



Berkeley International Office
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MEMO

February 2021

RE: STEM OPT I-765 Application & H-1B Cap-Gap Extension Issue

Dear USCIS Adjudicator:

This student is submitting an F-1 STEM Optional Practical Training Extension I-765 prior to the expiration of their 12-Month Optional Practical Training EAD card. Due to the student's employer's filing of an H-1B petition for this current filing year, the student's original 12 month OPT end date may be subsequently adjusted in SEVIS via Cap Gap Extension to **Sept 30**.

Due to the concurrent H-1B petition and I-765 STEM OPT Extension filings, **we request that the STEM Extension EAD begin immediately upon completion of the initial 12 month OPT as evidenced by the student's OPT EAD card and OPT STEM recommendation I-20**. Please DO NOT issue an OPT STEM Extension EAD based on any Cap-Gap Extension end date reflected in SEVIS of 9/30, as this will cause issues with the student's SEVIS record in cases of H-1B denial, approval of the H-1B after 10/1, or adjustment of the H-1B request to consular processing.

If you have any questions, please feel free to contact a DSO at Berkeley International Office at internationaloffice@berkeley.edu or 510-642-2818.

Sincerely,
University of California at Berkeley
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Berkeley, CA 94704