

**TABLE OF CHANGES – INSTRUCTIONS**  
**Form I-765, Application for Employment Authorization**  
**OMB Number: 1615-0040**  
**12/09/2016**

**Reason for Revision:** IEP, AC21 NPRM, NATO updates, and fee rule language. Document was reformatted, including numbering.

Current Page Number and Section	Current Text	Proposed Text
<p><b>Page 1,</b></p> <p><b>What is the Purpose of This Form?</b></p>	<p><b>[Page 1]</b></p> <p>...</p> <p><b>Interim EAD:</b> An EAD issued to an eligible applicant when USCIS has failed to adjudicate an application within 90 days of a properly filed EAD application, or within 30 days of a properly filed initial EAD application based on an asylum application filed on or after January 4, 1995. The interim EAD will be granted for a period not to exceed 240 days and is subject to the conditions noted on the document. <i>The Interim EAD provisions apply to individuals filing Form I-765 based on Consideration of Deferred Action for Childhood Arrivals only after a determination on deferred action is reached.</i></p>	<p><b>[Page 1]</b></p> <p><b>What Is the Purpose of Form I-765?</b></p> <p><b>[Delete]</b></p>
<p><b>Pages 1-7,</b></p> <p><b>Who May File Form I-765?</b></p>	<p><b>[Page 1]</b></p> <p><b>Who May File Form I-765...</b></p> <p>Asylee/Refugee and Their Spouses and Children... <b>Page 1</b></p> <p>Nationality Categories... <b>Page 1</b></p> <p>Foreign Students... <b>Page 2</b></p> <p>Eligible Dependents of Employees of Diplomatic Missions, International Organization, or NATO... <b>Page 3</b></p> <p>Employment-Based Nonimmigrants... <b>Page 3</b></p> <p>Family-Based Nonimmigrants... <b>Page 4</b></p> <p>Adjustment-of-Status Categories... <b>Page 5</b></p> <p>Other Categories... <b>Page 5</b></p>	<p><b>[Page 1]</b></p> <p><b>Who May File Form I-765...</b></p> <p><b>[Delete Table of Contents]</b></p>

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**C. Dependent of NATO-1 Through NATO-6--(c)(7).** Submit Form I-765 with Form I-566, Interagency Record of Request-A, G, or NATO Dependent Employment Authorization or Change/Adjustment to/from A, G, or NATO Status, Dependent Employment Authorization, to NATO SACLANT, 7857 Blandy Road, C-027, Suite 100, Norfolk, VA 23551-2490. NATO/SACLANT will forward all favorably endorsed applications directly to the Nebraska Service Center for adjudication.

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**...G. Spouse of an H-1B Nonimmigrant --(c)(26).** File Form I-765 along with documentation of your current H-4 admission or extension of stay. You must also submit documentation establishing either that the H-1B principal has an approved Immigrant Petition for Alien Worker (Form I-140), or that your current H-4 admission or extension of stay was approved pursuant to the principal H-1B nonimmigrant's admission or extension of stay based on sections 106(a) and (b) of the American Competitiveness in the Twenty-First Century Act (AC21). For your convenience, you may file Form I-765 with Form I-539, Application to Extend/Change Nonimmigrant Status. However, USCIS

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**C. Dependent of NATO-1 Through NATO-6--(c)(7).** **If you are a dependent of a NATO nonimmigrant who is stationed at Supreme Allied Command Transformation (SACT), NATO/HQ,** submit Form I-765 with Form I-566, Interagency Record of Request-A,G, or NATO Dependent Employment Authorization or Change/Adjustment to/from A, G, or NATO Status, to:

**USLO to NATO/HQ SACT  
7857 Blandy Road, Suite 200  
Norfolk, VA 23551-2491**

**If you are a dependent of a NATO nonimmigrant who is stationed outside of NATO/HQ SACT,** submit Form I-765 with Form I-566, to the Defense Attaché's Office at the embassy of the NATO member that employs the principal alien. For more details on NATO member embassy contacts and on documents required, visit the DOS website [www.state.gov/ofm](http://www.state.gov/ofm) under the topic "Dependent Work Authorization."

**If you have questions regarding the process or document requirements, email [OFM-EAD@state.gov](mailto:OFM-EAD@state.gov).**

**...G. Spouse of an H-1B Nonimmigrant – (c)(26).** File Form I-765 along with documentation of your current H-4 admission or extension of stay. You must also submit documentation establishing either that the H-1B principal has an approved Immigrant Petition for Alien Worker (Form I-140), or that your current H-4 admission or extension of stay was approved pursuant to the principal H-1B nonimmigrant's admission or extension of stay based on sections 106(a) and (b) of the American Competitiveness in the Twenty-First Century Act (AC21). For your convenience, you may file Form I-765 with Form I-539, Application to Extend/Change Nonimmigrant Status. However, USCIS will not process Form I-765 (except filing

	<p>will not process Form I-765 (except filing fees), until after USCIS has adjudicated Form I-539. You may also file Form I-765 at the same time as Form I-539 <b>and</b> Form I-129, Petition for a Nonimmigrant Worker. The 90-day period for adjudicating Applications for Employment Authorization (Form I-765) filed together with Form I-539 does not begin until USCIS has determined whether you are eligible for the underlying H-4 nonimmigrant status, and that the principal is eligible for H-1B status. Please see the USCIS Web site at <a href="http://www.uscis.gov/I-765">www.uscis.gov/I-765</a> for the most current information on where to file this benefit request.</p> <p>...</p> <p><b>(b) H-1B Principal Received AC21 106(a) and (b) Extension.</b> Submit evidence that the principal H-1B nonimmigrant has received an extension of stay under AC21 106(a) and (b). You may show this by submitting copies of the H-1B principal's passports, prior Forms I-94, and current and prior Forms I-797 for Form I-129. In addition, please submit evidence to establish one of the following bases for the H-1B extension of stay:</p> <p><b>Based on Filing of a Permanent Labor Certification Application.</b> Submit evidence that the H-1B principal is the beneficiary of a Permanent Labor Certification Application that was filed at least 365 days prior to the expiration of the 6-year limitation of stay. You may show this by submitting a copy of a print out from the Department of Labor's (DOL's) Web site or other correspondence from DOL showing the status of the H-1B principal's Permanent Labor Certification Application. If DOL certified the Permanent Labor Certification, you must also submit a copy of Form I-797 Notice of Receipt for Form I-140 establishing that the Form I-140 was filed within 180 days of DOL certifying the Permanent Labor Certification; or</p>	<p>fees), until after USCIS has adjudicated Form I-539. You may also file Form I-765 at the same time as Form I-539 <b>and</b> Form I-129, Petition for a Nonimmigrant <b>Worker</b>. <b>Please</b> see the USCIS Web site at <a href="http://www.uscis.gov/I-765">www.uscis.gov/I-765</a> for the most current information on where to file this benefit request.</p> <p><b>[Page 5]</b></p> <p>...</p> <p><b>(b) H-1B Principal Received AC21 106(a) and (b) Extension.</b> Submit evidence that the principal H-1B nonimmigrant has <b>been admitted or granted</b> an extension of stay under AC21 106(a) and (b). You may show this by submitting copies of the H-1B principal's passports, prior Forms I-94, and current and prior Forms I-797 for Form I-129. In addition, please submit evidence to establish one of the following bases for the H-1B extension of stay:</p> <p><b>Based on Filing of a Permanent Labor Certification Application.</b> Submit evidence that the H-1B principal is the beneficiary of a Permanent Labor Certification Application that was filed at least 365 days prior to the <b>date the period of admission authorized under AC21 106(a) and (b) takes effect</b>. You may show this by submitting a copy of a print out from the Department of Labor's (DOL's) Web site or other correspondence from DOL showing the status of the H-1B principal's Permanent Labor Certification Application. If DOL certified the Permanent Labor Certification, you must also submit a copy of Form I-797 Notice of Receipt for Form I-140 establishing that the Form I-140 was filed within 180 days of DOL certifying the Permanent Labor Certification; or</p>
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**Based on a Pending Form I-140.** If the preference category sought for the principal H-1B spouse does not require a Permanent Labor Certification Application with DOL, submit evidence that the H-1B principal's Form I-140 was filed at least 365 days prior to the expiration of the 6-year limitation of stay and remains pending. You may show this by submitting a copy of the Form I-797 Notice of Receipt for Form I-140.

**4. Secondary Evidence.** If you do not have the evidence listed in 1, 2, or 3 above, you may ask USCIS to consider other evidence ("secondary evidence") in support of your application for employment authorization as an H-4 spouse. For example, in establishing the Basis for Employment Authorization as described in 3a and 3b, you may submit the receipt number of the H-1B principal's most current Form I-129 extension of stay or the receipt number of the H-1B principal's approved Form I-140 petition.

Failure to provide the evidence listed above or secondary evidence may result in the delay or denial of your application for employment authorization. For additional information on secondary evidence, see **Evidence** in the **General Instructions** section.

**Based on a Pending Form I-140.** If the preference category sought for the principal H-1B spouse does not require a Permanent Labor Certification Application with DOL, submit evidence that the H-1B principal's Form I-140 was filed at least 365 days prior to the **date the period of admission authorized under AC21 106(a) and (b) takes effect.** You may show this by submitting a copy of the Form I-797 Notice of Receipt for Form I-140.

**(4) Secondary Evidence.** If you do not have the evidence listed in 1, 2, or 3 above, you may ask USCIS to consider other evidence ("secondary evidence") in support of your application for employment authorization as an H-4 spouse. For example, in establishing the Basis for Employment Authorization as described in 3a and 3b, you may submit the receipt number of the H-1B principal's most current Form I-129 extension of stay or the receipt number of the H-1B principal's approved Form I-140 petition.

Failure to provide the evidence listed above or secondary evidence may result in the delay or denial of your application for employment authorization. For additional information on secondary evidence, see **Evidence** in the **General Instructions** section.

**H. Principal Beneficiary of an Approved Employment-Based Immigrant Petition Facing Compelling Circumstances--(c)(35).** File Form I-765 with documents showing that you are eligible for an initial grant or a renewal of employment authorization under the (c)(35) eligibility category.

**Initial Application:** If this is your first application for compelling circumstances employment authorization under the (c)(35) eligibility category, **and** an immigrant visa number is not yet available to you, you may be eligible if:

**(1)** You have a Form I-140 approved on your behalf;

**(2)** You are in the United States in a valid

	<p>E-3, H-1B, H-1B1, O-1, or L-1 nonimmigrant status; and</p> <p>(3) You face compelling circumstances.</p> <p><b>See “Supporting Evidence by Principal” for more information regarding what documents to submit with your application, including additional requirements where you have been convicted of certain crimes.</b></p> <p><b>Renewal Application:</b> If you already have employment authorization under the (c)(35) eligibility category, you may be eligible for renewal if:</p> <p>(1) You have a Form I-140 approved on your behalf;</p> <p>(2) You face compelling circumstances <b>and</b> an immigrant visa is not authorized for issuance based on your priority date according to the relevant Final Action Date in the Department of State Visa Bulletin in effect on the date the application for a renewal of employment authorization is filed; <b>OR</b></p> <p>The difference between your priority date and the Final Action Date for your preference category and country of chargeability is one year or less according to the Department of State Visa Bulletin in effect on the date your renewal application is filed. This means that your priority date cannot be more than 1 year earlier or 1 year later than the Department of State cut-off date in the Visa Bulletin applicable to your preference category and country of chargeability in effect on the date your renewal application is filed. If this is the basis for your renewal application, you are not required to show compelling circumstances; <b>AND</b></p> <p>(3) You file your renewal application on Form I-765 with USCIS before your current employment authorization expires.</p> <p>You are not required to be in a valid nonimmigrant status when you file your renewal application.</p> <p><b>See “Supporting Evidence by Principal”</b></p>
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**for more information regarding what documents to submit with your application, including additional requirements where you have been convicted of certain crimes.**

**Supporting Evidence by Principal**

**(1) Proof You Are in the United States in E-3, H-1B, H-1B1, O-1, or L-1 Nonimmigrant Status.** For initial applications, submit a copy of your Arrival-Departure Record (Form I-94) showing your admission as an E-3, H-1B, H-1B1, O-1, or L-1 nonimmigrant, or a copy of your current Form I-797 approval notice for Form I-129.

**(2) Proof of Your Approved Form I-140.** For initial and renewal applications, submit a copy of a Form I-797 approval notice for Form I-140 showing the Immigrant Petition has been approved on your behalf.

**(3) Evidence You Are Facing Compelling Circumstances While You Wait For Your Immigrant Visa to Become Available.** For initial and, if applicable, renewal applications based on compelling circumstances, USCIS will review the documents you provide to determine, in its discretion, whether you have established compelling circumstances. USCIS makes this discretionary determination on a case-by-case basis according to the documents submitted and the totality of the record. You should submit any credible evidence you believe supports your claim of compelling circumstances.

**(4) Secondary Evidence.** If you do not have the evidence listed in 1 or 2 above, you may ask USCIS to consider other evidence ("secondary evidence") in support of your application for employment authorization.

For additional information on secondary evidence, see **Evidence** in the **General Instructions** section.

**(5) Proof of Arrests and Conviction.** For initial and renewal applications, you must

		<p>submit proof of any arrests and/or convictions. If you were ever convicted of a felony or two or more misdemeanors, you cannot be granted employment authorization under this eligibility category. USCIS will make the determination as to whether your crimes fall into either of these categories. You must, however, provide information and any supporting documentation on all crimes which you were convicted of so USCIS can make an appropriate decision.</p> <p><b>NOTE:</b> USCIS may, in its discretion, deny your application if you have been arrested and/or convicted of any crime.</p> <p>Provide a certified copy of all arrest reports, court dispositions, sentencing documents, and any other relevant documents.</p> <p><b>Traffic Violations and Arrests</b></p> <p>Do not select the “Yes” box for <b>Item Number 19.</b> on the form or submit documentation if you only have had minor traffic violations. Minor traffic violations do <b>NOT</b> include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select the “Yes” box for <b>Item Number 19.b.</b> on the form and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact your employment authorization eligibility.</p> <p><b>NOTE: Provide the conviction and disposition documentation even if your records were sealed, expunged, or otherwise cleared.</b> You must provide the documentation even if anyone, including a judge, law enforcement officer, or attorney told you that you no longer have a record or that you do not have to disclose the information.</p> <p>Failure to provide the evidence listed above or secondary evidence may result in the delay or denial of your application for employment authorization.</p>
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**I. Spouse or Unmarried Child of a Principal Beneficiary of an Approved Employment-Based Immigrant Petition--(c)(36).** File Form I-765 along with supporting documentation for an initial grant or a renewal of employment authorization under the (c)(36) eligibility category. You may file your application **WITH** your spouse's or parent's application under (c)(35). You may file your application while your spouse's or parent's application under (c)(35) is **PENDING** or **AFTER** your spouse's or parent's application has been approved by USCIS. If filing with your spouse's or parent's application, USCIS will not adjudicate your Form I-765 until after USCIS has adjudicated your spouse's or parent's Form I-765 first.

**Initial Application:** If this is your first application for employment authorization under the (c)(36) eligibility category, you may be eligible if:

**(1)** You are the spouse or unmarried child of an individual who is filing or who has been approved for compelling circumstances employment authorization under (c)(35) (**See** "Proof of Relationship to Principal Beneficiary of Form I-140" below);

**(2)** Your spouse's or parent's application for compelling circumstance employment authorization under (c)(35) has been approved or is pending with USCIS (*not required if you are filing your application at the same time as your spouse's or parent's application under (c)(35);* and

**(3)** You were in a valid nonimmigrant status when your spouse or parent applies for initial employment authorization under the (c)(35) eligibility category.

**See "Supporting Evidence by Spouse or Unmarried Child" below for more information regarding what documents to submit with your application, including additional requirements if you have been arrested or convicted.**

**Renewal Application:** You may be

eligible to renew your application under the (c)(36) eligibility category if:

**(1)** You file Form I-765 before your current employment authorization expires;

**(2)** You are the spouse or unmarried child of an individual who is filing or who has been approved for compelling circumstances employment authorization under (c)(35) (**See Proof of Relationship to the Principal Beneficiary of Form I-140** below); and

**(3)** Your spouse's or parent's application for compelling circumstance employment authorization under (c)(35) has been approved or is pending with USCIS (*not required if you are filing your application at the same time as your spouse's or parent's renewal application under (c)(35)*).

You are not required to be in a valid nonimmigrant status when you file your renewal application.

**See "Supporting Evidence by Spouse or Unmarried Child" below for more information regarding what documents to submit with your application, including additional requirements if you have been arrested or convicted.**

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**Supporting Evidence by Spouse or Unmarried Child**

**(1) Proof of Your Nonimmigrant Status.** For initial applications only, submit a copy of your Arrival-Departure Record (Form I-94) showing your admission as a nonimmigrant, a copy of your current Form I-797 approval notice for Form I-129, or a copy of your current Form I-797 approval notice for Form I-539.

**(2) Proof of Relationship to the Principal Beneficiary of the Approved Form I-140.** For initial and renewal applications, if you are applying as the spouse of a principal beneficiary of an

	<p>approved Form I-140, submit a copy of the marriage certificate and if applicable, copies of documents showing the legal termination of all other marriages by you or your spouse. If you are applying as the child of a principal beneficiary of an approved Form I-140, submit a copy of your birth certificate or other documents to demonstrate you qualify as the principal beneficiary's child. If you cannot submit a copy of your marriage certificate or birth certificate, USCIS will consider secondary evidence.</p> <p><b>(3) Proof the Spouse or Parent Principal Beneficiary was Granted or has Applied for Employment Authorization Under Eligibility Category (c)(35).</b> For initial and renewal applications, if you submit your Form I-765 after your spouse or parent receives employment authorization under eligibility category (c)(35), submit a copy of your spouse's or parent's employment authorization document or submit a copy of your spouse's or parent's Form I-797 approval notice for Form I-765.</p> <p>If your spouse's or parent's application under (c)(35) is <b>pending</b> when you file your Form I-765, submit a copy of your spouse's or parent's Form I-797 receipt notice for the pending Form I-765 application. USCIS will not adjudicate your Form I-765 until USCIS has adjudicated your spouse's or parent's Form I-765.</p> <p><b>(4) Secondary Evidence.</b> If you do not have the evidence listed in 1, 2, or 3 above, you may ask USCIS to consider other evidence ("secondary evidence") in support of your application for employment authorization.</p> <p>For additional information on secondary evidence, see <b>Evidence</b> in the <b>General Instructions</b> section.</p> <p><b>(5) Proof of Arrests and Convictions.</b> For initial and renewal applications, you must submit proof of any arrests and/or convictions. If you were ever convicted of a felony or two or more misdemeanors committed, you cannot be granted employment authorization under this</p>
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	<p>eligibility category. USCIS will make the determination as to whether your crimes fall into either of these categories. You must, however, provide information and any supporting documentation on all crimes which you were convicted of so USCIS can make an appropriate decision.</p> <p><b>NOTE:</b> USCIS may, in its discretion, deny your application if you have been arrested and/or convicted of any crime.</p> <p>Provide a certified copy of all arrest reports, court dispositions, sentencing documents, and any other relevant documents.</p> <p><b>Traffic Violations and Arrests</b></p> <p>Do not select the “Yes” box for <b>Item Number 19. b.</b> on the form or submit documentation if you only have had minor traffic violations. Minor traffic violations do <b>NOT</b> include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select the “Yes” box for <b>Item Number 19.b.</b> on the form and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact your employment authorization eligibility.</p> <p><b>NOTE: Provide the conviction and disposition documentation even if your records were sealed, expunged, or otherwise cleared.</b> You must provide the documentation even if anyone, including a judge, law enforcement officer, or attorney, told you that you no longer have a record or that you do not have to disclose the information.</p> <p>Failure to provide the evidence listed above or secondary evidence may result in the delay or denial of your application for employment authorization.</p> <p><b>[Page 8]</b></p> <p><b>J. Department of State Visa Bulletin.</b> USCIS will adjudicate all applications for initial or renewal employment authorization according to the Visa Bulletin in effect on</p>
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	<p>[Page 6]</p> <p><b>...F. Consideration of Deferred Action for Childhood Arrivals--(c)(33).</b></p> <p><b>1.</b> You must file Form I-765 with Form I-821D if you meet the guidelines described in the Form I-821D Filing Instructions. Enter (c)(33) in <b>Question 16</b> as the letter and number of the category for which you are applying.</p> <p><b>a.</b> To determine your eligibility for work authorization, you must establish economic necessity. USCIS will consider whether you have an economic need to work by reviewing your current annual income, your current annual expenses, and the total current value of your assets. Provide this financial information on Form I-765WS, Form I-765 Worksheet. If you would like to provide an explanation, complete <b>Part 3. Explanation</b>, of the worksheet. It is not necessary to submit supporting documentation, though it will be accepted and reviewed if you choose to submit it. You do not need to include other household member's financial information to establish your own economic necessity.</p> <p><b>b.</b> The 90-day period for adjudicating Form I-765 filed together with Form I-821D does not begin until DHS has decided whether to defer action in your case.</p> <p><b>c.</b> The fee for Form I-765 filed based on</p>	<p>the date the application is filed. To see the current visa Bulletin, please go to <a href="http://www.state.gov/travel">www.state.gov/travel</a> and click the link to the Visa Bulletin.</p> <p><b>K. Priority Dates.</b> For more information about priority dates, please visit our Visa Availability and Priority Date Web site at <a href="http://www.uscis.gov">www.uscis.gov</a>.</p> <p><b>L. Filing Location.</b> Please see the USCIS Web site at <a href="http://www.uscis.gov/I-765">www.uscis.gov/I-765</a> for the most current information on where to file your application for initial or renewal employment authorization under the (c)(35) or (c)(36) eligibility categories.</p> <p>[Page 10]</p> <p><b>...F. Consideration of Deferred Action for Childhood Arrivals--(c)(33).</b></p> <p><b>(1)</b> You must file Form I-765 with Form I-821D if you meet the guidelines described in the Form I-821D Filing Instructions. Enter (c)(33) in <b>Question 16</b> as the letter and number of the category for which you are applying.</p> <p><b>(a)</b> To determine your eligibility for work authorization, you must establish economic necessity. USCIS will consider whether you have an economic need to work by reviewing your current annual income, your current annual expenses, and the total current value of your assets. Provide this financial information on Form I-765WS, Form I-765 Worksheet. If you would like to provide an explanation, complete <b>Part 3. Explanation</b>, of the worksheet. It is not necessary to submit supporting documentation, though it will be accepted and reviewed if you choose to submit it. You do not need to include other household member's financial information to establish your own economic necessity.</p> <p><b>(b)</b> USCIS will not begin adjudicating Form I-765 if filed together with Form I-821D until USCIS has decided whether to defer action in your case.</p> <p><b>(c)</b> The fee for Form I-765 filed based on the Consideration of Deferred Action for</p>
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	<p>the Consideration of Deferred Action for Childhood Arrivals category cannot be waived. Biometric collection and the biometric services fee for Form I-765 based on the Consideration of Deferred Action for Childhood Arrivals category is also required and cannot be waived...</p>	<p>Childhood Arrivals category cannot be waived. Biometric collection and the biometric services fee for Form I-765 based on the Consideration of Deferred Action for Childhood Arrivals category is also required and cannot be waived... .... <b>[Page 11]</b></p> <p><b>N. Spouse of an International Entrepreneur Parolee--(c)(34).</b> File Form I-765 with evidence of your parole status, such as your Form I-94, and evidence you are the spouse of an International Entrepreneur Parolee, such as a copy of the principal's Form I-94 and a copy of your marriage certificate.</p>
<p><b>Page 7, General Instructions</b></p>	<p>Each application must be properly signed and filed. A photocopy of a signed application or typewritten name in place of a signature is not acceptable.</p> <p>Each application must be accompanied by the appropriate filing fee</p>	<p><b>[Page 11]</b></p> <p><b>General Instructions</b></p> <p>USCIS provides forms free of charge through the USCIS website. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at <a href="http://get.adobe.com/reader/">http://get.adobe.com/reader/</a>. If you do not have Internet access, you may call the USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you. For TTY (deaf or hard of hearing) call: 1-800-767-1833.</p> <p><b>Signature.</b> Each application must be properly signed and filed. For all signatures on this application, USCIS will not accept a stamped or typewritten name in place of a signature. If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf. A legal guardian may also sign for a mentally incompetent person.</p> <p><b>Filing Fee.</b> Each application must be accompanied by the appropriate filing fee. (See the <b>What Is the Filing Fee</b> section of these Instructions.)</p>

	<p>If you are under 14 years of age, your parent or legal guardian may sign the application on your behalf.</p> <p><b>Evidence.</b> You must submit all required initial evidence along with all the supporting documentation with your application at the time of filing.</p> <p>If a required document does not exist or cannot be obtained, you must demonstrate this and submit secondary evidence pertinent to the facts at issue. If secondary evidence does not exist or is unavailable you must demonstrate this and submit two or more sworn affidavits by non-parties who have direct knowledge of the event and circumstances.</p> <p>If you are electronically filing this application, you must follow the instructions provided on the USCIS Web site, <a href="http://www.uscis.gov">www.uscis.gov</a>.</p> <p><b>Biometrics Services Appointment.</b></p> <p>After receiving your application and ensuring completeness, USCIS will inform you in writing when to go to your local USCIS Application Support Center (ASC) for your biometrics services appointment. Failure to attend the biometric services appointment may result in denial of your application.</p>	<p>[Delete]</p> <p><b>Evidence.</b> At the time of filing, you must submit all evidence and supporting documentation listed in the <b>Required Documentation</b> section of these <b>Instructions</b>.</p> <p>If a required document does not exist or cannot be obtained, you must demonstrate this and submit secondary evidence pertinent to the facts at issue. If secondary evidence does not exist or is unavailable you must demonstrate this and submit two or more sworn affidavits by non-parties who have direct knowledge of the event and circumstances.</p> <p>[Delete]</p> <p><b>Biometric Services Appointment.</b> USCIS may require that you appear for an interview or provide fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request. After USCIS receives your application and ensures it is complete, we will inform you in writing if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or</p>
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	<p><b>Copies.</b> Unless specifically required that an original document be filed with an application or petition, a legible photocopy may be submitted. Original documents submitted when not required may remain a part of the record and will not be automatically returned to you.</p> <p><b>Translations.</b> Any document containing foreign language submitted to USCIS must be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator’s certification that he or she is competent to translate from the foreign language into English.</p> <p><b>How To Fill Out Form I-765</b></p> <ol style="list-style-type: none"> <li>1. Type or print legibly in black ink.</li> <li>2. If you need extra space to complete any item within this application, attach a continuation sheet, write your name and</li> </ol>	<p>USCIS office outside the United States to set up an appointment.</p> <p>If you fail to attend your biometric services appointment, USCIS may deny your application.</p> <p><b>Copies.</b> You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p> <p><b>NOTE:</b> If you submit original documents when not required or requested by USCIS, your original documents may be immediately destroyed upon receipt.</p> <p><b>Translations.</b> If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. The certification must include the translator’s signature. DHS recommends the certification contain the translator’s printed name and the date and the translator’s contact information.</p> <p><b>How To Fill Out Form I-765</b></p> <ol style="list-style-type: none"> <li>1. Type or print legibly in black ink.</li> <li>2. If you need extra space to complete any item within this application, attach a continuation sheet, write your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the</li> </ol>
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	<p>Alien Registration Number (A-Number) (if any) at the top of each sheet of paper; indicate the <b>Page Number, Part Number,</b> and <b>Item Number</b> to which your answer refers; and sign and date each sheet.</p> <p>3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "None."</p>	<p><b>Page Number, Part Number, and Item Number</b> to which your answer refers; and sign and date each sheet.</p> <p>3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A," unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None," unless otherwise directed.</p> <p>We recommend that you print or save a copy of your completed application to review in the future and for your records.</p>
<p><b>Page 8, Required Documentation</b></p>	<p><b>All</b> applications must be filed with the documents required below in addition to the particular evidence required for the category listed in "<b>Who May File Form I-765?</b>" with fee, if required.</p> <p>If you are required to show economic necessity for your category, submit a list of your assets, income, and expenses. Provide this financial information on Form I-765WS, Form I-765 Worksheet. If you would like to provide an explanation, complete Part 3, Explanation, of the worksheet.</p> <p>Assemble the documents in the following order:</p> <ol style="list-style-type: none"> <li>1. Your application with the filing fee. See "<b>What Is the Filing Fee?</b>" for details.</li> <li>2. If you are mailing your application to USCIS, you must also submit:</li> </ol>	<p><b>[Page 12]</b></p> <p><b>Required Documentation</b></p> <p>[No Change]</p>

**A.** A copy of Form I-94, Arrival-Departure Record (front and back), if available. If you are filing Form I-765 under the (c)(9) category, Form I-94 is not required.

**B.** A copy of your last EAD (front and back). If no prior EAD has been issued, you must submit a copy of a government-issued identity document, such as a passport showing your picture, name, and date of birth; a birth certificate with photo ID; a visa issued by a foreign consulate; or a national ID document with photo and/or fingerprint. The identity document photocopy must clearly show the facial features of the applicant and the biographical information. If you are filing under the (c)(33) category, additional documentation beyond what you submit under "**3. What Documents Do You Need to Provide to Prove Identity?**" of the filing instructions for Form I-821D, Consideration of Deferred Action for Childhood Arrivals, is not required.

**C.** You **must** submit two identical color photographs of yourself taken within 30 days of filing your application. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.

The passport-style photos must be 2" by 2". The photos must be in color with full face, frontal view on a white to off-white background. Head height should measure 1" to 1 3/8" from top to bottom of chin, and eye height is between 1 1/8" to 1 3/8" from bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious order of which you are a member. Using pencil or felt pen, lightly print your name and Alien Registration Number on the back of the photo.

The two identical color passport-style photos must be 2 by 2 inches. The photos must be in color with full face, frontal view on a white to off-white background. Head height should measure 1 to 1 3/8 inches from top of hair to bottom of chin, and eye height is between 1 1/8 to 1 3/8 inches from bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and Alien Registration Number (A-Number) (if any) on the back of the photo.

**Special Filing Instructions for Those With Pending Asylum Applications ((c) (8))**

[No Change]

**Asylum Applicant (with a pending asylum application) who filed for asylum on or after January 4, 1995.** You must wait at least 150 days following the filing of your asylum claim before you are eligible to apply for an EAD.

Any delay in processing the asylum application that is caused by you, including unexcused failure to appear for fingerprinting and other biometrics capture, will not be counted as part of that 150 days. If you fail to appear for your asylum interview or for a hearing before an immigration judge, you will be ineligible for an EAD. If you have received a recommended approval for a grant of asylum, you do not need to wait the 150 days and may apply for an EAD immediately upon receipt of your recommended approval. If you file Form I-765 early, it will be denied. File Form I-765 with:

1. A copy of the USCIS acknowledgement mailer which was mailed to you;
2. Other evidence that your Form I-589 was filed with USCIS; or
3. Evidence that your Form I-589 was filed with an Immigration Judge at the Executive Office for Immigration Review (EOIR); or
4. Evidence that your asylum application remains under administrative or judicial review.

**Asylum applicant (with a pending asylum application) who filed for asylum and for withholding of deportation prior**

**to January 4, 1995, and is NOT in exclusion or deportation proceedings.**

You may file Form I-765 at any time; however, it will only be granted if USCIS finds that your asylum application is not frivolous. File Form I-765 with:

1. A complete copy of your previously filed Form I-589;
2. A copy of your USCIS receipt notice;
3. A copy of the USCIS acknowledgement mailer;
4. Evidence that your Form I-589 was filed with EOIR;
5. Evidence that your asylum application remains under administrative or judicial review; or
6. A copy of the USCIS acknowledgement mailer.

**Asylum applicant (with a pending asylum application) who filed an initial request for asylum prior to January 4, 1995, and is IN exclusion or deportation proceedings.** If you filed your Request for Asylum and Withholding of Deportation (Form I-589) prior to January 4, 1995, and you are IN exclusion or deportation proceedings, file your EAD application with:

1. A date-stamped copy of your previously filed Form I-589;
2. A copy of Form I-221, Order to Show Cause and Notice of Hearing, or Form I-122, Notice to Applicant for Admission

Detained for Hearing Before Immigration Judge;

3. A copy of EOIR-26, Notice of Appeal, date stamped by the Office of the Immigration Judge;

4. A date-stamped copy of a petition for judicial review or for *habeas corpus* issued to the asylum applicant; or
5. Other evidence that you filed an asylum application with EOIR.

**Asylum application under the ABC Settlement Agreement -- (c)(8).** If you are a Salvadoran or Guatemalan national eligible for benefits under the ABC settlement agreement, *American Baptist Churches v. Thornburgh*, 760 F. Supp. 976 (N.D. Cal. 1991), follow the instructions contained in this section when filing your Form I-765.

You must have an asylum application (Form I-589) on file either with USCIS or with an Immigration Judge in order to receive work authorization. Therefore, submit evidence that you have previously filed an asylum application when you submit Form I-765. You are not required to submit this evidence when you apply, but it will help USCIS process your request efficiently.

If you are renewing or replacing your EAD, you must pay the filing fee. Mark your application as follows:

1. Write “ABC” in the top right corner of your EAD application. You must identify yourself as an ABC class member if you are applying for an EAD under the ABC settlement agreement.
2. Write “(c)(8)” in **Question 16** of the application.

You are entitled to an EAD without regard to the merits of your asylum claim. Your application for an EAD will be decided within 60 days if: (1) you pay the filing fee, (2) you have a complete pending asylum application on file, and (3) you write “ABC” in the top right corner of your EAD application. If you do not pay the filing fee for an initial EAD request, your request

1. Type or print “ABC” in the top right corner of your EAD application. You must identify yourself as an ABC class member if you are applying for an EAD under the ABC settlement agreement.

2. Type or print “(c)(8)” in **Question 16** of the application.

You are entitled to an EAD without regard to the merits of your asylum claim. Your application for an EAD will be decided within 60 days if you:

1. Pay the filing fee;

2. Have a complete pending asylum

	<p>may be denied if USCIS finds that your asylum application is frivolous. However, if you cannot pay the filing fee for an EAD, you may qualify for a fee waiver under 8 CFR 103.7(c).</p> <p><b>Special Filing Instructions for Spouses of E-2 CNMI Investors ((c)(12)).</b></p> <p>Spouses of certain principal E-2 CNMI Investors (E-2C) are eligible to seek employment in the CNMI. An EAD issued under this category is only valid for employment in the Commonwealth of Northern Mariana Islands (the CNMI).</p> <p>To determine if you are eligible for an EAD under this section, you must determine what type of investor certificate was issued by the CNMI to your spouse, the principal E-2 CNMI Investor. If your spouse was issued either a Long-Term Business Certificate or Foreign Investment Certificate, you may be eligible for an EAD under this category. If your spouse, the principal E-2 CNMI Investor, was issued a Foreign Retiree Investment Certification, you are not eligible to receive an EAD under this category.</p> <p>File Form I-765 with:</p> <ol style="list-style-type: none"> <li>1. Documentation, such as a marriage certificate establishing a legal marriage between you and the principal E-2C. Additionally, documentation such as divorce or death certificates establishing the termination of any prior marriages of</li> </ol>	<p>application on file; and</p> <p>3. Type or print “ABC” in the top right corner of your EAD application. If you do not pay the filing fee for an initial EAD request, your request may be denied if USCIS finds that your asylum application is frivolous. However, if you cannot pay the filing fee for an EAD, you may qualify for a fee waiver under 8 CFR 103.7(c).</p> <p>[No Change]</p>
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	<p>you and your spouse.</p> <ol style="list-style-type: none"> <li>2. Documentation establishing that you reside in the Commonwealth of the Northern Mariana Islands.</li> <li>3. Documentation establishing that you have obtained E-2C status as a dependent.</li> <li>4. Evidence that your spouse has obtained E-2C status.</li> </ol> <p>A copy of your spouse’s CNMI issued Long-Term Business Certificate or Foreign Investment Certificate.</p>	
<p><b>Pages 9-10, What Is the Filing Fee?</b></p>	<p><b>[Page 9]</b></p> <p><b>What Is the Filing Fee...</b></p>	<p><b>[Page 15]</b></p> <p><b>What Is the Filing Fee...</b></p> <p>The filing fee for Form I-765 is <b>\$410</b>.</p> <p><b>Exceptions:</b></p> <p><b>Initial EAD.</b> If this is your initial application and you are applying under one of the following categories, a filing fee is <b>not</b> required:</p> <ol style="list-style-type: none"> <li>1. (a)(3) Refugee;</li> <li>2. (a)(4) Paroled as Refugee;</li> <li>3. (a)(5) Asylee;</li> <li>4. (a)(7) N-8 or N-9 nonimmigrant;</li> <li>5. (a)(8) Citizen of Micronesia, Marshall Islands, or Palau;</li> <li>6. (a)(10) Granted Withholding of Deportation;</li> <li>7. (a)(16) Victim of Severe Form of Trafficking (T-1);</li> <li>8. (a)(19) U-1 Nonimmigrant;</li> <li>9. (c)(1), (c)(4), or (c)(7) Dependent of certain foreign government, international organization, or NATO personnel;</li> <li>10. (c)(8) Applicant for asylum (an</li> </ol>

	<p><b>Special Instructions for Childhood Arrivals ((c)(33)).</b> All requestors under this category must submit biometrics. The biometrics services fee of \$85 is required for all requestors. <i>The biometrics services fee and the filing fee for this form cannot be waived...</i></p> <p><b>Renewal EAD...</b></p>	<p>applicant filing under the special ABC procedures must pay the fee); or</p> <p><b>11. (c)(31) VAWA Self-Petitioner.</b></p> <p><b>Special Instructions for Childhood Arrivals ((c)(33)).</b> All requestors under this category must submit biometrics. The biometrics services fee of \$85 is required for all requestors. <i>The biometrics services fee and the filing fee for this form cannot be waived.</i></p> <p><b>Renewal EAD.</b> If this is a renewal application and you are applying under one of the following categories, a filing fee is <b>not</b> required:</p> <ol style="list-style-type: none"> <li>1. (a)(8) Citizen of Micronesia, Marshall Islands, or Palau;</li> <li>2. (a)(10) Granted Withholding of Deportation;</li> <li>3. (c)(1), (c)(4), or (c)(7) Dependent of certain foreign government, international organization, or NATO personnel;</li> <li>4. (c)(9) or (c)(16) Adjustment applicant who applied after July 30, 2007.</li> </ol> <p><b>Replacement EAD.</b> If this is your replacement application, and you are applying under one of the following categories, a filing fee is <b>not</b> required:</p> <ol style="list-style-type: none"> <li>1. (c)(1), (c)(4), or (c)(7) Dependent of certain foreign government, international organization, or NATO personnel.</li> </ol> <p><b>NOTE:</b> If you are requesting a replacement EAD under the (c)(9) or (c)(16) Adjustment applicant who applied after July 30, 2007 category, then the full filing fee will be required; however, no biometrics fee is required.</p> <p><b>Card Error:</b></p> <ol style="list-style-type: none"> <li>1. If the card issued to you contains</li> </ol>
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incorrect information that is not attributed to USCIS error, a new Form I-765 and filing fee are required. Form I-765 must be accompanied by the card containing the error.

2. If the card issued to you contains incorrect information that is attributed to a USCIS error, a new Form I-765 and filing fee are not required. Instead, you must submit a letter, accompanied by the card containing the error to the Service Center or National Benefit Center that approved your last employment authorization request

**Use the following guidelines when you prepare your check or money order for the Form I-765 fee:**

1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**
2. Make the check or money order payable to **U.S. Department of Homeland Security.**

**NOTE:** Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

**NOTE:** If you filed Form I-485, Application to Register Permanent Residence or Adjust Status, as of July 30, 2007, **and you paid the Form I-485 filing fee**, no fee is required to also file a request for employment authorization on Form I-765. You may file the Form I-765 with your Form I-485, or you may submit the Form I-765 at a later date. If you file Form I-765 separately, you must also submit a copy of your Form I-797C, Notice of Action, receipt as evidence of the filing of Form I-485 as of July 30, 2007.

**Notice to Those Making Payment by Check.** If you send us a check, it will be converted into an electronic funds transfer

(EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, USCIS will re-submit the payment to the financial institution one time. If the check is returned as unpayable a second time, we will reject your application and charge you a returned check fee.

### **How to Check If the Fees Are Correct**

Form I-765's filing fee is current as of the edition date in the lower right corner of this page. However, because USCIS fees change periodically, you can verify that the fees are correct by following one of the steps below.

1. Visit our website at [www.uscis.gov](http://www.uscis.gov), select "FORMS," and check the appropriate fee; or
2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TTY (deaf or hard of hearing) call: 1-800-767-1833.

### **Fee Waiver**

You may be eligible for a fee waiver under 8 CFR 103.7(c), including if you are a TPS applicant. If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver (or a written request), and submit it and any required evidence of your inability to pay the filing fee with this application. You can review the fee waiver guidance at [www.uscis.gov/feewaiver](http://www.uscis.gov/feewaiver).

### **Biometrics Services Fee for Beneficiaries**

		<p><b>of an Approved Employment-Based Immigrant Petition--(c)(35) and Spouses or Children of a Principal Beneficiary of an Approved Immigrant Petition--(c)(36).</b> All applicants under these categories must submit biometrics. An additional biometric services fee of <b>\$85</b> is required for applicants 14 to 79 years of age, unless waived.</p> <p><b>Renewal EAD...</b></p>
<p><b>Page 11, Where To File?</b></p>	<p>Please visit the USCIS Web site at <a href="http://www.uscis.gov/I-765">www.uscis.gov/I-765</a> or contact the USCIS National Customer Service Center at <b>1-800-375-5283</b> for the most current information about where to file this benefit request. For TDD (hearing impaired) call: <b>1-800-767-1833</b>.</p>	<p>[Page 17]</p> <p><b>Where To File?</b></p> <p>Please see our website at <a href="http://www.uscis.gov/i765">www.uscis.gov/i765</a> or call our National Customer Service Center at <b>1-800-375-5283</b> for the most current information about where to file this application. For TTY (deaf or hard of hearing) call: <b>1-800-767-1833</b>.</p>
<p><b>Page 11, Address Change</b></p>	<p>An applicant who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address, go to the USCIS Website at <a href="http://www.uscis.gov/addresschange">www.uscis.gov/addresschange</a> or contact the USCIS National Customer Service Center at <b>1-800-375-5283</b>. For TDD (hearing impaired) call: <b>1-800-767-1833</b>.</p> <p><b>NOTE:</b> Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.</p>	<p>[Page 17]</p> <p><b>Address Change</b></p> <p>An applicant who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. For information on filing a change of address, go to the USCIS Website at <a href="http://www.uscis.gov/addresschange">www.uscis.gov/addresschange</a> or contact the USCIS National Customer Service Center at <b>1-800-375-5283</b>. For TTY (deaf or hard of hearing) call: <b>1-800-767-1833</b>.</p> <p><b>NOTE:</b> Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.</p>
<p><b>Page 12, Processing Information</b></p>	<p>[Page 12]</p>	<p>[Page 18]</p>

	<p><b>Any Form I-765 that is not signed or accompanied by the correct fee will be rejected with a notice that Form I-765 is deficient.</b> You may correct the deficiency and resubmit Form I-765. An application or petition is not considered properly filed until accepted by USCIS.</p> <p><b>Initial Processing.</b> Once Form I-765 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your Form I-765.</p> <p><b>Biometric collection, interview, and requests for more information.</b> We may request more information or evidence, or we may request that you appear at a USCIS office for an interview, which may include collection of biometrics (fingerprints, photograph, and signature). We may also request that you submit the originals of any copy. We will return these originals when they are no longer required.</p> <p>You may be required to provide biometrics at a USCIS Application Support Center (ASC) in order for your EAD application to be adjudicated and your card to be produced. If necessary, USCIS will send you a notice scheduling you for an ASC appointment for the electronic collection of your biometrics. The ASC notice will inform you of the documents that you must bring with you to the appointment. If you fail to attend your ASC appointment, your EAD application may be denied.</p>	<p><b>Processing Information...</b></p> <p><b>[Delete]</b></p> <p><b>Initial Processing.</b> Once USCIS accepts your application we will check it for completeness. If you do not completely fill out this application, you will not establish a basis for your eligibility and USCIS may reject or deny your application.</p> <p><b>[Delete]</b></p> <p><b>Requests for More Information.</b> We may request that you provide more information or evidence to support your application.</p>
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	<p><b>Approval.</b> If approved, your EAD will either be mailed to you or you may be required to visit your local USCIS office to pick it up.</p> <p><b>Denial.</b> If your application cannot be granted, you will receive a written notice explaining the basis of your denial.</p> <p><b>Interim EAD.</b> If you have not received a decision within 90 days of receipt by USCIS of a properly filed EAD application or within 30 days of a properly filed initial EAD application based on an asylum application filed on or after January 4, 1995, you may request interim work authorization by calling the USCIS National Customer Service Center at <b>1-800-375-5283</b> or by appearing in person at your local USCIS Field Office by making an InfoPass appointment. For TDD (hearing impaired) call: <b>1-800-767-1833</b>. For further processing at a USCIS Field Office, you must bring proof of identity and any notices that you have received from USCIS in connection with your application</p>	<p>We may also request that you provide the originals of any copies you submit. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p> <p><b>Requests for Interview.</b> We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity and/or update background and security checks.</p> <p><b>Decision.</b> The decision on Form I-765 involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.</p> <p>[No Change]</p> <p><b>Denial.</b> If your application cannot be granted, you will receive a written notice explaining the basis of your denial.</p> <p>[Delete]</p>
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	<p>for employment authorization. <i>The Interim EAD provisions apply to individuals filing Form I-765 based on Consideration of Deferred Action for Childhood Arrivals only after a determination on deferred action is reached.</i></p>	
<p>Page 11, <b>USCIS Forms and Information</b></p>	<p>To ensure you are using the latest version of this form, visit the USCIS website at <a href="http://www.uscis.gov">www.uscis.gov</a> where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may order USCIS forms by calling the Forms Request Line at <b>1-800-870-3676</b>. You may also obtain forms and information by calling the USCIS National Customer Service Center at <b>1-800-375-5283</b>. For TDD (hearing impaired) call: <b>1-800-767-1833</b>.</p> <p>As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through the USCIS Internet-based system, InfoPass. To access the system, visit the USCIS Web site. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates and electronic appointment notice that appears on the screen.</p>	<p><b>[Page 17]</b></p> <p><b>USCIS Forms and Information</b></p> <p>To ensure you are using the latest version of this application, visit the USCIS website at <a href="http://www.uscis.gov">www.uscis.gov</a> where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may order USCIS forms by calling the Forms Request Line at <b>1-800-870-3676</b>. You may also obtain forms and information by calling the USCIS National Customer Service Center at <b>1-800-375-5283</b>. For TTY (deaf or hard of hearing) call: <b>1-800-767-1833</b>.</p> <p>Instead of waiting in line for assistance at your local USCIS office, you can schedule an appointment online at <a href="http://www.uscis.gov">www.uscis.gov</a>. Select “Schedule an Appointment” and follow the screen prompts to set up your appointment. Once you finish scheduling an appointment, the system will generate an appointment notice for you.</p>
<p><b>Page 11,</b> <b>Penalties</b></p>	<p>If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-765, we will deny your Form I-765 and may deny any other immigration benefit.</p> <p>In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.</p>	<p><b>[Page 18]</b> <b>Penalties</b></p> <p><b>[No Change]</b></p>
<p>Page 11, <b>USCIS Privacy Act Statement</b></p>		<p><b>[Page 18]</b></p> <p><b>USCIS Privacy Act Statement</b></p>

	<p><b>AUTHORITIES:</b> The information requested on this application, and the associated evidence, is collected pursuant to the Immigration and Nationality Act, 8 U.S.C. section 1324a, as amended.</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this form is to determine eligibility for certain aliens who are temporarily in the United States requesting an Employment Authorization Document (EAD).</p> <p><b>DISCLOSURE:</b> The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in the denial of your benefit request.</p> <p><b>ROUTINE USES:</b> The information you provide on this benefit application may be shared with other federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices [DHS-USCIS-001 - Alien File, Index, and National File Tracking System; DHS-USCIS-007 - Benefit Information System; and DHS/USCIS-010 - Asylum Information and Pre-Screening, which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>]. The information may also be made available, as appropriate for law enforcement purposes or in the interest of national security.</p>	<p><b>AUTHORITIES:</b> The information requested on this application, and the associated evidence, is collected pursuant to the Immigration and Nationality Act, 8 U.S.C. section 1324a, as amended.</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this form is to determine eligibility for certain aliens who are temporarily in the United States requesting an Employment Authorization Document (EAD).</p> <p><b>DISCLOSURE:</b> The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision or result in the denial of your benefit request.</p> <p><b>ROUTINE USES:</b> The information you provide on this benefit application may be shared with other federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices [DHS/USCIS-001 - Alien File, Index, and National File Tracking System; DHS/USCIS-007 - Benefit Information System; and DHS/USCIS-010 - Asylum Information and Pre-Screening, which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>]. The information may also be made available, as appropriate for law enforcement purposes or in the interest of national security.</p>
<p>Page 12, <b>Paperwork Reduction Act</b></p>	<p>An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of</p>	<p><b>[Page 18]</b> <b>Paperwork Reduction Act</b> <b>[No Change]</b></p>

	<p>information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated as follows: 3.42 hours for reviewing instructions and completing and submitting Form I-765; 1.17 hours associated with biometrics processing; .50 hours for reviewing instructions and completing Form I-765WS; and .50 hours associated with providing passport- style photographs. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140. OMB No. 1615-0040. <b>Do not mail your completed Form I-765 to this address.</b></p>	
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