian Scholars and Loss of U.S. Innovation

The justification provided in this proposed rule (e.g. combating fraud, ensuring oversight) does not address the unique situation of Iranian students nor the high bar they already endure in visa screening. Iranian students contribute significantly to U.S. research output, STEM innovation, and patent generation. Removing or constraining their ability to complete long-term graduate, postdoctoral, or research programs undermines U.S. competitiveness. The proposed rule's deterrent effect will make the U.S. less attractive to future Iranian applicants, harming cross-border collaboration, educational ties, and U.S. soft power.

International students, including Iranian students, have played a critical role in U.S. innovation. Over 50 percent of international students major in a STEM discipline, and international students comprise over 55 percent of all the graduate students in America in electrical engineering, computer science, industrial and manufacturing engineering, statistics, economics, civil engineering, mechanical engineering, agricultural economics, and mathematics and applied math. The students are a critical component of the future STEM workforce to advance innovation within American companies and industry.

International students and faculty are critical to the innovation that occurs with America's research universities. It is estimated that 75 percent of the patents awarded to the nation's top ten patent-producing research universities had an international student, faculty or researcher among the team filing the patent.

Iranian graduate students and postdoctoral researchers play vital roles in American universities and laboratories. Many are authors on patents, research papers, and cutting-edge discoveries. Limiting their ability to remain for the duration of their studies or to complete OPT undermines the collaborative research that keeps the U.S. at the forefront of global innovation. Employers in industries such as semiconductors, software, and advanced manufacturing have also benefitted from Iranian STEM graduates entering the workforce through OPT. This proposed rule jeopardizes that pipeline.

International student graduates go on to launch some of the most important and valuable startup companies in the U.S., having founded or co-founded approximately 25 percent of all U.S. unicorns (143 of the 582 companies), startup companies backed by venture capital with market valuations in excess of \$1 billion. They also contribute to a disproportionate number of U.S.-won Nobel Prizes in science.

Iran has historically been one of the faster-growing contributors of postgraduate students to the U.S. [World Education News and Reviews](#) reported that, between 2012/13 and 2015/16, Iranian postgraduate

enrollments in the U.S. grew by roughly 33 percent (from about 7,157 to 9,534). Iranian students are disproportionately represented in STEM programs, particularly in engineering, computer science, and the physical sciences. According to data from the Institute of International Education, over 75 percent of Iranian students in the U.S. pursue STEM fields. This concentration of talent means that Iranian students are precisely the kind of future innovators, researchers, and employees that U.S. universities and private-sector employers depend on to close the STEM talent gap. Many have gone on to contribute to advancements in artificial intelligence, biotechnology, renewable energy, and other critical sectors.

a. International Students Are an Important Supply of STEM Talent

International students represent a critical supply of future STEM talent. Over 55 percent of all international students are STEM majors. The importance of international students to the future supply of private sector STEM talent is even more pronounced for advanced degrees. According to [research from the National Foundation for American Policy](#) using National Science Foundation data, international students account for 74 percent of all the graduate students in America in electrical engineering, 72 percent of those in computer science, 71 percent of those in industrial and manufacturing engineering, 70 percent of those in statistics, 67 percent of those in economics, 61 percent in civil engineering, 58 percent in mechanical engineering and agricultural economics, and 56 percent of those in mathematics and applied math.

Some of America's most important companies that employ Iranian nationals have utilized the OPT program to fill unmet talent needs. In 2024 the following companies hired more than 1,000 international students on their OPT visas: Amazon, Tesla, Goldman Sachs, Apple, Google, Meta, Microsoft, ByteDance, and Deloitte with Walmart, Intel, Ernst & Young, McKinsey & Company, and JP Morgan Chase also hiring substantial numbers of OPT workers.

b. The Proposed Rule Threatens the Viability and Use of the OPT Program

The proposed rule seeks to impose a four-year Duration of Status on international students and requires an Extension of Stay application for any international student wishing to remain in the U.S. as a student or to work on OPT beyond that date. The vast majority of undergraduate students would need to seek an Extension of Stay in order to work after graduation via the OPT program (unless somehow, they are able to obtain a bachelor's degree in three years of study). Moreover, the vast majority of graduate students seeking to utilize the STEM OPT extension would need to see an Extension of Stay in order to complete the three years of the STEM OPT extension in addition to a two-years master's program. Finally, the vast majority of PhD students will also need to seek an Extension of Stay as the average PhD program takes more than five years.

The Extension of Stay requires filing fees, biometric data, possible interviews and maybe even requires international students and scholars to hire legal representation. It promises endless delays, vast confusion, massive red tape and other burdens. Employers use the OPT program because, unlike the H-1B visa program, it currently provides relative certainty and few delays in hiring an international student to work full-time. This proposed rule would jeopardize the relative ease and certainty that employers have in using the OPT program. Instead of ensuring that the majority of STEM graduate students (who are international students) are easily employable via the OPT program, employers will have to face bureaucratic red tape and uncertainty about the timely ability of such workers to obtain authorization to remain in the country.

c. The Reduction of the F-1 Grace Period from 60 to 30 Days is Unreasonable

Reducing the F-1 “grace-period” from 60 days to 30 days may cause some international students who otherwise might seek OPT employment to forgo the opportunity and will not enter the U.S. workforce. Thirty days is a pretty limited period to complete one’s lease, prepare to move and wrap up one’s studies. Many international students are understandably focused on their academic requirements until the end of their final semester. The shorter grace period may result in some qualified international students who would otherwise investigate, consider and execute the OPT option available as part of their student visa. Thirty days is insufficient for students to finalize housing, legal paperwork, travel, or prepare timely EOS filings—especially for international students from Iran dealing with complex logistical and visa challenges.

This reduction will likely discourage qualified students from applying for OPT, which undermines their career prospects and U.S. employer recruitment of global talent.

4. The Rule Will Hurt the U.S. Economy by Making Studying in the U.S. Less Attractive and, thus, Decreasing the Number of International Students Studying in the Country

International students spent \$43.8 billion annually in the U.S. during the 2023-2024 academic year, making it the seventh largest service export product. Those expenditures don’t just benefit higher education, but they impact retail business, landlords, tourism, hospitality and other business sectors in the university towns and communities across the nation. In August 2025—prior to the publication of this proposed rule—NAFSA and JB International predicted a 15 percent decline in overall international student enrollment this fall and 30-40 percent decline in new international student enrollment.¹ The loss of these students is projected to cost the U.S. economy \$7 billion.

These proposed rules will send another signal to international scholars considering studying in the U.S. that their talents are unwelcome and that federal immigration policies will be expensive, chaotic, challenging and uncertain in order for them to complete anything but a two-year degree program or to participate in the OPT practical training opportunities that increasing numbers of international students have wanted to pursue. The loss of these international students will result in lost economic spending in the U.S. and will hurt a significant export sector.

Longer-term economic impacts will be felt through the loss of innovation (patents being generated by colleges and universities), decrease in future startups, loss of high-skilled STEM workers, and loss of future exports and investments from global partners who have built ties to the U.S. while studying as international students here.

Recommended Changes to the Proposed Rule

1. Lengthen the Duration of Status Caps Proposed by the Rule

¹ “Fall 2025 International Student Enrollment Outlook and Economic Impact,” NAFSA and JB International, (Fall 2025) found at <https://www.nafsa.org/sites/default/files/media/document/Fall%202025%20International%20Student%20Enrollment%20Outlook%20and%20Economic%20Impact.pdf>

The proposed four-year cap for F-1 students and J-1 exchange visitors is too short and would require a significant majority of international students and J-visa exchange visitors to seek an Extension of Stay although such students and visitors did nothing more than pursue the intended course of study and practical training allowed by law. This not only creates significant financial and time burdens—requiring filing fees, biometric data, possible interviews and maybe even requiring international students and scholars to hire legal representation—but promises endless delays, vast confusion, massive red tape and other burdens. The proposed rule projects nearly \$400 million in annual costs for federal administrators, international students, J-visa exchange visitors and foreign media to comply. This creates a huge federal bureaucracy that likely will require significant paperwork for hundreds of thousands of cases.

Some examples of international students and exchange visitors who will be caught in this process:

- Any and all bachelor's degree candidates who take the normal four years to obtain their degree and who wish to participate in the Optional Practical Training (OPT) program will, by definition, require an Extension of Stay;
- Any and all users of the STEM OPT Extension opportunity must apply for an Extension of Stay (unless the candidate has a one-year degree program). STEM OPT users are those most valued by the private sector and the American economy and have served as a critical source of talent to help alleviate America's considerable STEM talent gap;
- Nearly half of all the F-1 students pursuing bachelor's degrees likely will be required to pursue the Extension of Stay. According to the National Center for Education Statistics (NCES), the average time to complete a B.A. for international students is 56.3 months (or 4.69 years). NCES data also shows that 56 percent of international students get their B.A. within four years, compared to only 44 percent of domestic students. In other words, international students appear to be moving to completion faster than their domestic peers. However, a large population of international undergraduate students would not complete their degrees within the maximum 4-year prescribed time frame. Yet, there may be good reasons for such delays, such as collegiate athletes who are "red-shirting" due to injury or for other reasons, as well as undergraduates who switch their majors, add an additional minor or pursue double majors, or take courses outside of their major, all important aspects that make a U.S. education attractive to international students.
- The majority of all doctorate candidates would be required to seek an Extension of Stay. According to the National Sciences Foundation and research from NSF's National Center for Science and Engineering Statistics, it takes an average of 5.7 years from the time one enters a PhD program to complete it, while those who complete the Master's/PhD sequence take an average of 7.5 years from entering graduate school to completion.²
- The vast majority of J-1 research scholars will be required to seek an Extension of Stay. Current law implemented by the U.S. State Department permits J-1 research scholars up to five years to complete their research, such that many post-doctoral fellowships and research proposals and grants are set for a five year duration.

² "Survey of Earned Doctorates," National Science Foundation National Center for Science and Engineering Statistics, (August 2025) found at <https://nces.nsf.gov/surveys/earned-doctorates/2024#data>

- The proposed rule would also have a disproportionately negative impact on international students seeking medical training, as well as foreign national physicians participating in U.S. medical residencies and fellowships as J-1 exchange visitors, whose programs can last from one to seven years depending on the medical specialty or subspecialty being pursued.
- The proposed rule also would have an impact on international scholars seeking postdoctoral research experiences. In some fields, such as the biomedical sciences, the majority of postdoctoral researchers are international.
- The proposed rule causes an undue burden on institutions that offer special programs, such as joint B.A. and Master's degree programs which can be accomplished in a five-year period, saving the student time and money.

In short, the four- and two-year caps need to be extended to more accurately reflect the length of time that it takes to complete the programs for which international students and J-visa exchange visitors have been permitted entry. Nowhere in the rationale justifying the proposed rule, does DHS imply that all, or a majority, of those actively pursuing their studies, practical training or research need this heightened level or monitoring. By requiring an excessive number of students and scholars to seek and Extension of Stay, DHS proposes to create a massive regulatory burden on itself. Instead, F-1 student Duration of Status time caps should be adjusted to include OPT and STEM OPT Extension periods. J-1 visa Duration of Status time caps should be extended to five years. Doctoral program caps should be adjusted to six years.

Additionally, some reasonable time for degrees that take longer than anticipated should be built in or a waiver from the Extension of Stay requirement should be built in for students who, for example, needed to extend studies for a change in major, sought a redshirt year as a college athlete, needed a semester-long break for a medical issue, etc.

a. Eliminate the Reduction in F-1 Students' Grace Period

Under existing regulations, F-1 students are provided 60 days following the completion of their studies and any practical training to prepare for departure from the United States. The proposed rule would cut the F-1 grace period in half, from 60 to 30 days, giving international students less time to file extensions after completing their studies or training, prepare for departure, or change status, increasing pressure on both students and university advisers.

Reducing the F-1 grace-period from 60 days to 30 days will cause some international students who otherwise might seek OPT employment to forgo the opportunity and not enter the U.S. workforce. 30 days is a very limited period to complete one's lease, prepare to move and wrap up one's studies. Many international students are understandably focused on their academic requirements until the end of their final semester. The shorter grace period may result in some qualified international students who would otherwise investigate, consider and execute the OPT option available as part of their student visa.

The F-1 grace period should remain 60 days. There is no evidence offered that the extra 30 days are somehow used—after several years of study—to threaten national security, avoid authorities or otherwise abuse the F-1 visas. Those seeking to engage in those activities would have ample time to do so *before* the grace period is ever triggered. This proposed reduction will only impact those F-1 students

playing by the rules and appears arbitrary, capricious and mean-spirited to a population that contributes \$43.8 billion to the American economy annually.

Respectfully Submitted,

The Iranian American Bar Association