

November 25, 2025

Submitted via www.regulations.gov

Paul Buono
Chief, Business and Foreign Workers Division
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
5900 Capital Gateway Drive
Camp Springs, MD 20746

Re: DHS Docket No. USCIS–2025–0271, Removal of the Automatic Extension of Employment Authorization Documents

Dear Chief Buono,

Spring Institute for Intercultural Learning submits this comment to provide our strongest possible opposition to the October 30, 2025 Interim Final Rule (“2025 IFR”) eliminating automatic extensions of Employment Authorization Documents (“EADs”). The policy to automatically extend EADs was first put in place ten years ago, initially for 180 days and most recently for 540 days, to specifically prevent the kinds of case processing delays USCIS has experienced for many years in adjudicating the EAD renewal applications for individuals who filed in a timely fashion. The permanent framework for automatic extension of EADs followed extensive advocacy efforts by key stakeholders, including by thousands of employers who depend on workers with EADs.

Returning to a system already proven to disrupt workforce availability and the economic livelihood of employers, not to mention the lives of workers and their families, is nonsensical. The fact that the automatic extension period was increased over time and put in place permanently just a year ago speaks to the increased need for such a policy, rather than its removal. Moreover, the supposed security rationale justifying this change is wholly unsupported by evidence, while the process of bypassing legally required notice-and-comment periods, which has become standard procedure for this administration, is deeply concerning. As an organization that has supported refugees and non-refugee immigrants in Colorado for over 45 years, Spring Institute is particularly concerned about the impact of this rule on already vulnerable populations, including refugees, asylees and pending asylum applicants, and TPS beneficiaries. We strongly urge the Department of Homeland Security to withdraw the 2025 IFR in full.

Organizational Background

Founded in 1979, Spring Institute runs a number of programs and services to fulfill our mission of building a thriving intercultural community through learning, language access, and advocacy. We provide direct services to over 2500 immigrants and refugees each year, including English language classes, career pathway support, navigation services, early childhood education, and youth services. The immigrant and refugee families we serve are hardworking members of our community who depend on uninterrupted employment authorization to ensure their families have access to safe housing, healthy food, transportation, quality healthcare, and education. In turn, immigrants provide skills, education and labor in high demand by Colorado employers in numerous industries from agriculture to healthcare. Neither employers nor employees should be encumbered by unnecessary regulation and significant adjudication delays that have a proven history of interrupting workflows, disrupting lives, and negatively impacting businesses.

Furthermore, we know firsthand the significant barriers immigrants and employers already face in providing critical services, care, and products that drive the American economy. Since 2010, Spring Institute has run the Colorado Welcome Back program, which helps internationally trained healthcare professionals get relicensed to fill critical healthcare gaps in our state, particularly in rural and underserved areas. The 2025 IFR will only add additional barriers to employment and stable, meaningful economic contribution.

Concerns Regarding Impact of Implementing the IFR

The 2025 IFR ignores the operational challenges of returning to a system recognized by DHS as an unnecessary threat to U.S. economic security. Due to significant existing backlogs in EAD renewal applications, which number over 165,000 according to the most recent DHS data, DHS concluded less than a year ago that the 540-day automatic EAD extension should be made permanent to prevent employment lapses caused by USCIS delays and to protect employers and workers who would have been negatively impacted by said lapses. The 540-day automatic renewal extension was itself put in place because the decade-old 180-day automatic extension did not sufficiently address USCIS backlogs. There is no evidence that the backlogs have diminished and that it is suddenly practical to reinstate a system of annual application approvals. Instead, the 2025 IFR will lead to unnecessary and harmful interruptions in EAD renewals, creating work stoppages and hardship for both workers and employers.

It is particularly incomprehensible that the 2025 IFR asserts DHS “cannot quantify” the economic impacts of eliminating automatic EAD extensions, while simultaneously admitting “the importance of employment authorization and evidence of employment authorization for applicants' and their families' livelihoods, as well as their U.S. employers' continuity of operations and financial health.” Indeed, the 2025 IFR blatantly contradicts DHS’ previous analysis; in its 2024 Final Rule regarding Automatic Employment Authorization Document (EAD) Extension, DHS presented economic analysis demonstrating extensive economic benefits

in making the automatic extension of EADs permanent. The 2025 IFR, in sharp contrast, provides no economic analysis justifying its proposed change.

The primary purpose of the IFR seems to be limited to the goal of “reduce[ing] the risk that affected employers will continue to employ an alien who is no longer authorized to work”The IFR does not, however, offer evidence that this problem is commonplace or presents a genuine security risk.

Moreover, the current 2025 IFR emphasises the importance of “early filing” of applications without acknowledging the fact that doing so is often detrimental to the applicant, given the USCIS practice of issuing overlapping validity periods rather than extending the new approval period onto the end date of the existing authorization. As a result, individuals who file early, up to six months in advance, will be provided a shortened work authorization window and have to repeat this process, at great expense and time, to annually maintain continuous work authorization.

Concerns About the Lack of Public Comment and Stakeholder Input Prior to new Rulemaking

Based on the language of the IFR itself, DHS acknowledges that it may lead to major economic and personal disruptions that are not the fault of either the worker or the employee. However, it is nonetheless proceeding with a rule change without the legally required process of presenting first a proposed rule change, soliciting public comment, and then putting forth a final rule based on the feedback of key experts and stakeholders.

Not only should such an impactful change not be taken without public input, but doing so flouts the requirements of the Administrative Procedure Act, failing to provide advance notice and solicit public comment on a proposed rule unless doing so would be "impracticable, unnecessary, or contrary to the public interest." There is no justification presented for why the legally required advance notice and public comment period fits any of the exception categories.

I. Requested Action and Conclusion

For all of these reasons, Spring Institute urges DHS to withdraw the 2025 IFR in its entirety. The 2025 IFR provides no significant justification for such a significant shift in policy, while its implementation will cause tremendous hardship for individual workers and employers, as well as broader negative economic impacts not only in Colorado, but nationwide.

Sincerely,

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