The Colorado Health Foundation™

November 6, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528

Submitted electronically via Regulations.gov

RE: Comments on Removing 30-Day Refugee Termination Notice; DHS Docket No. USCIS-2026-0397; RIN 1615-AD23

Dear Secretary Mullin,

Thank you for the opportunity to provide comments on the Department of Homeland Security's (DHS) interim final rule (IFR), *Removing 30-Day Refugee Termination Notice*. The Colorado Health Foundation ("CHF" or "the Foundation") is a statewide, nonprofit and nonpartisan philanthropic organization with a mission to improve the health and well-being of Coloradans. Through community engagement, research, grantmaking, and private sector investments, the Foundation works to ensure that everyone in Colorado has what they need to be healthy.

The Foundation recognizes DHS's responsibility to maintain the integrity of the U.S. refugee program and address cases in which the Department determines that an individual did not qualify for refugee status at the time of admission. However, we are concerned that reducing the time refugees have to respond to a Notice of Intent to Terminate (NOIT) from 30 days to 10 days creates unnecessary risks for refugees and their families without changing the substantive standard governing termination. Refugees facing termination may need to obtain legal assistance, understand the allegations against them, locate records, secure translations, prepare written evidence, and determine whether to request an interview, all while facing the possibility of losing the legal status on which their employment and family stability depend. For these reasons, the Foundation respectfully urges DHS to withdraw this IFR and restore the 30-day response period.

As outlined below, the Foundation is concerned that:

- Reducing the response period to 10 days may prevent refugees from meaningfully responding to a decision with potentially life-altering consequences, particularly when they must obtain counsel, records, translations, or evidence within a matter of days.

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- An erroneous or inadequately contested termination can destabilize entire families, including through loss of employment and income and potential consequences for spouses and children whose refugee status is derivative of the principal refugee's status.
- DHS has not adequately evaluated these consequences for family well-being. The Department states that it has no data indicating that the IFR will affect family well-being even while acknowledging elsewhere in the rule that termination can result in earlier loss of employment authorization and wages and that the shortened period may leave refugees with less time to gather evidence and prepare a response.

The 10-day response period does not provide sufficient time to respond to a potentially life-altering determination.

Under this IFR, USCIS continues to provide a refugee with written notice of its intent to terminate status and an opportunity to present written or oral evidence showing why termination is unwarranted. The rule does not change the substantive standard for termination. It instead reduces from 30 days to 10 days the period in which a refugee must exercise these protections. If no response is received by the deadline, the individual forfeits the opportunity to rebut the allegations before USCIS terminates refugee status. This is a consequential policy change given that there is no administrative appeal from USCIS's termination decision.

Ten days can be an extraordinarily short period in which to respond to such a consequential determination. A refugee may need to identify and retain an attorney, obtain and review the government's allegations, locate records concerning events that occurred years earlier or overseas, obtain translations, collect supporting evidence, prepare declarations, and determine whether an interview is necessary. DHS itself acknowledges that the shorter timeframe could impose increased costs because refugees will have less time to collect evidence, prepare documentation, and develop their responses.

These practical barriers are particularly important for refugees, some of whom may face language barriers, limited familiarity with the U.S. legal system, or difficulty retrieving documents from the countries from which they fled. The National Immigration Forum has similarly noted that mailed notices may leave refugees with less than the nominal response period after actual receipt and that preparing a response may require obtaining immigration records, locating documents abroad, translating evidence, and finding competent counsel.

The Foundation supports appropriate review when DHS identifies legitimate concerns regarding an individual refugee determination. However, administrative efficiency should not come at the expense of a meaningful opportunity to respond. Restoring the 30-day period would not prevent USCIS from

reviewing cases, issuing NOITs, or terminating status when the statutory standard is satisfied. It would instead provide a more reasonable period for individuals to present information that may be essential to an accurate decision.

The shortened timeframe threatens family stability and could increase the risk of family separation.

The consequences of an erroneous or insufficiently contested termination extend beyond the individual receiving a NOIT. Under 8 C.F.R. § 207.9, termination of a principal refugee's status also terminates the refugee status of a spouse or child admitted derivatively. Termination also ends employment authorization associated with refugee status and may lead to removal proceedings. DHS estimates that approximately 186,000 refugees admitted between fiscal years 2015 and 2025 who have not adjusted status represent the population potentially subject to the IFR.

For families, the effects of an erroneous termination can be immediate. Loss of work authorization can mean loss of wages and employer-sponsored benefits and can jeopardize families' ability to pay for housing, food, transportation, and health care. Immigration proceedings can create additional uncertainty about whether parents and children will be able to remain together. These consequences are especially significant for refugee families who have already experienced displacement and may have spent years rebuilding stability in communities in Colorado and across the country.

The health consequences of family separation and persistent threats to family unity are also well documented. The American Academy of Pediatrics has identified forced family separation and the fear of separation as significant stressors for immigrant children and families, with potential consequences including anxiety, depression, disruptions in sleep and eating, poor school performance, and housing and food instability. Its September 2026 policy statement on children and families seeking humanitarian protection emphasizes that preservation of family unity is important to protecting children from toxic stress and other adverse health consequences.

The Foundation therefore urges DHS to evaluate the IFR not simply as a change in administrative timing, but in light of the consequences that can follow when an individual is unable to meaningfully contest an erroneous termination. Providing sufficient time to respond is a modest procedural safeguard that can help prevent avoidable disruptions to employment, family stability, and health.

DHS should more fully consider the IFR's effects on family well-being.

The Foundation is particularly concerned that DHS's family assessment does not adequately address these potential consequences. DHS states in the IFR that it has no data indicating that the rule will affect family well-being and concludes that the regulation will not negatively affect family well-being or the integrity of the family. At the same time, DHS's own regulatory analysis recognizes that the IFR can cause employment authorization to terminate at least 20 days earlier than under the prior rule, resulting in forgone wages and benefits. DHS also acknowledges that affected individuals may need assistance

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from social and support networks and that some workers may lose authorization under the 10-day process even though they could have successfully reaffirmed their status within 30 days.

Those acknowledged effects warrant greater consideration in the Department's family assessment. Economic security, stable employment, housing, access to health care, and family unity are interconnected determinants of health and well-being. A policy that accelerates the potential loss of employment authorization and increases the possibility that a refugee will be unable to present evidence supporting continued status can affect not only the individual but spouses, children, employers, schools, health care providers, and community organizations.

Conclusion

The Colorado Health Foundation recognizes DHS's responsibility to protect the integrity of the refugee program and to take appropriate action when evidence demonstrates that an individual was not eligible for refugee status at the time of admission. A 30-day response period does not prevent the Department from carrying out that responsibility. It provides refugees and their families a more reasonable opportunity to understand the government's allegations, obtain assistance, gather evidence, and respond before a decision is made that can have profound consequences for their legal status, employment, and family stability.

The Foundation respectfully urges DHS to withdraw this IFR and to restore the 30-day response period under 8 C.F.R. § 207.9.

The Foundation appreciates your consideration of our comments. If you have any questions, please contact Kyle Rojas Legleiter, Colorado Health Foundation Senior Director of Policy, at klegleiter@coloradohealth.org or 303-953-3618.

Sincerely,



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