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The New Restriction on 12 Months of CPT OPT Combined ? ? Consequences of H-1B Denial on OPT

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Submitted by Chief Editor on Dec 4th 2018

I am currently on F1 visa and working on CPT. My H1 petition was picked in the lottery this year and status changed to RFE 2 weeks ago. I wanted to know if August 9 unlawful presence rule applies in my case i.e; if I get a response for RFE after Feb 4 2019, that completes 180 days.

ANSWER:

[Watch the Video on this FAQ:](#) ^[2]

[The new restriction on 12 months of CPT OPT combined ? ?](#) ^[2]

[consequences of H-1B denial on OPT](#) ^[2]

Video Transcript

In my view you are still on OPT and to activate your H-1 you have to either refile for change of status or go outside the USA for visa stamping. [More...](#) ^[2]

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Nonimmigrant Visas:

[Change of status](#) ^[3]

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[H-1 Visa](#) ^[8]

FAQ Transcript:

Note: This is a verbatim transcript of the referenced audio/video media delivered as oral communication, and, therefore, may not conform to written grammatical or syntactical form.

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) ^[9] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) ^[10]

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Links:

[1] <https://immigration.com/faq/new-restriction-12-months-cpt-opt-combined-%E2%80%93-%E2%80%93-consequences-h-1b-denial-opt>

[2] <https://youtu.be/htSoREU4MVM?t=1829>

[3] <https://immigration.com/visa/nonimmigrant-visas/change-status>

[4] <https://immigration.com/visa/nonimmigrant-visas/f-visa>

[5] <https://immigration.com/visa/nonimmigrant-visas/f-visa/cpt>

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