

US mulls fixed stay rule for international students, over 4.2 lakh Indian students likely to face major impact

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Synopsis

The U.S. is considering a policy shift that would impose fixed expiration dates on student visas, potentially affecting over 420,000 Indian students. This change from the 'duration of status' policy could create delays and financial burdens, raising concerns among universities and potentially impacting the U.S.'s appeal as an education destination.



The United States is considering a significant change to its student visa policy that could affect over 4.2 lakh Indian students. A proposed rule by the [Department of Homeland Security](#) (DHS), currently under review by the Office of Management and Budget (OMB), aims to impose fixed periods of stay for international students on F, J, and I visas, as per a report by The Times of India. These categories cover students, exchange visitors, and foreign media professionals.

Visas may come with expiry dates

If implemented, this rule would end the long-standing “duration of status” policy, under which students can remain in the US as long as they are enrolled full-time in academic programs. Instead, visas would carry fixed expiration dates, requiring students to apply for extensions if their programs last longer than the initial approval period.

Speaking to TNN, Rajiv S. Khanna, managing attorney at Immigration.com, said, “Currently, international students can stay in the US as long as they are maintaining their full-time student status in approved programs. This is referred to as ‘duration of status’. The [Trump](#) administration wants to change this to a predefined period of stay. With a fixed expiration date on their visa, international students would have to periodically apply for extensions. This will create additional unnecessary delays, financial burden, and uncertainty for students. Considering that an average extension of status request can take a few months to process, these types of restrictive regulations will increase the uncertainty international students would face.”

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Indian international students could be largely affected

According to the TOI report, Indian students, who form the largest group of [international students in the US](#), may be hit the hardest. In 2024, over 4.2 lakh Indian nationals were enrolled in [American universities](#), according to data from [US Immigration](#) and Customs Enforcement (ICE). The proposed rule risks disrupting not just individual academic journeys but also the broader education partnership between India and the US.

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This rule is not new. A similar proposal was floated in 2020 under the Trump administration but failed to advance. Its revival now has raised concerns about a shift toward more restrictive visa policies. Additionally, legal experts warn that the proposed change may affect how “unlawful presence” is calculated. Currently, students accrue unlawful presence only after a formal decision from immigration authorities. Under the new rule, overstaying, even unintentionally, could immediately start this countdown.

Universities and colleges across the US have pushed back. Many argue that the change is based on inflated concerns around visa overstays. The actual overstay rate for F, M, and J visas stood at just 3.6% in 2023.

There is also unease about the way this rule could be enacted. If DHS decides to issue it as an interim final rule, it could bypass the public comment process and come into force immediately. That may leave institutions and students little time to adapt.

As countries like Canada, the UK, and Australia seek to attract more international students with simplified visa processes, US policy changes in the opposite direction could shift preferences. For many Indian families, this may complicate plans to pursue higher education in America.

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While the final text of the rule is yet to be published in the Federal Register, the policy direction is clear. The US is reassessing the flexibility it offers international students, potentially altering the appeal of American education for years to come.

(With inputs from TOI)

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