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 SUSAN-ELLIS DOUGHERTY

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I, Susan-Ellis Dougherty, declare as follows:

1. I am the Director of International Student and Scholar Services at University of Maryland, College Park. I have held this role since January 17, 2012. The responsibilities of my office include responsibility for compliance with the institution's immigration laws and regulations, Department of Labor laws with regard to H-1B specialty occupations and the institution's J-1 Program (Exchange Visitor Program) compliance and operations. In my position I manage the immigration services provided to approximately 6,000 international students, 1,000 international faculty members and the engagement and inclusion programming for the population. As Director, I have personal knowledge of the contents of this declaration and/or have knowledge of the matters based on records available to me. If called as a witness, I could and would testify competently to the following facts.

2. The University of Maryland, College Park is a constituent institution of the University System of Maryland (USM), which is member of the Presidents' Alliance on Higher Education and Immigration.

3. 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 visa holders and replaces it with admission for a fixed time period based on their length of program, not to exceed 4 years absent an extension approved by immigration officials.

A. Background

4. The University of Maryland College Park (UMD) is a comprehensive public research university dedicated to fostering academic excellence, innovative research, community service and global engagement. Central to this mission is the cultivation of a diverse campus community that integrates global perspectives into its academic and cultural fabric.

5. UMD's International Student and Scholar Services (ISSS) serves as the primary hub for international advocacy, regulatory compliance, and cultural integration. The office is charged with supporting international students, faculty, and researchers from their initial admission or appointment through the completion of their programs inclusive of periods of practical training, ensuring they can fully contribute to the academic vitality of UMD and the United States of America.

6. UMD maintains authorization from the U.S. federal government to sponsor international students, exchange visitors, and scholars under specific nonimmigrant visa categories:

a. The F-1 Student Program: Authorized under the Student and Exchange Visitor Program (SEVP) within U.S. Immigration and Customs Enforcement (ICE), this program allows UMD to matriculate international students seeking full-time degree objectives e.g., Bachelor's, Master's, and Doctoral degrees or approved language training.

b. The J-1 Exchange Visitor Program: Designated by the U.S. Department of State (DOS). this program facilitates educational and cultural exchanges by hosting international students, short-term scholars, research scholars, professors, and specialists. The program enhances collaborative research and cross-cultural understanding between UMD and international institutions.

7. UMD has some 139 countries represented on its campus. The presence of international students and scholars significantly enhances the research capabilities, teaching access, global rankings, and cultural diversity of UMD.

8. As of Fall 2025, UMD hosts approximately 6451 active F-1 students. The top five countries of origin represented in this cohort are India, China, South Korea, Taiwan and Iran. The most heavily populated academic divisions include Computer, Math, Natural Sciences, Engineering, Business, Behavioral and Social Sciences and Arts and Humanities.

9. Concurrently, the institution hosts approximately 500 J-1 exchange visitors annually. These individuals are primarily placed as Research Scholars, Short-term Scholars and Professors across various host departments, with notable concentrations in Physical Sciences, Engineering and Social Sciences.

10. Beyond academic contributions, international students and scholars contribute significantly to the local economy and support the institution's internationalization goals as outlined in the NAFSA International Student Economic Value Tool, which estimates the economic benefit of all international students in the Maryland to equal $1 billion. The contributions of the enrolled students at UMD total $240.4 million and they are supporting 2,392 jobs. (Banks, R., nafsa.org/economic value. NAFSA. https://www.nafsa.org/isev/reports/state?state=MD&year=2024).

11. Nationally, international students and scholars contributed $45 billion dollars to the U.S. economy in 2018, according to the U.S. Department of Commerce. For every three international students, one U.S. job is created and supported by spending occurring in higher education, accommodation, dining, retail, transportation, telecommunications and health insurance sectors. The Institute for International Education published an annual report, titled *Open Doors*. The

2019 Open Doors report cites that about 62 percent of all international students receive the majority of their funds from sources outside of the United States, including personal and family sources as well as assistance from their home country governments or universities. Students from around the world who study in the United States also contribute to America's scientific and technical research and bring international perspectives into U.S. classrooms, helping prepare American undergraduates for global careers, and often lead to longer-term business relationships and economic benefits. These incidental benefits create long-term international commerce relationships and directly contribute to U.S. predominance in innovation and technology.

12. To maintain eligibility to sponsor F-1 and J-1 visa holders, UMD must comply with strict reporting mandates managed through the Student and Exchange Visitor Information System (SEVIS).

13. The institution appoints a Principal Designated School Official (PDSO) and Designated School Officials (DSOs) to oversee the F-1 program, and it appoints a Responsible Officer (RO) and Alternate Responsible Officers (AROs) to administer the J-1 program. These individuals have authority to access SEVIS, issue Certificates of Eligibility (Forms I-20 and DS-2019), and verify that both the institution and the individual visa holders adhere to Title 8 (Aliens and Nationality) and Title 22 (Foreign Relations) of the Code of Federal Regulations (CFR). The highly trained compliance staff specialize in F-1 and J-1 regulations, partnering with IT professionals to maintain standard operating procedures that drive operational excellence.

B. Harms to recruitment, enrollment, and retention.

14. Since the publication of the Final Rule, UMD has received feedback from current and prospective international students and scholars that the elimination of duration of status and other changes from the Final Rule create a strong disincentive to come to or continue studying in the

United States.

15. Additionally, I am aware of a trend of declining enrollment of international students and scholars at UMD driven by anxieties about the policy environment in the United States, and the loss of duration of status is in keeping with and will accelerate that trend. UMD was experiencing enrollment stability and growth until Fall 2025, when UMD experienced an enrollment decline of 10 percent for graduate student enrollment. UMD is anticipating a decline in graduate enrollment for Fall 2026. This could be as much as 30 percent for newly admitted graduate students. F-1 students are concerned about the potential for administrative delays in USCIS processing impacting their ability to continue to participate in Graduate Assistantships, a major source of financial support for a student's studies. This is coupled with the application fees required to process an application for extension of status and the associated biometric fees. This will add up quickly for an F-1 student's already tight budget. The rule also imposes academic inflexibility. Degree programs involving unexpected research delays, double majors, and degrees earned at both master's and doctoral levels have all been brought into question.

16. UMD believes that students' concerns about their ability to complete their studies absent duration of status is a major deterrent to joining UMD or any other U.S. institution of higher learning. It is a major influence on enrollment decisions.

17. In my experience, if a student declines to pursue education in the United States and instead chooses to study in another country, that lost enrollment is very unlikely to be recoverable by the university in future years, even if conditions change. Likewise, scholars who decline to come to UMD and instead choose to complete academic milestones like visiting professorships and postdoctoral fellowships in other countries are unlikely to be recovered by UMD. The rule imposes unnecessary burdens on international students and scholars, on the institutions and on

federal agencies working with U.S. institutions. The ultimate result is harmful to the U.S. economy and is counterproductive.

18. UMD competes in a global marketplace for top academic talent. In my experience, U.S.-based institutions like UMD are losing ground to institutions in other countries, like Canada, the United Kingdom, and Australia, whose policies are more favorable to international students, scholars and scientists. The loss of duration of status is in keeping with and will accelerate that trend.

19. Accordingly, the future loss of international students and scholars at UMD due to the elimination of duration of status is concrete, immediate, and irreparable harm. Each lost enrollment of an international student and scholar leaves UMD worse off: we miss out on talented teachers and researchers, we miss valued community members who enrich our academic and social lives as a community of learning, and, in many cases, we lose tuition dollars that help support our programs. Doctoral programs with limited enrollment, such as those in the humanities, will be greatly challenged by the loss of international students. These programs have already been impacted by funding cuts and visa processing delays, adding the uncertainty of degree completion will result in the loss of necessary niche programs.

C. Harms to research and teaching

20. Many international scholars and students, particularly graduate students, at UMD make critical contributions to the classroom instruction and research capabilities of the university.

21. At UMD, we have some 3400 international graduate students, approximately 100 international postdoctoral fellows, and 21 other F-1 scholars who occupy teaching and/or research roles. Overall, UMD must attract faculty, researchers and graduate students from around the global in order to advance its cutting-edge research and education.

22. Often the research performed at UMD spans multiple years and its success depends in part on continuity of research staff.

23. The loss in enrollment of international students and scholars we anticipate to result from the elimination of duration of status will have direct negative consequences for many research efforts at UMD by disrupting the continuity of research teams and draining UMD of talented individuals.

24. Additionally, many international students and scholars make important contributions to UMD through teaching roles, including as visiting professors, lecturers, teaching assistants, research assistants, research and laboratory supervisors, etc.

25. The loss in enrollment of international students and scholars we anticipate resulting from the elimination of duration of status will directly and negatively impact UMD's ability to provide its student body the high-quality instruction they require.

D. Disruptions to academic programs

26. The four-year status cap set by the Final Rule does not reflect academic realities at UMD, where programs frequently take longer than four years to complete—in many cases as a matter of design.

27. UMD offers 84 doctoral degree programs that collectively enroll 1,540 international students. The average time to complete a doctoral degree at UMD is six years on average. The percentage of our doctoral programs designed to exceed four years is 100 percent.

28. The elimination of duration of status creates considerable new uncertainty regarding the ability of students to complete their course of study at UMD. Students are understandably concerned that they may be unable to obtain an extension of stay if needed, which would result in the loss of the years and significant financial resources invested in their U.S.-based education.

29. Other aspects of the Final Rule likewise conflict with course design at UMD. For example, the rule prohibits graduate students from transferring between programs and prohibits students from enrolling in a program at the same level or lower level than the program they completed. But these are ordinary sequences at UMD. Students, including international students, often transfer programs or enroll in one program at the same or lower level than the one they just completed. For example, a science master's student may want to study for a MBA degree as well. A doctoral student who receives enough course work to qualify for a master's degree in a complementary subject area may wish to complete the master's curriculum to graduate with both degrees. Students are taking this pathway because it makes the most sense for them academically and professionally.

30. As a result of the changes in the Final Rule, UMD may be required to make changes to its program offerings and academic pathways to ensure they remain open to international students. The final rule was published on July 17, 2026, with a 60-day implementation period. Many faculty are not working over the summer months; thus, discussions of changes to program offerings are not possible until the month of August when faculty return to campus. The 60-day implementation period is not long enough for UMD to adequately plan implementation and ill-timed for the required planning.

31. These changes are costly and time consuming to implement and, once implemented, are not easy to unwind. They are thus irreparable harms to UMD.

E. Harms to student success

32. The Final Rule creates considerable uncertainty for current international students at UMD who may take longer than four years and/or their program end date to graduate.

33. Some 1,540 international graduate students are enrolled in programs that last longer

than four years. These students will be required to seek an extension of stay (EOS) in order to graduate. Additionally, based on past experience, we anticipate that at least 400 students enrolled in programs lasting four years or fewer will also be required to seek an EOS to complete their program and ultimately graduate, because their studies have taken longer than anticipated, as is commonplace.

34. Any student who must seek an EOS simply to complete their academic program faces some risk of falling out of status or having to leave the United States before their program is complete. For example, an immigration officer may deny the EOS, or the student's application may be untimely or technically deficient. Based on existing processing delays at DHS, it is substantially certain that students also will encounter considerable delay in filing their EOS requests and having those adjudicated.

35. This enhanced risk profile creates real-world harms that affect academic programs and the campus environment. We expect that student retention, graduation rates, and other markers of student success may suffer because of the Final Rule.

36. Additionally, students faced with this uncertainty may suffer academically. In my experience, students with external stressors or who face an uncertain risk often struggle academically because of stress, anxiety, distraction, and drains on time, resources, and attention.

F. Academic mobility harms

37. International travel is a common feature of the educational and academic experience at UMD. International students and scholars frequently travel abroad, for instance, to attend conferences, to study abroad, to perform their research duties, and as part of their classroom curriculum.

38. But current F-1 students may be deterred from traveling internationally after the

Final Rule, because students who exit the United States and reenter will receive a new Form I-94 upon return, which would move them from duration of status to the fixed-term system. It would also reduce their grace period at the conclusion of their program from 60 days to 30.

39. These disincentives to travel may cause disruption to travel-based components of the academic experience at UMD. Students may not be able to participate in study abroad, to complete travel-based components of their course work and research responsibilities and attend academic and professional development opportunities. These harms to UMD's ability to carry out its educational mission by ensuring that students and scholars are able to fully participate in academic offering are irreparable—those missed opportunities to provide academic enrichment cannot be recovered in the future.

40. For that reason, UMD may need to restructure some of these academic offerings to accommodate international students who now feel unsafe to travel. These lasting changes to programs to accommodate the Final Rule are irreparable.

41. In higher education, the first year of study is designed as a foundational period for exploration. Forcing undergraduates to remain frozen in an initial major chosen prior to matriculation destroys their academic autonomy. Students are effectively trapped in research tracks or concentrations that no longer align with their developing career goals, emerging academic capabilities, or shifting global economic demands.

42. When international students experience academic difficulty in highly rigorous fields (such as advanced engineering or physics) during their initial terms, standard university intervention dictates pivoting the student to a more suitable major. By prohibiting first-year major changes, the rule blocks these educational interventions. Consequently, struggling students face institutional academic dismissal. Under the new framework, academic dismissal triggers

immediate unlawful presence and deportation risks, turning an ordinary curricular adjustment into an immigration catastrophe.

43. Suppression of Multi-Disciplinary STEM Innovation: Advanced scientific research is inherently fluid, often requiring graduate researchers to transition between sub-fields (e.g., shifting from general computer science into high-demand artificial intelligence or data science tracks). By permanently restricting graduate program changes, the rule suffocates multi-disciplinary collaboration, forces researchers into obsolete academic silos, and actively delays ongoing research projects.

G. Compliance costs and administrative burdens.

44. The Final Rule is already causing and will continue to cause massive harms to UMD as the International Student and Scholar Services staff work to understand and adjust to the new requirements and ensure compliance.

45. UMD designed its SEVIS compliance systems in reliance on the duration of status system. All UMD's policies, trainings, and technological systems and processes were developed specifically with duration of status in mind. UMD will now need to rebuild those systems from the ground up.

46. Compliance with the new rules will also require substantially more time and resources than duration of status on an ongoing basis. Under duration of status, International Student and Scholar Services was able to use SEVIS to provide information about international students and scholars and easily update their I-20s and DS-2019s as conditions changed.

47. Now, UMD anticipates needing to file 400 EOS requests every year. This means completing much more paperwork in connection with many more students. It also means additional compliance costs for universities and students, including application fees, travel for

biometrics appointments and potentially interviews, and more.

48. Advising students throughout the year will also be much more complex and will come with greater uncertainty and risk. ISSS must be equipped to train students on complex rules and projects to ensure that students who will need to submit EOS requests in the future will have those requests granted.

49. UMD anticipates needing to divert significant resources to ISSS to handle the changes of the Final Rule, including hiring two new staff, spending 120 hours on training, and filing 400 new EOS requests each year. DHS estimated that $93.3 million would need to be spent across the higher education sector in one year.

50. This diversion of resources to regulatory compliance will mean having to make cuts elsewhere to programs and administrative or academic offerings. Programming offered to the international community to engage with the public, gain exposure to American culture, and have experiential opportunities that enhance learning will need to be cut.

51. These outlays, and cuts to programs elsewhere, would be unrecoverable and thus irreparable.

52. UMD anticipates institutional strain resulting from the heavy administrative costs to retrofit tracking systems, update SEVIS workflows and advise F-1 students on complex date calculations to avoid the accrual of unlawful presence. Students will risk falling out of status due to potential USCIS processing errors and effects of additional work on an already overburdened agency.

H. Financial harms

53. International students and scholars make significant contributions to UMD through tuition, fees, housing, dining, and participation in athletic and research activities. These are

significant sources of revenue that promote UMD's financial stability and ensure its ability to offer the best services and programs to the campus community.

54. Any reduction in international student enrolment because of the Final Rule would disrupt these revenue streams and undermine UMD's ability to support academic programs and institutional priorities.

55. Additionally, losing international enrollment would mean failing to recover on sunk investments in international student recruitment, admissions, and academic support.

56. This lost revenue and these sunken investments would be unrecoverable.

I. Reputational harms

57. UMD prizes the reputation it has cultivated as a highly regarded institution of higher learning that is an attractive destination for international students wishing to study in the United States. This reputation is the result of decades of effort building relationships with international students, faculty, scholars, government agencies, and educational partners.

58. Currently, students and scholars from 135 countries are members of the UMD community.

59. The Final Rule undermines international confidence in U.S. institutions of higher education, including UMD. It communicates to people around the world, including prospective students and scholars and their families, that the United States is not welcoming to noncitizen students and that the policy and regulatory environment is unstable, unreliable, and unpredictable.

60. In UMD's efforts to compete in a global marketplace for academic talent, it is seriously harmed when its identity as a U.S. institution becomes a hinderance rather than an asset. These harms are difficult to quantify but diminish UMD's ability to recruit and retain academic talent, and ultimately to fulfill its research and educational objectives.

61. Such damage to UMD's international reputation is also difficult to repair and effectively unrecoverable, even if the Final Rule were to ultimately be vacated.

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

Executed on 08/12/2026 at College Park, MD.

Susan-Ellis Dougherty