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SERVICES, INC.

September 29, 2025

Office of Regulatory Affairs and Policy
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street SW
Washington, DC 20536

RE: Notice of Proposed Rulemaking — 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

To whom it may concern,

On behalf of the American Psychological Association (APA) and the American Psychological Association Services, Inc. (APA Services), I am writing to offer public comments to the Notice of Proposed Rulemaking (NPRM) 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 Media*, published in the Federal Register by the Department of Homeland Security (DHS) on August 28, 2025, Docket No. ICEB-2025-0001. APA Services is the companion organization of APA, which is the nation's largest scientific and professional nonprofit organization representing the discipline and profession of psychology, as well as 173,000 members and affiliates who are clinicians, researchers, educators, consultants, and students of psychological science.

American higher education is widely regarded as the gold standard throughout the world. This includes the field of psychology, both at the undergraduate and graduate levels. A key factor driving the excellence of the American higher education system is its ability to attract and enroll talented and motivated students, both foreign and domestic. However, APA Services is concerned that the NPRM would limit the ability of U.S. institutions of higher education to recruit and retain international students, scholars, trainees, and researchers. Moreover, this proposed rule largely duplicates existing oversight, as the Student and Exchange Visitor Information System (SEVIS) already provides adequate infrastructure to flag and address issues of noncompliance with immigration laws and regulations.

If finalized, this rule would introduce additional uncertainty, encroach on academic decision-making, increase bureaucratic hurdles, and risk deterring international students, researchers, and scholars from coming to the United States. **Given this, APA Services urges DHS to promptly withdraw this proposal.**

International students contribute to our campuses, communities, and the country

Some one million international students attend U.S. colleges and universities annually, significantly contributing to the nation's intellectual and cultural strength.^{i ii} This includes tens of thousands of undergraduate and graduate psychology students.ⁱⁱⁱ Contrary to concerns that international students displace domestic students, data show that domestic student enrollment increases as a result of international student enrollment, as the higher tuition paid by international students allows institutions to maintain or even reduce in-state tuition and fees. On average, for every additional international undergraduate student enrolled at a public university, two more in-state first-year students enroll as well.^{iv}

International students also benefit domestic students through exposure to cultural exchange, which continues to be an in-demand competency for success in the global marketplace.

As a whole, in 2023-2024, international students yielded an estimated economic benefit of \$44 billion and supported nearly 400,000 jobs across various sectors, making U.S. higher education the seventh largest service export.^{v vi} In fact, international student alumni have founded a quarter of the billion-dollar startups in the U.S.^{vii} Their contributions are critical to maintaining American leadership in STEM fields, developing cutting-edge technologies, and enhancing the nation's healthcare system. If finalized, the changes proposed in the NPRM would undermine this progress by disincentivizing prospective international students and scholars from attending U.S. colleges and universities, harming students, institutions, and the American public.

As the largest national organization representing the field of psychology, APA Services must also note the contribution of international students and scholars to our nation's mental and behavioral health, which remains in a state of crisis. APA data show U.S. adults reporting alarming levels of stress and anxiety.^{viii} Predictably, psychologists report high demand for treatment for anxiety and depression, with practitioners seeing increased workloads and longer waitlists, which have contributed to higher levels of burnout within the profession.^{ix}

It is estimated that 158 million U.S. residents—nearly half the population—live in a mental health workforce shortage area.^x In fact, nearly every county and district across the country has at least one federally designated Mental Health Professionals Shortage Area. Over the next decade, these shortages are projected to persist, with rural communities facing major challenges in recruiting licensed mental and behavioral health care professionals.^{xi xii xiii} According to national workforce projections, even under current policy, the U.S. will only meet 55 percent of the need for psychologists by 2037.^{xiv}

While we as a nation must be doing everything possible to increase the number of domestic behavioral health providers, it is also in our best national interest to ensure that we are attracting more international talent willing to provide these critically needed services to communities throughout the country, particularly if U.S. institutions of higher education are investing in the education and training of these professionals. In fact, like their domestic counterparts, international doctoral psychology trainees are already contributing to the behavioral health workforce during their training by providing supervised care to underserved communities under the guidance of licensed psychologists. Limiting the ability of institutions of higher education to recruit and retain international graduate psychology students will impede efforts to meet a demand for mental and behavioral health services nationwide.

Given the enormous economic impact of international students and the urgent nationwide need to address shortages of mental and behavioral health providers, the federal government should encourage international students and scholars to study and remain in the U.S, rather than create additional barriers. Other countries, including Canada, the U.K. and Australia, have recognized this and granted additional flexibilities for international students. Projections show that limiting access to student visas is likely to result in an estimated 40 percent drop in international student enrollment nationwide, leading to \$7 billion in lost revenue and shortages in many critically in-demand fields, including psychology and behavioral health.^{xv}

Changes to current policy would create barriers for international students

Currently, most international student visas are valid for the duration of status, which allows international students to remain in the U.S. for the entire duration of enrollment in an institution of higher education so long as they are abiding by rules relevant to their immigration status. The proposed rule replaces this longstanding policy with a fixed, four-year visa, and requires any student or exchange visitor seeking to

extend their status beyond that time to submit an extension of stay (EOS) request with the U.S. Citizenship and Immigration Services (USCIS). This creates a deadline for program completion that will not be feasible for many students, particularly those pursuing advanced degrees, and would force many international students, including those enrolled in psychology programs, to renew their status during an already stressful time for their degree progression, such as when they are preparing for their comprehensive exams, during their practicum or their residency, or the midst of applying for their advanced internship through the National Matching Services.

In addition, the proposed rule limits academic mobility by restricting the ability of international students below the graduate level from changing programs or educational objectives, including majors or educational levels, within their first year of a program of study, and for international graduate or professional students from changing programs at any point during their studies. All international students would also be prohibited from pursuing additional degree opportunities that are lateral or below an already completed academic program.

The NPRM offers little justification for this arbitrary change, without providing clarity as to which educational levels would be considered lateral or lower than other degrees. This proposed change will have significant impacts on students at all degree levels, but particularly for international graduate students who, for example, may begin a PhD program, but for valid reasons, chose to enter a masters' program at some point in their studies instead. Furthermore, this change is likely to preclude international students from taking advantage of combined bachelor's/master's programs (accelerated or dual-degree programs), which allow students to earn both a bachelor's and a master's degree in a streamlined format, often in five years instead of the typical six or more.

Finally, the new EOS process is also potentially concerning, lacking clarity regarding implementation, operation, and appeals. There is a burden and cost associated with each application for EOS, both on the student and the institution of higher education, and it is unclear how long the extensions will be or if they will be granted in monthly or yearly increments. It is also troubling that this new EOS process essentially puts federal immigration officials in charge of evaluating whether a student is making good academic progress, whereas those evaluations can be more accurately made by degree programs or the institution of higher education. Additionally, if an EOS application is denied, the international student—as well as his or her dependents—must immediately depart the U.S., which may prevent them from finishing their degree, disrupt clinical practicum or internships, such as those necessary for psychology degrees, and places an undue burden on the individual and/or their family,

Proposed changes are unnecessary, difficult to implement, and lack sufficient justification

The proposed rule uses a flawed methodology to justify limiting citizens of countries with certain visa overstay rates, disproportionately limiting students from countries that send smaller numbers of international students.^{xvi} Recent data demonstrates that proof of such overstays is unconfirmed and inconclusive, and there is further evidence that overstay rates in all student and exchange visitor visa categories fell in recent years.^{xvii xviii xix} In fact, international students and scholars are the most tracked nonimmigrants in the U.S.

Unlike most other nonimmigrant categories, F and J nonimmigrant visas are connected to a massive electronic reporting system. By allowing for the collection of information related to international students and exchange visitors and delivering information to DHS via the extension application process, SEVIS already provides early and ongoing opportunity to prevent and identify fraud and abuse of the F-1 and J-1 nonimmigrant status. For information not directly submitted in SEVIS, DHS also has the authority to request all information and documents that institutions are obligated by law to retain throughout the student's enrollment and for a period of 3 years beyond that. Making a student submit the same

information to multiple entities is duplicative and wastes valuable federal resources required to process the information.

Additionally, USCIS is currently facing an historic backlog of 11.3 million cases, with the NPRM estimating that an additional 414,000 extension requests would be filed each year as a result of the changes in the proposed rule.^{xx} This is a significant increase over the roughly 253,000 EOS applications filed in FY 2024, and would be a substantial workload for the agency to administer.^{xxi} The extensions and reauthorizations required under this proposed rule are likely to create more backlogs, resulting in extended adjudication timelines, which in turn create additional delays, uncertainty, and disruption for students and institutions alike. The increased volatility and uncertainty are likely to further discourage talented international students from deciding to begin or continue studying in the U.S.

Furthermore, the issues the proposed rule is attempting to address—security concerns, fraud, abuse of the temporary nature of these visa categories—can already be done so through the SEVIS system. F-1 and J-1 visas are two of the most highly monitored nonimmigrant visa categories. Proven cases of visa fraud among accredited institutions of higher education are exceptionally uncommon and must be distinguished from the vast majority of colleges and universities that operate in full compliance with a secure and regulated system.

Currently, U.S. colleges and universities that accept international students must already be certified by Student and Exchange Visitor Program (SEVP) to accept F international students and by the U.S. Department of State Bureau of Educational and Cultural Affairs to receive designation as a J visa sponsor. The certification process requires U.S. Immigration and Customs Enforcement to review the institutions' facilities and interview school officials tasked with reporting detailed information about any international students admitted. Once a school is SEVP-certified, it is continuously monitored through SEVIS for compliance with federal regulations, during the entirety of a student's study or program.^{xxii}

Proposed changes would limit degree completion and post-degree training

The current system provides flexibility for both four-year and advanced degrees, including doctoral programs, that may require additional time to complete. The proposed limited, maximum time period would be largely unfeasible for most students at all educational levels. The average time to complete a bachelor's degree for international students is about 5 years.^{xxiii} A large proportion of international undergraduate students, including those seeking a degree in psychology, would not complete their degrees within the proposed maximum 4-year time frame.

The proposed change would most affect graduate and professional students, since these programs take longer than four years to complete. PhD-seeking international students, including doctoral-level psychologists, take an average of 5.3 years from entering to completing a program, while those who complete the masters/PhD sequence take an average of 7.5 years from entering graduate school to the program's completion.^{xxiv xxv} For health service (clinical, counseling, school) psychologists, a pre-degree internship is also a graduation requirement. For social and behavioral research, which is inherently complex and subject to careful review at multiple stages and can take several years to complete, imposing rigid timelines on how long international scholars can study would disrupt the research process, slow innovation, and have damaging effects on the development of psychological science.

The proposed rule would also harm international students and scholars seeking postdoctoral experiences. This includes doctoral psychology graduates, both in the clinical fields—for whom a postdoctoral position is often a requirement to qualify for licensure—as well as social and behavioral researchers completing their training. If U.S. colleges and universities are unable to assure incoming or prospective international students and postdoctoral scholars that they will have an opportunity to complete their entire

academic program, they may decide to study elsewhere. The U.S. would lose a critical pipeline of advanced knowledge and talent, during a time of demonstrated need. In addition, because international graduate students constitute a significant portion of the research and teaching workforce at U.S. colleges and universities, the proposed rule could substantially limit their ability to conduct that work, hurting both higher education and research.

Impacts on Optional Practical Training

The NPRM would also impact students and scholars transitioning to the Optional Practical Training (OPT) program, as well to H-1B and other work authorizations. OPT is a critical recruitment tool that offers talented international students who complete a U.S. degree the opportunity to remain in the country for a period of time to enhance their educational experience. For international students in STEM programs, which include several psychology subfields, there is an allowance for a two-year extension of OPT.^{xxvi} In fact, to help address nationwide shortages of psychologists, APA Services strongly encourages DHS to include health service psychologists in future updates to the STEM Designated Degree Program List for OPT extension purposes.

Per the proposed rule, students seeking OPT would have to apply for an EOS as well as an employment authorization. These would be separate processes and a student may not engage in post-degree OPT until both the work authorization and EOS is granted. In addition, the current F visa grace period, which allows for transitioning into OPT post-graduation, would be reduced from 60 days to 30 days.

The processing of work authorizations under OPT has already experienced significant delays in past years.^{xxvii} The proposed changes, including an influx of new EOS applications, could further overwhelm the system. This will cause undue stress and difficulties for international students, especially those hoping to remain in the U.S. for approved employment or because they are applying to practical educational experiences, such as traineeships or postdoctoral programs. Due to this uncertainty, potential employers may also be dissuaded from offering positions to international students, resulting in the curtailing of the OPT program and decreasing the likelihood that talented students would choose to study in the U.S.

In conclusion, given these significant concerns, APA Services strongly opposes this proposed rule and respectfully asks that it be withdrawn. This rule is unnecessary, based on inaccurate or incomplete data, and would place additional burdens on international students, scholars, and universities who support them. These changes risk further disincentivizing talented international students from pursuing higher education in the U.S., at a time when their contributions are more critical than ever. Instead, the federal government should prioritize policies that strengthen the ability of the U.S. to attract and retain international students, scholars, trainees, and researchers. Their presence helps drive innovation and meet our nation's varied needs, including with respect to psychological research and the behavioral health workforce.

Thank you for the opportunity to offer comments. If APA Services can be of further assistance, please contact Kenneth Polishchuk, Deputy Chief for Education and Training Policy, at kpishchuk@apa.org.

Sincerely,



Katherine B. McGuire
Chief Advocacy Officer

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