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Washington, DC 20548

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August 4, 2026

The Honorable Chuck Grassley
Chairman
The Honorable Richard J. Durbin
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Jim Jordan
Chairman
The Honorable Jamie Raskin
Ranking Member
Committee on the Judiciary
House of Representatives

Subject: *Department of Homeland Security: 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*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Homeland Security (DHS) entitled “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” (RIN: 1653-AA95). We received the rule on July 17, 2026. It was published in the *Federal Register* on July 17, 2026. 91 Fed. Reg. 44976. The stated effective date of the rule is September 15, 2026.

This rule amends DHS regulations to change the admission period in the F, J, and I classifications from duration of status to an admission for a fixed time period, and additional changes to admission and extension requirements. According to DHS, the rule will provide additional protections and oversight of these nonimmigrant categories and will allow DHS to better evaluate whether these nonimmigrants are maintaining status while temporarily in the United States.

The Congressional Review Act (CRA) requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or receipt of the rule by Congress, whichever is later. 5 U.S.C. § 801(a)(3)(A). This rule was published in the *Federal Register* on July 17, 2026. 91 Fed. Reg. at 44976. The House of Representatives received the rule on July 17, 2026. 172 Cong. Rec. H5211, H5211–H5212 (daily ed. Aug. 3, 2026). The Senate received the rule on July 20, 2026. 172 Cong. Rec. S4165, S4186 (daily ed. July 21, 2026).

The stated effective date of the rule is September 15, 2026. Therefore, the rule does not have the required 60-day delay in its effective date.¹

Enclosed is our assessment of DHS's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact me at (202) 512-8156.

A handwritten signature in black ink that reads "Shirley A. Jones". The signature is written in a cursive, flowing style.

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: Kaitlin DeStinger
Associate Division Counsel
U.S. Immigration and Customs Enforcement

¹ DHS stated in the rule that if the effective date changes as a result of congressional review, DHS will publish a document establishing the actual effective date or terminating the rule. 91 Fed. Reg. at 44976.

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
DEPARTMENT OF HOMELAND SECURITY
ENTITLED
“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”
(RIN: 1653-AA95)

(i) Cost-benefit analysis

The Department of Homeland Security (DHS) prepared an analysis of the costs and benefits for this rule. See 91 Fed. Reg. 44976, 45115 (July 17, 2026). DHS estimated the annualized monetized costs of the rule when considering U.S. and non-U.S. parties are \$443.1 million at a three percent discount rate, and \$448.6 million at a seven percent discount rate. *Id.* at 45117. When considering U.S. parties only, DHS stated that annual costs would range from \$119.9 million at a three percent discount rate to \$125.1 million at a seven percent discount rate. *Id.* DHS also assessed qualitative costs of the rule, including the potential burden for DHS and nonimmigrants associated with government requests for additional information or in-person interviews; the potential reduction in enrollment of nonimmigrant students and exchange visitors and subsequent revenue effects on sponsoring institutions; and costs of familiarization with the rule and training for DHS. *Id.* at 45118. DHS also assessed the qualitative benefits of the rule, including enhancing DHS’s ability to enforce the unlawful presence provisions of the Immigration and Nationality Act at the conclusion of F, J, and I nonimmigrants’ fixed period of admission; deterring F, J, and I nonimmigrants from engaging in fraud and abuse and strengthen the integrity of those nonimmigrant classifications; and providing DHS with additional information to promptly detect national security concerns. *Id.* at 45117.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

DHS prepared a Final Regulatory Flexibility Analysis. See 91 Fed. Reg. at 45118.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

DHS determined that this rule will have an effect on state, local, or Tribal governments, in the aggregate, or on the private sector, of \$100 million in 1995 dollars, updated annually for inflation, in any one year. 91 Fed. Reg. at 45119. DHS described these effects and the actions they took in accordance with the Act. *Id.* at 45119–20.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

On August 28, 2025, DHS published a proposed rule. 90 Fed. Reg. 42070. DHS stated that it received comments from various parties. 91 Fed. Reg. at 44978. DHS responded to comments in the rule. See *id.* at 44988.

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

DHS determined that this rule contains information collection requirements under the Act. 91 Fed. Reg. at 45120.

Statutory authorization for the rule

DHS promulgated this rule pursuant to sections 112, 252(a)(4), and 271(a)(3), (b) of title 6, and sections 1103(a)(1), (3) and 1184(a) of title 8, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

DHS stated that the rule is significant under the Order and that the rule was submitted to the Office of Management and Budget for review. 91 Fed. Reg. at 45115.

Executive Order No. 13132 (Federalism)

DHS determined that this rule does not have federalism implications. 91 Fed. Reg. at 45120.