

The End of Duration of Status Explainer

What is Duration of Status?

When an international student or exchange visitor arrives in the United States, they must be cleared for entry by a Department of Homeland Security (DHS) Customs and Border Protection (CBP) officer at the port of entry. The CBP officer issues documentation stating how long the student or exchange visitor **may remain legally** in the United States. This is distinct from the visa validity period determined by the Department of State (DOS). Since the early 1990s, CBP has admitted students (F visa status) and exchange visitors (J visa status) for a period known as “duration of status” (D/S). **D/S allowed F students and J exchange visitors to remain in the country as long as they are making normal progress** towards completing their academic or research objectives that included engaging in optional practical training (OPT).

However, this policy will end as of September 15, 2026.¹ The final rule will require Fs and Js to be admitted with an exact date of expiration of legal immigration status. Their school or exchange program continues to maintain the requirement to report their activities to DHS and DOS in the Student and Exchange Visitor Information System (SEVIS) database.

Final Rule Eliminating D/S

The final rule was published on July 17, 2026, and as of September 15, the exact date of expiration of status for Fs and Js must coincide with the program end date noted on their immigration form, not to exceed four years. This means students and exchange visitors who need more time to accomplish their purpose, whether that be completion of a degree program or other endeavors, must apply and pay for a formal extension of stay from the U.S. Citizenship and Immigration Services (USCIS).

Harmful Implications for Students and Institutions with the end of D/S

The end of D/S means students and exchange visitors will need to file for an extension with USCIS to:

- Complete a PhD program;
- Complete an undergraduate program that requires more time than four years;
- Complete any program where a student falls a few credits short of graduation requirements;
- Engage in post-completion practical training or academic training,
- Move to a higher level of study;
- Transition from an English language program into a degree program.

There are now also significant restrictions on transfers and changes of educational objectives.

- Graduate students cannot change their majors or educational levels at any point during their program of study.

¹ <https://www.nafsa.org/regulatory-information/dhs-final-rule-ending-duration-status>

- Graduate students are only eligible to transfer schools if SEVP approves an exception on a case-by-case basis for "extenuating circumstances."
- Undergraduate students cannot change majors or transfer schools during their first year of study unless approved for "extenuating circumstances."

Participants in PhD programs in the United States will face a particular hardship as the median time to complete a PhD is 5.7 years, according to the National Center for Science and Engineering Statistics, or is as high as 7.3 years, based on National Center for Education Statistics data. This means that **nearly every international PhD student will be required to file for an extension of international student status**. The ability of PhD students to complete their studies is now in the hands of USCIS and not their higher education institution.

Ending D/S **places a tremendous burden on students and exchange visitors who will experience prolonged backlogs when filing for extensions of status with USCIS**. In fact, USCIS has long demonstrated that it is not capable of processing applications efficiently. Reporting by *Newsweek* indicates² that USCIS has a record backlog of 11.3 million pending cases. Processing extension of stay applications (Form I-539) often takes USCIS five to six months but can take as long as 12 to 18 months. Clearly, **increasing USCIS' caseload will only result in greater backlogs**.

If USCIS denies a student or exchange visitor's application for extension of stay, the individual becomes subject to **"unlawful presence"** the day after the issuance of the denial, opening themselves up to possible removal proceedings and years-long bars preventing them from returning to the United States.

Institutional harm will also result from ending D/S. Institutions should anticipate:

- Increased student and exchange visitor confusion;
- Higher costs and delays for students and exchange visitors (filing fees, biometrics, interviews, legal representation);
- Potential enrollment and research declines;
- Increased workload for international office staff (DHS estimates that Designated School Officials and Responsible Officers will have to spend approximately 67 hours for rule familiarization and adaptation in the first year after the rule takes effect);
- Training and adaptation costs for international office staff (estimated by DHS at \$93.3 million across the sector in year one);
- Possible increase in legal liability.

U.S. higher education is already under enormous pressure due to a slate of immigration policies and executive orders. Ending D/S adds yet another significant deterrent to talented students and exchange visitors who are seeking a predictable educational experience or research opportunity in the United States. **These students and exchange visitors generate billions of dollars of spending in local economies and contribute groundbreaking research and innovation** that maintains the United States' critical edge in a competitive global economy. Driving away international talent is estimated to have already cost the U.S. economy more than \$1.1 billion and nearly 23,000 jobs in the 2025-2026 academic year.³

² <https://www.newsweek.com/us-immigration-backlog-hits-all-time-high-2095846>

³ <https://www.nafsa.org/fall-2025-international-student-enrollment-snapshot-economic-impact>