



CAP GAP EXTENSION Request Form

Current regulations allow certain students with pending or approved H-1B petitions to remain in F-1 status during the Cap-Gap period. This is referred to as filling the "Cap- Gap," meaning the regulations provide a way of filling the "gap" between the end of F-1 status and the beginning of H-1B status.

H-1B petitions that are timely filed on behalf of an eligible F-1 student that request a change of status to H-1B on October 1 qualify for a Cap-Gap extension. Timely filed means that the H-1B petition (indicating change of status rather than consular processing) was filed during the H-1B acceptance period which begins April 1 while the student's authorized F-1 duration of status (D/S) admission was still in effect (including any period of time during the academic course of study, any authorized periods of post-completion Optional Practical Training (OPT), and the 60-day departure preparation period/"grace period").

However, if an H-1B cap-subject petition is filed on the behalf of a student who has entered the 60-day grace period, the student will receive the automatic extension of his or her F-1 status, but will not become employment-authorized since the student was not employment-authorized at the time H-1B petition was filed. Also, a petition asking for consular-pick up is not eligible for a cap gap extension. Students interested in knowing if their H1-B application was selected must call USCIS at 800-375-5283.

Eligibility for an extension of F-1 status and authorized period of post-completion OPT :

- Your employer files an H-1B petition in a timely manner with USCIS with an employment start date of October 1.
- You are maintaining your F-1 status on the date your potential employer files your H-1B petition.
- You are in an authorized period of post-completion OPT (including the STEM OPT extension) on the date your potential employer files your H-1B petition and the authorizations ends between April 1 and September 30.
- USCIS receives the H-1B petition in a timely manner.
- You have evidence of a timely-filed H-1B petition such as:
 - A copy of I-797 Notice of Action
 - A copy of the petition and a FedEx, UPS, or USPS Express/certified mail receipt or
 - An official letter from employer or lawyer certifying the H-1B petition was filed to USCIS in a timely manner.

Office use only:

Request is:
 Approved
 Denied
 Advisor: _____
 Date: _____

Complete the following to request proof of continuing status/Cap Gap I-20 .

Email this form as a PDF file & evidence to cie-student@csulb.edu

Family Name:	First Name:
Email Address:	Phone Number:
Student ID Number:	OPT/STEM OPT EAD end date:
Current Status of H-1B petition: <input type="checkbox"/> Filed* <input type="checkbox"/> Waitlisted** <input type="checkbox"/> Pending <input type="checkbox"/> Approved <input type="checkbox"/> Canceled <input type="checkbox"/> Rejected	
Submit a PDF copy of this request form and <u>one</u> of the following via email to Mayra.Serna-Gallegos@csulb.edu : <input type="checkbox"/> copy of I-797 Notice of Action <input type="checkbox"/> copy of petition or mailing receipt <input type="checkbox"/> letter from employer/lawyer	

***Filed:** Select this option if an employer submitted an H1-B petition to USCIS. Date of Notice is not required

****Waitlisted:** Select this option if USCIS has received the petition but is not yet sure that it falls within the quota. Date of notice is not required.