IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PRESIDENTS' ALLIANCE ON HIGHER EDUCATION AND IMMIGRATION, *et al.,*

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HOMELAND SECURITY, *et al.*,

Defendants.

Case No. _____

DECLARATION OF BOSTON UNIVERSITY

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I, Colin S. Duckett, declare as follows:

1. I am the University Provost at Boston University. I have served in this role since July 1, 2026. As University Provost, I have personal knowledge of the contents of this declaration and/or have knowledge of the matter based on records available to me.

2. Boston University is a member institution of the Presidents' Alliance on Higher Education and Immigration, represented by its President, Melissa L. Gilliam. Boston University pays annual dues to the Presidents' Alliance on Higher Education and Immigration.

3. Boston University is a member of the Association of Independent Colleges and Universities in Massachusetts (AICUM).

4. Boston University is a leading private research institution with over 37,000 students and during the 2024-2025 academic year, we hosted approximately 12,000 F-1 students and 700 J-1 exchange visitors. The community of international students and scholars at Boston University is integral to the success and academic fabric of the institution. International students and scholars make vital contributions to Boston University as researchers, educators, students, classmates, and colleagues.

5. I am familiar with the Department of Homeland Security's rulemaking *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* (the "Final Rule"). I understand that, among other things, the Final Rule eliminates the "duration of status" admission period for F and J nonimmigrants and replaces it with admission for a fixed time period based on their length of program, not to exceed four years absent an extension approved by immigration officials.

6. Since the announcement of the Final Rule, Boston University has received feedback from current and prospective international students and scholars, as well as faculty, administrators, and staff, raising serious concerns about the impact of the Final Rule on areas like recruitment, enrollment, retention, student success, academic mobility, and administrative burden.

A. Harms to recruitment, enrollment, and retention.

7. The Final Rule limits the admission period for international students and scholars to a maximum of four years, requiring students and scholars who remain longer than four years to seek an extension of stay (EOS). But the median time for a student completing a PhD program at Boston University is 5.7 years. There are also numerous individual and dual degree programs at Boston University that take more than four years to complete, particularly in the medical sciences where students must acquire extensive knowledge as well as hands-on clinical experience.

8. Such programs include Boston University's MD/PhD program, which requires a minimum of seven years to complete, the MD/JD and MD/Oral & Maxillofacial Surgery (OMFS) programs, which require a minimum of six years, and the MD/MPH, MD/Master of Science in Clinical Research (MSCR), MBA/MD, and a number of the Doctor of Science in Dentistry (DScD)/Certificate of Advanced Graduate Study (CAGS) programs, which take five years. Students enrolled in any of these programs will need to file an EOS application with USCIS to complete their program in the minimum amount of time.

9. The uncertainty surrounding approval for an EOS risks deterring international student enrollment in these programs and many others at Boston University. A decline in international student enrollment would be highly detrimental to the university.

10. Further, as discussed more below, the Final Rule's restrictions on graduate student mobility also has consequences for student enrollment, recruitment, and retention, as every year

international graduate students at Boston University move between programs, advance from one program to another, or come to Boston University in manners that are ordinary from the standpoint of academic mobility and progression but are barred by the Final Rule.

11. These harms are significant and irreparable. International graduate students are essential members of the campus community and, among other things, provide vital services to the university as research assistants, teaching assistants, clinical practitioners, and more. The Final Rule's anticipated harms to enrollment touch virtually every corner of the university's academic and education research mission, including:

- The continuity of laboratory and research activity, including interference with faculty research plans and grant continuity and the potential loss of international students with specialized knowledge, skills, and experience.
- The university's teaching and research assistant capacity, as many international graduate students serve as teaching assistants and/or research assistants.
- The university's clinical education and service.
- The quality of the academic experience of other students, who benefit from cross-cultural interaction and collaboration with international students.

12. The continuity of research projects is of particular concern. Research projects in STEM fields often do not start and complete at pre-determined dates or time periods. Rather, many J-1 exchange visitors engage in complex critical research studies that extend well past 4 years.

13. For example, at Boston University students drive transformational advances in healthcare, from cell engineering approaches for targeted immunotherapy for cancer treatments, to regenerative medicine approaches for treating a range of lung diseases and heart diseases, to advancing breakthrough technologies to detect and treat degenerative brain disease or stroke risk and recovery. The Final Rule threatens the continuity of these critical research projects by creating uncertainty that may deter or prematurely end international students' and scholars' participation.

14. Similarly, the loss of participation of international PhD students as teaching

assistants would leave critical undergraduate courses understaffed. The impact of that loss would be felt particularly hard with respect to hands-on components (*i.e.*, lab courses) and personalized tutoring and guidance, such as in discussion sections or for office hours.

B. Harms to Academic Mobility

15. The Final Rule prevents graduate students from changing their academic focus at any point during their program of study and from continuing their education at "the same" or a "lower" level. This restriction is incompatible with the ways that Boston University has structured many of its programs and admissions procedures to facilitate academic exploration, which Boston University sees as a natural and vital facet to higher education.

16. At the graduate level, admission to several of Boston University's combined degree programs is limited to students already enrolled in one of the degree programs. For example, to apply to the Master's in Business Administration and Doctor of Medicine dual degree program, a student must apply to Boston University's Questrom School of Business *after* a student has begun their medical studies at Boston University's Chobanian & Avedisian School of Medicine. If seeking to pursue an MBA after having already enrolled in an MD program, or applying to any of the other similarly structured dual degree programs, would constitute a prohibited change of academic focus or educational level under the Final Rule, Boston University will either be required to change the structure of the programs or international students will be unable to participate in the programs, resulting in decreased program enrollments.

17. Either option leads to irreparable harm for Boston University. Changes to the structure of Boston University's academic programs are costly and burdensome to implement, and, once made, difficult to unwind, as frequent changes to program structure undermine the stability of the university's academic programs, and any change to a program's structure may engender

reliance interests in current and prospective students.

18. The Final Rule's restrictions on the academic mobility of graduate students would similarly impact students following other established pathways of academic progression at Boston University, including:

- Biomedical Sciences PhD students in the Chobanian & Avedisian School of Medicine, who begin their studies by taking foundational courses in biomedical sciences before entering one of several specialized doctoral programs.
- Late Entry Accelerated Program master's students in the College of Engineering, who begin their studies by taking foundational courses in math and science before entering one of several discipline-specific master's programs.
- Master of Public Health students in the School of Public Health, who begin their studies by taking a core curriculum in public health before entering into a specialized pathway.
- Goldman School of Dental Medicine students, who may add, remove, combine, or transition among CAGS, Master of Science in Dentistry, and DScD programs.

19. Another common academic pathway at Boston University is for a student who has obtained a graduate degree in a general field of study subsequently to pursue more specialized training in another program. Yet there appears to be a material risk that a USCIS officer would not consider that specialized training to be "at a higher educational level." The Final Rule thus may bar international graduate students at Boston University from pursuing these established pathways, interfering with the University's ability to educate students in the manner of its choosing.

20. For instance, a dentist with a Doctor of Dental Medicine degree may pursue a Certificate of Advanced Graduate Study at Boston University in Pediatric Dentistry, Geriatric Dental Medicine, Endodontics, or another specialized field. Doing so is not in the interest of simply prolonging their period of study but is for many students an essential opportunity for academic and professional development that will help them learn how better to serve a particular population, prepare to seek board certification, or become a leader in the field.

21. Similarly, a teacher with a Master of Education degree may pursue a graduate certificate at Boston University in Chemistry Education, Physics Education, Autism & Emotional/Behavioral Disorders, or another field. In addition, PhD students sometimes decide to discontinue pursuing the degree, changing their program of study to a master's degree in the same field. If these changes are not allowed, it could impact student enrollment.

C. Harms from increased administrative and compliance burdens.

22. Boston University anticipates many administrative burdens and compliance costs as a result of the Final Rule.

23. The anticipated burdens include a much-increased advising load for the International Students and Scholars Office (ISSO) as it helps international students and scholars navigate the rule change.

24. They also include more systemic changes, including:

- Changes to program-change and degree-change procedures and academic approval workflows, to ensure that changes sought by international students comply with the Final Rule.
- Overhauls to Boston University's student-record coordination processes and systems, including the adoption of new data fields and student systems.
- The development of new forms, policies, and trainings to inform all stakeholders about the Final Rule and ensure compliance.
- Changes to recruitment and admission communications and policies to ensure compliance with the Final Rule.
- New procedures related to ISSO's advising of international students and scholars, including with respect to processes related to program extensions.
- Coordination among Boston University's academic and administrative units to ensure university-wide familiarity and compliance with the Final Rule.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on August 17, 2026, at Boston, Massachusetts.

Colin S. Duckett