

First bi-annual agenda of Biden admin scraps proposed move of fixed visa tenure for international students

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MUMBAI: The first ever bi-annual unified regulatory agenda, rolled out by the Biden administration on Friday night, has good news in store for international students.

International students will be permitted to stay in the US as long as they are engaged in studies – there will be no fixed expiry date. In other words, the concept of being admitted into the US for ‘duration of status’ will continue.

The Department of Homeland Security (DHS) in the spring agenda has announced withdrawal of a Trump-era proposed rule. This was issued last September and had proposed to limit the duration of student visas to four years and in some instances to two years. In other words, the ‘duration of

status’ concept was sought to be replaced with ‘duration of stay’.

While international students could apply for visa extensions, the proposed process was viewed as cumbersome and the proposed norms were viewed as narrow. The proposed rule would have also applied to international students already in the US.

Rajiv S Khanna, Arlington based immigration attorney had then explained to TOI that this would cause problems for international students. A four-year cap is definitely shorter than a PhD or even a bachelor's degree course because students can opt for an extra semester.

Even those seeking optional practical training post their studies – which is up to three years for international students from the science, technology, engineering and mathematics (STEM) fields would have had to seek a visa extension.

The duration of stay norm would have added to expenses and also uncertainty as regards obtaining an extension. The announcement of withdrawal of this proposed rule, stems from the Biden administration's action plan of improving the legal immigration system.

It will definitely cheer the nearly 2.02 lakh international students from India (as per the Open Doors Report – November 2020).