

TOC 7
I-765 (version 8/19/09 Y, Deferred Widow/Widower)

Current Language

P 2. Who May File This Form I-765?

C. Temporary Protected Status (TPS)-(a)(12).

File your EAD application with Form I-821, Application for Temporary Protected Status. If you are filing for an initial EAD based on your TPS status, include evidence of identity and nationality as required by the Form I-821 instructions.

E. NACARA Section 203 Applicants Who Are Eligible to Apply for NACARA Relief With USCIS — (c)(10). See the instructions to Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal, to determine if you are eligible to apply to USCIS for NACARA 203 relief.

If you are eligible, follow the instructions below and submit your Form I-765 at the same time you file your Form I-881 with USCIS:

1. If you are filing a Form I-881 with USCIS, file Form I-765 at the same time and at the same filing location. Your response to Question 16 on the Form I-765 must be “(c)(10).”

2. If you have already filed your Form I-881 at the Service Center specified on Form I-881, and now wish to apply for employment authorization, your response to **Question 16** on Form I-765 must be “(c)(10).” You must file your Form I-765 at the Service Center designated in “Where to File?” of these instructions.

3. If you are a NACARA Section 203 applicant who previously filed Form I-881 with USCIS, and the application is still pending, you may renew your EAD. Your response to **Question 16** on Form I-765 must be “(c)(10).” Submit the required fee and Form I-765 to the Service Center designated in “Where to File?” of these instructions.

P. 7 What is the Filing Fee?

Incorrect Card, Paragraph 2:

You may be eligible for a fee waiver under 8 CFR 103.7(c).

Proposed Language

P 2. Who May File This Form I-765?

C. Temporary Protected Status (TPS)-(a)(12).

You must file a Form I-765 with Form I-821, Application for Temporary Protected Status, for each applicant, regardless of age, even if you are not requesting employment authorization. (Only those applicants requesting employment authorization must pay the fee for Form I-765.) If you are filing for an initial EAD based on your TPS status, include evidence of identity and nationality as required by the Form I-821 instructions. Read the Form I-821 instructions for additional guidance and filing location.

If you have been granted TPS by an immigration judge (IJ) or the Board of Immigration Appeals (BIA) and are requesting your first EAD, you must submit evidence of your IJ or BIA grant of TPS with your application for an EAD along with a copy of your I-821 application that the IJ or BIA approved. You must also follow the instructions for filing your application as described in the most recent TPS *Federal Register* notice regarding a TPS designation or extension for your country. As further instructed in those notices, once you receive your I-797 application receipt notice, you must also send an e-mail to tpsijgrant.vsc@dhs.gov with the following information: Your name; your A number; your date of birth; the receipt number for your application; and the date you were granted TPS.

E. NACARA Section 203 Applicants Who Are Eligible to Apply for NACARA Relief With USCIS—(c)(10). See the instructions to Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal, to determine if you are eligible to apply to USCIS for NACARA 203 relief.

If you are eligible, you may file a Form I-765 with the Form I-881. See Instructions to Form I-881 for filing location. If you file the Form I-765 separately from the Form I-881 see “Where to File?” instructions. Your response to Question 16 on the Form I-765 must be “(c)(10).”

You may be eligible for a fee waiver under 8 CFR 103.7(c), or 8 CFR 244.20 if you are filing for an EAD related to your application or grant of TPS.

P. 8 Where to File?

E-Filing Form I-765: Certain Form I-765 filings may be electronically filed (e-filed) with USCIS. View our Web site at www.uscis.gov for a list of who is eligible to e-file this form and instructions.

Where to File?

E-Filing Form I-765: Certain Form I-765 filings may be electronically filed (e-filed) with USCIS. View our Web site at www.uscis.gov for a list of who is eligible to e-file this form and instructions.

Paper Filing of Form I-765:

Please note that the filing locations for the paper version of this form are subject to change. Read the instructions carefully to determine where you must send your paper application.

If your response to Question 16 is

(a)(11), Deferred Enforced Departure (DED), mail your application according to the most recent Federal Register notice for your particular country's DED order. Please also check the most recent Federal Register notice regarding DED for your country for additional EAD filing instructions that may apply in your case.

If your response to **Question 16** is **(a)(3)**, admitted as a refugee, **(a)(4)**, paroled as a refugee, **(a)(5)**, asylum granted, **(a)(7), N-8 or N-9** nonimmigrant, or **(a)(8)**, admitted as a citizen of the Federated States of Micronesia or of the Marshall Islands, mail your application to:

USCIS
Nebraska Service Center
P.O. Box 87765
Lincoln, NE 68501-1225

For courier/express deliveries:
USCIS
Nebraska Service Center
850 S. Street
Lincoln, NE 68508-1225

File at the USCIS Vermont Service Center if your response to Question 16 is:

(a)(16), T-1 nonimmigrant victim of trafficking, or

(a)(19), U-1 nonimmigrant, or

(a)(20), U-2, U-3, U-4, or U-5 nonimmigrant immediate family member of a U-1 victim of criminal activity, or

(c)(14), an alien who has been granted deferred action as a surviving spouse or qualified child, or based on an approved Form I-360 filed for a battered or abused spouse or child, or

(c)(25), T-2, T-3, T-4, or T-5 nonimmigrant immediate family member of a T-1 victim of severe form of trafficking in persons.

USCIS Vermont Service Center

USCIS
Vermont Service Center
Attn: I-765
75 Lower Welden St.
St. Albans, VT 05479-0001

If your response to Question 16 is:

(a)(12), alien granted Temporary Protected Status

(TPS), or

(c)(19), alien who has a pending application for TPS, mail your application according to the instructions in the Federal Register Notice for your particular country's TPS designation.

If you need to replace a valid lost, stolen, or mutilated Temporary Protected Status (TPS) EAD, send your application to the **USCIS Vermont Service Center**.

USCIS Vermont Service Center

USCIS
Vermont Service Center
Attn: TPS
75 Lower Welden St.
St. Albans, VT 05479-0001

If your response to **Question 16** is:

1. **(a)(10)**, an alien granted withholding of deportation or removal;
2. **(c)(11)**, an alien paroled into the United States temporarily for emergency reasons, or reasons deemed strictly in the public interest;
3. **(c)(14)**, an alien who has been granted deferred action,

(Exception: If the grant of deferred action was based on an approved Form I-360 filed for a battered or abused spouse or child, file your Form I-765 with the Vermont Service Center at the address below.);

(Exception: If you are the surviving spouse of a U.S. citizen who died before the second anniversary of your marriage, or you are the qualified child of a surviving spouse, and you have been granted deferred action (or included in your parent's deferred action grant letter), you must file your Form I-765 with the Vermont Service Center at the address below.)

NOTE: Each individual filing Form I-765 to request employment authorization under the (c) (14) category based on a grant of deferred action must establish economic necessity.

4. **(c)(16)**, an alien who has filed an application for creation of record of lawful admission for permanent residence; or

File at the USCIS Chicago Lockbox facility if your response to Question 16 is:

(a)(10), an alien granted withholding of deportation or removal; or

(c)(9) AND you filed your Form I-485 with the USCIS Chicago Lockbox facility, and your Receipt Number begins with "MSC." You must include a copy of the I-797C, Notice of Action, which shows your Form I-485 was accepted; or

(c)(10) AND you are **not** eligible to apply for NACARA 203 relief with USCIS, but you are eligible for other deportation or removal relief; or

(c)(11), an alien paroled into the United States temporarily for emergency reasons, or reasons deemed strictly in the public interest; or

(c)(14), an alien who has been granted deferred action, with the exception of those categories filed at the USCIS Vermont Service Center; or

(c)(16), an alien who has filed an application for creation of record of lawful admission for permanent residence; or

(c)(18), an alien against whom a final order of deportation or removal exists and who is released on an order of supervision,

Mail to the address below:

USCIS Chicago Lockbox

5. **(c)(18)**, an alien against whom a final order of deportation or removal exists and who is released on an order of supervision, mail your application to the USCIS Chicago Lockbox:

USCIS
P.O. Box 805887
Chicago, IL 60680-4120

For U.S. Postal Service:

USCIS
P.O. Box 805887
Chicago, IL 60680-4120

For Express mail and courier deliveries:

USCIS
Attn: FBAS
131 South Dearborn-3rd Floor
Chicago, IL 60603-5517

If your response to **Question 16** is:

(a)(14), an alien granted family unity benefits under Section 1504 of the LIFE Act, or

(a)(15), any alien in V nonimmigrant status, or.

(c) (22), if you have a pending I-687 (Legalization application) or if you filed a completed Legalization application pursuant to Section 245A of the Act (and Section 245(a) 8 Code of Federal Regulations), or

(c)(24), an alien who has filed for adjustment of status under Section 1104 of the LIFE Act.

Mail to the address below:

USCIS Chicago Lockbox

For U.S. Postal Service:

USCIS
P.O. Box 7219
Chicago, IL 60680-7219

For Express Mail and courier service:

USCIS
VKL
131 South Dearborn- 3rd Floor
Chicago, IL 60680-7219

If your response to **Question 16** is:

(c)(1), alien spouse or unmarried dependent child, son, or daughter of a foreign government official,

(c)(4), eligible dependent of a G-1, G-3, or G-4 non-immigrant, or

(c)(7), dependent of a NATO 1 through NATO 7, submit your application through your principal's sponsoring organization and your application will be reviewed and forwarded by DOS, USUN, or NATO/SACLANT to the Nebraska Service Center following certification of your eligibility for an employment authorization document.

File at the USCIS Phoenix or Dallas Lockbox facilities based on where you live, for all other Form I-765s.

If you are filing Form I-765 **concurrently** with Form I-485, mail your applications to the address you will use to file the Form I-485

If you have a **pending** Form I-485, and you are filing Form I-765, you **must** include a copy of the I-797C Notice of Action showing that your application was accepted.

USCIS Phoenix or Dallas Lockbox

If you live in :	File your application at:
Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, or Wyoming	<p>USCIS Phoenix Lockbox For U.S. Postal Service (USPS) deliveries: USCIS PO Box 21281 Phoenix, AZ 85036</p> <p>For Express mail and courier service deliveries: USCIS Attn: AOS 1820 E. Skyharbor Circle S Suite 100 Phoenix, AZ 85034</p>
Alabama, Arkansas, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Oklahoma, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, or West Virginia	<p>USCIS Dallas Lockbox For U.S. Postal Service (USPS) Deliveries: USCIS PO Box 660867 Dallas, TX 75266</p> <p>For Express mail and courier service deliveries: USCIS Attn: AOS 2501 S. State Hwy. 121, Business Suite 400 Lewisville, TX 75067</p>

E-Notification:

If you are filing your Form I-765 at one of the USCIS Lockbox facilities, you may elect to receive an email and/or text message notifying you that your application has been accepted. You must complete Form G-1145, E-Notification of Application/Petition Acceptance, and clip it to the first page of your application. To download a copy of Form G-1145, including the instructions, click on the link www.uscis.gov "FORMS."

If your response to **Question 16** is **(c)(14)**, an alien who has been granted deferred action as a surviving spouse or qualified child, or based on an approved Form I-360 filed for a battered or abused spouse or child, **(a)(16)**, victim of trafficking, or **(c)(25)**, immediate family member of a T-1 victim of severe form of trafficking in persons, **(a)(19)** U-1 nonimmigrant, or **(a)(20)**, immediate family member of a U-1 victim of criminal activity, send your application to:

USCIS

Vermont Service Center
Attn: I-765

75 Lower Welden St.

St. Albans, VT. 05479-0001

Note: This address may be used for both U.S. Postal Service and private courier deliveries.

If your response to **Question 16** is **(a)(14)**, an alien granted family unity benefits under Section 1504 of the LIFE Act, or **(c)(24)**, an alien who has filed for adjustment of status under Section 1104 of the LIFE Act, mail your application to the USCIS Chicago Lockbox:

USCIS

P.O. Box 7219
Chicago, IL 60680-7219

If your response to **Question 16** is **(a)(15)**, any alien in V nonimmigrant status, mail your application to the USCIS Chicago Lockbox:

USCIS

P.O. Box 7216
Chicago, IL 60680-7216

If your response to **Question 16** is **(c)(8)** under the special ABC filing instructions, and you are filing your Form I-589, Application for Asylum, and this application together, mail your applications to the filing location identified in the Form I-589 instructions.

Otherwise, all other **(c)(8)** related applications will be filed at the USCIS Phoenix or Dallas Lockbox facility based on where you live. See filing chart.

Questions Regarding Form I-765

For additional information about Form I-765, including how to file your application or filing locations not mentioned, call the USCIS National Customer Service Center at 1-800-375-5283 or visit our Web site at

www.uscis.gov

If your response to **Question 16** is **(a)(12)**, alien granted Temporary Protected Status (TPS), or **(c)(19)**, alien who has a pending application for TPS, mail your application according to the instructions in the Federal Register Notice for your particular country's TPS designation.

Privacy Act Notice

We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your Form.

If you need to replace a valid lost, stolen, or mutilated Temporary Protected Status (TPS) EAD, send your application to:

USCIS
Vermont Service Center
Attn: TPS
75 Lower Welden St.
St. Albans, VT 05479-0001

Note: This address may be used for both U.S. Postal Service and private courier deliveries.

If your response to **Question 16** is **(c)(1)**, alien spouse or unmarried dependent child, son, or daughter of a foreign government official, or **(c)(4)** eligible dependent of a G-1, G-3, G-4 non-immigrant, or **(c)(7)**, dependent of a NATO 1 through NATO 7, submit your application through your principal's sponsoring organization. Your application will be reviewed and forwarded by DOS, USUN, or NATO/SACLANT to the Nebraska Service Center following certification of your eligibility for an EAD.

If your response to **Question 16** is **(c)(8)** under the special ABC filing instructions, and you are filing your Form I-589, Application for Asylum, and this application together, mail your applications to the office where you will file your asylum application. Otherwise, for all other **(c)(8)** filings, see additional instructions below

If your response to **Question 16** is **(c)(9)** and you filed your Form I-485 with the USCIS Chicago Lockbox Facility, file your form I-765 with the Chicago Lockbox. If you filed your Form I-765 with a USCIS Service Center, see instructions below.

USCIS Lockbox Addresses:

For U.S. Postal Service (USPS) deliveries:

USCIS
P.O. Box 805887
Chicago, IL 60680-4120

For courier/express deliveries:

USCIS
Attn: FBAS
131 South Dearborn- 3rd Floor
Chicago, IL 60603-5517

Otherwise, if you filed your Form I-485 with a USCIS Service Center, you must file Form I-765 at the Nebraska Service Center or the Texas Service Center, depending on where you live (see the following addresses).

Nebraska Service Center Filings

File Form I-765 alone or concurrently with Form I-485 with the Nebraska Service Center if you live in: Alaska, Arizona, California, Colorado, Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin, or Wyoming.

If you are filing Form I-765 alone, mail your Form I-765 package to:

USCIS
Nebraska Service Center
P.O. Box 87765
Lincoln, NE 68501-7765

If you are filing Form I-765 concurrently with Form I-485, mail to:

USCIS
Nebraska Service Center
P.O. Box 87485
Lincoln, NE 68501-7485

For private courier (non-USPS) deliveries:

USCIS
Nebraska Service Center
850 S. Street
Lincoln, NE 68508-1225

Texas Service Center Filings

File Form I-765 with the Texas Service Center if you live in:

Alabama, Arkansas, Connecticut,
Florida, Georgia, Kentucky, Louisiana, Maine,

Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, South Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, Tennessee, Texas, Vermont, Virginia, U.S. Virgin Islands, West Virginia, or Washington, D.C.

If you are filing Form I-765 concurrently with Form I-485, mail your Form I-765 to the address you will use to file Form I-485.

If you are filing Form I-765 alone, mail your Form I-765 package to:

USCIS
Texas Service Center
P.O. Box 851041
Mesquite, TX 75185-1041

For private courier (non-USPS) deliveries:

USCIS
Texas Service Center
4141 North St. Augustine Road
Dallas, TX 75227

If your response to **Question 16** is:

1. **(a)(6)**, alien admitted as a nonimmigrant fiancé(e) pursuant to section 101(a)(15)(k)(i);
2. **(a)(11)**, alien granted extended voluntary departure by the Secretary as a member of a nationality group pursuant to a request by the Secretary of State;
3. **(a)(13)**, alien granted voluntary departure under the Family Unity Program;
4. **(a)(17)**, spouse of a treaty trader, investor;
5. **(a)(18)**, spouse of an intra company transferee;
6. **(c)(2)**, alien spouse or unmarried dependent son or daughter of an employee of the Coordination Council for North American Affairs;
7. **(c)(3)(A), (c)(3)(B), or (c)(3)(C)**, F-1 student seeking optional practical training;
8. **(c)(3)(ii)**, F-1 student offered employment under the sponsorship of an international organization;
9. **(c)(3)(iii)**, F-1 student seeking employment because of severe economic hardship;
10. **(c)(5)**, spouse or minor child of an exchange visitor (J-2);
11. **(c)(6)**, M-1 student seeking employment for practical training;
12. **(c)(8)**, an alien who has filed an application for asylum or withholding of deportation or removal;
13. **(c)(17)(i)**, a visitor for business (B-1) who is the personal or domestic servant who is

accompanying or following to join an employer;

14. (c)(17)(ii), a domestic servant of a U.S. citizen accompanying or following to join his or her U.S. citizen employer who has a permanent home or is stationed in a foreign country; or

15. (c)(17)(iii), an employee of a foreign airline engaged in international transportation of passengers freight;

Mail your application to the appropriate Service Center depending on where you live (see chart on the following page).....

If your response to **Question 16** is:

- 1) **(a)(9)**, admitted as a K-3 spouse or K-4 dependant; or
- 2) **(c)(10)**, and you are a NACARA 203 applicant eligible to apply for relief with USCIS, or if your I-881 application is still pending with USCIS and you wish to renew your EAD;

Mail Form I-765 with the required fee to the appropriate USCIS Service Center below:

If you live in Alabama, Arkansas, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Tennessee, Texas, Utah, the U.S. Virgin Islands, Vermont, Virginia, West Virginia, or Wyoming, send your application to:

USCIS
Vermont Service Center
Attn: I-765
75 Lower Welden St.
St. Albans, VT 05479-0001

Note: This address may be used for both U.S. Postal Service and private courier deliveries.

If you live in Alaska, Arizona, California, the Commonwealth of Guam, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, North Dakota, Oregon, Ohio, South Dakota, Washington, or

Wisconsin, mail your application to:

USCIS
California Service Center
P.O. Box 10765
Laguna Niguel, CA 92607-1076

For courier/express deliveries:

USCIS
California Service Center
24000 Avila Road
2nd Floor, Room 2312
Laguna Niguel, CA 92677

Note: You must submit the fee for Form I-765 by a separate check or money order. Do not combine your check or money order with the fee for form I-881.

If your response to **Question 16** is **(c)(10)** and you are not eligible to apply for NACARA 203 relief with USCIS, but you are eligible for other deportation or removal relief, mail your application to the USCIS Chicago Lockbox at the following address:

USCIS
PO Box 805887
Chicago, IL 60680-4120.

Questions Regarding Form I-765

For additional information about Form I-765, including how to file your application or filing locations not mentioned, call the USCIS National Customer Service Center at 1-800-375-5283 or visit our Web site at www.uscis.gov.