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## Form I-765 STEM OPT FAQ

### **Part I: Completing the Application: Form I-765, “Application for Employment Authorization” / Form I-983, “Training Plan for STEM OPT Students”**

#### **Q1: What are the initial evidence requirements for a post-completion optional practical training (OPT) Form I-765?**

- a) Specifically, will the Potomac Service Center (PSC) require all copies of previous Form I-20s, “Certificate of Eligibility for Nonimmigrant Student Status,” or just the one with the OPT recommendation?

As the initial evidence requirement for a post-completion OPT Form I-765, only one Form I-20 with an OPT recommendation is required.

- b) Will PSC accept a screen shot of the list of all curricular practical training (CPT) employment as evidence that the student did not exceed one year of full-time CPT?

PSC will accept a screen shot of the list of all CPT employment as evidence, but this additional step is not required for principal designated school officials (PDSOs) and designated school officials (DSOs). This information is already available and viewable by PSC adjudicators in the Student and Exchange Visitor Information System (SEVIS).

#### **Q2: Will PSC require the extra (travel) signature on the second page of the OPT Form I-20?**

A second, extra travel signature on the second page of the OPT Form I-20 is not required.

#### **Q3: Does PSC have a required/standard verbiage for the employment remarks on the second page of the Form I-20?**

For science, technology, engineering and mathematics (STEM) OPT applications, PDSOs and DSOs are advised to enter preferred remarks in the “explain how employment is related to student’s course of study” field: “I have reviewed the Form I-983. It is completed, signed and addresses all program requirements.” Otherwise, no comment is necessary.

#### **Q4: What documentation is required for the following applications?**

- a) Submitting the STEM application after May 13:
- Newly issued Form I-765
  - Newly issued Form I-20
  - Employer’s name (as shown on E-Verify)

- E-verify number
  - Letter from employer that includes job duties and specifies part-time or full-time employment
  - Official transcripts or degree accredited by the school
  - Translation (if degree is not in English)
- b) Submitting the STEM application based on a degree at another university:  
Specifically, will PSC require a copy of the Form I-983 as initial evidence with any STEM OPT Form I-765?

PSC will not require a copy of the Form I-983 as initial evidence.

**Q5: Will PSC be receptive to additional documents submitted by the employer that support the points listed in the training plan?**

Additional documentation is welcomed, but not required.

### **Part II: STEM OPT Transition Plan Processing**

**Q1: Will the Potomac Service Center (PSC) give priority processing to applicants applying for the additional seven months of science, technology, engineering and mathematics (STEM) optional practical training (OPT), particularly if the 150-day eligibility deadline is in May?**

PSC is processing cases in order on a first in and first out basis; therefore, no priority is given to applicants applying for the additional seven months of STEM OPT.

**Q2: What documentation will be required for the following applications?**

- a) Filing the seven-month extension for students currently on 17-month STEM OPT.  
Required documentation includes a newly issued and signed Form I-20 on or after May 10, and evidence of F-1's eligibility mentioned above.
- b) Filing with the Request for Evidence (RFE) notice for students with pending 17-month STEM OPT on May 10.  
Same evidence as listed in the first scenario above.

Additional note: PSC is anticipating concerns related to one class of applications, in particular to 1) RFEs already gone out and 2) RFEs about to go out. To prevent case abandonment, it is critical for principal designated school officials and designated school officials to respond to both RFEs, ideally at the same time. To further clarify, the two types of RFEs are 1) a systemic RFE for the Form I-20 on those pending 17-month extension applications on May 10, and (2) another non-extension related as the first one determines eligibility and the second one is STEM-OPT related.

### **Part III: PSC Processing the Application**

**Q1: What are the projected processing times for the Form I-765? How long are the current wait times for Employment Authorization Document (EAD) cards?**

Current processing time for the Form I-765 is at a 75-day mark. The Potomac Service Center (PSC) is working diligently to stay on target. There may be delays due to dual Request for Evidence (RFE) issues described above.

**Q2: When will PSC be added to the U.S. Citizenship and Immigration Services (USCIS) processing time website? How soon can students, whose applications are being processed at PSC, track their application through the cases status service at [www.uscis.gov](http://www.uscis.gov)?**

At the moment, PSC is in a startup mode with limited bandwidth to bring processing online. The current priority at PSC is recruiting, hiring, training and retaining nearly 100 PSC adjudicators.

**Q3: Who is assigned to the PSC schools email address and what is the expected response time? Is there a POC assigned to the email address and if so, is the assignment rotated and does it belong to a specific unit at PSC?**

PSC has a principal designated school official (PDSO) and designated school official (DSO)-designated email box that is actively monitored by two team members assigned as primary and secondary leads with a response rate within 24 hours (if not immediate), unless further research is required. In the last month, the PSC PDSO and DSO-designated email box received nearly 350 inquires that were processed in a timely manner by team members. Rotation of this assignment is not anticipated, as PSC is a small unit.

**Q4: Will the temporary increase in the seven-month science, technology, engineering and mathematics (STEM) processing between May and August effect the processing time of regular 12-month optional practical training (OPT)?**

PSC does not anticipate delays in the processing time of regular 12-month OPT.

**Q5: Are cases still transferring to PSC or are they going directly to PSC? If transferred, when will the verbiage in the transfer notice update?**

Cases are directly received by the Lockbox.

**Q6: Some PDSOs and DSOs recommend using in care of addresses [c/o] of their own office, or of friends and relatives, for the mailing of the EAD since F-1 students are often moving after graduation. There is not sufficient space to type in c/o information, as well as the address on Form I-765 in area #3. The students have been handwriting the c/o name information in the margin of Form I-765.**

- **Is this the best procedure or is there a preferred alternative method to specify a c/o name and address?**

The system has space limitations in regards to addresses and records, which makes writing of c/o or a long address nearly impossible. Further clarification from the Lockbox is needed on this topic.

**Q7: Recently, the USCIS service centers have sent out an "Approval Notice" just prior to OPT EAD card issuance. The purpose of the Approval Notice can be understood, as it notifies the applicant that the OPT case is approved. The notice is separate from the Receipt Notice which is sent within a couple of weeks of filing. To the untrained eye, the Approval Notice seems in every way to be a work authorization. We have on many occasions been asked by students if they may begin working with the Approval Notice. However, it cannot replace the actual EAD card.**

- **Does the PSC plan to continue this practice? If so, does USCIS have a plan to clarify the Approval Notice so that it very clearly states that it is not a work authorization?**

Effective April 2016, PSC discontinued the practice of mailing Approval Notices separate from EADs that will state approval.

**Q8: Who enforces the 90-day rule (Lockbox or adjudicator?) 8 CFR 214.2(f)(11)(i)(B)(2) states, "the student must properly file his or her Form I-765 up to 90 days prior to his or her program end-date)." What date is used to calculate the 90 days, the mailed date, the received by lockbox date or receipted date?**

Adjudicator enforces the 90-day rule; Lockbox does not reject any petitions filed over 90 days. The date used is the **received date** that is in the system, rather than the mailed date and or receipt date.

**Q9: Will PSC continue to enforce the 30-day rule? 8 CFR 214.2(f)(11)(i)(B)(2) states, "The student must also file the Form I-765 with USCIS within 30 days of the date the DSO enters the recommendation of OPT into his or her SEVIS record)." Does the 30-day rule apply to issuance of an OPT-recommendation 30 days after the filing (e.g., in the case of a data fix?)**

PSC will continue to enforce the 30-day rule based on 8 CFR 214.2(f)(11)(i)(B)(2) regulations.

Additional note: When the Form I-765 application is filed without the Form I-20 — in cases when PDSOs or DSOs cannot issue a Form I-20, while a data fix is pending at SEVP — PSC encourages PDSOs and DSOs to send a letter of explanation with as much information as possible. PSC adjudicators will review these types of cases on case by case basis.

## **PART IV: Amendments to pending or approved applications**

**Q1: What is the procedure to change the requested optional practical training (OPT) start/end dates once the OPT Form I-765 and fee are submitted?**

The Potomac Service Center (PSC) principal designated school official (PDSO) and designated school official (DSO) email address gets numerous requests for a change of OPT dates. As a general rule, and in cases such as this, the PSC adjudicator would request a new Form I-20 and letter of correspondence to support a change of OPT start/end dates request.

**Q2: What process is in place should the Student and Exchange Visitor Information System (SEVIS) record require a data fix while the application is pending?**

PDSOs are advised to contact PSC through the PSC email box.

**Q3: If an OPT application is pending and the students have changed addresses, what is the best way to notify PSC so the Employment Authorization Document (EAD), once processed, is sent to the correct address?**

If F-1s move while their Form I-765 cases are pending, they can inform U.S. Citizenship and Immigration Services (USCIS) of the address change by filing [Form AR-11, "Change of Address,"](#) on USCIS' website or by contacting the USCIS National Customer Service Center. Alternatively, PDSOs and DSOs can email the PSC-designated email address with updated address information: [PSC.studentead@uscis.dhs.gov](mailto:PSC.studentead@uscis.dhs.gov).

**Q4: What is the process for correcting/returning an EAD card that arrives with date, name or date of birth errors?**

If the card issued was approved by the PSC and contains incorrect information due to an error made by USCIS, the appropriate correction will be made. If USCIS made an error, students do not need to submit a new Form I-765 or pay a new filing fee. PDSOs and DSOs are advised to submit a letter including the EAD card containing the incorrect information and documents showing that USCIS made an error (a copy of the application sent to USCIS with correct information) to the Nebraska Service Center at:

U.S. Citizenship and Immigration Services  
Nebraska Service Center  
ATTN CCS Unit  
PO Box 82521  
Lincoln, NE 68501-2521

**Q5: What is the process for canceling a Form I-765:**

**a) While the application is pending?**

PDSOs and DSOs are advised to print, scan and attach the withdrawal letter to an email, which is submitted electronically to PSC. The withdrawal letter must explain the withdrawal reasons (i.e., changes of major and changes of graduation plans).

**b) After EAD has been issued but before the EAD start date?**

Same as above; F-1s do have an option to withdraw EAD after the start date.

**c) After EAD has been issued and after the EAD start date?**

Same as above, but there is no recapture of unused time.

**Q6: If the check for an OPT application bounces for insufficient funds, how is the student notified and what is the process for correcting the situation?**

Students are notified by The Burlington Finance Center and are given 14 days to make good on a check; after the deadline, the filing itself is rejected. If students want to make a new filing, they would have to make good on prior filing and then submit new filing.

**Q7: How would PSC prefer to be notified if a student filing for STEM OPT changes employers while the Form I-765 for STEM OPT is pending?**

To submit a change of employer information while the Form I-765 for STEM OPT is pending, PDSOs and DSOs are advised to submit an updated Form I-20 with new employer information and include the new employer identification number to the PSC email box. No new Form I-765 is needed with a change of employer update.