

Issues & Problems during OPT/STEM OPT Application Process

There are several types of problems that may occur during your OPT or OPT application.

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OPT/STEM Application Pending More Than 90 Days

USCIS has a goal timeline of 90 days to process an OPT/STEM Application. However, this is **not** a guaranteed timeline. An OPT/STEM application can take up to 3-5 months to get adjudicated. Please visit [the USCIS Processing Times website](#) for the most up-to-date processing times.

If you have an OPT/STEM application that has been pending over 90 days, [contact USCIS](#) to get a status update. If you are not successful in obtaining a status update regarding your application, please contact the Ivanhoe International Center. Please note that there is no way to expedite an application.

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Change Information After OPT/STEM Application has been submitted to USCIS

At times, student may want to change certain information such as dates, address, etc. on their OPT/STEM application after they have submitted it in to USCIS. **Please note:** that after you have mailed your application to USCIS no changes can be made except for address updates.

Change of Address for Application

- Fill out the online [AR-11 Change of Address](#) form
 - This form is only used for application, **NOT** for reporting requirements.
 - Be sure to indicate "YES" to the question "Have you filed an immigration-related application or petition and your case is pending a decision or you have not received a notice, card, or document?"
 - In the "Case Information" section, select "I765" for Form Number
 - Select "I765 - Based on a request by a qualified F-1 academic student [(c)(3)]" for the Form Sub Type
 - Add your Receipt Number from your application and zip code used when filed
 - Fill out the rest of the information

Even after informing an adviser and submitting the AR-11 form, your address may not be updated in the system until after your application has been reviewed and approved, and it is very possible your EAD card could be delivered to your previous address. With this in mind, we encourage you to make some plans in case that this does happen:

- Check your [USCIS Case Status](#) regularly to see if the card is delivered or returned to USCIS.
- Contact the landlord or current residents at your previous address to see if they would be willing to forward you the EAD card if it is delivered to that address.
- If your card is returned to USCIS, follow their instructions to have it re-sent to your new address.
- If your card is delivered to your previous address and you are not able to have it forwarded to you, then you will need to apply for a Replacement EAD. See our instructions below in the "Replacement, Lost, Stolen, or Damaged EAD Card" section.

Withdraw an Application

Withdrawing the OPT application is very difficult, and the fee is non-refundable. If the OPT has been approved, it is not possible to withdraw. Please discuss this with the Ivanhoe International Center.

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I-797 Notice of Action

What is an I-797 Notice of Action

The I-797 is a receipt notice that USCIS mails out within 2-4 weeks after an applicant has mailed the OPT application to USCIS.

Importance of I-797 Notice

- To inquire about your OPT application status.
- Proof that USCIS has received your OPT application.
- Contains a date when USCIS begins processing your OPT application.
- Contains a case number to track your OPT application.
- Necessary if you would like to travel outside of the U.S while your OPT application is pending.

Replacement I-797 Notice of Action

Students who have filed for OPT/STEM OPT with USCIS but have never received or lost their I-797 Notice of Action should request for a replacement copy.

Instructions on how to request a replacement I797 Notice of Action

Step 1: Go to <https://www.uscis.gov> and click on Check Case Status

Step 2: Click on "Submit a Case Inquiry"

Step 3: Click on "Did not receive notice by mail"

Step 4: Fill out the form

- Fill out the information to the best of your ability.
- If you've filed a G-1145 with your OPT application packet, USCIS should have also sent you a text and/or email which contains your Case/Receipt number.
- Fill in the same address that you've placed on the I-765 form. I

- If you're not confident in using that address again and would like to change it, please use new address
 - Additionally, please also file for a Change of Address with USCIS (refer to step 2) and USPS to ensure that your documents go to the new address.

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EAD Issues

If you've received an EAD Card but it contains incorrect information due to an USCIS error (e.g., typo in name or incorrect birthdate), you must return the original EAD card to get it corrected by USCIS. USCIS will issue a corrected EAD within 30 - 45 days of receiving the EAD that contains the error.

If you are not sure if the error is made by USCIS or you have questions, please [contact us](#).

EAD Correction

BEFORE following the instructions below, be sure that

1. you have made a photocopy of the card,
2. you have already provided the card for your employment hiring process, SSN application, or driver's license renewal, and
3. you do not have any international travel plans in the next 1-2 months.

Instructions to have EAD corrected:

1. Go to the [USCIS e-request page](#)
2. Select "Typographic Error"
3. Fill out and submit the "Typographic Error" e-form
4. You will receive an email with instructions.
5. Follow the instructions to mail your EAD back to USCIS. If you have questions about the instructions, please contact BIO.

Please note: If USCIS determines that the card contains incorrect information that is NOT due to USCIS error, they will return the EAD Card. You will need to request [a Replacement EAD](#) and repay the USCIS I-765 filing fee.

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Replacement EAD Lost in Mail at fault of USPS

If the case status on USCIS is showing that your EAD card was mailed, but you never received it, there is a possibility that it was undeliverable or lost by USPS.

1. Call USCIS to obtain the tracking number for your EAD Card. If you are registered for an account with USCIS.gov, the tracking information should show in your account if the card has been mailed.
2. Check the tracking number. If it shows "delivered," contact USPS to see if they are able to locate the mail for you.
 - a. If USPS is responsible for the lost card, you will need to obtain an official letter on a letterhead from USPS stating such.

- b. Email the letter to international@sdsmt.edu so that an adviser can assist you with contacting USCIS about your case.
 - c. If approved, USCIS will then issue a new replacement EAD at no additional cost.
3. If your case status shows “undeliverable,” it means that USPS may have returned the EAD to USCIS.
 - a. Follow the instructions in the online USCIS case status to request that USCIS resend the card to you.

If USPS determines that they are not responsible for the loss of the EAD, you will have to file for a replacement Lost EAD Card (*see below*) and pay the USCIS I-765 filing fee.

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Replacement, Lost, or Stolen EAD Card

Students who need a replacement EAD Card (e.g. the original EAD Card was lost, stolen, destroyed, or it included an error by the applicant) will need to file original OPT paperwork and repay the USCIS I-765 fee to the Service Center.

Document Checklist

Refer to the OPT application for specific instructions on how to prepare these documents. You should have a copy of most of these in your OPT folder.

- 2 U.S. Passport Photos
- USCIS Fee. See the [USCIS I-765](#) page for current filing fee.
- E-file a new form [I-765](#) indicating reason for filing as: **1.b. - Replacement of lost, stolen or damaged employment authorization document. REMEMBER:** In the I-765 form, you'll need to be sure to indicate you have *previously* applied for OPT or STEM and indicate your previous receipt numbers. (You previously applied and your card was lost stolen or damaged!)
- Letter explaining that your original EAD has been lost, stolen, not delivered by mail, etc.
 - This is uploaded in the **Additional Information** section.
- Copy of OPT I-20 that was previously issued by the DSO for your initial/STEM OPT application. It does **not** have to be issued within the past 30/60 days.
- Copy of passport biographical page and F-1 visa stamp, if applicable.
- Copy of current [electronic I-94 record](#)
- Copy of your previous OPT/STEM I-797 receipt notice and copy of original EAD Card, if applicable.
- If it is a replacement request due to an error *not by USCIS*, the original EAD is required and you must submit the application by mail in order to return the incorrect EAD to USCIS.

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Request for Evidence or Denial

If you've received a Request for Evidence or Denial, please contact international@sdsmt.edu as soon as possible. These notices are time-sensitive.

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Thesis/Dissertation Delays

Master's and PhD students only, may apply for post-completion OPT on a full-time basis, if all degree requirements have been completed EXCEPT for Master's thesis or Doctoral dissertation. It is strongly recommended that you meet with the Ivanhoe International Center staff if you choose this option. A couple of items to keep in mind:

- On-campus work permission ends with OPT I-20 end date. If you wish to continue working, you must use your OPT
- You must be registered for thesis, final project, or dissertation credits in order to complete your degree, the graduate office will assist you with the number of credits required
- For F1 status purposes and OPT, you do not need to be registered full time and you will not need a reduced course load form
- Must complete degree before the end of OPT. If you don't, you will not be eligible for the STEM extension

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