

Fixed Time Period Regulations: FAQs

New Students and Scholars

I've never been to the U.S. before. Can you explain what's happening and how this impacts me?

Yes. Very briefly (and broadly), the U.S. Department of Homeland Security published a [final rule](#) - i.e., new rules and regulations - on July 17, 2026 which will go into effect on September 15, 2026. These rules and regulations will impact F-1 and J-1 students and scholars. However, the primary thing to know right now is that **the new regulations will not change or affect your existing F-1 or J-1 visa, or your ability to come to the U.S.**

However, what you should know as an incoming student is the following:

1. If you are an **undergraduate** student, you may be restricted from changing your major or transferring to another school in your first academic year.
2. If you are a **graduate** student, you may be restricted from changing your program or degree level throughout your F-1 program. Transferring to another school during your program (i.e., switching schools during your degree) will likely not be possible.
3. For **all students**, after you complete your program, you may only be able to pursue a degree at a higher level. For example, if you're completing a master's degree in the future, you can advance to a higher degree like a PhD, but doing a second master's may not be possible.

Will the new regulations require me to get a new visa? I just received mine.

No. The new regulations will not affect the validity of already issued visas, and does not change the requirements for entry or travel to the United States. If you're coming to the U.S. as an initial student or scholar, you may still enter the U.S. up to 30 days before the start date indicated on your Form I-20 or Form DS-2019.

Impact on Travel for Current Students and Scholars

How will the new rule affect my ability to leave or return to the U.S.?

The final rule does not change any current rules and regulations about re-entering the U.S. You will still need to meet the requirements for entering the U.S., as outlined in our [Travel FAQ](#).

The final rule regulations also do not remove your ability to take or return from a personal or medical leave of absence or to go abroad for fieldwork for a period of time. However, as with current regulations under duration of status, you should be in contact with your school and with your [Immigration Services advisor](#) if one or more of these situations occur.

What has changed is what happens after you come back to the U.S., once the new rule goes into effect on September 15, 2026.

- Each time you enter the U.S., you will be given a fixed period of time to stay - your "Admit Until Date," or AUD, as indicated on your I-94 arrival record. The AUD will be your program end date plus a grace period of 30 days, or four years, whichever is shorter.
- You will need to review your AUD each time you return to the U.S.
- If you are nearing the expiration of your AUD, you will need to take steps to either leave the U.S. (and re-enter later), or apply for an extension of legal stay if you're not able to leave before your AUD.

If you go past your AUD without taking any action, you may be found to be unlawfully present and required to depart the U.S. immediately.

The rule goes into effect on September 15, 2026. Do I need to return to the U.S. before then?

The rules for entering the U.S. on your F-1 or J-1 visa will remain the same before and after September 15. You will still need to meet the requirements for in-person, full-time enrollment and entering the U.S., as outlined in our [Travel FAQ](#).

If you return on or after September 15, 2026, however, you will be admitted under the new fixed time period system. Your legal stay will be limited to the time on your I-20 or DS-2019 plus a grace period of 30 days, up to a four-year maximum.

- *Example: You take a vacation and re-enter the U.S. on January 1, 2026 with an I-20 with program dates of September 1, 2026 - May 31, 2028. Upon entering,*

you would be given an “Admit Until Date” of around June 30, 2028 (May 31 + 30 days).

Advantages of Returning before September 15, 2026

Under transition rules, there are two “advantages” for F-1 students to return to the U.S. before September 15, 2026.

- **F-1 students who return before September 15 under the current “duration of status” regulations will keep the current 60-day grace period.** However, once you leave the U.S. and return on or after September 15, the grace period will go down to 30 days. For example, if you leave the U.S. on winter vacation in December 2026, you will be given a fixed time period with a grace period of 30 days. *Please note furthermore that even if you do not leave the U.S., “duration of status” will come to an end on September 15, 2030 (four years from the effective date), with the outer limit for any 60-day grace period coming to an end on November 15, 2030.*
- **F-1 students who are planning to apply for OPT in Fall 2026 or early Spring 2027 will be exempt from new requirements to file for an extension of stay application at the same time.** Through March 18, 2027, students applying for post-completion OPT or STEM Extension OPT will only need to complete Form I-765 when applying for these benefits. After that date (unless otherwise changed by the Department of Homeland Security), students will need to submit both the I-765 as well as a Form I-539 extension application. This exemption is void if you leave the U.S. and re-enter under the fixed time period, because your I-94 will no longer indicate “duration of status” as your Admit Until Date.

Questions about Length of Stay in the U.S.

How does the final rule impact how long I can stay in the U.S.?

Once the [final rule](#) goes into effect on the scheduled date of **September 15, 2026**, the length of stay given to you when you arrive will be based on the following:

- Your I-20 or DS-2019 program end date (or EAD card expiration date) plus 30 days, OR
If your I-20 or DS-2019 program end date is more than four years into the future, four years plus 30 days.

The date will be reflected as the **Admit Until Date** on your I-94 arrival record, such as “30 June 2028” (as an example).

Note: if your program is more than four years, the final rule does not require you to complete your program in four years. What it does mean is that you'll need to take some sort of action to get a new I-94 AUD. More specifically, your current AUD will be a **hard government deadline** to do one or both of the following: (1) apply to USCIS for an extension of legal stay using Form I-539; and/or (2) depart the U.S. and re-enter later with updated documents to get a new I-94 record and a new AUD that extends for the remainder of your program. *Either action must be taken before your current AUD is reached*; otherwise, you may be found unlawfully present in the U.S., which is an extremely serious immigration violation.

The maximum stay is four years, but what happens if my program is longer than that?

If your program lasts more than four years, you will need to plan on taking one or both of the following steps:

- Depart the U.S. before your current Admit Until Date (AUD) on your I-94 arrival record expires, and re-enter later. Upon re-entry, you would obtain an updated I-94 and AUD upon your return.
- Prepare and submit a Form I-539 extension application to USCIS, requesting additional time. This step is necessary if you cannot leave the U.S. before your current AUD is reached, even if you plan to travel at a later date.

Immigration Services (IS) will provide more detailed guidance to students and scholars as they near the point when they will need to take action to extend their legal stay.

I've already started my program - does my previous time already count toward the four years?

Starting on September 15, 2026 the amount of time you will have will depend on the program end date on your I-20 or DS-2019, plus a grace period of 30 days (some F-1 students will retain the 60-day grace period - see next paragraph). **How much time you've already spent in the U.S. before September 15, 2026 won't enter into this calculation.**

The same holds true if you are inside the U.S. on September 15, 2026 in valid F-1 or J-1 status under “duration of status.” If this is the case, *and you do not leave the U.S. before finishing your program*, the amount of time you have to stay will be based on your I-20 or DS-2019 end date. The only difference in this scenario is that your grace period will be 60 days if you're an F-1 student; under the fixed time period regulations, the grace

period for F-1 students will be 30 days. The J-1 grace period will remain unchanged at 30 days in both cases.

The 60-day grace period will disappear, however, by September 15, 2030 (in four years - the “last” 60-day grace period will disappear by November 15, 2030). Immigration Services plans to provide updated guidance in early 2030 for those who may still be eligible for the 60-day grace period at that time.

If I'm a current student or scholar and I enter the U.S. before September 15, will the new regulations still apply to me?

The new rules will apply to everyone. However, there are limited transition rules for anyone who enters the U.S **before September 15, 2026** under the existing “duration of status” regulations.

Grace period continuation

If you enter as an F-1 or J-1 under duration of status, you do not need to take any specific action if you stay in the U.S. and complete your program by the program end date on your I-20 or DS-2019. At that point, you will have either 60 days (F-1) or 30 days (J-1) to prepare for departure. However, the grace period will go down from 60 to 30 days if you are an F-1 student and you travel outside the U.S. at any time before you complete your program. Upon returning to the U.S., you will be under the fixed time period regulations, which limits the F-1 grace period to 30 days.

F-1 OPT / STEM Extension OPT applicants filing before March 18, 2027

After March 18, 2027, however, F-1 students will need to submit two applications when applying for OPT: Form I-765 to request employment authorization; and Form I-539 to request an extension of stay.

However, for any F-1 student who entered the U.S. before September 15, 2026 and who continued to remain in the U.S. under duration of status will not need to apply for an extension of stay at the same time, as long as they are eligible to apply for the OPT / STEM Extension benefit before March 18, 2027.

I'm a J-1 exchange visitor (student / scholar) and my appointment will go up to five years. Am I subject to the four-year maximum?

Yes, the four-year maximum will apply to J-1 students and scholars as well as F-1 students.

For example, if you are a J-1 research scholar with a five-year appointment, your legal stay will still be limited to four years upon entry. You will still need to plan on applying

for an extension to be authorized to stay in the U.S. for the fifth year of your appointment.

I entered the U.S. before September 15, 2026. Do I get a new I-94 when the final rule goes into effect?

No. If you enter the U.S. before September 15, 2026 and are admitted as an F-1 or J-1 under “duration of status,” your I-94 will still indicate “duration of status.” You will not receive a new I-94, unless you later leave the U.S. and re-enter. At that point, you would be placed under the fixed time period regulations.

Impact on OPT and STEM Extension OPT (Current and Future Applicants)

How does the final rule affect those on OPT or STEM Extension OPT?

The final rule does not contain any change to the actual process for applying for post-completion OPT or the STEM Extension of OPT. It also does not change any of the rules and requirements for maintaining valid status while on post-completion OPT or STEM Extension OPT.

However, there are important changes that may be impacted by **international travel on or after September 15, 2026.**

- F-1 students on post-completion OPT or STEM Extension OPT may continue to use their OPT benefits
- International travel is still permitted. Read more about [travel requirements](#) in our [Travel FAQ](#).
- **However, if you enter the U.S. on or after September 15, 2026,** there may be an impact on your timeline
 - Instead of being allowed to enter the U.S. under “duration of status,” you will be assigned a fixed expiration date on your legal status, which will be the expiration of your OPT EAD card plus a grace period of **30 days** (no longer 60 days)
 - Employment authorization still expires on the expiration date of your EAD
 - You will need to track your Admit Until Date on your I-94 arrival record, as this will be a hard deadline for you to either depart the U.S. or take other action.

The above considerations apply to those ALREADY approved for OPT before September 15, 2026. Please read the next tab about how the rule might affect those planning to apply for post-completion OPT or the STEM Extension of OPT on or **AFTER** September 15, 2026.

How does the final rule affect those planning to apply for OPT (post-completion and/or STEM Extension) on or after September 15, 2026?

The basic application rules and timelines for OPT and STEM Extension applications remain the same, with one major qualification.

Under the final rule, anyone applying for OPT or the STEM Extension of OPT on or after September 15 will also need to apply an extension of stay at the same time, using Form I-539. **In other words, there will be two applications: Form I-765 for employment authorization, and Form I-539 for extensions of stay. Getting OPT approval will no longer be sufficient if it is not combined with an approval to extend your stay in the U.S.** USCIS has not yet provided updated instructions or guidance on how this double-application process will be implemented, but Immigration Services will update this information and our OPT instructions once guidance becomes available.

Exception for Duration of Status Students through March 18, 2027

F-1 students will be exempt from the double-application requirement in certain circumstances. If they qualify, they only need to file the standard Form I-765 application for OPT. These conditions must apply:

1. They are physically present in the U.S. in F-1 status under “duration of status” on September 15, 2026
2. They continue to maintain physical presence in the U.S. under “duration of status” until that time they apply for OPT or the STEM Extension of OPT.

If a student leaves at any time and later returns, they will be placed under the fixed time period regulations. At that time, the “duration of status” exception will no longer apply, and the student will need to submit both applications at the same time. For example, if the student decides to travel during the winter holiday, they will no longer qualify for the exception allowing them to skip Form I-539 in the OPT application process.

The Department of Homeland Security has indicated that this exception will only apply for OPT application submitted through March 18, 2027, although it may later choose to extend this in six-month increments, which will be announced at a later date.

Does the final rule affect the cap-gap extension for H-1B applicants?

No, the cap-gap extension for students on post-completion OPT or STEM Extension OPT remains in place. There have been no change to these regulations.

Extending Legal Stay in the U.S.

What are situations when I would need to apply to extend my stay in the U.S.?

Under the new fixed time period system, extensions may be needed in a number of different situations.

When you enter the U.S., you will be given a specific “Admit Until Date” (AUD) on your I-94. This is a hard expiration date for leaving the U.S. As a result, if you are approaching your AUD, you will need to take steps to extend your stay if you need more time for one or more of the following:

- To finish your current program
- To apply for post-completion Optional Practical Training, STEM Extension OPT, or J-1 Academic Training*
- To start a new degree program at a higher educational level at UGA.
- To transfer to another school to start a new program

Note that “getting more time” can involve either leaving and returning to the U.S. with a new or updated I-20 or DS-2019; or applying for an extension by submitting Form I-539 to USCIS. Immigration Services will provide more detailed guidance on these different options.

Example: Your I-20 for your master's program is expiring on May 31, 2027 and your I-94 is expiring on June 30, 2027. You plan to pursue a PhD program starting September 1, 2027. In this scenario, you have two options: (1) leave the U.S. before but no later than June 30, and re-enter when you are ready to start your PhD, OR (2) submit a Form I-539 application to USCIS before June 30, asking for an extension of stay so you can start your PhD in September. In either case, you must take action BEFORE or BY June 30 to remain in compliance.

As seen in the above example that there may be different routes to obtaining additional time. Because the best path will differ for each individual, talking to your [Immigration Services advisor](#) at least one academic year (about 9-10 months) before your I-94 end date is strongly advised.

**An extension application is not needed for any OPT application submitted before March 18, 2027, provided you were in the U.S. on September 15, 2026 in duration of status, and remained in the U.S. in duration of status since then.*

How does the extension process work?

Obtaining more time can involve leaving the U.S. and re-entering with updated documents (e.g., an extended I-20 or DS-2019, or an I-20 or DS-2019 for a new program), or submitting a [Form I-539 application](#) to USCIS before or no later than the Admit Until Date (AUD) on your I-94 arrival record. Immigration Services will post a basic orientation to Form I-539 once details about the extension process become available from USCIS.

Form I-539 is needed especially if you cannot travel outside the U.S. before your AUD is reached, even if you may travel after the AUD expiration date.

If you have any F-2 or J-2 dependents, they may be included in your extension application as well, although the procedures may vary if you are filing your application online, or using a paper-based form.

Can I apply for an extension with USCIS right now?

No. The new regulations do not go into effect until September 15, 2026, and updated procedures have not yet been issued.

However, any student or scholar whose Form I-20 or Form DS-2019 is due to expire within the next academic year (through May 31, 2027) might review their academic plans and consider whether or not they will be able to finish their programs by their I-20 / DS-2019 expiration date. If there are clear academic or medical reasons that support the need for more time, it is worthwhile to consider starting the I-20 / DS-2019 extension process.

What's the difference between extending by travel versus extending by application?

If you need to request additional time to stay in the U.S. the options are to leave and re-enter with updated documents (e.g., updated or new I-20 or DS-2019), or to apply for an extension by submitting Form I-539 to USCIS.

If you leave and re-enter the U.S., you must have all of the standard requirements for entry (including a valid passport, a valid visa if needed, and an updated I-20 or DS-2019 to reflect your academic plans, among other documents).

The decision to obtain more time by travel or by application is an individual choice. While Immigration Services cannot recommend or decide which route you should take, we can help you to identify pros and cons for these alternatives.

Restrictions on Changes to F-1 Academic Programs and Transfers (These regulations apply to F-1 students only)

How does the final rule impact F-1 students in terms of their academic programs?

The final rule introduces a number of restrictions on F-1 students' ability to make changes to their degree and/or major (concentration).

- **Undergraduate** students will not be able to change their degree or major in the first year of study as an F-1 student. They will also not be able to transfer to another school during this time. Changes will be permissible after completing the first academic year.
- **Graduate** students will not be able to make changes to their educational objectives at any time. They will also not be able to transfer to another school during their program.

In addition, any student who completes a program after September 15, 2026 will not be permitted to enter or stay in the U.S. as an F-1 student, or obtain an F-1 visa, for the purpose of starting a new program at the same or at a lower degree level.

Please note that there are many questions about these restrictions, and we are still waiting for more details from the Department of Homeland Security. The Department of Homeland Security may also choose to delay or suspend implementation of these restrictions until a future date. Immigration Services will continue to monitor this issue and post updates when available.

Can I start another degree later on, after I've finished my current program?

The final rule indicates that F-1 students who complete a degree after September 15, 2026 may only start a new degree at a higher educational level. Students will be prohibited, however, from pursuing a degree at the same or lower educational level.

Here is an example to illustrate the rule:

You complete a master's degree on May 31, 2027. Under the new rule:

- You would like to start a bachelor's degree in a new field on September 1, 2027: *not permitted, since a bachelor's degree is at a lower educational level than a master's*
- You would like to start a second master's degree on September 1, 2027: *not permitted, since a master's degree is at the same educational level as your previous degree*
- You would like to start a PhD on September 1, 2027: *permitted, since a PhD is at a higher educational level than a master's*.

Please note that there are many questions about these restrictions, and we are still waiting for more details from the Department of Homeland Security, especially as many types of programs (certificates, professional degrees, etc.) do not fit easily or clearly within a standard system of educational levels. The Department of Homeland Security has indicated they may choose to delay implementation of these restrictions until a future date. Immigration Services will continue to monitor this issue and post updates when available.

Other Situations

I'm applying to change or adjust to another status. Could the final rule impact me?

The final rule will likely not impact you directly if you are applying to change to another non-immigrant status, such as J-1, H-1B, etc. The general requirement for a change of non-immigrant status is that you must currently be in valid status and eligible for the requested status. For specific scenarios, consulting with your sponsoring employer (if you are changing to an employment-based status such as H-1B) or an immigration attorney is recommended.

The final rule will potentially impact anyone currently seeking to maintain F-1 or J-1 status who also applying to adjust to permanent resident status. Under fixed time period regulations, anyone seeking to extend their F or J status will need to apply for an extension using USCIS Form I-539. However, seeking to extend a current non-immigrant classification while also pursuing obtain permanent residence (i.e., immigrant status) could be viewed as contradictory intentions. Immigration Services strongly recommends anyone in this situation to consult with a qualified immigration attorney.