



Instructions for Application for Employment Authorization for Abused Nonimmigrant Spouse

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-765V
OMB No. 1615-0137
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What Is the Purpose of Form I-765V?

Form I-765V, Application for Employment Authorization for Abused Nonimmigrant Spouse, allows you to apply for employment authorization under the Immigration and Nationality Act (INA) section 106 if you are the spouse of a certain type of nonimmigrant and you or your child have been battered or subjected to extreme cruelty. INA section 106 was added by the Violence Against Women and Department of Justice Reauthorization Act of 2005 (VAWA 2005), Public Law (Pub. L.) 109-162.

Employment authorization is a benefit granted for a limited period of time and does not make you eligible for a lawful immigration status in the United States. Receiving an Employment Authorization Document (EAD) will have no effect on your immigration status.

Definitions

Employment Authorization Document (EAD): The EAD is the card (also known as Form I-688, Form I-688A, Form I-688B, or Form I-766), or any successor document issued by U.S. Citizenship and Immigration Services (USCIS) as evidence that an individual is authorized to work in the United States.

Renewal EAD: An EAD issued to an eligible applicant upon the expiration of a previous EAD issued under the same category.

Replacement EAD: An EAD issued to an eligible applicant when the previous EAD issued under the same category was lost, stolen, or mutilated, or contains erroneous information, such as a misspelled name.

Who May File Form I-765V?

In order to file Form I-765V, you must be eligible under one of the categories listed below. Enter that category in **Part 2., Item Number 24.** on Form I-765V. (For example, if you are the abused spouse of an H nonimmigrant, type or print (c)(30) in **Part 2., Item Number 24.**) Enter only one of the following category numbers:

1. Abused spouse of an A nonimmigrant - (c)(27).
2. Abused spouse of an E-3 nonimmigrant - (c)(28).
3. Abused spouse of a G nonimmigrant - (c)(29).
4. Abused spouse of an H nonimmigrant - (c)(30).

To be eligible for employment authorization as an abused nonimmigrant spouse, you must submit credible evidence demonstrating that you:

1. Are the qualifying spouse who accompanied or followed to join a principal nonimmigrant spouse admitted under INA section 101(a)(15)(A), (E)(iii), (G), or (H). To prove you are in a qualifying marital relationship, you must demonstrate that you:
 - A. Are married to a qualifying nonimmigrant spouse; or
 - B. Were married to a qualifying nonimmigrant spouse; and
 - (1) Your spouse died within the two years before you filed Form I-765V;
 - (2) Your spouse lost qualifying nonimmigrant status due to an incident of domestic violence; or

- (3) Your marriage was terminated within the two years before you filed Form I-765V and there is a connection between the termination of the marriage and the battery or extreme cruelty perpetrated by your former spouse;
2. Were last admitted to the United States as a nonimmigrant under INA section 101(a)(15)(A), (E)(iii), (G), or (H);
3. Were battered or subjected to extreme cruelty (or your child was battered or subjected to extreme cruelty) by your nonimmigrant spouse during the marriage and after being admitted as a nonimmigrant under INA section 101(a)(15)(A), (E)(iii), (G), or (H); and
4. Currently reside in the United States.

NOTE: If you remarry before USCIS adjudicates your Form I-765V, USCIS will deny your application.

General Instructions

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 <http://get.adobe.com/reader/>. 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**.

Signature. 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.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of the original, handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten, ink signature.

Filing Fee. There is no filing fee or biometric services fee for Form I-765V. (See the **What Is the Filing Fee** section of these Instructions.)

Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the **What Evidence Must You Submit** and/or **Specific Instructions** sections of these Instructions.

Biometric Services Appointment. USCIS may require that you appear for an interview or provide biometrics (for example, 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 or petition. 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 USCIS office outside the United States to set up an appointment.

If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:

1. You provided or authorized all information in the application;
2. You reviewed and understood all of the information contained in, and submitted with, your application; and
3. All of this information was complete, true, and correct at the time of filing.

If you fail to attend your biometric services appointment, USCIS may deny your application.

Copies. 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 or petition. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

NOTE: If you submit original documents when not required or requested by USCIS, **your original documents may be immediately destroyed after we receive them.**

Translations. 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. Department of Homeland Security (DHS) recommends the certification contain the translator's printed name, the signature date, and the date and the translator's contact information.

How to Fill Out Form I-765V

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this application, use the space provided in **Part 9. Additional Information** or attach a separate sheet of paper. Type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the **Page Number, Part Number, and Item Number** to which your answer refers; and sign and date each sheet.
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.

Specific Instructions

Part 1. Reason for Applying

Complete this section in its entirety. If you need extra space to provide any additional information within this application, use the space provided in **Part 9. Additional Information**.

Item Number 1. Select the box that best describes your reason for applying.

Replacement for Lost, Stolen, or Damaged EAD. If you are requesting a replacement EAD because your previously issued card was lost, stolen, or damaged, but has not expired, you must file a new Form I-765V with the appropriate fee or fee waiver.

Replacement for Card Error

1. If the card we issued to you contains incorrect information that is attributed to our error, you do not need to file a new Form I-765V. Instead, you must submit a letter, accompanied by the card containing the error, to the service center that approved your last Form I-765V. There is no fee to replace a card due to our error.

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2. If the card we issued to you contains incorrect information that is not attributed to our error, you must submit a new Form I-765V with appropriate fee (or fee waiver) and include the card containing the error.

Part 2. Information About You

Item Numbers 1.a. - 1.c. Your Full Name. Provide your full legal name as shown on your birth certificate or legal change of name document in the spaces provided.

Item Numbers 2.a.- 2.c. Other Names Used (if any). Provide all other names you have ever used since birth, including aliases, maiden name, and nicknames.

Item Numbers 3.a. - 4. Safe Mailing Address. If you do not feel safe receiving correspondence regarding this application at your residential address, provide an alternate or safe mailing address in **Part 2., Item Numbers 3.a. - 3.f.** You may provide a post office box (PO Box) or the address of a friend, your attorney, a community-based organization that is helping you, or any other address where you can safely and punctually receive mail. If an alternate or safe mailing address is not provided in **Part 2., Item Numbers 3.a. - 3.f.**, USCIS may use the address of your preparer, if any. If your safe mailing address is not the same as the address where you currently reside, provide your U.S. physical address in **Item Numbers 5.a. - 5.e.**

Item Numbers 5.a. - 5.e. U.S. Physical Address. Provide the physical address where you currently reside in the United States.

Item Number 6. Alien Registration Number (A-Number) (if any). An Alien Registration Number, otherwise known as an “A-Number,” is typically issued to people who apply for, or are granted, certain immigration benefits. In addition to USCIS, U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), Executive Office for Immigration Review (EOIR), and Department of State (DOS) may also issue an A-Number to certain foreign nationals. If you were issued an A-Number, type or print it in the spaces provided. If you are renewing your EAD, this number may be listed as the USCIS Number on the front of the card. If you have more than one A-Number, use the space provided in **Part 9. Additional Information** to provide the information. If you do not have an A-Number or if you cannot remember it, leave this space blank.

Item Number 7. USCIS Online Account Number (if any). If you have previously filed an application or petition using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number you were issued by the system. You can find your USCIS Online Account Number by logging in to your account and going to the profile page. If you previously filed certain applications or petitions on a paper form through a USCIS Lockbox facility, you may have received a USCIS Online Account Access Notice issuing you a USCIS Online Account Number. You may find your USCIS Online Account Number at the top of the notice. If you were issued a USCIS Online Account Number, enter it in the space provided. The USCIS Online Account Number is not the same as an A-Number.

Item Numbers 8.a. - 12.b. Questions regarding Social Security number (SSN). **Item Number 8.a.** asks you if the Social Security Administration (SSA) has ever officially issued you a Social Security card. If the SSA ever issued a Social Security card to you in your name or a previously used name such as your maiden name, then you must enter the SSN from your card in **Item Number 8.b.**

If your request for employment authorization is approved, the SSA may assign you a SSN and issue you a Social Security card or issue you a replacement card. If you want the SSA to assign you a Social Security number and issue you a Social Security card or to issue you a new or replacement Social Security card, then answer “Yes” to both **Item Number 9.** and **Item Number 10.** You must also provide your father’s and mother’s family and given names at birth in **Item Numbers 11.a. - 12.b.** SSA will use **Item Numbers 11.a. - 12.b.** in issuing you a Social Security card.

You are not required to request an SSN using this application. Completing **Item Numbers 8.a. - 12.b.** is optional. However, you must have an SSN properly assigned in your name to work in the United States.

NOTE: If your employer uses E-Verify to confirm new employees' eligibility to legally work in the United States, the information you provide on Form I-9, Employment Eligibility Verification, will be compared to data in SSA and DHS databases. Employees must have an SSN in order for E-Verify to confirm their eligibility to legally work in the United States.

Item Numbers 13.a. - 13.b. Country or Countries of Citizenship or Nationality. Enter the name of the country or countries where you are currently a citizen or national.

Item Numbers 14.a. - 14.c. Place of Birth. Enter the name of the city, town, or village; state or province; and country where you were born. Type or print the name of the country as it was named when you were born, even if the country's name has changed or the country no longer exists.

1. If you are stateless, type or print the name of the country where you were last a citizen or national.
2. If you are a citizen or national of more than one country, type or print the name of the foreign country that issued your last passport.

Item Number 15. Date of Birth. Enter your date of birth in mm/dd/yyyy format in the space provided. For example, type or print October 5, 1967 as 10/05/1967.

Item Number 16. Gender. Select the box that indicates whether you are male or female.

Item Numbers 17.a - 18.d. Previous Application for Employment Authorization from USCIS. If you have applied for employment authorization in the past, select "Yes" and complete **Item Numbers 17. - 18.d.** Provide the receipt number of your most recently filed application for employment authorization, the USCIS office that adjudicated the application, the date USCIS adjudicated the application, and whether the application was approved or denied. Attach all documentation.

Item Number 19. Place of Your Last Admission Into the United States. Provide the location where you were last admitted into the United States.

Item Number 20. Date of Your Last Admission Into the United States, On or About. Provide the date of your most recent admission into the United States in the mm/dd/yyyy format.

Item Number 21. Your Immigration Status When You Were Last Admitted Into the United States. Provide the letter and number that correlates with your immigration status when you were last admitted into the United States.

Item Numbers 22.a. - 22.f. Form I-94, Arrival-Departure Record. If U.S. Customs and Border Protection (CBP) or USCIS issued you a Form I-94, Arrival-Departure Record, provide your Form I-94 number and date that your authorized period of stay expires or expired (as shown on Form I-94). The Form I-94 number also is known as the Departure Number on some versions of Form I-94.

NOTE: If you were admitted to the United States by CBP at an airport or seaport after April 30, 2013, CBP may have issued you an electronic Form I-94 instead of a paper Form I-94. You may visit the CBP website at www.cbp.gov/i94 to obtain a paper version of an electronic Form I-94. CBP **does not** charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport, after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If your Form I-94 cannot be obtained from the CBP website, it may be obtained by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS **does** charge a fee for this service.

Passport and Travel Document Numbers. If you used a passport or travel document to travel to the United States, enter either the passport or travel document information in the appropriate space on the application, even if the passport or travel document is currently expired.

Item Number 23. Your Current Immigration Status. Provide the letter and number that correlates with your current immigration status. If you are present in the U.S. without lawful immigration status, type or print, “No Lawful Status.”

Item Number 24. Eligibility Category. Provide the eligibility category under which you are requesting employment authorization: (c)(27) - abused spouse of A nonimmigrant, (c)(28) - abused spouse of E-3 nonimmigrant, (c)(29) - abused spouse of G nonimmigrant, or (c)(30) - abused spouse of H nonimmigrant.

Part 3. Biographic Information

Provide the biographic information requested in **Part 3., Item Numbers 1. - 6.** Providing this information as part of your application may reduce the time you spend at your USCIS ASC appointment as described in the **Biometric Services Appointment** section of these Instructions.

Item Numbers 1. - 2. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.

Categories and Definitions for Ethnicity and Race

- 1. Hispanic or Latino.** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (**NOTE:** This category is only included under Ethnicity in **Part 3., Item Number 1.**)
- 2. American Indian or Alaska Native.** A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.
- 3. Asian.** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- 4. Black or African American.** A person having origins in any of the black racial groups of Africa.
- 5. Native Hawaiian or Other Pacific Islander.** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- 6. White.** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

Item Number 3. Height. Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select “5” for feet and “09” for inches. Do not enter your height in meters or centimeters.

Item Number 4. Weight. Enter your weight in pounds. If you do not know your weight or need to enter a weight under 30 pounds or over 699 pounds, enter “000.” Do not enter your weight in kilograms.

Item Number 5. Eye Color. Select the box that best describes the color of your eyes.

Item Number 6. Hair Color. Select the box that best describes the color of your hair.

Part 4. Information About Your Spouse

Provide the information requested in this section, if known. If you need extra space to complete this section, use the space provided in **Part 9. Additional Information**. If you do not know the answer to a question, type or print “unknown,” unless otherwise directed. Submit evidence to demonstrate the immigration status of your spouse. This may include a copy of his or her passport, travel document information, or evidence of his or her A-Number.

Although you may not be able to provide evidence of your spouse’s nonimmigrant status, you must provide some identifying evidence such as name, place of birth, country of birth, date of birth, date of entry into the United States, Form I-94 Number, employer, etc. USCIS will attempt to verify the qualifying nonimmigrant status of your spouse by conducting a search of the appropriate electronic systems.

Item Numbers 1.a. - 1.c. Your Spouse’s Full Name. Provide your spouse’s full legal name in the spaces provided. Do not use nicknames.

Item Number 2. Date of Birth. Type or print your spouse’s date of birth using the mm/dd/yyyy format. For example, type or print October 5, 1967 as 10/05/1967.

Item Number 3. Country of Birth. Type or print the name of the country where your spouse was born.

Item Numbers 4.a. - 4.e. U.S. Physical Address. Provide the address where your spouse currently resides.

Item Number 5. A-Number (if any). Type or print your spouse’s A-Number. An A-Number is typically issued to someone who applies for or is granted certain immigration benefits. ICE, CBP, EOIR, DOS, and USCIS may issue A-Numbers. If your spouse was issued an A-Number, type or print it in the spaces provided.

Item Number 6. USCIS Online Account Number. If your spouse has previously filed an application or petition using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS)), provide the USCIS Online Account Number your spouse was issued by the system. The USCIS Online Account Number is not the same as an A-Number.

Item Numbers 7.a. - 7.e. Form I-94 Arrival-Departure Record. If CBP or USCIS issued your spouse a Form I-94, Arrival-Departure Record, provide your spouse’s Form I-94 number and date that your spouse’s authorized period of stay expires or expired (as shown on Form I-94). The Form I-94 number also is known as the Departure Number on some versions of Form I-94.

Passport and Travel Document Numbers. If your spouse used a passport or travel document to travel to the United States, enter either the passport or travel document information (if available) in the appropriate space on the application, even if the passport or travel document is currently expired.

Item Number 8. Your Spouse’s Nonimmigrant Status. Indicate your spouse’s nonimmigrant status by selecting the appropriate classification.

Part 5. Marriage Information

Submit a copy of your marriage certificate or other evidence to demonstrate that you have a qualifying relationship with your spouse listed in **Part 4**.

Item Numbers 1.a. - 5.b. Your Current Marital Status. Select only one box and provide the information related to your selection.

Part 6. Applicant’s Statement, Contact Information, Declaration, Certification, and Signature

Item Numbers 1.a. - 6.b. Select the appropriate box to indicate whether you read this application yourself or whether you had an interpreter assist you. If someone assisted you in completing the application, select the box indicating that you used a preparer. Further, you must sign and date your application and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). Every application **MUST** contain the signature of the applicant (or parent or legal guardian, if applicable). A stamped or typewritten name in place of a signature is not acceptable.

Part 7. Interpreter's Contact Information, Certification, and Signature

Item Numbers 1.a. - 7.b. If you used anyone as an interpreter to read the Instructions and questions on this application to you in a language in which you are fluent, the interpreter must fill out this section; provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the application.

Part 8. Contact Information, Declaration, and Signature of the Person Preparing this Application, if Other Than the Applicant

Item Numbers 1.a. - 8.b. This section must contain the signature of the person who completed your application, if other than you, the applicant. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 6.** and **Part 7.** If the person who completed this application is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this application **MUST** sign and date the application. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your application is an attorney or accredited representative, he or she may also need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your application.

Part 9. Additional Information

Item Numbers 1.a. - 7.d. If you need extra space to provide any additional information within this application, use the space provided in **Part 9. Additional Information.** If you need more space than what is provided in **Part 9.**, you may make copies of **Part 9.** to complete and file with your application, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the **Page Number, Part Number,** and **Item Number** to which your answer refers; and sign and date each sheet.

We recommend that you print or save a copy of your completed application to review in the future and for your records.

Required Documentation

You must submit all evidence requested in these Instructions with your application. If you do not submit the required evidence, USCIS may reject or deny your application for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions.

You may file your application with any credible relevant evidence of your eligibility. USCIS will use its discretion to determine what evidence is credible and what weight to give to that evidence. You are encouraged to provide the following documentation along with your completed Form I-765V.

1. Evidence of your qualifying nonimmigrant status, which may include:

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- A. Form I-94 front and back (if available).
 - B. Passport biographic page or Travel Document biographic page and the page with the CBP admission stamp from the most recent entry into the United States (if available).
 - C. A copy of any immigration document you may have that was issued by USCIS or **the former** Immigration and Naturalization Service (INS) demonstrating that you were admitted under INA section 101(a)(15) subparagraph (A), (E)(iii), (G), or (H) (if available).
2. A copy of any documentation you have establishing your identity and current nationality (examples include the photo page of your passport, NATO agreement, or other immigration documents).
 3. Evidence of your spouse's qualifying nonimmigrant status.

NOTE: Although you may not be able to provide evidence of your spouse's nonimmigrant status, you must provide some identifying evidence such as name, place of birth, country of birth, date of birth, date of entry into the United States, I-94 number, employer, etc. USCIS will attempt to verify the qualifying nonimmigrant status of your spouse by conducting a search of the appropriate electronic systems.

4. Evidence of your qualifying relationship to your spouse. Evidence may include a marriage certificate, your affidavit, affidavits from others with knowledge of your qualifying relationship, or other evidence of your legal relationship to the abuser.
5. Evidence of the abuse, such as protection orders, police reports, court records, medical records, reports from social services agencies, a signed statement from you detailing the abuse suffered since your admission to the United States, and/or affidavits from third parties who can knowledgeably attest to the abuse you experienced. If your application is based on a claim that your child was battered or subjected to extreme cruelty, you should also submit evidence demonstrating your parental relationship with the abused child, such as the child's birth certificate.

NOTE: USCIS will consider all credible evidence relevant to the application under the "any credible evidence" standard in INA section 204(a)(1)(J).

You cannot appeal a denied Form I-765V. However, if you are denied, you may still file a new Form I-765V.

Renewal Applications for Employment Authorization

If you are applying to renew your employment authorization under INA section 106, you must include:

1. A completed and signed Form I-765V; and
2. Evidence that your nonimmigrant spouse maintains valid immigration status under INA section 101(a)(15)(A), (E)(iii), (G), or (H) on the date you file your renewal application. If you cannot provide the documentation requested above, you must submit a signed statement explaining why you cannot provide the documentation. USCIS will conduct a search of the appropriate electronic systems to attempt to verify your spouse's status.

You are also encouraged to submit evidence of previous employment authorizations issued under INA section 106, such as copies of your employment authorization documents or approval notices issued by USCIS.

You do not need to resubmit evidence of battery or extreme cruelty, or admission to the United States in qualifying nonimmigrant status, with your renewal application.

When You May File

You may file an application to renew your EAD within two years of:

1. The date of your principal nonimmigrant spouse's death;
2. The date your principal nonimmigrant spouse lost status as a result of an incident of domestic violence; or
3. The termination of the marriage if there is a connection between the termination of the marriage and the battery or extreme cruelty by your principal nonimmigrant spouse.

If you remarry before USCIS adjudicates your Form I-765V, USCIS will deny your application.

What Is the Filing Fee?

There are no filing fees or biometric services fees for an initial or renewal Form I-765V application. The filing fee to replace a lost, stolen, or damaged EAD is **\$410**.

NOTE: The filing fee is not refundable, regardless of any action USCIS takes on this application. **DO NOT MAIL CASH.** You must submit all fees in the exact amounts.

Use the following guidelines when you prepare your check or money order for the replacement EAD Form I-765V filing 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."

Notice to Those Paying by Check. If you send USCIS a check, we will convert it 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-765V's filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the fee is correct by following one of the steps below:

1. Visit our website at 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

There are no filing fees or biometric services fees if you are applying for employment authorization for the first time or are seeking to renew your employment authorization. The filing fee to replace a lost, stolen, or damaged EAD is **\$410**.

If you are seeking to replace a lost, stolen, or replacement EAD, you may be eligible for a fee waiver under 8 CFR 103.7(c). If you believe you are eligible for a fee waiver, complete Form I-912, Request for Fee Waiver, 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.

Where To File?

Please see our website at www.uscis.gov/i-765v or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this application. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Address Change

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 www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

NOTE: Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.

Processing Information

You must have a United States address to file this application.

Initial Processing. 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.

Requests for More Information. USCIS may request that you provide more information or evidence to support your application. 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.

Requests for Interview. 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 a signature to verify your identity and/or update background and security checks.

Decision. The decision on Form I-765V 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.

Approval. If your application is approved, we will either mail your EAD to your safe mailing address or we may require you to visit your local USCIS office to pick it up.

Denial. If USCIS cannot grant your application, you will receive a written notice explaining the basis of your denial.

USCIS Forms and Information

To ensure you are using the latest version of this application, visit the USCIS website at www.uscis.gov 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 USCIS Contact Center at **1-800-375-5283**. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Instead of waiting in line for assistance at your local USCIS office, you can schedule an appointment online at www.uscis.gov. Select “Make 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.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-765V, we will deny your Form I-765V and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

DHS Privacy Notice

AUTHORITIES: The information requested on this application, and the associated evidence, is collected pursuant to Section 106 of the Immigration and Nationality Act (INA), as amended and Section 814(c) of the Violence Against Women Act of 2005, which extends employment authorization eligibility to battered spouses of nonimmigrants admitted under subparagraph (A), (E)(iii), (G), or (H) of section 101(a)(15) of the Act.

PURPOSE: The primary purpose for providing the requested information on this application is to determine your employment eligibility. The information is used to approve or deny your request for an Employment Authorization Document.

DISCLOSURE: 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.

ROUTINE USES: The information will be used by and disclosed to DHS personnel and contractors or other agents in accordance with approved routine uses, as described in the associated published system of records notices [DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS-USCIS-007 Benefit Information System, and DHS/USCIS-018 Immigration Biometric and Background Check] and published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems], which you can find at www.dhs.gov/privacy. This information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

Paperwork Reduction Act

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public

reporting burden for this collection of information is estimated at 3 hours and 45 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. The collection of biometrics is estimated to require 1 hour and 10 minutes.” 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. 1615-0137. **Do not mail your completed Form I-765V to this address.**

Complete this Checklist Before Mailing Form I-765V

Photocopies of original documents (unless stated otherwise).

Form I-765V properly signed by you. **An original signature or reproduction of an original signature is required.**

Evidence of your qualifying nonimmigrant status as a spouse who accompanied or followed-to-join a principal nonimmigrant admitted under INA section 101(a)(15) subparagraph (A), (E)(iii), (G), or (H).

Evidence of your spouse’s nonimmigrant status (if available).

If you are applying for employment authorization for the first time, submit copies of your marriage certificate or other supporting documentation demonstrating that you have a qualifying marital relationship with your nonimmigrant spouse.

If you are applying for employment authorization for the first time, evidence that you or your children were subjected to battery and/or extreme cruelty by your nonimmigrant spouse. If your application is based on a claim that your child was battered or subjected to extreme cruelty, you must also submit evidence establishing your parental relationship with the abused child.