

**TABLE OF CHANGES – FORM**  
**Form I-765, Application For Employment Authorization**  
**OMB Number: 1615-0040**  
**10/06/2025**

**Reason for Revision: Asylum EAD NPRM**

**Project Phase: OMB Review**

Legend for Proposed Text:

- Black font = Current text
- Red font = Changes

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Current Page Number and Section	Current Text	Proposed Text
<p><b>Pages 3-4, Part 3. Information About Your Eligibility Category</b></p>	<p>[Page 3]</p> <p><b>Part 3. Information About Your Eligibility Category</b></p> <p><b>1. Eligibility Category.</b> Refer to the <b>Who May File Form I-765</b> section of the Form I-765 Instructions to determine the appropriate eligibility category for this application. Enter the appropriate letter and number for your eligibility category below (for example, (a)(8), (c)(17)(iii)).</p> <p>[Three fillable fields separated by parenthesis]</p> <p><b>2. (c)(3)(C) STEM OPT Eligibility Category.</b> If you entered the eligibility category (c)(3)(C) in <b>Item Number 1.</b>, provide the information requested in <b>Items A. - C.</b></p> <p><b>A.</b> Degree  <b>B.</b> Employer's Name as Listed in E-Verify  <b>C.</b> Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number</p> <p><b>3.A. (c)(8) Eligibility Category.</b> If you entered the (c)(8) eligibility category in <b>Item Number 1.</b>, are you eligible for benefits under the ABC settlement agreement as a Salvadoran or Guatemalan national?  Yes  No</p>	<p><b>Part 3. Information About Your Eligibility Category</b></p> <p>[no change]</p> <p><b>3. (c)(8) Eligibility Category.</b> If you entered the (c)(8) eligibility category in <b>Item Number 1.</b>, provide the information requested in <b>Items A. - E.</b></p> <p><b>A.</b> Are you eligible for benefits under the ABC settlement agreement as a Salvadoran or Guatemalan national?  Yes  No</p>

**B.** If you entered the eligibility category (c)(8) in **Item Number 1.**, have you **EVER** been arrested for and/or convicted of any crime?  
Yes  
No

**NOTE:** If you answered “Yes” to **Item B.** in **Item Number 3.**, refer to **Special Filing Instructions for Those With Pending Asylum Applications (c)(8)** in the **Required Documentation** section of the Form I-765 Instructions for information about providing court dispositions.

[new]

**B.** Have you **EVER** been arrested for and/or convicted of any **crime, in any country**?  
Yes  
No

**NOTE:** If you answered “Yes” to **Item B.** in **Item Number 3.**, refer to **Special Filing Instructions for Those With Pending Asylum Applications (c)(8)** in the **Required Documentation** section of the Form I-765 Instructions for information about providing court **dispositions**.

**C.** On or after [EFFECTIVE DATE OF FINAL RULE], have you entered or attempted to enter the United States at a place and time other than lawfully through a U.S. port of entry?  
Yes  
No

If you answered “Yes” to **Item C.**, please continue with questions **D. - E.**  
If you answered “No” to **Item C.**, please skip to questions in **Part 4.**

**D.** Did you present yourself to the Secretary of Homeland Security or his or her delegate (DHS) within 48 hours of your entry or attempted entry **and** express an intention to seek asylum within the United States or express a fear of persecution or torture in your home country?  
Yes  
No

If you answered “Yes” to **Item D.**, provide the following information:

Date you presented yourself to DHS  
Location where you presented yourself to DHS  
Country of claimed persecution

Provide an explanation for why you did not enter the United States lawfully through a U.S. port of entry. Please include details such as a description of how you presented yourself, to whom you presented yourself, and the outcome. If you need extra space to complete this item, use the space provided in **Part 8. Additional Information.**  
[fillable field]

**E.** If you answered “No” to **Item D.**, provide an explanation for why you did not enter the United States lawfully through a U.S. port of entry. If you need extra space to complete this item, use the space provided in **Part 8. Additional Information.**  
[fillable field]

	<p>[Page 4]</p> <p><b>4. (c)(26) Eligibility Category.</b> If you entered the eligibility category (c)(26) in <b>Item Number 1.</b>, provide the receipt number of your H-1B spouse's most recent Form I-797 Notice for Form I-129, Petition for a Nonimmigrant Worker.</p> <p>...</p>	<p><b>NOTE: Refer to the Special Filing Instructions for Those With Pending Asylum Applications (c)(8) section of the Form I-765 Instructions for more information.</b></p> <p>[no change]</p> <p>...</p>
<p><b>Page 7, Part 7. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant</b></p>	<p>[Page 7]</p> <p><b>Part 7. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant</b></p> <p>Provide the following information about the preparer.</p> <p><i>Preparer's Full Name</i></p> <p>1. Preparer's Family Name (Last Name) Preparer's Given Name (First Name)</p> <p>2. Preparer's Business or Organization Name (if any)</p> <p><i>Preparer's Mailing Address</i></p> <p>3. Street Number and Name Apt./Ste./Flr. Number City or Town State ZIP Code Province Postal Code Country</p> <p><i>Preparer's Contact Information</i></p> <p>4. Preparer's Daytime Telephone Number 5. Preparer's Mobile Telephone Number (if any) 6. Preparer's Email Address (if any)</p> <p><i>Preparer's Statement</i></p> <p>7.A. I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.</p> <p>B. I am an attorney or accredited representative and my representation of the applicant in this case extends/does not extend beyond the preparation of this application.</p> <p><b>NOTE:</b> If you are an attorney or accredited representative, you may need to submit a completed Form G-28, Notice of Entry of</p>	<p><b>Part 7. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant</b></p> <p>[no change]</p> <p><b>NOTE:</b> If you are an attorney or accredited representative, you <b>must</b> submit a completed Form G-28, Notice of Entry of Appearance as</p>

	<p>Appearance as Attorney or Accredited Representative, with this application.</p> <p><b><i>Preparer's Certification</i></b></p> <p>By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant then reviewed this completed application and informed me that he or she understands all of the information contained in, and submitted with, his or her application, including the <b>Applicant's Certification</b>, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.</p> <p><b><i>Preparer's Signature</i></b>  <b>8.</b> Preparer's Signature  Date of Signature (mm/dd/yyyy)</p>	<p>Attorney or Accredited Representative, with this application.</p> <p>[no change]</p>