



June 8, 2016

TO: Texas A&M AgriLife On & Off Campus Unit Contacts and Unit/Department Heads

SUBJECT: New Regulations for F1 Students on Optional Practical Training (OPT) STEM Extensions

On May 10, 2016, the Department of Homeland Security (DHS) implemented new regulations regarding Optional Practical Training (OPT) STEM Extensions for international students in F-1 status. The new regulations have changed the OPT STEM Extension from 17 months to 24 months following the initial 12 months of OPT. Students who applied for the 17 month OPT STEM extension and have a pending application with USCIS will receive requests for evidence from USCIS so that they can apply for the 24 month OPT STEM extension.

New Reporting Criteria

The expanded STEM OPT is accompanied by several new obligations for employers. Among others, an employer's training program now must be in writing and clearly articulate the STEM OPT student's learning objectives and affirm the employer's commitment to helping the student achieve those objectives. Employers must prepare and sign, under penalty of perjury, the formal training program on the new USCIS Form I-983 Training Plan prior to the student applying for the 24 month OPT STEM extension. The training program will have to be reviewed and accepted by the student's designated school officer (DSO) at their graduating university. The employer will also have to provide the DSO regular updates on the student's training progress. DHS will enforce its new requirements through various mechanisms, including site visits by Immigration and Customs Enforcement (ICE) officers. For more information, refer to the DHS website: <https://studyinthestates.dhs.gov/form-i-983-overview>.

Based on these new requirements, some of our F1/OPT employees may not be eligible for the STEM extension and to continue their employment, an H1B petition would need to be filed.

For questions, please contact: your HR Generalist at (979) 845-2423.

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