

September 11, 2025

The Honorable Kristi Noem  
Secretary of Homeland Security  
Washington, DC 20528

Dear Madam Secretary:

On behalf of the more than 50,000 members of the American Physical Society (APS) — the largest physics membership organization in the United States — I am writing to express our opposition to the proposed changes to Duration of Status policies outlined in DHS Docket No. ICEB-2025-0001, titled “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.”

The proposed rule change would result in severe harm to the U.S. scientific enterprise and degrade the U.S. technology enterprise. By placing new, significant, and unnecessary burdens on international students and research scholars on F or J visas, the proposed rule would harm our global competitiveness by critically curtailing our ability to attract and retain the best and brightest scientific talent from other nations. If the Department of Homeland Security moves forward with establishing a fixed period of admission despite its deleterious impacts on the nation’s research enterprise, the length of the fixed period should at least be adjusted to account for variance in the time-to-degree of doctoral programs.

**The proposed rule would drive international talent to competitor nations.**

Currently, F and J visa holders are allowed to remain in the country for as long as they maintain compliance with their terms of admission. This “duration of status” varies by individual and field. In physics, the average duration of a PhD program in the United States is more than six years.<sup>1</sup>

The proposed rule change would replace duration of status with a fixed period of admission not to exceed four years. Students would need to file extension-of-stay requests that would require further authorization, introducing unnecessary uncertainty into their education and training. This new extension protocol could delay students’ degree progression and potentially end their entry into the U.S. STEM workforce.

**The proposed rule prevents any international graduate student from having certainty that they will be afforded sufficient time in the United States to complete a physics PhD. If the U.S. cannot provide that minimal level of certainty, competitor nations will become far more appealing, which would jeopardize the U.S. technology engine.**

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<sup>1</sup> <https://www.aip.org/statistics/years-of-graduate-study-to-earn-a-physics-doctorate>

By dissuading international students from studying and potentially pursuing their career here, we are cutting off a vital supply of talent for both discovery science and the development of critical and emerging technologies.

**The proposed rule risks U.S. leadership in science, particularly in emerging technologies.**

Graduate students and postdoctoral scholars are critical to the daily work of fundamental scientific research, and interruptions can delay results or even scuttle projects entirely. Federal investment in delayed or unfinished science goes to waste, and the losses become opportunities for our competitors to poach talent and leap ahead. The proposed rule places at risk the progress of American scientific and commercial research and development.

Our increasingly technology-driven economy has created workforce demands that can't fully be met by our domestic talent supply. While many organizations, including APS, are working to increase the domestic STEM talent pool,<sup>2</sup> foreign-born students remain a crucial source of additional talent. Among U.S. doctoral degree recipients, 83% of temporary visa holders earned STEM degrees. In 2021, temporary visa holders earned approximately half or more of doctoral degrees in engineering (60%), computer and information sciences (59%), mathematics and statistics (54%)<sup>3</sup>, and physics (46%).<sup>4</sup> These graduates are vital to fill the urgent workforce gaps for quantum science and technology,<sup>5</sup> semiconductor manufacturing,<sup>6</sup> artificial intelligence,<sup>7</sup> and other critical and emerging technologies. We need all hands on deck to leverage these new technology domains, including both domestic and foreign-born physicists.

**The proposed rule does not solve the problems it claims to address.**

According to DHS documents, the rule change aims to improve program oversight, prevent foreign adversaries from exploiting the country's education environment, and strengthen U.S. immigration laws. Yet, current regulations already require visa holders to continue to be engaged in activities authorized under their respective nonimmigrant classifications. The DHS Student and Exchange Visitor Information System (SEVIS) maintains continuous and current information on all nonimmigrant students and exchange visitors. SEVIS is one of the most important safeguards to prevent visa misuse, and a rule change is not necessary to monitor compliance. While there may be room for improvement to SEVIS, this rule does not offer a tailored and beneficial response.

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<sup>2</sup> <https://cvd.aps.org/building-homegrown-talent/>

<sup>3</sup> <https://nces.nsf.gov/pubs/nsb20243/talent-u-s-and-global-stem-education-and-labor-force>

<sup>4</sup> <https://www.aip.org/statistics/trends-in-physics-phds>

<sup>5</sup> <https://www.mckinsey.com/capabilities/mckinsey-digital/our-insights/quantum-computing-funding-remains-strong-but-talent-gap-raises-concern>

<sup>6</sup> <https://www.semiconductors.org/chipping-away-assessing-and-addressing-the-labor-market-gap-facing-the-u-s-semiconductor-industry/>

<sup>7</sup> <https://www.ibm.com/think/insights/ai-skills-gap>

**The proposed rule imposes a new compliance structure that creates burden, not benefit.**

With more than 1.1 million international students at U.S. institutions of higher education,<sup>8</sup> the rule change would dramatically increase the number of extension and change-of-status applications.

In the near term, this shift would add to the current backlog at the Department of State caused by the May 2025 pause in student visa issuances, and exacerbate the associated drop in international enrollment. Long-term, this proposed rule would create hundreds of thousands of additional visa cases every year and worsen the burdens already placed on USCIS officials.

Eliminating duration of status will serve only to advance our competitor's interests, add bureaucratic burden to our immigration system, and rob America of the benefit of the future scientific innovations represented by these students. Put simply, without at least including adjustments for variance in degree and program length, this proposed rule will contribute directly to the loss of U.S. leadership in science, technological innovation, and economic growth.

Sincerely,



Jonathan A. Bagger  
Chief Executive Officer

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<sup>8</sup> <https://www.iie.org/news/us-hosts-more-than-1-1-million-intl-students-at-higher-education-institutions-all-time-high/>