

October 26, 2020

Sharon Hageman, Acting Regulatory Unit Chief
Office of Policy and Planning
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland
Security 500 12th Street SW
Washington DC 20536

Reference: [DHS Docket No. ICEB-2019-0006](#)

Submission Via: <http://www.regulations.gov>

Dear Ms. Hageman:

I write on behalf of the Ecological Society of America (ESA) to comment on the notice of the 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 Media” (DHS Docket No. ICEB-2019-0006). Founded in 1915, ESA is a scientific society composed of over 9,000 professional ecologists dedicated to advancing the science of ecology.

The proposed rule, published in the *Federal Register* September 25, lays out a broad range of changes to the complex matter of immigration policy, most notably the policies and programs that affect nonimmigrant visas to students and scholars in science, technology, engineering, mathematics, and biomedical fields of study.

The U.S science, technology, engineering, and mathematics (STEM) workforce is dependent on a diverse graduate student and postdoctoral scholar population. Nearly three-quarters of foreign-born noncitizen recipients of U.S. science and engineering doctorates remain in the U.S. for subsequent employment. The impacts of these proposed changes on the U.S. scientific enterprise would be profoundly negative and long-lasting. ESA recognizes an internationally collaborative workforce is crucial in order to solve today’s complex ecological problems.

Current international students and researchers on F and J visas are legally admitted to the U.S. for duration of status (D/S), typically the length of their program. The average time to a Ph.D. for 2018 graduates was 5.8 year. The proposed maximum four-year limit would mean nearly all international Ph.D. students must apply for an F or J visa extension with no guarantee for approval.

The process to apply for an extension as described in the notice is cumbersome, lengthy, and expensive. The estimated costs associated with applying for these extensions would impose a significant burden on students and scholars living on limited stipends, and it would disproportionately disadvantage those with less financial means.

Added administrative burdens and uncertainty are likely to discourage international students from enrolling in programs in the U.S., decreasing university and institutional revenue due to loss of tuition (acknowledged by DHS in the cost analysis) and talent. According to a survey of graduate students and postdoctoral

appointees in science, engineering and health conducted by the National Science Foundation in fall 2018, 39.6 percent of doctoral students and 54.3 percent of postdoctoral scholars are temporary visa holders, totaling >144,000 people.

Imposing fixed 2- or 4-year terms on F and J visas would harm the U.S. scientific enterprise and will discourage talented individuals from studying in the U.S. and contributing to our research enterprise. DHS should continue granting duration of status visas, particularly for those seeking to pursue graduate and postdoctoral education.

Imposing fixed terms on nonimmigrant F and J visas will degrade the quality of U.S. science and we urge DHS not to proceed with the proposed regulatory change.

Kathleen Weathers, Ph.D.
President