

**Meeting w/U.S. Office of Management and Budget
Office of Information and Regulatory Affairs (OIRA)
June 19, 2020**

RE: RIN: 1653-AA78, Establishing a Maximum Period of Authorized Stay for Students, Exchange Visitors, and Media Representatives – Proposed Rule Stage

Abstract: U.S. Immigration and Customs Enforcement (ICE) will propose to modify the period of authorized stay for certain categories of nonimmigrants traveling to the United States by eliminating the availability of "duration of status" and by providing a maximum period of authorized stay with options for extensions for each applicable visa category.

Duration: 30-minute presentation by participants to audience.

Audience: OIRA staff, staff from DHS ICE Office of General Counsel and Office of Policy, and staff from U.S. Citizenship and Immigration Services (USCIS) Office of Policy.

Participants: NAFSA: Association of International Educators, Presidents Alliance for Higher Education and Immigration, Association of American Medical Colleges, Educational Commission for Foreign Medical Graduates

Notes:

- **Rule is unnecessary**
 - A date certain expiration of status date will not meet the goal of the regulation: it will not reduce the number of overstays.
 - No system currently available that accurately tracks entry/exit data, adjustments of status, etc.
 - ICE SEVIS database exists and aligns better with the realities of varied lengths of different academic programs and different students can go through the same program at different pace, an experiment or thesis may take more time, etc.
 - There are other more effective and less expensive options to further the goals of the proposal.
- **Rule will be expensive**
 - A date certain of status expiration will cost DHS an inordinate amount of money in addition the millions already spent on DHS' Student Exchange Visitor Program and the SEVIS system.
 - DHS Customs and Border Protection will be required to determine an expiration of status at the port of entry for every foreign student and exchange visitor. More resources will be necessary for training, officers, and other resources to mitigate the increase in time it will take to make those determinations.
 - USCIS will be overwhelmed with filings to extend immigration status, contributing to existing application backlog.
 - U.S. colleges and universities will incur added costs to address training and implementation.

- International students and scholars will increasingly be required to consult immigration attorneys, as U.S. colleges and universities are unable to provide legal advice that arise from implementing a date certain of expiration of status.
- **Implications for U.S. teaching hospitals, medical workforce**
 - Increases burdens on international medical students and sponsoring organizations (e.g., teaching hospitals); will disrupt physician workforce, particularly in rural and underserved areas of U.S.
 - Especially concerning during COVID-19, when many medical personnel are needed as possible.