The coronavirus pandemic has caused unprecedented disruptions and damage across the world, and its grave impact has been felt acutely by international students in the United States. For the 2018-19 academic year, the U.S. saw a record number of international students, totaling 1,095,299. [1] Foreign students constitute 5.5 percent of all students attending American institutions of higher
education and, according to U.S. Department of Commerce data, contributed $44.7 billion to the U.S. economy in 2018 alone, a 5.5 percent increase from the preceding year.[2]

Despite the economic contributions that international students bring to the U.S., these individuals were not offered strategic support as universities hurriedly ordered all students to vacate on-campus housing and announced that classes would move online. These changes have disproportionately and adversely affected foreign students without families and homes in the U.S.[3]

The Department of Homeland Security (DHS) did provide some concessions to international students and stated that those holding F-1 student visas would maintain lawful status in the U.S. while taking online classes in the U.S. or abroad.[4] However, uncertainties about the future weigh heavily on the minds of international students.[5]

One particular legal question relates to how the recession caused by COVID-19 will impact foreign student employment. Each year, international students who are completing their degree programs apply for work authorization called Optional Practical Training (OPT), which allows them to seek employment in the U.S. after graduation.

**Legal implications**

Optional Practical Training (OPT) refers to “temporary employment that is directly related to an F-1 student’s major area of study.”[6] Students must be physically present inside the U.S. to apply for OPT, and they may receive up to 12 months of full-time employment authorization after finishing their degree programs.[7] OPT employment can include unpaid internships or volunteer work; no matter what their work arrangement may be, students must devote at least 20 hours per week to employment, internships, or volunteer work.[8] From the start date indicated on their employment authorization, students are allowed up to 90 days of unemployment and risk having their OPT revoked if they exceed this limit.[9]

In the current hiring environment as a result of the coronavirus crisis, 90 days of unemployment may not be enough for students who are struggling to secure post-graduation positions for their OPT. If an individual cannot find employment within 90 days, the F-1 student will lose their lawful status and must prepare to depart the country—there is no grace period after the 90 days are exhausted.[10] In an effort to advocate for these students, NAFSA: Association of International Educators, “the world’s largest nonprofit association dedicated to international education and exchange,”[11] submitted a letter to DHS, urging it to “not consider time spent unemployed during the COVID-19 emergency toward OPT unemployment limits.”[12] DHS has responded that it “is evaluating related issues and may issue additional guidance.”[13] The latest development from the Student and Exchange Visitor Program (SEVP) of DHS is that “For the duration of the COVID-19 emergency, SEVP considers students who are working in their OPT opportunities fewer than 20 hours a week as engaged in OPT.”[14] Whether DHS will authorize further flexibility remains to be seen.

Students and advocates are also asking if DHS is ready to “handle an influx of [OPT] applications. . . . Last summer there were delays in processing OPT applications.”[15] USCIS processing times for OPT applications have historically ranged from around 70 to 90 days, but USCIS processing has
slowed in recent years, with some OPT applications pending for 120 days or longer.[16]

**Emotional impact on international students**

The level of stress experienced by international students has been high during this time.[17] Many foreign students feel a heightened sense of isolation—they are unable to travel home due to the mandatory requirement to stay in the U.S. when applying for OPT.[18] They also fear the inability to secure a job amidst hiring freezes across various industries, thereby putting them at risk of exceeding the 90 days of unemployment allotted under the OPT. As one student notes, “If we don’t find jobs really fast—and we might not—then it’s all for nothing.”[19]

The message in President Trump’s “Buy American and Hire American” Executive Order from April 2017 was reiterated in his recent Executive Order for temporarily halting immigration into the U.S. —“to protect Americans from international competition for jobs.”[20] Although the latter does not specifically target international students seeking OPT employment, the protective stance of the U.S. government and wariness of foreign workers exacerbate the anxiety of international students.

In fact, the OPT program has long been on the radar of the Trump administration, with discussions about scaling back or eliminating it entirely.[21] The underlying rationale is that decreasing the number of foreign workers would lift the burden of unemployment from Americans.[22] However, according to a study conducted by Business Roundtable and the University of Maryland’s Interindustry Forecasting Project, “scaling back OPT would cause the unemployment rate to rise 0.15 percentage points by 2028” and “A total of 443,000 jobs would be lost in the economy by 2028, resulting in 255,000 fewer positions for native-born workers.”[23] The study concludes that:

“Foreign-born workers actually create jobs for native-born workers rather than displace them. Legal immigrants are new consumers in the U.S. economy, and the increase in total spending creates new jobs. Furthermore, foreign-born workers help businesses acquire the skills and talent they need, which allows businesses to expand and hire additional workers.”[24]

**What F-1 students seeking OPT employment can do during this crisis**

Experts acknowledge that international students who are graduating from American institutions of higher education this year will face formidable challenges in finding employment in the U.S. At the same time, they advise that “it’s important to fully understand the benefits of the OPT program and leverage all its advantages.”[25] For instance, because the OPT program permits unpaid, part-time work, students are encouraged to be flexible with their employment options and to consider whether they can pursue unpaid work to maintain their visa status.[26] One expert suggests identifying and contacting smaller employers that are hard hit by the coronavirus and in need of help so that international students can offer their skills gained during their U.S. degree programs, as well as ideas on growing these businesses.[27]

**Conclusion: OPT is valuable for international students and U.S. employers alike**

The International Advantage, a company that provides job search training for international students
in the U.S., states:

“Business leaders know that international students, in many cases, represent their only chance to fill key roles at their organizations. If this pool of potential candidates goes away, these firms could quickly get into deep trouble. They wouldn’t be able to grow and survive because they’d be unable to hire. At some point, they’ll get eaten up by foreign competitors.” [28]

In short, through the OPT program, international students gain valuable work experience and utilize their education received in the U.S., while employers are able to increase their competitiveness on the global stage through these students. Flexibility and creativity are key for international students and U.S. employers alike during this crisis. International students should maintain close communication with the International Student Office at their college or university as they devise their career plans.

This article was written by Eun Hae Kim.


[2] Id.


[5] Id.


[7] Id.


[9] Id.

[10] Id.

[12] Redden, *International and Study Abroad Students See Major Disruptions*


[14] *Id.*

[15] Redden, *International and Study Abroad Students See Major Disruptions*


[17] Redden, *International and Study Abroad Students See Major Disruptions*

[18] *Id.*

[19] *Id.*


[22] *Id.*

[23] *Id.*

[24] *Id.*


[27] Barros, *9 Job Search Tips for International Students in the Age of Coronavirus*
Loosvelt, \textit{How Trump's Temporary COVID-19 Immigration Ban Affects International Students' Job Search.}

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