

Summary of the Proposed “Duration of Status” Rule Change Affecting International Students on F or J visa. - May 13, 2026

Issue at a Glance

The proposed rule change remains under review as of May 6, 2026.

The Department of Homeland Security (DHS) published a [proposed rule](#) in August 2025 to end 'duration of status' (D/S) for F and J nonimmigrants. This includes students in F or J status, scholars in J status, and graduated students with OPT or STEM OPT authorization.

The proposed rule would eliminate the current D/S policy for international students and scholars, replacing it with a defined period of stay of no more than four years, plus a 30-day grace period. If additional time is needed to complete program requirements, students and scholars would be required to apply to US Citizenship & Immigration Services (USCIS) for an extension of status. The proposed rule also introduces several other new requirements, such as restrictions on changes in major, level of study, and transfers during the first year.

The mandatory public comment period for this proposed rule ended in September 2025. DHS is currently reviewing comments and has not indicated when the final rule will be published. It's possible that some aspects of the proposed rule will be revised, based on public feedback. Public comments are reviewed by DHS, then a final rule is submitted to the Office of Management and Budget (OMB) for review before DHS publishes its final rule in the Federal Register. On May 5, 2026, the Department of Homeland Security finalized its review of the final rule. The proposed rule is pending final review and clearance by the Office of Information and Regulatory Affairs within OMB.

The final rule will indicate a future effective date, which is usually 60 days following the date the final rule is published in the Federal Register.

Effects of the Proposed DHS rule should it become Final Rule

The proposed DHS rule change would:

- 1. Replace the Form I-94 Arrival/Departure Record “admit until date” of “duration of status” with a specific end date that aligns with the academic program length or four years, whichever is shorter.** The “admit until date” is the period of lawful stay in the U.S. The current D/S “admit until date” allows students and scholars to remain in the U.S. until their F-1/J-1 activities end, without a fixed or defined end date.

2. **Require students/scholars to file formal Extension of Stay (EOS) application and filing fee to U.S. Citizenship and Immigration Services (USCIS) as part of a multi-step application process to extend lawful stay in the U.S.** The rule would set the authorized admission and extension periods for F and J nonimmigrants up to the program length, not to exceed a 4-year period. The current program extension process is completed by a Designated School Official (DSO) or Alternate Responsible Officer (ARO) at a student's/scholar's U.S. university and does not require a formal government application.
3. **Shorten the current F-1 student grace period from 60 days to 30 days.** The grace period is a period of lawful stay in the U.S. after completing an academic program during which an F nonimmigrant may prepare for departure from the U.S. Current rules allow an F-1 student to change education level, transfer schools, or apply for a change of immigration status or benefit during the 60-day grace period. Under the proposed rule, this period would be shortened to 30 days. There is no change to the J-1 student or scholar grace period as it is already set at 30 days.
4. **Cap the duration of English Language Training study to 24 months in aggregate** including break periods and annual vacation.
5. **Restrict F-1 undergraduate students from changing “educational objective” or transferring to another U.S. higher education institution during their first year.** Educational objective refers to a student's education level or major. Would require the student complete his or her first academic year of a program of study at the school that initially issued his or her Form I-20 or successor form, unless an exception is authorized by SEVP;
6. **Prohibit F-1 students from pursuing another academic program at the same or lower education level.** Requiring any nonimmigrant who has completed a program at one educational level to only be allowed to begin another program at a higher educational level while in F-1 status and prohibiting a change to the same or a lower educational level while in F-1 status.
7. **Require J-1 nonimmigrants who are employment authorized with a specific employer incident to status,** continue to be authorized for such employment for up to 240 days under the existing regulatory provision at [8 CFR 274a.12\(b\)\(20\)](#), if their status expires while their timely filed EOS application is pending, whereas J-2 dependents, who must apply for employment authorization as evidenced by an EAD, do not have the benefit of continued work authorization once the EAD expires;

The Office of International Affairs will review the final rule as soon as it is published and will communicate changes and implications to the SIUE community as soon as possible, via the ISSS website and emails to affected individuals.

