

## **DHS changes rule affecting international students**

On Tuesday, the Department of Homeland Security (DHS) announced an interim final rule affecting international students. One provision allows F-1 visa holders with a U.S. bachelor's, master's or doctoral degree in a science, technology, engineering, or math (STEM) field to extend the period of Optional Practical Training (OPT) by up to 17 months to a maximum of 29 months if they accept employment with a company enrolled in DHS's E-Verify employment program. DHS estimates that this could add tens of thousands of students to the STEM workforce. An additional change in the rule allows students to apply for OPT within 60 days of concluding their studies, instead of being required to apply *before* the conclusion of their studies.

The rule also provides "cap-gap" relief for all students on F-1 visas (not just those with STEM degrees) who have a properly-filed H-1B visa petition pending. If the H-1B petition is approved, the students will not only be allowed to stay in the U.S. but will also be allowed to continue their employment until the H-1B visa takes effect at the beginning of the next fiscal year.

DHS seeks public comment on the rule; comments can be provided until June 9, 2008 via [www.regulations.gov](http://www.regulations.gov).

Further information is available at [www.gpoaccess.gov/fr/](http://www.gpoaccess.gov/fr/) by searching for "page 18944".