

September 16, 2025

Kristi Noem
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528-0525

Submitted via www.regulations.gov and dhsdeskofficer@omb.eop.gov

**Re: 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

Regulatory Information Number (RIN) 1653-AA95

Dear Secretary Noem:

We, the more than 100 undersigned businesses, educational institutions, law firms, media organizations and non-profit and trade organizations, write to respectfully request that the U.S. Department of Homeland Security (DHS) extend the public comment period for Proposed Rule on Establishing a Fixed Time Period of Admission and an Extension of Stay Procedure for Nonimmigrant Academic Students, Exchange Visitors, and Representatives of Foreign Information Media¹ **from 30 days to a minimum of 60 days**. We make this request due to the wide and varied impact of the 160-page rule, so that the public may have a meaningful opportunity to comment on the significant proposed regulatory changes, economic impact, and burden on those affected by the proposed changes.

We respectfully request at least a 30-day extension of the public comment period, currently scheduled to close on September 29, 2025. This request is made pursuant to the Administrative Procedure Act and Executive Order 12866, which states that agencies should provide at least 60 days for public comment on significant regulatory actions. DHS acknowledges that this proposed rule is a “significant regulatory action” that is

¹ 90 Fed. Reg. 42070 (Aug. 28, 2025).

“economically significant” under section 3(f)(1) of Executive Order 12866.”² A rule is considered to be a “significant regulatory action” because among other reasons, the rule will affect the economy in a material way or raise novel legal or policy issues. As noted in the NPRM, more than 2.2 million individuals were admitted in F-, I-, and J- nonimmigrant status in 2023. Not only does the rule impact these millions of individuals, but it also has a significant economic impact on the higher education institutions at which they are enrolled, the exchange programs which host them, the employers for whom they work, and the local economies that they support. Therefore, the proposed rule’s impact necessitates that the public should be afforded not less than 60 days to provide meaningful comment on the proposed regulatory changes.

Furthermore, we ask that the comment period be extended to at least 60 days because the proposed regulatory changes are technically complex, highly controversial (as of September 4, 2025, more than 3,000 comments have already been submitted), and will affect a wide range of stakeholders. DHS acknowledges that the proposed regulations are technically complex and controversial, as evidenced by the inclusion of a severability clause in the proposed rule, which indicates that DHS anticipates that the legality of the proposed rule or portions of it may be challenged in court.³ Thus, given that the proposed rule is a significant regulatory action with substantial economic impact that is technically complex and controversial, there is no reason to limit the public comment period to less than the mandated 60-day timeframe outlined in EO 12866.

Finally, the public had little advance notice of the government’s intention to regulate in this space. The Regulatory Flexibility Act requires that agencies publish semiannual regulatory agendas in the Federal Register describing planned regulatory actions that may have a significant economic impact on a substantial number of small entities.⁴ However, this rule never appeared on the Unified Agenda until September 4, 2025 (the Spring 2025 Unified Agenda), one week after it had been published. Moreover, while the rule was pending review with the Office of Information and Regulatory Affairs, the public dashboard had significant errors and included warnings that it should not be relied upon.

We request this extension of the comment period to allow our organizations, the many colleges and universities, and the public adequate time to review the proposed changes and provide meaningful feedback. A minimum 60-day comment period would allow more stakeholders to carefully examine the NPRM, providing the DHS with essential information and data to consider the scope of related issues, assess unintended consequences, and

² Id. at 42100.

³ Id. at 42072.

⁴ U.S.C. 602.

prevent potential waste of resources. Extending the comment period would enhance the quality of public input and support the agency's commitment to transparency, informed decision-making, and regulatory fairness.

We appreciate your consideration of this request and look forward to contributing meaningfully to the rulemaking process.

Sincerely,

Businesses

Au Pair International

Camp America

CCUSA

Gold Advisory

Global Educational Concepts

HPE

LewerMark Student Insurance

Spirit Cultural Exchange

Teacher Lounge

Educational Institutions

ALPS Language School

Applewild School

Blair Academy

Campus Education

Concordia University, St. Paul

Darlington School

Emma Willard School

Face to Face Learning

Georgetown Preparatory School

Hope International University

LifeTRAVELED

Massachusetts Institutes of Technology

Minneapolis Community and Technical College

New England Conservatory

Northfield Mount Hermon

Pomfret School

Riverstone International School

Saint Martin's University

Santa Monica College

St. Mark's School

St. Mary's School of Medford

Thomas Jefferson School

Towson University

University of Findlay

Western Reserve Academy

Wisconsin ESL Institute

Woodberry Forest School

Law Firms/Legal Representatives

Berardi Immigration Law

Bramante Law LLC

Chavarro Law Firm

Chenhalls Nissen, S.C.

Chugh

Conklin Immigration Law LLC

Fariba Faiz Law Offices

Feldman Feldman & Associates, PC

French Legal, PLLC

Hake & Schmitt

Hoang Lam

Immigration Attorneys, LLP

Iandoli Desai & Cronin, P.C.

Jacob Ratzan

Kodem Law Firm

Lahoud Law Group, P.C.

Law Office of Angelique Montano PLLC

Law Office of Edwin R. Rubin

Law Office of Eileen Morrison

Lindsay Fullerton

Masuda, Funai, Eifert & Mitchell, Ltd.

Reddy Neumann Brown PC

Rees Immigration LLC

Salvador Global

Taft Law

Trow & Rahal, P.C.

The Navarre Law Firm LLC

Waypoint Immigration USA

YZ Law Group

Zhang Feuerbacher Visa & Immigration, Inc

Zollinger Immigration, A Law Corporation

Media Organizations

Caracol TV

The Minichi Newspaper

Kyodo News

Non-Profit/Trade Organizations

AuPairCare

Alliance for International Exchange

American Association of Collegiate Registrars and Admissions Officers

American Association of Directors of Psychiatric Residency Training

American Council on Education

American Immigration Council

American Immigration Lawyers Association

American Physical Society

Association of American Medical Colleges (AAMC)

Association of American Universities

College and University Professional Association for Human Resources

Compete America

Council of Graduate Schools

Cultural Exchange Network (Cenet)

EnglishUSA

Fulbright Association

Houston Immigration Legal Services Collaborative

Information Technology Industry Council

Institute for Progress Institute of Global Exchange, Inc.

International Student Exchange

Meridian International Center

NAFSA: Association of International Educators

National Association of Independent Colleges and Universities

Niskanen Center

One To World, Inc.

Presidents' Alliance on Higher Education and Immigration

Student Clinic for Immigrant Justice, Inc.

Teachers Council

The Association of Boarding Schools

The International Medical Graduate (IMG) Taskforce

United States Chamber of Commerce

Yale New Haven Hospital