USCIS Responses to Questions from the Senate Homeland Security and Governmental Affairs Permanent Subcommittee on Investigations

1. **The number of Optional Practical Training (OPT) applications year over year for the last 5 years.**

   See tab labeled Question 1 in the attached spreadsheet. (CO3A = Pre-Completion OPT, CO3B = Post-Completion OPT, CO3C = 24-Month Extension for STEM students)

2. **Average processing time for OPT applications during the last 5 years.**

   See tab labeled Question 2.

3. **Approval rate of OPT requests from STEM graduates.**

   See tab labeled Question 3.

4. **Approval rate of OPT requests from STEM graduates seeking to extend their OPT.**

   See tab labeled Question 4.

5. **How flexible is it for OPT recipients to change employment?**

   Non-STEM applicants for pre- or post-completion OPT are not required to declare their employer on the Form I-765 employment authorization application, so they can change employers at any time without notice to USCIS. Applicants must report changes in employment to their Designated School Official. Applicants for STEM OPT are required to declare their E-verify employer on the Form I-765 employment authorization application at the time of filing, and provide a training plan to their Designated School Official. If they wish to change employers, that request would have to be approved and endorsed by the Designated School Official at their school and a new training plan submitted. Program requirements for STEM-OPT, including audit of the training plans, is managed by Immigration and Customs Enforcement, so generally USCIS would not have visibility into these employment changes.

6. **Statistics on STEM graduates transitioning from OPT to H-1B, L-1, or an employment category immigrant visa.**

   Our data systems are unable to accurately identify STEM-specific individuals transitioning between different classifications.

QUESTION 1: There were a total of 1,050,577 OPT (C03A, C03B, C03C) receipts in fiscal years 2015-2019.

<table>
<tr><td rowspan="2"></td><td colspan="8">U.S. Citizenship and Immigration Services</td><td colspan="2">Form I-765 Application for Employment Authorization
Receipts by Optional Practical Training Eligibility Category
Fiscal Year 2015-2019</td></tr>
</table>

Fiscal Year	C03A Receipts	C03B Receipts	C03C Receipts	Grand Total Receipts
2015	4,250	135,947	29,370	169,567
2016	3,636	158,026	51,809	213,471
2017	3,345	166,418	57,214	226,977
2018	2,691	157,486	65,121	225,298
2019	2,110	151,189	61,965	215,264
Grand Total	**16,032**	**769,066**	**265,479**	**1,050,577**

Note(s):

1) Some applications received may have been adjudicated in a following reporting period.

2) The report reflects the most up-to-date estimate available at the time the database is queried

3) Counts may differ from those reported in previous periods due to system updates and post-adjudicative outcomes

Database Queried: December 23, 2019

Report Created: December 26, 2019

System: C3 Consolidated via SAS

Office of Performance and Quality (OPQ), Performance Analysis and External Reporting (PAER), DL, TRK_5584

QUESTION 2: On average it took 77 days to complete an OPT I765 approval or denial in fiscal years 2015-2019.

<table>
<tr><td colspan="5" align="right">U.S. Citizenship
and Immigration
Services</td></tr>
<tr><td colspan="5" align="right">Form I-765 Application for Employment Authorization
Average Processing Time by Optional Practical Training Eligibility Category
Fiscal Year 2015-2019</td></tr>
</table>

Fiscal Year	C03A Processing Time of Completions (Days)	C03B Processing Time of Completions (Days)	C03C Processing Time of Completions (Days)	Grand Total Processing Time of Completions (Days)
2015	65	65	74	67
2016	68	68	78	70
2017	68	67	75	69
2018	81	79	88	81
2019	106	94	94	94
Grand Total	74	75	83	77

Note(s):

1) Some applications approved or denied may have been received in a previous reporting period.

3) The report reflects the most up-to-date estimate available at the time the database is queried

4) Percentages may differ from those reported in previous periods due to system updates and post-adjudicative outcomes

5) Processing time is the average number of days from receipt date to the approvals or denial date. This includes any time spent pending a request for evidence.

6) The processing time (PT) is listed by the fiscal year of the approval or denial. Thus the PT for each fiscal year is the average PT for approvals and denials in that fiscal year.

7) The grand total figure is a weighted average of all approvals and denials.

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QUESTION 3: On average 97% of all OPT I765 STEM applications were approved in fiscal years 2015-2019.

U.S. Citizenship and Immigration Services	Form I-765 Application for Employment Authorization Approval Percentage for STEM Optional Practical Training Total STEM Approvals for Fiscal Year 2015-2019

APPROVAL FISCAL YEAR	OPT STEM TOTAL APPROVAL %
2015	97%
2016	95%
2017	97%
2018	97%
2019	97%
Grand Total	**97%**

Note(s):

1) Some applications approved may have been received in a previous reporting period.

2) The report reflects the most up-to-date estimate available at the time the database is queried

3) Percentages may differ from those reported in previous periods due to system updates and post-adjudicative outcomes

4) Approval percentage is the number of approvals in the fiscal year divided by the total number of approvals and denials in the same fiscal year.

5) I765 filings for STEM include the classification C03C only.

6) The report includes a breakout for approval percentage for all I765 STEM applications including initials, replacements, and extensions.

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QUESTION 4: On average 97% of I765 OPT STEM extensions were approved in fiscal years 2015-2019.

U.S. Citizenship and Immigration Services	Form I-765 Application for Employment Authorization Approval Percentage for STEM Optional Practical Training Extensions of STEM Approvals for Fiscal Year 2015-2019

APPROVAL FISCAL YEAR	OPT STEM EXTENSION APPROVAL %
2015	97%
2016	95%
2017	97%
2018	98%
2019	97%
Grand Total	**97%**

Note(s):

1) Some applications approved may have been received in a previous reporting period.

2) The report reflects the most up-to-date estimate available at the time the database is queried

3) Percentages may differ from those reported in previous periods due to system updates and post-adjudicative outcomes

4) Approval percentage is the number of approvals in the fiscal year divided by the total number of approvals and denials in the same fiscal year.

5) I765 filings for STEM include the classification C03C only.

6) The report includes a breakout for approval percentage for I765 STEM extension applications only.

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