

**EFFECTIVE APRIL 1, 2005**  
**DIRECT MAIL INSTRUCTIONS FOR PERSONS FILING FORM I-765**

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If you live in one of these states or territories, please read this notice to determine your filing location:  
ALASKA, CALIFORNIA, IDAHO, IOWA, KANSAS, MARYLAND, MISSOURI, MONTANA, NEBRASKA,  
NEW MEXICO, OKLAHOMA, OREGON, TEXAS, AND WASHINGTON

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**AS PREVIOUSLY PUBLISHED AND REMAINS IN EFFECT - EFFECTIVE DECEMBER 1, 2004**  
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If you live in one of these states or territories, please read this notice to determine your filing location:

**ALABAMA, ARIZONA, ARKANSAS, COLORADO, CONNECTICUT, DELAWARE, FLORIDA,  
GEORGIA, HAWAII, ILLINOIS, INDIANA, KENTUCKY, LOUISIANA, MAINE,  
MASSACHUSETTS, MICHIGAN, MINNESOTA, MISSISSIPPI, NEVADA, NEW HAMPSHIRE,  
NEW JERSEY, NEW YORK, NORTH CAROLINA, NORTH DAKOTA, OHIO, PENNSYLVANIA,  
RHODE ISLAND, SOUTH CAROLINA, SOUTH DAKOTA, TENNESSEE, UTAH, VERMONT,  
VIRGINIA, WEST VIRGINIA, WISCONSIN, WYOMING AS WELL AS THE DISTRICT OF  
COLUMBIA, GUAM, PUERTO RICO, AND THE VIRGINIA ISLANDS OF THE UNITED STATES.**

The mailing address has changed for certain applicants living in the locations above, and filing under certain categories - please review the list below to determine if you should use this direct mail address.

This affects aliens residing in the locations above who are filing Form I-765, seeking employment authorization under 8 CFR 274a.12 in the following categories:

- (a)(10) - Aliens granted Withholding of Removal;
- (c)(9) - Aliens filing a family-based application for adjustment of status (Form I-485) who are presently required to file with the USCIS local office having jurisdiction over their place of residence;
- (c)(10) - Aliens applying for suspension of deportation or cancellation of removal, except those applying for NACARA 203 relief;
- (c)(11) - Aliens who are paroled into the United States temporarily for emergency reasons or the public interest;
- (c)(14) - Aliens granted deferred action, except those aliens who have been granted deferred action based upon (1) an approved Form I-360 (as a battered spouse or child of a U.S. citizen or lawful permanent resident), (2) a pending bona fide application for T nonimmigrant status, or (3) U nonimmigrant status interim relief;
- (c)(16) - Aliens who are filing for creation of record of lawful admission for permanent residence under section 249 of the Act; and
- (c)(18) - Aliens granted an Order of Supervision (except for those individuals affected by the recent U.S. Supreme Court decision, *Clark v. Martinez* 125 S. Ct. 716 (i.e. *Maribel Cubans*));

These aliens must submit their Form I-765 and all supporting evidence to the Chicago Lockbox Facility listed below.

The Direct Mail address for the aliens mentioned above seeking employment authorization is:

**U.S. Citizenship and Immigration Services**  
**P.O. Box 805887**  
**Chicago, IL 60680-4120**

Or, for non-United States Postal Service (USPS) deliveries (e.g. private couriers):

**U.S. Citizenship and Immigration Services**  
**Attn.: FBASI**  
**427 S. LaSalle - 3rd Floor**  
**Chicago, IL 60605-1098**

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# Application for Employment Authorization



## Instructions

The U.S. Citizenship and Immigration Services (USCIS) recommends that you retain a copy of your completed application for your records.  
**NOTE: USCIS is comprised of offices of the former Immigration and Naturalization Service (INS).**

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### Part 2. Eligibility Categories.

The USCIS adjudicates a request for employment authorization by determining whether an applicant has submitted the required information and documentation, and whether the applicant is eligible. In order to determine your eligibility, you must identify the category in which you are eligible and fill in that category in **Question 16** on the Form I-765. Enter only **one** of the following category numbers on the application form. For example, if you are a refugee applying for an EAD, you should write "**(a)(3)**" at **Question 16**.

For easier reference, the categories are subdivided as follows:

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### Part 1. General.

**Purpose of the Application.** Certain aliens who are temporarily in the United States may file a Form I-765, Application for Employment Authorization, to request an Employment Authorization Document (EAD). Other aliens who are authorized to work in the United States without restrictions should also use this form to apply to USCIS for a document evidencing such authorization. Please review **Part 2: Eligibility Categories** to determine whether you should use this form.

If you are a Lawful Permanent Resident, a Conditional Resident, or a nonimmigrant authorized to be employed with a specific employer under 8 CFR 274a.12(b), please do **not** use this form.

### Definitions

**Employment Authorization Document (EAD):** Form I-688, Form I-688A, Form I-688B, Form I-766, or any successor document issued by USCIS as evidence that the holder is authorized to work in the United States.

**Renewal EAD:** an EAD issued to an eligible applicant at or after the expiration of a previous EAD issued under the same category.

**Replacement EAD:** an EAD issued to an eligible applicant when the previously issued EAD has been lost, stolen, mutilated, or contains erroneous information, such as a misspelled name.

**Interim EAD:** an EAD issued to an eligible applicant when USCIS has failed to adjudicate an application within 90 days of receipt 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.

### Asylee/Refugee Categories

**Refugee--(a)(3).** File your EAD application with either a copy of your Form I-590, Registration for Classification as Refugee, approval letter or a copy of a Form I-730, Refugee/Asylee Relative Petition, approval notice.

**Paroled as a Refugee--(a)(4).** File your EAD application with a copy of your Form I-94, Departure Record.

**Asylee (granted asylum)--(a)(5).** File your EAD application with a copy of the INS letter, or judge's decision, granting you asylum. It is not necessary to apply for an EAD as an asylee until 90 days before the expiration of your current EAD.

**Asylum Applicant (with a pending asylum application) who Filed for Asylum on or after January 4, 1995--(c)(8).** (For specific instructions for applicants with pending asylum claims, see page 5).

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## Nationality Categories

**Citizen of Micronesia, the Marshall Islands or Palau--(a)(8).** File your EAD application if you were admitted to the United States as a citizen of the Federated States of Micronesia (CFA/FSM), the Marshall Islands (CFA/MIS), or Palau, pursuant to agreements between the United States and the former trust territories.

**Deferred Enforced Departure (DED) / Extended Voluntary Departure--(a)(11).** File your EAD application with evidence of your identity and nationality.

**Temporary Protected Status (TPS)--(a)(12).** File your EAD application with Form I-821, Application for Temporary Protected Status. If you are filing for an initial EAD based on your TPS status, include evidence of identity and nationality as required by the Form I-821 instructions.

**Temporary treatment benefits --(c)(19).** For an EAD based on 8 CFR 244.5. Include evidence of nationality and identity as required by the Form I-821 instructions.

- Extension of TPS status: include a copy (front and back) of your last available TPS document: EAD, Form I-94 or approval notice.
- Registration for TPS only without employment authorization : file the Form I-765, Form I-821, and a letter indicating that this form is for registration purposes only. No fee is required for the Form I-765 filed as part of TPS registration. (Form I-821 has separate fee requirements.)

**NACARA Section 203 Applicants who are eligible to apply for NACARA relief with INS--(c)(10).** See the instructions to Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal, to determine if you are eligible to apply for NACARA 203 relief with USCIS.

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

- If you are filing a Form I-881 with USCIS, file your EAD application at the same time and at the same filing location. Your response to **Question 16** on the Form I-765 should be **"(c)(10)."**
- If you have already filed your I-881 application at the service center specified on the Form I-881, and now wish to apply for employment authorization, your response to **Question 16** on Form I-765 should be **"(c)(10)."** You should file your EAD application at the Service Center designated in Part 5 of these instructions.

- If you are a NACARA Section 203 applicant who previously filed a Form I-881 with USCIS, and the application is still pending, you may renew your EAD. Your response to **Question 16** on Form I-765 should be **"(c)(10)."** Submit the required fee and the EAD application to the service center designated in Part 5 of these instructions.

**Dependent of TECRO E-1 Nonimmigrant--(c)(2).** File your EAD application with the required certification from the American Institute in Taiwan if you are the spouse, or unmarried dependent son or daughter of an E-1 employee of the Taipei Economic and Cultural Representative Office.

## Foreign Students

**F-1 Student Seeking Optional Practical Training in an Occupation Directly Related to Studies--(c)(3)(i).** File your EAD application with a Certificate of Eligibility of Nonimmigrant (F-1) Student Status (Form I-20 A-B/I-20 ID) endorsed by a Designated School Official within the past 30 days.

**F-1 Student Offered Off-Campus Employment under the Sponsorship of a Qualifying International Organization-- (c)(3)(ii).** File your EAD application with the international organization's letter of certification that the proposed employment is within the scope of its sponsorship, and a Certificate of Eligibility of Nonimmigrant (F-1) Student Status--For Academic and Language Students (Form I-20 A-B/I-20 ID) endorsed by the Designated School Official within the past 30 days.

**F-1 Student Seeking Off-Campus Employment Due to Severe Economic Hardship--(c)(3)(iii).** File your EAD application with Form I-20 A-B/I-20 ID, Certificate of Eligibility of Nonimmigrant (F-1) Student Status--For Academic and Language Students, and any evidence you wish to submit, such as affidavits, that detail the unforeseen economic circumstances that cause your request, and evidence you have tried to find off-campus employment with an employer who has filed a labor and wage attestation.

**J-2 Spouse or Minor Child of an Exchange Visitor--(c)(5).** File your EAD application with a copy of your J-1's (principal alien's) Certificate of Eligibility for Exchange Visitor (J-1) Status (Form IAP-66). You must submit a written statement, with any supporting evidence showing, that your employment is not necessary to support the J-1 but is for other purposes.

**M-1 Student Seeking Practical Training after Completing Studies--(c)(6).** File your EAD application with a completed Form I-539, Application to Change/Extend Nonimmigrant Status. Form I-20 M-N, Certificate of Eligibility for Nonimmigrant (M-1) Student Status--For Vocational Students endorsed by the Designated School Official within the past 30 days.

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**Eligible Dependents of Employees of Diplomatic Missions, International Organizations, or NATO**

**Dependent of A-1 or A-2 Foreign Government**

**Officials--(c)(1).** Submit your EAD application with Form I-566, Inter-Agency Record of Individual Requesting Change/Adjustment to, or from, A or G Status; or Requesting A, G, or NATO Dependent Employment Authorization, through your diplomatic mission to the Department of State (DOS). The DOS will forward all favorably endorsed applications directly to the Nebraska Service Center for adjudication.

**Dependent of G-1, G-3 or G-4**

**Nonimmigrant--(c)(4).** Submit your EAD application with a Form I-566, Inter-Agency Record of Individual Requesting Change/Adjustment to or from A or G Status; or Requesting A, G, or NATO Dependent Employment Authorization, through your international organization to the Department of State (DOS). [In New York City, the United Nations (UN) and UN missions should submit such applications to the United States Mission to the UN (USUN).] The DOS or USUN will forward all favorably endorsed applications directly to the Nebraska Service Center for adjudication.

**Dependent of NATO-1 through NATO-6--(c)(7).**

Submit your EAD application with Form I-566, Inter-Agency Record of Individual Requesting Change/Adjustment to, or from, A or G Status; or Requesting A, G or NATO 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.

**Employment-Based Nonimmigrant Categories**

**B-1 Nonimmigrant who is the personal or domestic servant of a nonimmigrant employer--(c)(17)(i).**

File your EAD application with:

- Evidence from your employer that he or she is a B, E, F, H, I, J, L, M, O, P, R, or TN nonimmigrant and you were employed for at least one year by the employer before the employer entered the United States or your employer regularly employs personal and domestic servants and has done so for a period of years before coming to the United States; and
- Evidence that you have either worked for this employer as a personal or domestic servant for at least one year or, evidence that you have at least one year's experience as a personal or domestic servant; and
- Evidence establishing that you have a residence abroad which you have no intention of abandoning.

**B-1 Nonimmigrant Domestic Servant of a U.S. Citizen-- (c)(17)ii.** File your EAD application with:

- Evidence from your employer that he or she is a U.S. citizen; and
- Evidence that your employer has a permanent home abroad or is stationed outside the United States and is temporarily visiting the United States or the citizen's current assignment in the United States will not be longer than four 4 years; and
- Evidence that he or she has employed you as a domestic servant abroad for at least six 6 months prior to your admission to the United States.

**B-1 Nonimmigrant Employed by a Foreign**

**Airline--(c)(17)(iii).** File your EAD application with a letter from the airline fully describing your duties and indicating that your position would entitle you to E nonimmigrant status except for the fact that you are not a national of the same country as the airline or because there is no treaty of commerce and navigation in effect between the United States and that country.

**Spouse of an E-1/E-2 Treaty Trader or**

**Investor--(a)(17).** File your EAD application with evidence of your lawful status and evidence you are a **spouse** of a principal E-1/E-2, such as your I-94. (Other relatives or dependents of E-1/E-2 aliens who are in E status are not eligible for employment authorization and may not file under this category.)

**Spouse of an L-1 Intracompany**

**Transferee--(a)(18).** File your EAD application with evidence of your lawful status and evidence you are a **spouse** of a principal L-1, such as your I-94. (Other relatives or dependents of L-1 aliens who are in L status are not eligible for employment authorization and may not file under this category.)

**Family-Based Nonimmigrant Categories**

**K-1 Nonimmigrant Fiance(e) of U.S. Citizen or K-2**

**Dependent--(a)(6).** File your EAD application if you are filing within 90 days from the date of entry. This EAD cannot be renewed. Any EAD application other than for a replacement must be based on your pending application for adjustment under (c)(9).

**K-3 Nonimmigrant Spouse of U.S. Citizen or K-4**

**Dependent--(a)(9).** File your EAD application along with evidence of your admission such as copies of your Form I-94, passport, and K visa.

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**Family Unity Program--(a)(13).** File your EAD application with a copy of the approval notice, if you have been granted status under this program. You may choose to file your EAD application concurrently with your Form I-817, Application for Voluntary Departure under the Family Unity Program. USCIS may take up to 90 days from the date upon which you are granted status under the Family Unity Program to adjudicate your EAD application. If you were denied Family Unity status solely because your legalized spouse or parent first applied under the Legalization/SAW programs after May 5, 1988, file your EAD application with a new Form I-817 application and a copy of the original denial. However, if your EAD application is based on continuing eligibility under (c)(12), please refer to **Deportable Alien Granted Voluntary Departure.**

**LIFE Family Unity--(a)(14).** If you are applying for initial employment authorization pursuant to the Family Unity provisions of section 1504 of the LIFE Act Amendments, or an extension of such authorization, you should not be using this form. Please obtain and complete a Form I-817, Application for Family Unity Benefits. If you are applying for a replacement EAD that was issued pursuant to the LIFE Act Amendments Family Unity provisions, file your EAD application with the required evidence listed in **Part 3.**

**V-1, V-2 or V-3 Nonimmigrant--(a)(15).** If you have been inspected and admitted to the United States with a valid V visa, file this application along with evidence of your admission, such as copies of your Form I-94, passport, and K visa. If you have been granted V status while in the United States, file this application along with evidence of your V status, such as an approval notice. If you are in the United States but you have not yet filed an application for V status, you may file this application at the same time as you file your application for V status. USCIS will adjudicate this application after adjudicating your application for V status.

### **EAD Applicants Who Have Filed For Adjustment of Status**

**Adjustment Applicant--(c)(9).** File your EAD application with a copy of the receipt notice or other evidence that your Form I-485, Application for Permanent Residence, is pending. You may file Form I-765 together with your Form I-485.

**Adjustment Applicant Based on Continuous Residence Since January 1, 1972--(c)(16).** File your EAD application with your Form I-485, Application for Permanent Residence; a copy of your receipt notice; or other evidence that the Form I-485 is pending.

### **Other**

**N-8 or N-9 Nonimmigrant--(a)(7).** File your EAD application with the required evidence listed in **Part 3.**

**Granted Withholding of Deportation or Removal --(a)(10).** File your EAD application with a copy of the Immigration Judge's order. It is not necessary to apply for a new EAD until 90 days before the expiration of your current EAD.

**Applicant for Suspension of Deportation--(c)(10).** File your EAD application with evidence that your Form I-881, Application for Suspension of Deportation, or EOIR-40, is pending

**Paroled in the Public Interest--(c)(11).** File your EAD application if you were paroled into the United States for emergent reasons or reasons strictly in the public interest.

**Deferred Action--(c)(14).** File your EAD application with a copy of the order, notice or document placing you in deferred action and evidence establishing economic necessity for an EAD.

**Final Order of Deportation--(c)(18).** File your EAD application with a copy of the order of supervision and a request for employment authorization which may be based on, but not limited to the following:

- Existence of a dependent spouse and/or children in the United States who rely on you for support; and
- Existence of economic necessity to be employed;
- Anticipated length of time before you can be removed from the United States.

**LIFE Legalization applicant--(c)(24).** We encourage you to file your EAD application together with your Form I-485, Application to Register Permanent Residence or Adjust Status, to facilitate processing. However, you may file Form I-765 at a later date with evidence that you were a CSS, LULAC, or Zambrano class member applicant before October 1, 2000 and with a copy of the receipt notice or other evidence that your Form I-485 is pending.

**T-1 Nonimmigrant--(a)(16).** If you are applying for initial employment authorization as a T-1 nonimmigrant, file this form only if you did not request an employment authorization document when you applied for T nonimmigrant status. If you have been granted T status and this is a request for a renewal or replacement of an employment authorization document, file this application along with evidence of your T status, such as an approval notice.

**T-2, T-3, or T-4 Nonimmigrant--(c)(25).** File this form with a copy of your T-1's (principal alien's) approval notice and proof of your relationship to the T-1 principal.

### Part 3. Required Documentation

All applications must be filed with the documents required below, in addition to the particular evidence required for the category listed in **Part 2, Eligibility Categories**, with fee, if required.

If you are required to show economic necessity for your category (See **Part 2**), submit a list of your assets, income and expenses.

Please assemble the documents in the following order:

Your application with the filing fee. See **Part 4, Fee** for details.

If you are mailing your application to the USCIS, you must also submit:

- A copy of Form I-94 Departure Record (front and back), if available.
- A copy of your last EAD (front and back).
- Two passport-style color photos with a white background taken no earlier than 30 days before submission to USCIS. They should be unmounted, glossy and unretouched. The photos should show a full-frontal facial position. Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong. The photo should not be larger than 2 x 2 inches, with the distance from the top of the head to just below the chin about 1 1/4 inches. Lightly print our name and your A#, if known, on the back of each photo with a pencil.

#### **Special filing instructions for those with pending asylum applications ((c)(8))**

**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. If you file your EAD application early, it will be denied. File your EAD application with:*

- A copy of the USCIS acknowledgement mailer which was mailed to you; or
- Other evidence that your Form I-589 was filed with USCIS; or
- Evidence that your Form I-589 was filed with an Immigration Judge at the Executive Office for Immigration Review (EOIR); or
- 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 your EAD application at any time; however, it will only be granted if USCIS finds that your asylum application is not frivolous. File your EAD application with:

- A complete copy of your previously filed Form I-589; AND
- A copy of your USCIS receipt notice; or
- A copy of the USCIS acknowledgement mailer; or
- Evidence that your Form I-589 was filed with EOIR; or
- Evidence that your asylum application remains under administrative or judicial review; or
- Other evidence that you filed an asylum application.

**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:

- A date-stamped copy of your previously filed Form I-589; or
- 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; or
- A copy of EOIR-26, Notice of Appeal, date stamped by the Office of the Immigration Judge; or
- A date-stamped copy of a petition for judicial review or for *habeas corpus* issued to the asylum applicant; or
- 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), please follow the instructions contained in this section when filing your Form I-765.

You must have asylum application (Form I-589) on file either with USCIS or with an immigration judge in order to receive work authorization. Therefore, please submit evidence that you have previously filed an asylum application when you submit your EAD application. 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:

- 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.
- Write "(c)(8)" in **Section 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) 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 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). See **Part 4** concerning fee waivers.

## Part 4. Fee

### What Is the Fee?

Applicants must pay a fee of **\$180.00** unless noted below.

If a fee is required, it will not be refunded. Pay in the exact amount. Checks and money orders must be payable in U.S. currency. Make check or money order payable to the "**Department of Homeland Security,**" unless:

If you live in Guam make your check or money order payable to "**Treasurer, Guam.**" If you live in the U.S. Virgin Islands make your check or money order payable to "**Commissioner of Finance of the Virgin Islands.**"

A charge of \$30.00 will be imposed if a check in payment of a fee is not honored by the bank on which it is drawn. Please do **not** send cash in the mail.

**Initial EAD:** If this is your initial application and you are applying under one of the following categories, a filing fee is **not** required:

- (a)(3) Refugee;
- (a)(4) Paroled as Refugee;
- (a)(5) Asylee;
- (a)(7) N-8 or N-9 nonimmigrant;
- (a)(8) Citizen of Micronesia, Marshall Islands or Palau;
- (a)(10) Granted Withholding of Deportation;
- (a)(11) Deferred Enforced Departure;
- (a)(16) Victim of Severe Form of Trafficking (T-1);
- (c)(1), (c)(4), or (c)(7) Dependent of certain foreign government, international organization, or NATO personnel; or
- (c)(8) Applicant for asylum [an applicant filing under the special ABC procedures must pay the fee].

**Renewal EAD:** If this is a renewal application and you are applying under one of the following categories, a filing fee is **not** required:

- (a)(8) Citizen of Micronesia, Marshall Islands, or Palau;
- (a)(10) Granted Withholding of Deportation;
- (a)(11) Deferred Enforced Departure; or
- (c)(1), (c)(4), or (c)(7) Dependent of certain foreign government, international organization, or NATO personnel.

**Replacement EAD:** If this is your replacement application and you are applying under one of the following categories, a filing fee is **not** required:

- (c)(1), (c)(4), or (c)(7) Dependent of certain foreign government, international organization, or NATO personnel.

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

USCIS will use the Poverty Guidelines published annually by the Department of Health and Human Services as the basic criteria in determining the applicant's eligibility when economic necessity is identified as a factor.

The Poverty Guidelines will be used as a guide, but not as a conclusive standard, in adjudicating fee waiver requests for employment authorization applications requiring a fee.

### How to Check If the Fee Is Correct.

The fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fee is correct by following one of the steps below:

- Visit our website at **www.uscis.gov** and scroll down to "Forms and E-Filing" to check the appropriate fee, or
- Review the Fee Schedule included in your form package, if you called us to request the form, or
- Telephone our National Customer Service Center at **1-800-375-5283** and ask for the fee information.

**NOTE:** If your application requires a biometric services fee for USCIS to take your fingerprints, photograph or signature, you can use the same procedure above to confirm the biometrics fee.

## Part 5. Where to File

If your response to **Question 16** is: **(a)(3), (a)(4), (a)(5), (a)(7)** or **(a)(8)** mail your application to:

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

If your response to **Question 16** is **(a)(9)**, mail your application to:

**USCIS**  
P.O. Box 7218  
Chicago, IL 60680-7218

If your response to **Question 16** is **(a)(15)**, mail your application to:

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

If your response to **Question 16** is **(a)(14)** or **(c)(24)**, mail your application to:

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

If your response to **Question 16** is: **(a)(16)** or **(c)(25)** mail your application to:

**USCIS Service Center**  
75 Lower Welden St.  
St. Albans, VT 05479-0001

If your response to **Question 16** is: **(a)(10), (c)(11), (c)(12), (c)(14), (c)(16) or (c)(18)**, apply at the local USCIS office having jurisdiction over your place of residence.

If your response to **Question 16** is: **(a)(12)** or **(c)(19)**, file your EAD application according to the instructions in the Federal Register notice for your particular country's TPS designation.

If your response to **Question 16** is **(c)(1)**, **(c)(4)** or **(c)(7)**, submit your application through your principal's sponsoring organization. Your application will be reviewed and forwarded by the DOS, USUN or NATO/SACLANT to the Nebraska Service Center following certification of your eligibility for an EAD.

If your response to **Question 16** is **(c)(8)** under the special ABC filing instructions and you are filing your asylum and EAD applications together, mail your application to the office where you are filing your asylum application.

If your response to question 16 is **(c)(9)**, file your application at the same local USCIS office or Service Center where you submitted your adjustment of status application.

If your response to question 16 is: **(a)(6)**, **(a)(11)**, **(a)(13)**, **(a)(17)**, **(a)(18)**, **(c)(2)**, **(c)(3)(i)**, **(c)(3)(ii)**, **(c)(3)(iii)**, **(c)(5)**, **(c)(6)**, **(c)(8)**, **(c)(17)(i)**, **(c)(17)(ii)** or **(c)(17)(iii)**:

mail your application based on your address to the appropriate **Service Center**. The correct **Service Center** is based on the state or territory in which you live.

**If you live in:**                      **Mail your application to:**

Connecticut D.C. Maryland New Hampshire New York Puerto Rico Vermont West Virginia	Delaware Maine Massachusetts New Jersey Pennsylvania Rhode Island Virginia U.S.V.I.	<b>USCIS Service Center</b> 75 Lower Welden Street St. Albans, VT 05479-0001
Arizona Guam Nevada	California Hawaii	<b>USCIS Service Center</b> P.O. Box 10765 Laguna Niguel, CA 92067-1076
Alabama Florida Kentucky Mississippi North Carolina South Carolina Texas	Arkansas Georgia Louisiana New Mexico Oklahoma Tennessee	<b>USCIS Service Center</b> P.O. Box 851041 Mesquite, TX 75185-1041
Alaska Idaho Indiana Kansas Minnesota Montana North Dakota Oregon Utah Wisconsin	Colorado Illinois Iowa Michigan Missouri Nebraska Ohio South Dakota Washington Wyoming	<b>USCIS Service Center</b> P.O. Box 87765 Lincoln, NE 68501-7765

If your response to question 16 is **(c)(10)**, and you are a NACARA 203 applicant eligible to apply for relief with USCIS, or if your I-881 application is still pending with USCIS and you wish to renew your EAD, mail your EAD application with the required fee to the appropriate USCIS service center below:

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

**USCIS Service Center**  
75 Lower Welden St.  
St. Albans, VT 05479-0001

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

**USCIS Service Center**  
P.O. Box 10765  
Laguna Niguel, CA 92067-1076

You should submit the fee for the EAD application on a separate check or money order. Do not combine your check or money order with the fee for the Form I-881.

If your response to **Question 16** is **(c)(10)** and you are not eligible to apply for NACARA 203 relief with USCIS, but you are eligible for other deportation or removal relief, apply at the local USCIS office having jurisdiction over your place of residence.

## Part 6. Processing Information

**Acceptance.** If your application is complete and filed at a USCIS Service Center, you will be mailed a Form I-797 receipt notice. However, an application filed without the required fee, evidence, signature or photographs (if required) will be returned to you as incomplete. You may correct the deficiency and resubmit the application; however, an application is not considered properly filed until USCIS accepts it.

**Approval.** If approved, your EAD will either be mailed to you or you may be required to appear at your local USCIS office to pick it up.

**Request for Evidence.** If additional information or documentation is required, a written request will be sent to you specifying the information or advising you of an interview.

**Denial.** If your application cannot be granted, you will receive a written notice explaining the basis of your denial.

**Interim EAD.** 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 obtain interim work authorization by appearing in person at your local USCIS district office. You must bring proof of identity and any notices that you have received from USCIS in connection with your application for employment authorization.

## Part 7. Other Information

**Penalties for Perjury.** All statements contained in response to questions in this application are declared to be true and correct under penalty of perjury. Title 18, United States Code, Section 1546, provides in part:

... Whoever knowingly makes under oath, or as permitted under penalty of perjury under 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement-shall be fined in accordance with this title or imprisoned not more than five years, or both.

The knowing placement of false information on this application may subject you and/or the preparer of this application to criminal penalties under Title 18 of the United States Code. The knowing placement of false information on this application may also subject you and/or the preparer to civil penalties under Section 274C of the Immigration and Nationality Act (INA), 8 U.S.C. 1324c. Under 8 U.S.C. 1324c, a person subject to a final order for civil document fraud is deportable from the United States and may be subject to fines.

**Authority for Collecting this Information.** The authority to require you to file Form I-765, Application for Employment Authorization, when applying for employment authorization is found at sections 103(a) and 274A(h)(3) of the Immigration and Nationality Act. Information you provide on your Form I-765 is used to determine whether you are eligible for employment authorization and for the preparation of your Employment Authorization Document if you are found eligible. Failure to provide all information as requested may result in the denial or rejection of this application. The information you provide may also be disclosed to other federal, state, local and foreign law enforcement and regulatory agencies during the course of the USCIS investigations.

### USCIS Forms and Information.

To order USCIS forms, call our toll-free number at **1-800-870-3676**. You can also get USCIS forms and information on immigration laws, regulations and procedures by telephoning our **National Customer Service Center at 1-800-375-5283** or visiting our internet website at **www.uscis.gov**.

### Use InfoPass for Appointments.

As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our internet-based system, **InfoPass**. To access the system, visit our website at **www.uscis.gov**. Use the **InfoPass** appointment scheduler and follow the screen prompts to set up your appointment. **InfoPass** generates an electronic appointment notice that appears on the screen. Print the notice and take it with you to your appointment. The notice gives the time and date of your appointment, along with the address of the USCIS office.

**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 OMB control number.

The U.S. Citizenship and Immigration Services (USCIS) tries to create forms and instructions which are accurate and easily understood. Often this is difficult because immigration law can be very complex.

The public reporting burden for this form is estimated to average three 3 hours and 25 minutes per response, including the time for reviewing instructions, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The USCIS welcomes your comments regarding this burden estimate or any other aspect of this form, including suggestions for reducing this burden to the U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., Washington DC, 20529; OMB No. 1615-0040. **Do not mail your completed application to this address.**

