

New Portal for F-1 International Students and an Update on Potential Changes to OPT Rules

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International students studying in the U.S. (typically in F-1 nonimmigrant status) must comply with many federal regulations while studying and working in the U.S. Much of their information is coordinated through their school's designated school official ("DSO"), who reports the F-1 student's information using the U.S. Immigration Customs Enforcement's ("ICE") database called the Student and Exchange Visitor Information System ("SEVIS"), which stores and reports information about the F-1 student's immigration status.

On March 23, 2018, DHS launched an SEVP Portal for F-1 students participating in a post completion optional practical training (OPT) program, enabling students to have direct access to their information and to comply with regulatory reporting requirements. The new SEVP Portal will allow students to report personal and employer information updates directly into SEVP, as well as check their status and other relevant information related to their immigration status. SEVIS and SEVP will share data immediately (note that STEM OPT student will not be able to amend their employer information, because regulations require only the school's DSO able to edit employer information).

To gain access to the SEVP Portal, eligible students must have a valid, up-to-date email address in SEVIS. Students can confirm their email address with their DSO. SEVP will then email them information about creating a portal account (from do-not-reply.SEVP@ice.dhs.gov). A student must make certain that they are only responding to emails and opening links from this trusted email address. There is no cost associated with creating an account or accessing the SEVP Portal.

It was also reported in our 2018 Policy Update that the Trump administration was going to issue a new policy via an Executive Order that would seek to limit Optional Practical Training and Curricular Practical Training work authorization for international students who graduate from a U.S. college or university. The OPT program allows eligible international students to apply for a 12-month period of work authorization in the degree field the student graduated in. Moreover, a student with a degree in science, technology, engineering or mathematics ("STEM") may apply for a 24-month "STEM OPT extension" (the Obama Administration expanded the STEM extension from 17 to 24 months). CPT is granted by college and universities to students to allow them to gain specific work experience in conjunction with their classroom studies in order to earn a degree.

However, just two weeks ago, the Department of Justice, in an ongoing lawsuit in the U.S. Court of Appeals for the District of Columbia Circuit—*Washington Alliance of Technology Workers v. U.S. Department of Homeland Security*—defended the Obama administration's STEM OPT rule. As a result, it is now less clear how or what the Trump administration will eventually do when it comes to work authorization for foreign students who graduated from a U.S. academic institution. It is important to note that any reforms to the OPT program can only be accomplished through proposed regulations, which means stakeholders will have an opportunity to comment on the changes before they become effective. We will continue to monitor any changes to the current OPT rules.

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