



Presenters & Acknowledgment

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We would also like to sincerely thank Attorney Richa Malik, the Principal Attorney and Founder of Malik Law PLLC,

Life After F-1: CPT, OPT & STEM OPT (The Basics)

What is Practical Training?

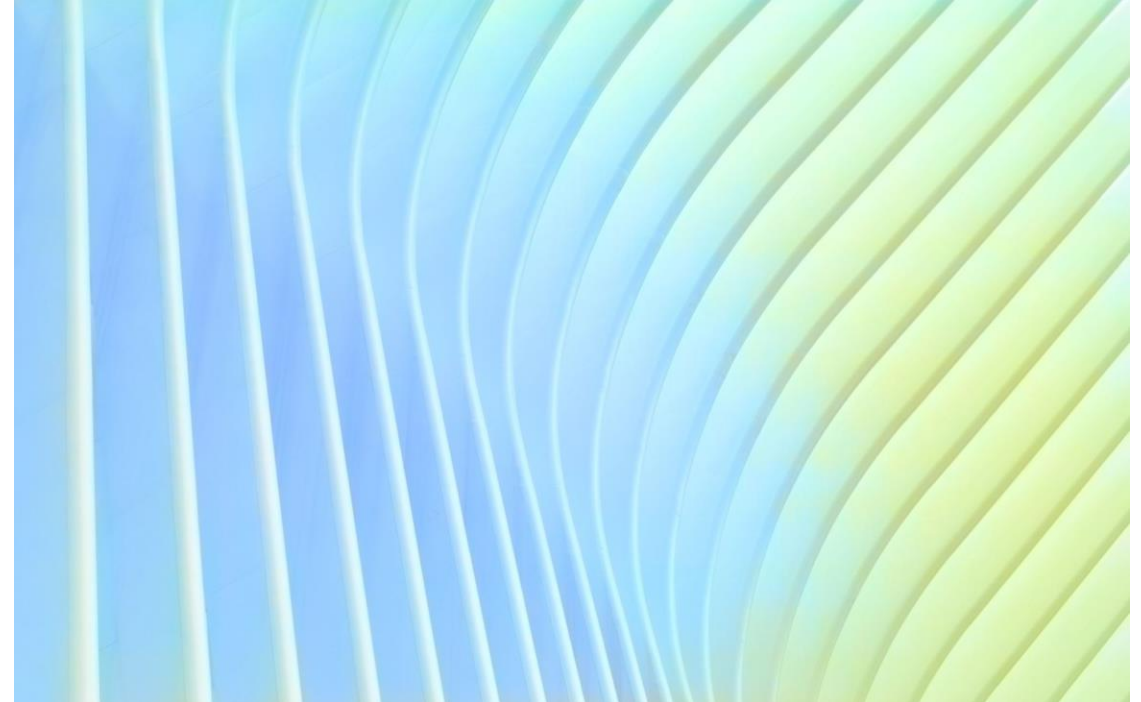
Practical Training means working in the U.S. in a job related to your major while staying in F-1 status.

USCIS allows three types:

CPT (Curricular Practical Training)

OPT (Optional Practical Training)

STEM OPT Extension (24 months)



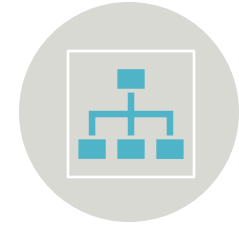
CPT : While You Are Still a Student



SIMPLE MEANING:
CPT = INTERNSHIP REQUIRED
BY YOUR PROGRAM OR FOR
ACADEMIC CREDIT.



EXAMPLE: YOU ARE DOING A
MASTER'S IN COMPUTER
SCIENCE AND YOUR
PROGRAM REQUIRES A
SUMMER INTERNSHIP → CPT
ALLOWED.



IMPORTANT SITUATIONS
THAT CAUSE PROBLEMS:



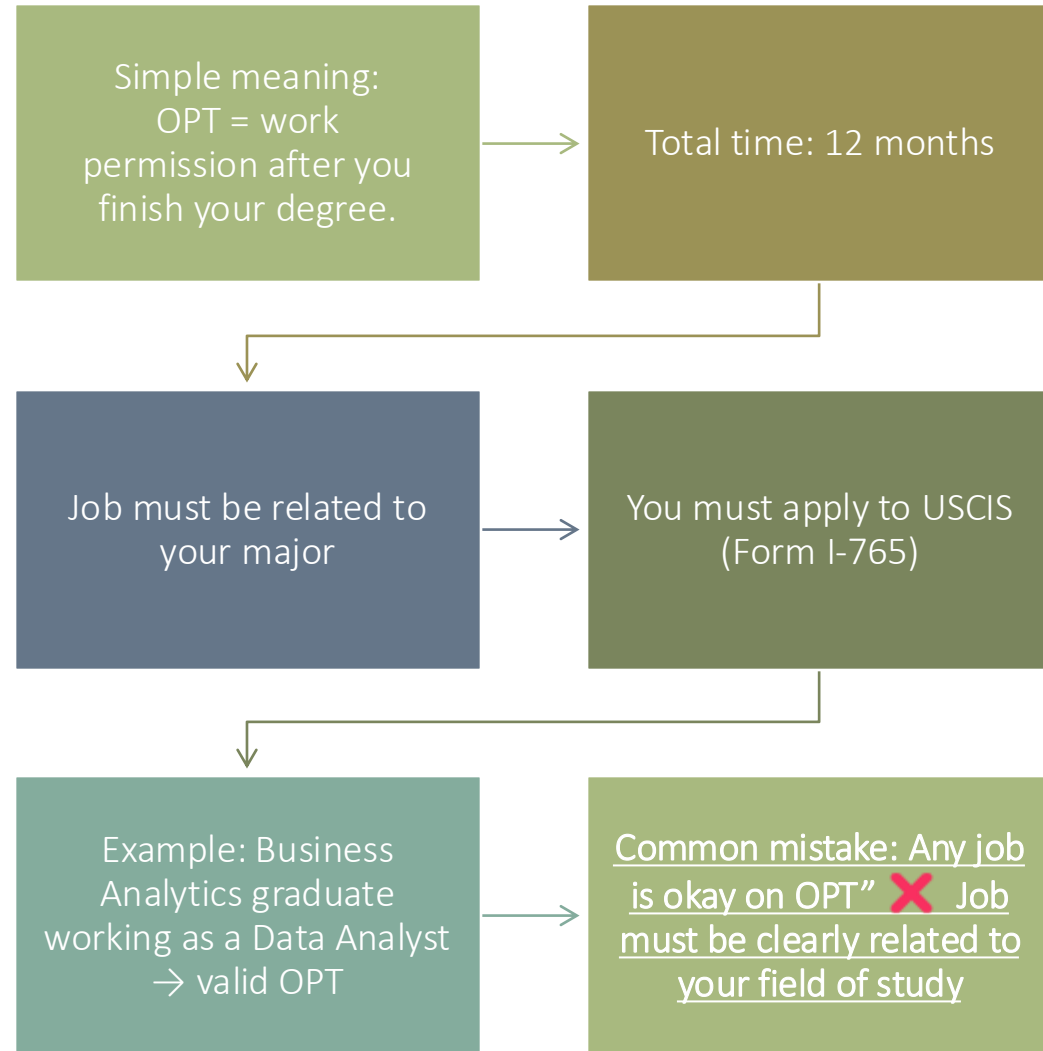
DOING FULL-TIME CPT FOR 12
MONTHS → ❌ YOU LOSE
OPT



STARTING WORK BEFORE CPT
START DATE ON I-20 → ❌
STATUS VIOLATION

NOTE: CPT IS APPROVED BY
YOUR DSO, NOT USCIS

OPT: After Graduation



STEM OPT (24 Months)

Only if:

Your degree is on the STEM list

Employer uses E-Verify

You and employer
complete Form I-983 training
plan

Example: Software Engineer
on OPT → eligible for STEM
OPT

Marketing graduate → 
not eligible

OPT Rules, Unemployment & Cap-Gap (Where Students Panic)

Unemployment Limits (Very Important)

OPT: max 90 days unemployment

OPT + STEM OPT: max 150 days total

Situation: You lose your job and don't
update SEVIS → **✗** risk of losing F-1 status

NOTE: You must report job changes within
10 days

What Happens If OPT Ends Before H- 1B Starts? (Cap-Gap)

This is very common.

Cap-Gap = automatic extension of F-1 + work authorization

If:

- Employer files H-1B on time
- H-1B requests October 1 start
- You were on valid OPT

Example: OPT ends in June - H-1B filed in April - You can stay and work until October 1

NOTE: If H-1B is denied or withdrawn, Cap-Gap ends.

H-1B Visa in 2026: What Students & Employers Should Know

What is H-1B?

H-1B is an employer-sponsored work visa for jobs that require specialized knowledge (usually at least a bachelor's degree).

- Annual cap: 85,000 visas
 - 65,000 regular cap
 - 20,000 U.S. master's cap



Major Change Being Discussed for 2026

H-1B lottery reform is underway.

Instead of a purely random lottery, the system is shifting toward a wage-weighted selection model, where:

Higher wage levels = better chances
Entry-level wages = lower chances

Example:

Level IV wage (senior role) → more lottery weight

Level I wage (recent graduate) → fewer lottery chances

This directly impacts OPT and STEM OPT students, who often start at lower wage levels.

What Is the \$100,000 H-1B Fee?

On September 21, 2025, the U.S. government introduced a \$100,000 supplemental fee. This fee applies to some new H-1B visa petitions. It is separate from regular USCIS filing fees



Who Must Pay the Fee

The employer must pay the \$100,000 fee if:

- The H-1B petition is filed on or after September 21, 2025, and
- The worker is outside the U.S., or
- The petition requires consular processing (visa stamping abroad)

Who Does NOT Have to Pay

The fee does NOT apply if:

- You are already in the U.S. and
- Your employer files an H-1B as a change of status, extension, or amendment, and
- USCIS approves the petition

NOTE: Most F-1 students moving from OPT/STEM OPT → H-1B change of status are NOT automatically subject to this fee



Why This Matters?



\$100,000 is a very high cost



Some employers may:

Delay sponsorship
Choose not to sponsor
Prefer candidates already in the U.S.



Example 1 — Student in the U.S. (Lower Risk) - You are on STEM OPT in the U.S. - Employer files H-1B change of status - \$100,000 fee usually does NOT apply



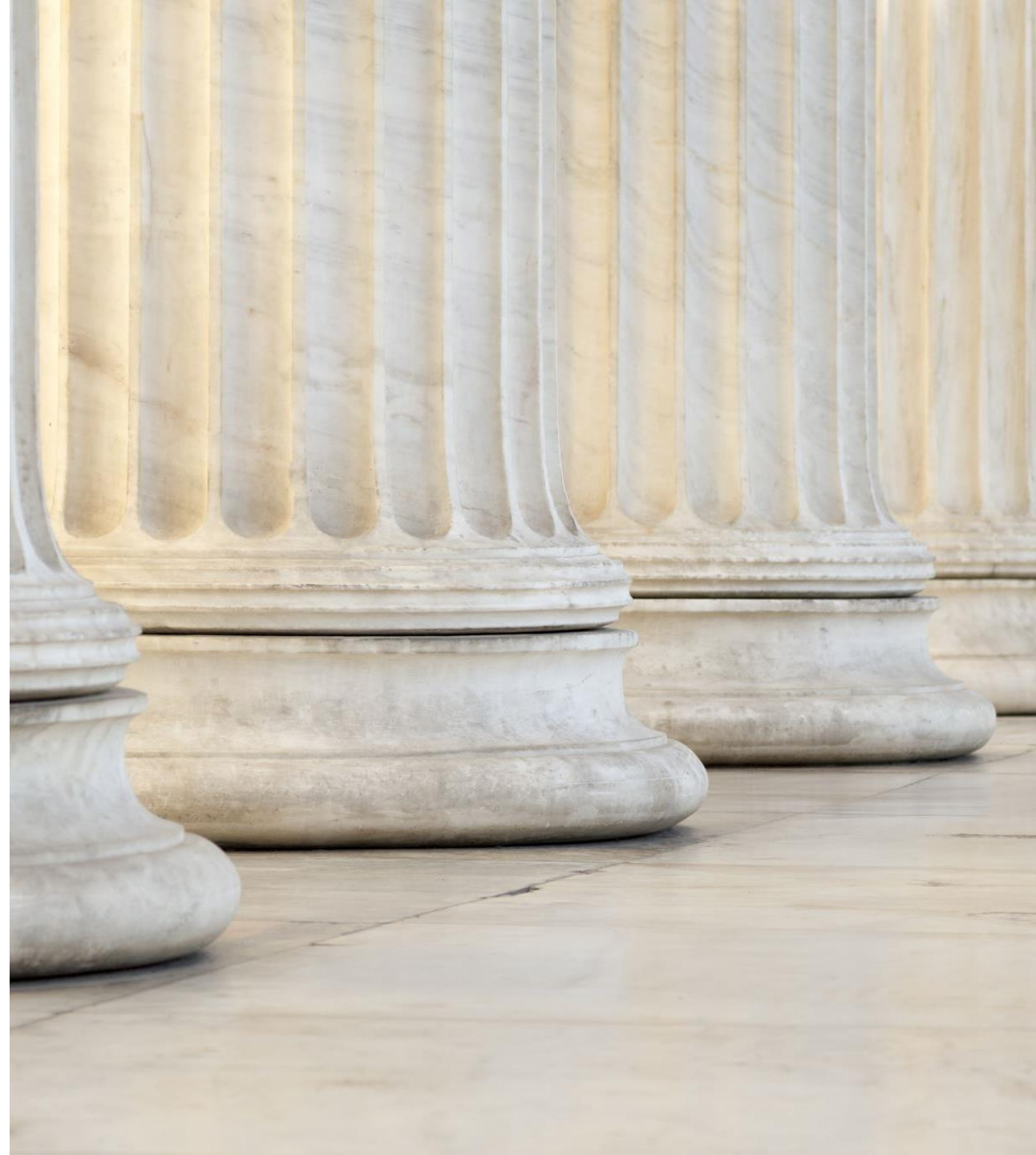
Example 2 — Student Outside the U.S. (Higher Risk) - You graduate and leave the U.S. - Employer files H-1B for consular processing - \$100,000 fee likely applies

Current Status of the Fee

The fee is being challenged in court. A federal appeals court has fast-tracked review. Until courts decide otherwise, USCIS is enforcing it. This means rules can change, but planning must be conservative

Takeaway for Students

Staying in valid status in the U.S. and planning early can make a major difference in employer willingness to sponsor H-1B.



EB-1 (First Preference Employment-Based Green Card)

What is EB-1?

EB-1 is a permanent green card category for people who are at the top of their field. It is one of the fastest employment-based green card options and does not require labor certification (PERM).

Who Can Qualify? (3 Categories)

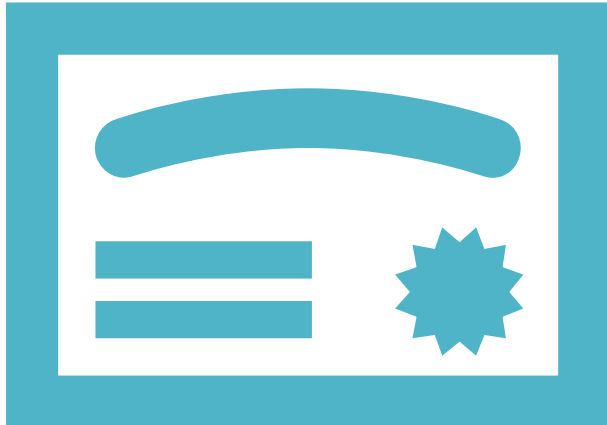
1. EB-1A – Extraordinary Ability

- For individuals with national or international recognition
- Fields include: science, arts, education, business, or athletics
- No job offer required
- You must meet 3 out of 10 USCIS criteria (or have a major one-time award)

Example: Researcher with publications, citations, awards, peer review experience

Employment-Based Green Cards (EB-2 & EB-3)

An employment-based green card lets you live and work permanently in the U.S. after getting a qualifying job.



Main Categories:

EB-2:

For students/professionals with a Master's degree, or Bachelor's + 5 years experience, or exceptional skills (some cases don't need a job offer – NIW)

EB-3:

For Bachelor's degree holders, skilled workers, and other workers

Basic Process

PERM – Employer proves no U.S. worker is available

I-140 – Employer files your green card petition

I-485 – You apply for the green card (or consular interview)

Priority Date (Very Important!)

Think of it as your number in a waiting line

When your number becomes current, you can move forward

Why Start Early?

The process takes years

Early filing helps avoid visa expiry issues (H-1B, OPT, etc.)

Strategy matters: sometimes EB-3 moves faster than EB-2

EB-2 National Interest Waiver (NIW)

EB-2 NIW allows highly skilled individuals to apply for a green card without an employer or labor certification if their work benefits the United States nationally.

Who Can Apply?

Master's degree or higher (or Bachelor's + 5 years experience), OR

Exceptional ability in science, business, or arts

Why NIW is Powerful

No job offer required

No PERM labor certification

Self-petition allowed

3 USCIS Requirements

Your work has national importance

You are well-positioned to succeed

Waiving the job offer benefits the U.S.

Best For

STEM professionals

Researchers & entrepreneurs

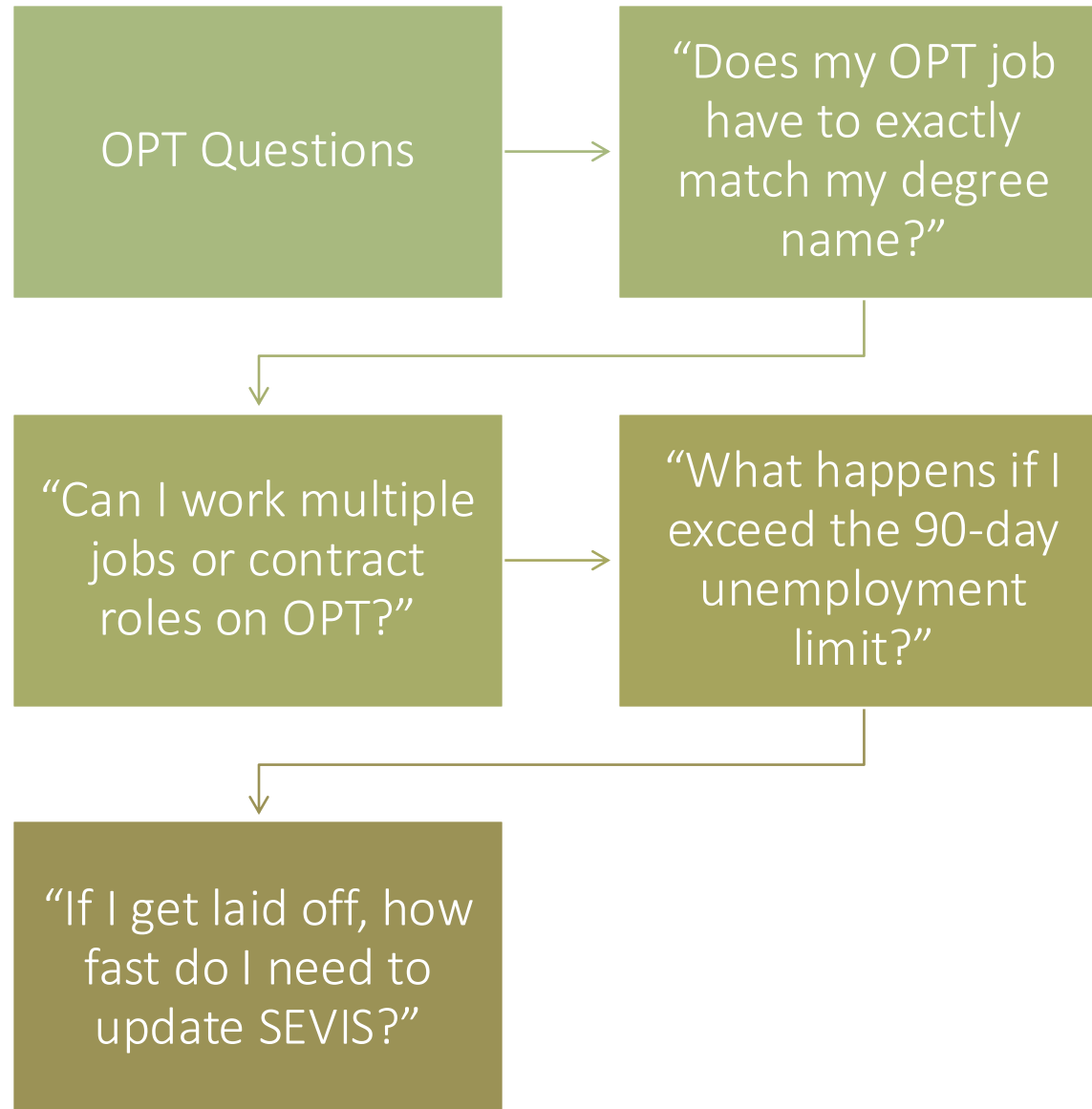
Professionals with impactful work



Q&A PART 1

F-1 / CPT Questions

- “My program doesn’t require an internship. Can I still do CPT?”
- “If I do CPT every summer, will that affect my OPT later?”
- “What happens if I accidentally start work before my CPT start date?”
- “Is Day-1 CPT legal, and will it affect my future immigration?”



Q&A PART 2

Q&A PART 3

STEM OPT Questions

- “My employer is not on E-Verify. What are my options?”
- “Can I change employers while on STEM OPT?”
- “Does unpaid work or volunteering count during STEM OPT?”
- “What happens if my I-983 training plan is not followed?”

Q&A PART 4

Cap-Gap / Timing Questions

- “What if my OPT ends and my H-1B hasn’t started yet?”
- “If my H-1B is denied, do I immediately fall out of status?”
- “Can I travel internationally during Cap-Gap?”

Q&A PART 5

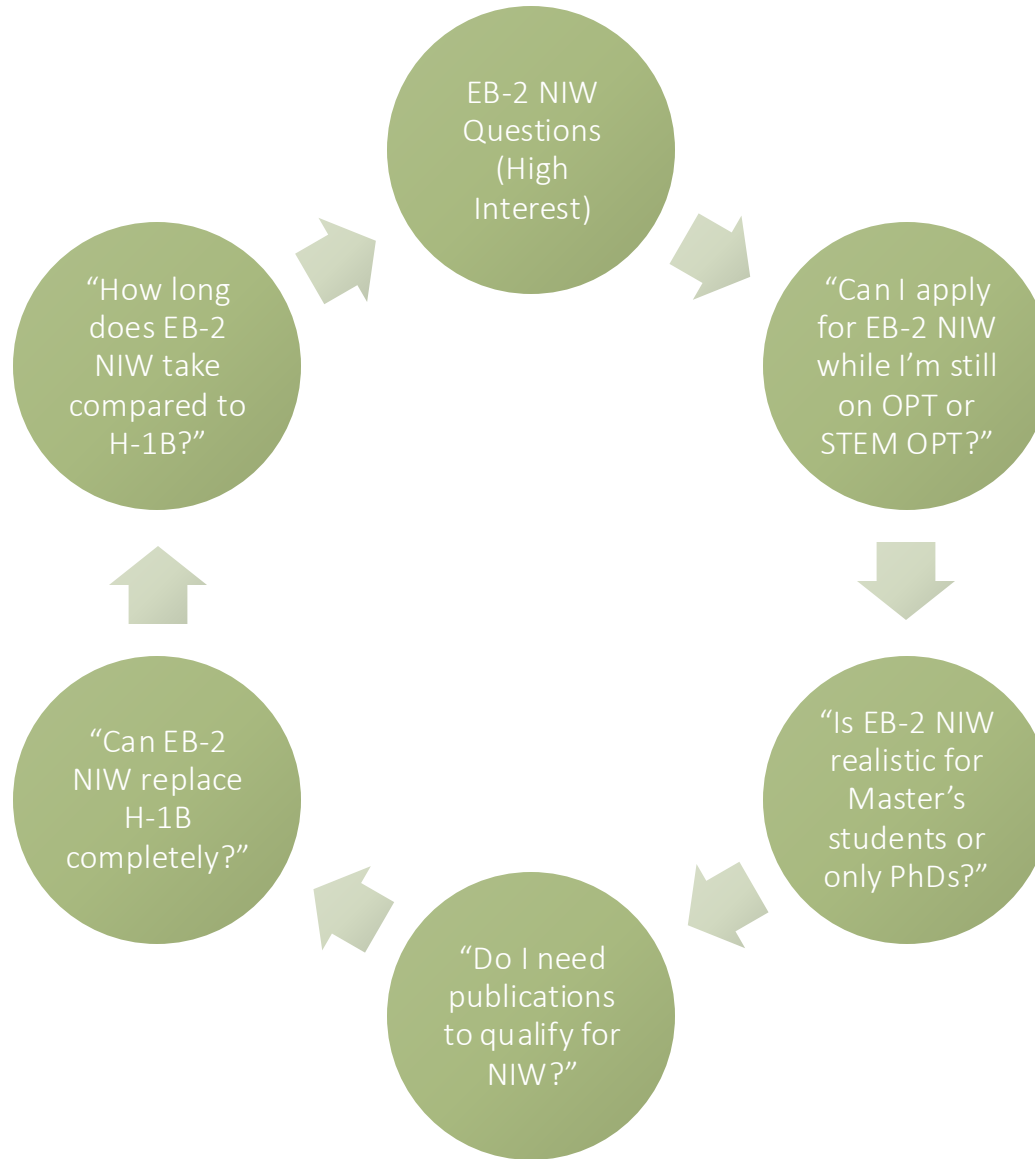
H-1B (2026 Changes) Questions

- “How does the wage-based H-1B lottery affect recent graduates?”
- “Does this mean entry-level jobs have almost no chance now?”
- “Should I negotiate a higher salary just for H-1B purposes?”
- “Does job title matter for wage level selection?”

Q&A PART 6

\$100,000 H-1B Fee Questions (Very Likely)

- “Will my employer really have to pay \$100,000 for me?”
- “Does this fee apply to students already in the U.S. on OPT?”
- “Will this make employers avoid international students?”
- “If I leave the U.S. after graduation, does that hurt my chances?”



Q&A PART 7

CONCLUSION

Your immigration journey is not about luck.
It is about preparation, timing, and informed choices.

We hope today's session helped replace confusion with clarity
and fear with direction.

Thank you for your time, your attention, and your thoughtful questions.

We wish you confidence, clarity, and success in your journey ahead.