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DHS Docket Number ICEB-2019-0006

RIN 1653-AA78

October 23, 2020

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, 85 Fed. Reg. 60,526 (proposed September 25, 2020) (to be codified at 8 C.F.R. pt. 214)

Department of Homeland Security,

Thank you for the opportunity to comment on the proposed rule, *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* (Proposed Rule), 85 Fed. Reg. 60,526 (proposed September 25, 2020) (to be codified at 8 C.F.R. pt. 214). As you know, proposed 8 C.F.R. § 214.2(f)(5) establishes a four-year limit for international students granted F-1 status to remain in the United States to complete their academic studies. Similarly, proposed 8 C.F.R. § 214.2(f)(5)(i)(B) establishes a two-year limit for international students granted F-1 status to remain in the country to complete language programs. Only a 30-day grace period is provided for these deadlines in proposed 8 C.F.R. § 214.2(f)(5)(iv). Brigham Young University (BYU) respectfully urges you to reconsider these limits.

The Proposed Rule will have a significant, negative impact on international students for several reasons. First, many academic programs are designed to exceed four years in length. International students in such programs cannot complete them in the amount of time allotted under the Proposed Rule. Second, the Proposed Rule will limit international students' ability to participate in internships, including internships for practical professions such as nursing and education, because internships may cause students to exceed the amount of time they are permitted to remain in the United States. Third, the Proposed Rule introduces uncertainty as to whether international students will be permitted to complete academic programs to which they have made substantial personal and financial commitments. Finally, the imposition of these limits will unnecessarily increase out-of-pocket costs to international students who will be required to pay to file extension requests.

Not only will the Proposed Rule have a negative impact on international students, but it will also have a negative effect on the U.S. Citizenship and Immigration Services (USCIS) and designated school officials (DSOs). The Proposed Rule will extend USCIS processing times for

other petitions and applications. Additionally, the Proposed Rule necessitates additional work for DSOs who already function in a heavily regulated environment.

Rather than encouraging the completion of academic programs and safeguarding national security, the Proposed Rule presents an unnecessary barrier that is likely to reduce the number of international students in the United States. These students contribute their diverse perspectives to their campus communities and then return to their home countries to share their American experiences with their friends and families. The Proposed Rule fails to recognize and encourage this important cross-cultural benefit.

The university strongly urges reconsideration of this Proposed Rule, particularly the establishment of time limits for students to remain in the United State to complete their academic studies, and believes the current rule provides sufficient flexibility for international students and institutions of higher education while safeguarding national security.

Sincerely,



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