
Dear Ms. Hageman:

As the representatives of the nearly 60,000 graduate and professional students across the University of California system, the UC Graduate and Professional Council (UCGPC) thanks you for the opportunity to comment on the U.S. Department of Homeland Security 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.”

The University of California trains more than 16,000 international graduate and professional students, in fields from humanities to medicine. These students contribute to the scholarly community that makes the University of California the world’s foremost public research institution. Given the importance of our international students in advancing the research and teaching missions of the UC, we must register our concerns with this proposed rule and recommend that it be abandoned.

Our primary concerns with this proposed rule are as follows:

1. Time to degree varies by research area and programs are best suited to evaluate student progress.

The diversity of scholarly pursuits comes hand in hand with diversity in average time to completion for graduate and professional degree programs. Our concern in the “one size fits all”
approach that this rule proposes is that for an overwhelming majority of doctoral students, four years is not adequate time to complete their degrees. Students who are approaching this deadline will be faced with decisions to either sacrifice aspects of the quality of their research to meet the deadline or to gamble that they will be able to renew their status. Because the time it takes to complete research and degree requirements vary so greatly by field and even subfield, adequate progress towards degree completion is best monitored by individuals with knowledge of a university’s degree requirements and typical research time tables, namely individual institutions and programs.

2. **Federal research funds will have been wasted when students are unable to see projects through to completion.**

   Students who are unable to renew their visa at the end of a 2 or 4 year term will inevitably leave unfinished research behind. That unfinished research will be set aside and likely abandoned unless there is another student with the requisite skills willing to take it up to see it through to completion. Graduate students often perform highly skilled technical work and many have expertise that is vital to their project. For federally funded research, these incomplete projects will amount to wasted resources and decreased efficiency of research investment. In addition to the direct economic losses of money spent on this incomplete research, there is also the loss that would accrue from the number of products that are never patented, medical or drug discoveries that will never be administered to patients, and companies that are never founded. These indirect losses are likely to be exponentially higher than the loss of funds that were invested in the projects themselves.

3. **Progress toward degree is sometimes influenced by factors outside of the control of the student.**

   Because of public health and safety actions in response to the COVID-19 pandemic, large portions of research have been halted or significantly slowed. Many students have been forced to pause experiments, euthanize lab animals, and forego important field or archival work. As proposed, this rule does not for the research time lost because of the impact of these types of force majeure events. While the pandemic has affected large proportions of graduate and professional students throughout the country, it is only one example of occurrences which influence the trajectory of a student’s progress towards degree completion. Graduate students are subject to many such events that are beyond their power to control - shutdowns to the federal government as a prime example. Given the lack of appeals structure for students whose work is impacted by these types of events, there are serious equity concerns about how students' progress and eligibility for renewals may be evaluated.

We urge the Department of Homeland Security to abandon this proposed rule. It does not address problems related to overstay and would result in vast economic damage to the
research enterprise of the U.S., as well as discourage international students from applying or attending American universities.

If you should have additional questions about the content of this comment, please contact Ms. Gwen Chodur, President of the University of California Graduate and Professional Council. Thank you for your consideration.

Sincerely,

Gwen Chodur
President, UCGPC