November 9, 2026

Public Comment on Optional Practical Training Fees

DHS Docket No. ICEB-2026-0100 | 91 Fed. Reg. 64566 (October 8, 2026)

I. Introduction and Statement of Opposition

On behalf of the University of Washington (UW or the University), I write in response to the Notice of Proposed Rulemaking (NPRM) creating a "new fee for Optional Practical Training (OPT)" (DHS Docket No. ICEB-2026-0100), dated October 8, 2026.

Founded in 1861, the University of Washington is Washington State's flagship public university and a world-class research institution committed to public service. International students and scholars enrich our campuses, advance research, and contribute to the economies of Washington and the United States. UW supports F-1 students' compliance with federal requirements and their participation in authorized practical training.

In academic year 2025–26, the UW Seattle, Bothell, and Tacoma campuses managed SEVIS records for 7,739 F-1 enrolled international students from 125 countries. In addition, UW employs more than 200 F-1 students with OPT in research, teaching, healthcare, technology, and administrative positions related to their degrees.

UW supports strong oversight and safeguards against OPT fraud and misuse. However, the proposed fees of $70,000 for an initial OPT recommendation and $30,000 for subsequent recommendations would deny otherwise eligible students practical training, disrupt research and healthcare, diminish international enrollment and economic contributions, and burden universities. For these reasons, UW opposes the proposed rule and respectfully requests that DHS withdraw it in its entirety.
DHS states that the rule is intended to combat fraud, strengthen the integrity of the immigration system, and protect U.S. workers. UW shares those goals, but the proposed fees are not tailored to them. As explained below, the fees would impose prohibitive financial and administrative burdens on UW (Section II); reduce international enrollment and the tuition revenue that supports programs for all students (Section III); harm UW's research, teaching, and patient care (Section IV); and damage the state and national economy (Section V). The NPRM's justification and analysis are deficient (Section VI), and less burdensome, more targeted alternatives exist, including stronger federal DSO training and risk-based oversight, which build on UW's record of compliance (Section VII). Existing regulations also already include safeguards for U.S. workers, particularly for STEM OPT (Section IV.D).

II. Substantial Financial and Administrative Burdens on UW

A. Scale of UW's OPT Activity and Potential Costs of the Proposed Rule

UW administers a substantial number of OPT and STEM OPT recommendations across its Seattle, Tacoma, and Bothell campuses and International & English Language Programs (IELP). During the last three academic years, UW recorded 5,536 OPT recommendations and 2,364 STEM OPT recommendations, for a combined total of 7,900 recommendations.

UW's recommendation activity during this period is summarized below.

Campus / Unit	AY 2023–24	AY 2024–25	AY 2025–26	Three-Year Total
Seattle	2,917	2,521	1,612	7,050
Tacoma	137	152	130	419
Bothell	116	127	95	338
IELP	33	36	24	93
Total	**3,203**	**2,836**	**1,861**	**7,900**

The initial 12-month OPT recommendation accounted for 1,821 in AY 2023–24, 1,942 in AY 2024–25, and 1,773 in AY 2025–26. The OPT STEM extension recommendation accounted for an additional 1,382, 894, and 88 recommendations, respectively.

The proposed fee structure will put extraordinary financial pressure on UW, and the students and employers associated with these recommendations. Applying the proposed $70,000 initial fee to the number of OPT recommendations and the $30,000 subsequent fee to the number of STEM OPT recommendations yields the following illustrative amounts:

Academic Year	OPT Recommendations at $70,000	STEM OPT Recommendations at $30,000	Illustrative Total
2023–24	$127,470,000	$41,460,000	$168,930,000
2024–25	$135,940,000	$26,820,000	$162,760,000
2025–26	$124,110,000	$2,640,000	$126,750,000
Three-year total	**$387,520,000**	**$70,920,000**	**$458,440,000**

These calculations are illustrative and do not consider a student's prior OPT history or whether the recommendation would be classified as initial or subsequent under the proposed request. Rather, the calculations demonstrate the extraordinary magnitude of the proposed fees when considered alongside UW's historical OPT activity.

Because the fee attaches to the DSO recommendation rather than USCIS approval, institutions would be required to make the payment before students could apply for employment authorization. Costs and administrative commitments will arise even when an applicant does not ultimately apply or receive approval.

B. Institutional Funding Restrictions and the Public Educational Mission

UW's financial resources support instruction, research, student services, healthcare, facilities, and other public responsibilities. Even if legally permissible, paying OPT fees would divert resources from UW's

educational, research, and operational priorities.

The proposed rule does not adequately account for the financial, legal, and administrative constraints under which public universities operate. UW receives funding from multiple sources, including state appropriations, tuition revenue, sponsored research awards, gifts, and other restricted or designated funds. These resources are not necessarily interchangeable, and their use may be governed by state law, institutional policies, donor restrictions, sponsor requirements, or other applicable conditions.

Consequently, the existence of institutional funds does not establish that those funds could legally or appropriately be used to pay substantial OPT fees. Individual academic departments may lack both the authority and discretionary resources necessary to cover the proposed fee, and expenditures of this magnitude may require multiple levels of institutional review and approval.

The proposed rule also appears to contemplate that institutions could obtain the necessary funds from students, employers, or other third parties. However, neither the availability of such funds nor a university's ability to receive and transmit them to the federal government can be presumed. Acting as a financial intermediary could raise significant questions regarding institutional authority, accounting treatment, financial controls, payment processing, and responsibility for refunds or disputed transactions. Universities would need to establish appropriate procedures to ensure compliance with applicable requirements and protect all parties from financial and administrative risks.

These substantive legal and operational constraints prevent DHS from assuming institutions can absorb or transfer the fees. The rule should evaluate the consequences for institutional participation in OPT.

C. Administrative Implementation and Operational Burdens

The proposed rule would also require new administrative systems. UW's OPT processes focus on eligibility, advising, SEVIS recommendations, and recordkeeping; DSOs do not have access to payment data, and existing procedures are not designed to process transactions of $70,000 or more as a condition of issuing recommendations.

Implementing the proposed rule will require coordination among international student services, academic departments, central finance offices, information technology personnel, and other institutional stakeholders. UW will need to determine who is authorized to approve payments, identify permissible funding sources, establish accounting and payment procedures, create record retention policies, and train staff responsible for administering the new requirements.

UW will also have to create procedures for situations in which a student is eligible for OPT under federal regulations, but payment has not been secured, is delayed or disputed, an OPT recommendation is withdrawn, or a refund is requested. These circumstances will create additional burdens on existing advising responsibilities, administrative delays, and uncertainty for students seeking time-sensitive employment authorization.

These new duties will burden staff, divert resources from essential university and student operations, including advising and compliance, and delay time-sensitive applications without improving eligibility review or SEVIS accuracy.

D. Likely Institutional Response and Consequences

Where institutional payment is not feasible, otherwise eligible students will lose access to practical training unless another permissible funding source becomes available. Students seeking to use their OPT with smaller organizations, public institutions, nonprofit employers, or research programs with limited discretionary funding will face particularly significant barriers.

Reduced OPT access will also weaken the value of a U.S. education for prospective students, threatening recruitment, tuition revenue, program sustainability, staffing, and services.

Programs benefiting from international enrollment could be forced to reduce offerings or staffing, affecting students beyond those directly subject to the fee, as international student tuition revenue helps offset institutional costs and supports programs and services that benefit domestic students as well.

III. Harm to International Students, Enrollment, and UW's Educational Mission

The proposed fees threaten UW's international recruitment, enrollment, academic programs, and educational mission by making practical training less accessible and less predictable. Lower international enrollment reduces tuition and fee revenue that supports instruction, support services, and programs for all students, potentially requiring changes to courses, staffing, and budgets. International students represent about 12.5% of all students enrolled on UW's three campuses and 35% of non-residents. As non-residents, international students pay out-of-state tuition which then also supports resident enrollment and other educational services for all students. A decrease in F-1 student enrollment cannot be replaced by Washington residents or other out-of-state students and would likely result in fewer enrolled residents as well as a reduction in support services for all students.

A. The Educational Value of OPT and Harm to Students

OPT enables eligible F-1 students to apply classroom knowledge in professional settings directly related to their studies. These experiences complement coursework and offer practical learning and professional development that cannot always be replicated in the classroom. Access to OPT is also an important consideration when students choose where to study.

Pre-completion OPT enables eligible students to gain experience related to their studies before graduation, especially where their programs do not offer qualifying Curricular Practical Training (CPT).

CPT is not an interchangeable substitute for pre-completion OPT. Under federal regulations, CPT must be an integral part of an established curriculum, such as a required internship, cooperative education program, or other qualifying practical training experience. Not all academic programs include such

opportunities. Consequently, students in programs without an eligible CPT component may rely on pre-completion OPT to participate in practical experiences that complement their academic preparation. Pre-completion OPT is also only allowed for a maximum of 20 hours per week while the individual is still enrolled in their academic program, which then results in minimal or often no compensation for the experience. The proposed fees would make pre-completion OPT financially inaccessible for enrolled students, even when the training is directly related to the student's educational objectives.

The proposed OPT fee structure is especially concerning for students who participate in both pre-completion and post-completion OPT. Although each one is a distinct period of authorization, both count toward the same aggregate period of standard OPT eligibility at a given educational level. Under the proposed fee structure, a student seeking pre-completion OPT followed by post-completion OPT would trigger an initial fee of $70,000 and a subsequent fee of $30,000. The resulting $100,000 obligation would impose a financial burden on students who seek to integrate practical experience into their education before graduation, despite their overall period of standard OPT eligibility remaining unchanged.

Recent changes and litigation concerning Duration of Status already create uncertainty, and UW has observed fewer OPT requests during this period. The proposed fee would add another barrier to student planning and their consideration of pursuing a U.S. degree.

The prospect of these fees may deter students and families from committing to U.S. education years before they would seek OPT. DHS should not impose further uncertainty on otherwise eligible students.

B. International Student Recruitment and Enrollment

International students enrich the overall student experience at UW and bring unique global perspectives to our classrooms. F-1 student contributions at UW enhance learning opportunities for all students, including Washington residents. UW offers top-ranked disciplines that attract some of the most talented international students from around the globe. Further declines in F-1 enrollment are likely if OPT becomes inaccessible, because prospective students weigh academic quality, cost, career preparation, and opportunities for professional experience when choosing where to study. OPT is an important part of that decision.

A $70,000 fee would make practical training contingent on the resources of students, institutions, employers, or third parties, discouraging future enrollment.

C. Consequences for Academic Programs, Staffing, and U.S. Students

International students contribute to the educational experience of all UW students, including their American classmates, through the perspectives, experiences, and expertise they bring to classrooms, laboratories, and campus activities. Their participation strengthens opportunities for intercultural learning, collaborative problem-solving, and engagement with international perspectives across academic disciplines.

In graduate and professional education, international students contribute to the breadth and depth of

academic programs. Their participation can help sustain specialized courses, seminars, and research activities that benefit U.S. students as well. International graduate students also contribute to research and teaching activities that support the University's academic mission. As research assistants, teaching assistants, and members of interdisciplinary research teams, they are an essential part of the institution's scholarly activity and delivery of instruction.

Further declines could therefore reduce academic opportunities for U.S. students, apart from the direct effects on OPT participants.

D. UW International Enrollment Trends and Financial Contributions

UW has already experienced a decline in F-1 international student enrollment, particularly at the undergraduate level. F-1 student enrollment at UW reached 8,613 students in academic year 2022–23 before decreasing 10.1% to 7,739 in 2025–26.

The decline has been especially pronounced among undergraduate students. International undergraduate enrollment decreased 22.1% from 4,850 students in academic year 2021–22 to 3,779 in 2025–26. Over the same period, graduate student enrollment increased from 3,514 to 3,960 students. Although enrollment trends continue to vary by educational level and there has been some increase with graduate enrollment, UW experienced an 11% decrease in enrolled Master's degree programs in the past year alone. These trends demonstrate how the current uncertainty around immigration policies and practices have impacted enrollment, especially at the bachelor's and master's degree levels.

F-1 international student enrollment also contributes to the financial stability of the institution through non-resident tuition and fees. During academic year 2025–26, international students enrolled on all three UW campuses generated approximately $301.2 million in tuition and fees, including $163.3 million from undergraduate students, $79.7 million from master's and other students, and $58.2 million from doctoral students. Tuition and fees generated by international students decreased 6.5%, from $322.0 million in academic year 2023–24 to $301.2 million in 2025–26.

The University's degree completion data provides additional context. UW Seattle awarded 2,335 degrees to international students in academic year 2021–22 and 2,830 in 2025–26. This increase in degrees awarded, occurring alongside declining overall enrollment, underscores the importance of maintaining a sufficient pipeline of new international students to sustain enrollment and academic programs over time. International students not only contribute to the University academically, but also financially through tuition and fees, which help support the local economy more broadly through housing, goods, and services. UW's international student community brings their talents and a global perspective to the University but also the Seattle community.

E. Cumulative Effects of Regulatory Uncertainty

The proposed fees will compound uncertainty already created by changes to immigration regulations, visa processing, and employment authorization policies.

Changes and litigation concerning Duration of Status policies have raised questions about maintaining lawful status during study and practical training. Uncertainty about employment authorization makes long-term academic and career planning more difficult.

UW must recruit students amid unresolved immigration requirements, placing U.S. programs at a disadvantage relative to more predictable destinations.

The proposed fee is already affecting international recruitment and enrollment before implementation. UW placed its Global Business Certificate Program on hiatus after indications of insufficient future enrollment, including cancellations by admitted students. This experience illustrates how uncertainty

surrounding the proposal can threaten the financial sustainability of programs dependent on international enrollment.

F. Inadequate Consideration of Enrollment and Institutional Impacts

UW is concerned that DHS has not adequately assessed how the proposed fees could affect international student enrollment or the resulting consequences for American colleges and universities. Although the Department acknowledges the possibility of reduced enrollment, its analysis does not sufficiently quantify the effects on institutional tuition revenue, academic programs, staffing, or the broader educational environment. In considering the proposed fee, DHS should account for prospective students who never enroll because OPT may become inaccessible. Before implementing the proposed fee, DHS should consider how enrollment decisions may vary by degree level, field of study, institution type, and students' countries of origin. It should also account for the effects on academic programs that depend on international enrollment, including specialized graduate programs, and the potential consequences for domestic students, faculty, and university employees.

UW's own experience demonstrates why such an analysis is necessary. With F-1 enrollment across UW's three campuses declining 10.1% from academic year 2022–23 to 2025–26, and international tuition and fee revenue declining by approximately $20.8 million (6.5%) since academic year 2023–24, further enrollment reductions will have meaningful institutional consequences. DHS should evaluate the potential effects of the proposed fees on tuition revenue, academic program sustainability, staffing, and the ability of American universities to compete internationally for qualified students.

UW urges DHS to assess the proposed fees' effects on enrollment, institutional finances, and educational opportunities for international and American students before proceeding.

IV. Harm to UW as an Employer, Teaching and Research Institution, and Medical Care Provider

UW is also an employer of OPT and STEM OPT graduates in teaching, research, healthcare, and administration. Their specialized skills support the University's public mission, and the proposed fees will hinder recruitment and retention and disrupt essential activities.

As of the date of this letter, UW employs 216 individuals working pursuant to OPT authorization. These employees hold a broad range of positions, including postdoctoral scholars, research scientists and engineers, research technologists, faculty members, medical residents and fellows, software engineers, data analysts, and professionals supporting academic programs and university operations. This range of positions illustrates the diverse contributions of OPT employees to the University's teaching, research, and clinical care mission.

A. Impact on Teaching

As the flagship state university, the primary mission of the University of Washington is the preservation, advancement, and dissemination of knowledge. UW currently employs OPT holders as faculty and in other teaching positions. The proposed rule will negatively impact UW's teaching mission by removing a valuable source of teaching expertise from the hiring pool. UW teaching positions are paid directly from UW's general operating fund, which is itself drawn from tuition dollars; even if UW were able to pay the proposed fees for even one of these positions, that added cost would have a direct impact on tuition costs for current and incoming UW students. In the alternative, the decision not to pay the fee and lose those faculty would itself create hardships in courseloads for other faculty and course availability for UW students.

B. Impact on Research

Postdoctoral scholars represent the largest category of identified OPT employees at UW. These appointments generally require a doctorate in a relevant field and involve full-time, mentored advanced training to enhance professional skills and research independence. Postdoctoral scholars contribute to a broad range of research across basic science, clinical medicine, and engineering fields; they are instrumental in the development and testing of new methodologies and resulting scientific publications. Their work requires substantial academic preparation and specialized expertise, rather than unskilled or entry-level labor. Similarly, research staff represent a significant portion of identified OPT employees at UW; many of these employees also hold doctoral degrees in a relevant field or have significant specialized experience that supports UW research in award-winning and grant-funded labs across the institution. The research contributions of OPT employees are highly specialized. Research projects may require expertise in particular scientific methods, computational techniques, laboratory procedures, or subject areas developed through years of advanced study.

The proposed fee would create particularly consequential barriers for research positions supported by external grants and contracts. Research funding is generally allocated to defined activities, personnel costs, equipment, and other approved project expenses. The proposed fees will require departments to identify substantial additional resources, redirect funds from other research activities where permitted, or forgo the employment of otherwise qualified individuals. Such decisions could affect the scope, timing, and continuity of research projects and diminish the University's ability to use available research funding effectively.

Additional fees for subsequent OPT recommendations could also prevent UW from retaining researchers whose specialized knowledge and established laboratory relationships are critical to ongoing projects. UW cannot replace these employees quickly, particularly when their work is connected to an ongoing research project with established timelines, funding requirements, and deliverables. The loss of an employee during a critical phase of a project can delay research activities, require redistribution of responsibilities, and interrupt work that depends on continuity of specialized knowledge. These risks to research continuity outweigh any benefits of the proposal.

C. Impact on Patient Care

UW's academic medical center employs a number of OPT-holders as residents and fellows engaged in graduate medical education. These trainees are graduates of U.S. medical schools who competitively matched into the residencies and fellowships where they provide patient care to UW Medicine patients throughout the Washington, Wyoming, Alaska, Montana and Idaho region. For example, several such

employees are currently engaged in training and patient care in specialized areas such as Pediatrics and Radiation Oncology.

The proposed fee will create a significant barrier to hiring and retention for these trainees by introducing added cost and uncertainty to the work authorization for new F-1 graduates of U.S. medical schools. Residency and fellowship programs recruit a fixed number of positions each year – both nationally and locally. At UW, there are more available positions than the total number of applicants, leaving positions in many specialties unfilled. Disruptions to patient care, and the possibility of vacancies, cannot be addressed by filling these positions with U.S. citizen physicians, simply because there are not enough U.S. citizen physicians to fill them.

Because these physicians are tightly scheduled to provide patient care at designated clinical training sites and meet the educational requirements of their training programs, disruptions to their educational rotations due to costs and uncertainty will impact patient care in our emergency departments, operating rooms, inpatient wards, and ambulatory clinics, resulting in a decrease in both access to care and quality of care for patients in our health care settings. This would affect both the State of Washington as well as Americans in rural regions in Wyoming, Montana, Idaho, and Alaska—regions which have been traditionally underserved by the medical system. The proposed fee does not consider the impact of the new rule on this workforce, or on the many people who rely on these physicians for medical care, or the impacts this change will have on training programs. At a time when many parts of the country, especially rural areas, are suffering from healthcare shortages, the proposed rule will only exacerbate the problem.

D. Impact on Employment

The proposed fees will impede UW hiring by imposing costs unrelated to candidates' qualifications or the needs of teaching, research, and clinical care. Subsequent fees will also impede retention of skilled employees essential to continuity in these activities.

UW also emphasizes that OPT employees contribute alongside their American colleagues. University employment is fundamentally collaborative, involving faculty, staff, postdoctoral scholars, graduate students, and undergraduate students with complementary areas of expertise. International graduates participating in OPT may contribute specialized knowledge, collaborate with U.S. researchers, and help train domestic students in laboratory techniques, research methods, and emerging technologies. Their participation can strengthen the effectiveness of research teams and expand opportunities for professional development among their colleagues.

Existing STEM OPT regulations also contain specific safeguards for American workers. Employers participating in STEM OPT must provide training opportunities with duties, hours, and compensation commensurate with those of similarly situated U.S. workers. Employers must also attest that STEM OPT participants will not replace full-time or part-time, temporary or permanent U.S. workers. These requirements directly address concerns about the inappropriate use of STEM OPT employment and establish standards against which employer compliance can be evaluated[1].

V. Economic Harm to Washington State and the United States

International students make substantial contributions to the economy of Washington State and the United States. In addition to paying tuition and fees, international students and their families contribute to local economies through expenditure on housing, food, transportation, healthcare, and other goods and services. According to NAFSA: Association of International Educators, international students contributed approximately $950 million to Washington State's economy and supported approximately 6,500 jobs during the 2024–25 academic year[2]. Nationally, international students contributed $42.9 billion and supported more than 355,000 jobs during the same period[3].

UW accounts for a significant share of these economic contributions. According to NAFSA's estimates, international students at UW's Seattle campus contributed approximately $486 million to the economy and supported 4,073 jobs during the 2024–25 academic year. International students at UW Bothell contributed an additional $18.7 million and supported 76 jobs, while those at UW Tacoma contributed $12.1 million and supported 49 jobs. Collectively, international students at UW's three campuses contributed approximately $516.8 million to Washington's economy and supported 4,198 jobs, representing more than half of the statewide economic contribution attributable to international students. These benefits extend well beyond UW's campuses, supporting businesses, workers, and communities throughout Washington State.

OPT further extends these economic benefits by allowing international graduates to apply the knowledge and skills gained through their education at U.S. institutions. OPT participants contribute to Washington's economy through employment in research, healthcare, technology, and other industries. Their work supports innovation, contributes to the development of new products and services, and helps employers

[1] https://www.ecfr.gov/current/title-8/section-214.2
[2] https://www.nafsa.org/isev/reports/state?state=WA&year=2024
[3] https://www.nafsa.org/about/about-nafsa/international-students-contributed-43-billion-us-economy-2024-2025-fall-2025

meet specialized workforce needs. These contributions also benefit American workers through research collaboration, expanded business activity, and the creation of additional employment opportunities.

Washington State benefits particularly from its ability to retain international graduates. According to the OPT Observatory[4], 66.5% of international graduates from Washington institutions who participated in OPT in fiscal year 2022 worked in Washington State at some point during their practical training. This measure demonstrates that a substantial share of the investment Washington makes in educating international students continues to benefit the state's employers and communities after graduation.

By discouraging international enrollment and OPT participation, the fees jeopardize local spending, workforce contributions, and American jobs.

VI. Deficiencies in the Proposed Rule's Justification and Analysis

UW supports effective measures to combat and deter fraud; however, the University understands that fraud in the OPT program is rare, and the proposed fee appears created to deter OPT use entirely. DHS has not adequately considered the magnitude and consequences of the fee, relative to its stated purpose.

A. The Proposed Fees Would Not Effectively Address Fraud

DHS identifies fraud prevention and program integrity among the principal justifications for the proposed rule. However, the University understands that fraud is rare, and the proposed rule explicitly states that revenues generated by these fees would be deposited into the U.S. Treasury as miscellaneous receipts rather than retained by ICE or dedicated to OPT oversight and enforcement activities. DHS acknowledges that it does not have statutory authority to retain these funds for those purposes. The proposed fees would therefore not directly provide additional resources for investigations, compliance reviews, employer verification, or other activities that could more effectively address fraud; they would merely deter OPT participation.

Imposing these same heavy fees across all schools would burden institutions with strong compliance records without targeting misconduct, potentially excluding eligible students rather than preventing fraud.

B. The Proposed Fee Amounts Lack Sufficient Justification

UW is also concerned that the proposed rule does not adequately explain the basis for establishing an initial fee of $70,000 and subsequent fees of $30,000. While DHS discusses the intended deterrent effects of substantial fees, the proposal does not sufficiently establish why these particular amounts are necessary to achieve its objectives.

Without evidence connecting the amounts to program integrity goals, DHS has not shown that excluding

[4] https://optobservatory.org/

otherwise eligible students from OPT is proportionate or necessary.

C. The Economic Analysis Does Not Adequately Account for the Proposal's Consequences

Although DHS acknowledges that the proposed fees could reduce OPT participation and discourage international student enrollment, its analysis does not adequately quantify the broader economic consequences of these outcomes. The Department recognizes that institutions may experience reduced enrollment and associated tuition revenue, but states that it cannot precisely quantify these effects and instead uses unpaid OPT fees as a proxy for opportunity costs.

UW is concerned that this approach does not adequately capture the economic consequences of reduced international enrollment. In particular, the analysis does not provide sufficiently developed estimates of the number of prospective international students who may choose to study in other countries, the resulting loss of talent, tuition and fee revenue to American universities, or the reduction in spending on housing, food, transportation, and other goods and services. Nor does it adequately assess the secondary effects on institutional employment, local businesses, research activity, and regional economies.

DHS also insufficiently accounts for public universities' restrictions on state appropriations, tuition, and other funds. Its assumption that institutions can absorb, or transfer costs overlooks legal and administrative constraints discussed in Section II. These omissions further undermine the proposal's economic analysis.

D. Unresolved Implementation Questions

The proposed rule leaves significant questions about how fees would apply and be administered in common student and institutional circumstances.

Although DHS describes an initial fee of $70,000 and subsequent fees of $30,000, additional clarification is needed regarding the application of these charges across multiple periods of OPT, STEM OPT extensions, changes in educational level, and transfers between institutions. In particular, the proposed language raises questions about whether a student who previously participated in OPT at one institution could trigger another initial fee after enrolling at a different institution, and how prior payments would be identified and recognized across institutional SEVIS records.

These distinctions matter for students pursuing multiple degrees or training periods; institutions need clear rules before making recommendations.

The proposed rule also establishes significant administrative responsibilities related to payment verification, timing, and refunds. Institutions would be required to pay the applicable fee before a DSO could enter an OPT recommendation in SEVIS. DHS proposes a 60-day period between publication of a final rule and its effective date but does not adequately demonstrate that this would provide sufficient time for universities to establish the necessary financial approval procedures, payment systems, staff

training, and student communication processes.

Furthermore, the NPRM explicitly states that decisions on requests for refunds would be discretionary and generally unavailable once employment authorization has been issued, even if the student ultimately does not engage in practical training. The proposed rule does not establish sufficiently clear procedures or timelines for refund determinations, and it provides no administrative appeal of those decisions. These uncertainties would create additional financial risk for institutions already facing substantial payment obligations.

UW also expressly opposes the alternative fee structure on which DHS has requested comment, under which the $70,000 initial fee would be assessed again when a student pursues OPT following completion of a degree at a higher educational level. This alternative would impose additional financial barriers on students pursuing advanced education, including master's and doctoral degrees, and would be particularly harmful to research universities such as UW. It would further discourage students from continuing their education in the United States and undermine the nation's ability to attract and retain highly educated international talent.

VII. UW's Compliance Commitment and Less Burdensome, More Targeted Alternatives

UW takes seriously its responsibilities as an SEVP-certified institution to maintain F-1 immigration records, assess eligibility for OPT and STEM OPT, advise students, and fulfill reporting obligations. The University supports effective oversight and program integrity.

A. Institutional Responsibilities for Determining OPT Eligibility

Federal regulations establish specific responsibilities for Designated School Officials (DSOs) when recommending students for OPT. Under 8 CFR § 214.2(f)(11)(ii), a DSO must "ensure that the student is eligible for the given type and period of OPT" and that the student understands the responsibilities associated with maintaining status during practical training.

Under 8 CFR § 214.2(f)(10), eligible F-1 students generally must complete one full academic year of lawful full-time enrollment at an SEVP-certified institution and seek training directly related to their major field of study. Eligible students may receive up to 12 months of OPT at a given educational level and another period upon advancement to a higher level.

The regulations do not condition OPT eligibility on exceptional academic achievement, professional qualifications, anticipated economic contributions, or subjective assessments of potential misconduct. The proposed fee does not change the federal regulations outlining OPT eligibility, DSO standards, or reporting duties. It would impose substantial costs without directly improving fraud detection or changing who qualifies for OPT.

At UW, OPT recommendations are not automatic. DSOs review academic and immigration records,

enrollment history, prior practical training experiences, and other documentation. Students must complete UW's OPT request process, and DSOs enter recommendations in SEVIS only after confirming regulatory eligibility.

For STEM OPT extensions, 8 CFR § 214.2(f)(11)(ii) requires DSOs to confirm qualifying STEM degrees, properly completed Form I-983 training plans, and applicable employer and training requirements. UW reviews the required documentation before making recommendations.
A DSO recommendation confirms eligibility but does not authorize employment. Students separately apply to USCIS, which adjudicates Form I-765 under 8 CFR § 214.2(f)(11)(iii). This provides federal review in addition to the institution's assessment.

B. SEVIS Reporting and Recordkeeping Responsibilities

After USCIS approves OPT, UW continues maintaining the student's SEVIS record under 8 CFR § 214.2(f)(11)(ii). DSOs update reportable changes, advise students about status requirements, check employment authorization data transmitted from CLAIMS, and request SEVIS Help Desk corrections when needed. These duties require continuing outreach and follow-up with students and SEVP.

Under 8 CFR § 214.2(f)(12), OPT students must report changes in name, address, and employment, including interruptions. Students can report information through the SEVP Portal. STEM OPT adds employer reporting, periodic validation, and training evaluations. DSOs update SEVIS and maintain required training plans and evaluations. These requirements already provide DHS with substantial information for compliance monitoring.

C. Student Education, Communication, and Reporting Responsibilities

UW provides guidance to students on eligibility, applications, employment restrictions, reporting, and maintenance of status. Each of our three campuses publishes timelines and instructions; together, UW's three campuses offered 38 OPT workshops and information sessions in academic year 2025–26, and the Seattle campus provides on-demand video guidance.

After authorization, UW reminds students to update employment and contact information, identifies students nearing unemployment limits, audits records, and advises STEM OPT students on validation reports and evaluations.

D. Federal Responsibility for DSO Training

The need for additional federal training has been recognized for several years. In its March 2019 report, Student and Exchange Visitor Program: DHS Can Take Additional Steps to Manage Fraud Risks Related to School Recertification and Program Oversight (GAO-19-297), the Government Accountability Office recommended that ICE implement mandatory DSO training and complete its plans for mandatory fraud-specific training.

As of July 2026, both recommendations remained open and partially addressed. GAO reported that ICE was continuing work on a training platform, and that development had been delayed by staffing backlogs and other implementation considerations.

E. Less Burdensome and More Targeted Alternatives

UW favors oversight measures that target documented vulnerabilities over uniform fees unrelated to institutional compliance.

DSOs assess eligibility and maintain records; they are not generally responsible for fraud investigations. The proposed fees would not expand their investigative authority or skills.

UW supports implementing the GAO recommendations discussed in Part D above through SEVP-led training on fraud indicators and referral procedures. Consistent federal training would directly improve DSOs' capabilities without shifting the burden of developing standards to individual institutions.

DHS should also consider expanding educational resources for students seeking OPT authorization. Clear, accessible guidance concerning eligibility requirements, permissible employment, reporting obligations, unemployment limits, and common forms of fraud would help students understand their responsibilities and identify potentially improper employment arrangements. Such guidance would be particularly valuable when provided before students begin practical training and made available in formats that institutions can readily incorporate into their advising and orientation activities.

Additional outreach to employers would provide another opportunity to strengthen program integrity. Employers play an important role in ensuring that practical training opportunities are legitimate and consistent with students' educational backgrounds. DHS could provide clearer guidance regarding employer responsibilities, appropriate supervision, documentation, and compliance with applicable requirements. DHS can also strengthen employer verification procedures where credible concerns arise regarding the existence of an employer, the nature of a position, or the legitimacy of a reported training opportunity.

UW further encourages DHS to make greater use of risk-based compliance reviews and site visits. Rather than applying the same substantial financial burden to all institutions, SEVP could prioritize oversight of institutions and employers where documented concerns, prior compliance violations, or unusual patterns of activity warrant additional examination. This approach would allow the Department to focus its oversight resources on circumstances presenting a greater risk of fraud while minimizing unnecessary burdens on institutions with established compliance practices.

DHS already receives substantial OPT and STEM OPT employment data through SEVIS, including employers, locations, authorization periods, and reported changes. It should use these records to identify unusual employment patterns, repeated employers, inconsistent reporting, and other indicators warranting targeted review. Such indicators should prompt investigation, not automatically adverse determinations, because unusual patterns may have legitimate explanations. More effective use of

existing information would strengthen oversight without imposing prohibitive fees.

Finally, if DHS determines that additional fees are necessary to support OPT administration or oversight, UW urges the Department to establish fees that are reasonably related to documented administrative costs and supported by a transparent explanation of their calculation and intended purpose. Any such fee should be evaluated for its effects on students, institutions, and employers, including public universities with restrictions on the use of institutional funds. The Department should also consider whether existing appropriations, compliance mechanisms, or other less burdensome approaches could accomplish the same objectives.

These alternatives address documented compliance risks more directly while preserving legitimate practical training. DHS should pursue them with institutions and employers rather than adopt the proposed fees.

VIII. Conclusion and Requested Action

UW supports DHS's responsibility to prevent fraud, protect American workers, and maintain OPT integrity, and remains committed to compliance and cooperation.

The proposed fees, however, will impose extraordinary costs without demonstrated integrity benefits, restrict legitimate training, discourage enrollment, and disrupt research, healthcare, and employment, with consequences for Washington State and communities across the United States.

For these reasons, UW respectfully requests that DHS withdraw the proposed rule in its entirety, including the alternative proposal to assess an additional $70,000 initial fee when a student seeks OPT following completion of a degree at a higher educational level.

Should DHS elect not to withdraw the proposal, UW requests that the Department provide an extended public comment period and conduct a more comprehensive analysis of the proposed rule's anticipated effects. Such analysis should more fully address the consequences for international student enrollment, university finances and operations, research and healthcare institutions, employers, state and local economies, and American workers. It should also provide a clearer justification for the proposed fee amounts and evaluate whether less burdensome alternatives could achieve the Department's objectives.

Sincerely,



Tricia R. Serio
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