



DHS Proposes Major Changes to F and J Student and Exchange Visitor Rules

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The Department of Homeland Security (DHS) has released a proposed rule that would significantly reshape the way international students and exchange visitors are admitted to and remain in the United States. If finalized, these changes could alter decades of established practice and impose new compliance responsibilities on schools, universities, and sponsoring organizations.

Key Proposed Changes

The proposed rule introduces several major changes for F and J nonimmigrants (students, exchange visitors, and their dependents):

- **Fixed-date admissions instead of “duration of status” (D/S)**

Since the early 1990s, most F and J visitors have been admitted for “duration of status,” allowing them to remain as long as they maintained program compliance. Under the proposal, DHS would admit them for a fixed period tied to the end date on Form I-20 (for students) or DS-2019 (for exchange visitors), capped at four years, plus a 30-day grace period (down from the current 60 days for F-1 students).

This fixed-date admission proposal is perplexing based on the unpredictability that often attends activities associated with enrollment in institutes of higher education. For example, J-1 research scholars are statutorily entitled to up to five years of participation in their programs, meaning the proposed cap would contradict existing law and established exchange-visitor practices. The four-year limit also ignores the reality that most Ph.D. programs take longer than four years to complete and defend dissertations, and that medical education typically spans four years before residency, leaving little flexibility for legitimate extensions. Furthermore, if a student completes one master’s degree and later enrolls in a second, this rule could severely constrain their eligibility, as their cumulative time in student status might exceed the proposed four-year maximum, jeopardizing their ability to complete the second program.

- **New USCIS extension process**

Anyone needing additional time, whether for program extensions, transfers, or post-completion work authorization, would be required to request an extension of stay with USCIS. This process includes fees, biometrics, and the possibility of an interview, creating additional cost and uncertainty.

- **Cap on English language study**

Enrollment in English language training programs would be limited to 24 months total.

- **Restrictions on transfers and program changes**

Graduate students would no longer be able to change programs after admission, and students would face tighter rules on transfers or changing educational objectives.

- **Prohibition on lateral or reverse matriculation**

F-1 students would not be allowed to pursue a program at the same or lower educational level after completing one (for example, pursuing a second bachelor's degree after finishing a master's).

If enacted as written, this rule would also grant USCIS more discretion over extension requests, revise dependent and work authorization provisions, and provide transition guidance for those already admitted under “duration of status.”

Potential Impact

If implemented, these changes could have wide-ranging consequences:

- **For students and exchange visitors:** higher costs, more paperwork, greater uncertainty, and longer wait times due to the new USCIS filing requirements.
- **For institutions:** increased advising burdens, staff training costs (estimated by DHS at over \$93 million in the first year alone), and possible enrollment declines if the U.S. becomes less attractive compared to other study destinations.
- **For compliance and liability:** more complex legal obligations for schools and sponsors, with greater risk of inadvertent violations.

What Comes Next

At this stage, the proposal is not final. DHS must first review public comments, revise the rule as needed, and submit it for further government review before publication as a final rule with an effective date. Stakeholders, including schools, sponsoring organizations, and affected individuals, may wish to submit comments to DHS to ensure their concerns are heard.

Bottom line

If finalized, this rule would dramatically change the landscape for F and J students and exchange visitors, increasing costs and complexity for both individuals and institutions. Schools and organizations should begin preparing for the possibility of new compliance obligations and should closely monitor developments as DHS moves forward.

At GYH, our immigration attorneys are closely tracking this proposal and can help schools, sponsors, and individuals evaluate potential impact, prepare for compliance, and plan proactive strategies. If you have questions about how these changes may affect you or your institution, we encourage you to contact our team.