


I-765 Employment Authorization Document Reference Guide

You are close to getting your Employment Authorization Document. While you wait please keep the following in mind. .

Processing Times. Check the USCIS website [here](#) to see how long it is taking USCIS to process your I-765. In the Form drop-down select “I-765 Application for Employment Authorization.” In the Form Category drop-down select the category that is most applicable to your situation. The category can be found on your I-797C receipt notice. In the Field Office or Service Center drop-down, select the office or center that is listed at the bottom of your receipt notice, Form I-797C.

NOTICE TYPE Receipt		NOTICE DATE April 1, 2020
CASE TYPE I-765, Application for Employment Authorization		USCIS ALIEN NUMBER A
1 RECEIPT NUMBER	2 RECEIVED DATE April 1, 2020	PAGE 1 of 1
		DATE OF BIRTH
		PAYMENT INFORMATION:
		Application/Petition Fee: \$410.00 Biometrics Fee: \$0.00 Total Amount Received: \$410.00 Total Balance Due: \$0.00
NAME AND MAILING ADDRESS		
3 Eligibility Category: C31		

Check Your Case Status. You can check your case status on the USCIS website [here](#). You will need to input the receipt number you receive from USCIS.

Address Changes. It is very important that you promptly update your address when you move. If you don't, your green card may be sent to the wrong address. You can update your address on USCIS's website [here](#).
www.MyImmigration.com

Automatic Extension. For certain categories, if you filed an I-765 to *renew* your employment authorization card (EAD card), then the expiration date on your EAD card may be automatically extended once you file your renewal application. Normally, the EAD card is extended 180 days from the date of the expiration on the card, but because of USCIS backlogs, certain EAD cards are extended 540 days. When showing your employer your extension, you will need to show your expired EAD card along with your I-797C receipt notice. The following categories receive this automatic extension:

(a)(3)	Refugee
(a)(5)	Asylee
(a)(7)	N-8 or N-9
(a)(8)	Citizen of Micronesia, Marshall Islands, or Palau
(a)(10)	Withholding of Deportation or Removal Granted
(a)(12)	Temporary Protected Status (TPS) Granted
(a)(17)	Spouse of principal E nonimmigrant with an unexpired I-94 showing E (including E-1S, E-2S and E-3S) nonimmigrant status*
(a)(18)	Spouse of principal L-1 Nonimmigrant with an unexpired I-94 showing L-2 (including L-2S) nonimmigrant status*

(c)(8)	Asylum Application Pending
(c)(9)	Pending Adjustment of Status under Section 245 of the Act
(c)(10)	Suspension of Deportation Applicants (filed before April 1, 1997) Cancellation of Removal Applicants Special Rule Cancellation of Removal Applicants Under NACARA
(c)(16)	Creation of Record (Adjustment Based on Continuous Residence Since January 1, 1972)
(c)(19)	Pending initial application for TPS where USCIS determines applicant is <i>prima facie</i> eligible for TPS and can receive an EAD as a “temporary treatment benefit”.
(c)(20)	Section 210 Legalization (pending I-700)
(c)(22)	Section 245A Legalization (pending I-687)
(c)(24)	LIFE Legalization
(c)(26)	Spouses of certain H-1B principal nonimmigrants with an unexpired I-94 showing H-4 nonimmigrant status
(c)(31)	VAWA Self-Petitioners

Validity Period and Renewal. When USCIS approves your I-765, you will be authorized to work for a certain time period. In other words, your EAD card will have an expiration date. Validity periods vary by which category you are classified under. If it is within 180 days before the expiration of your EAD card, it is time to apply for a renewal. Below is a table showing the validity period of initial and renewal EAD cards of each category.

Category	Purpose	Maximum Initial Validity Period	Maximum Renewal Validity Period
8 CFR 274a.12			
(a)(2)	Lawful temporary resident	43 months [10]	2 years
(a)(3)	Admitted as a refugee [11]	5 years	5 years
(a)(4)	Paroled as a refugee [12]	Duration of parole, not to exceed 5 years	Duration of parole, not to exceed 5 years
(a)(5)	Granted asylum [13]	5 years	5 years
(a)(6)	K-1 fiance(e) or K-2 child	Period of authorized stay [14]	Remainder of 90-day period of admission

(a)(7)	Parent and child of N-8 or N-9 nonimmigrant ^[15]	1 year	1 year
(a)(8)	Citizen of Micronesia, the Marshall Islands or Palau	5 years	5 years
(a)(9)	K-3 spouse or K-4 dependent	2 years ^[16]	2 years ^[17]
(a)(10)	Granted withholding of deportation or removal	5 years	5 years
(a)(11)	Deferred extended voluntary departure or deferred enforced departure	Variable ^[18]	Variable ^[19]
(a)(12)	Temporary protected status (TPS) ^[20]	Variable, length of TPS designation, or any TPS renewals and TPS extensions	Variable, length of TPS designation, or any TPS renewals and TPS extensions
(a)(13)	Granted voluntary departure under Family Unity Program of IMMACT 90 ^[21]	2 years ^[22]	2 years ^[23]

(a)(14)	Legal Immigration Family Equity (LIFE) Act Family Unity grantee[24]	Variable, not to exceed 2 years[25]	Variable, not to exceed 2 years[26]
(a)(15)	V-1, V-2, or V-3 nonimmigrant	Duration of V-1, V-2, and V-3 status, not to exceed 2 years	Duration of V-1, V-2, and V-3 status, not to exceed 2 years[27]
(a)(16)	Victims of human trafficking (T-1 nonimmigrant)	Duration of T-1 nonimmigrant status[28]	Duration of T-1 nonimmigrant status[29]
(a)(17)	Spouse of E1, E-2, and E-3	Duration of E-1, E-2, and E-3 status	Duration of E-1, E-2, and E-3 status
(a)(18)	Spouse of L-1 nonimmigrant	Variable, up to end date of L-2 status, not to exceed principal's L-1 status	Variable, up to end date of L-2 status, not to exceed principal's L-1 status
(a)(19)	Victims of qualifying criminal activity (U-1 nonimmigrant)	Duration of U-1 nonimmigrant status[30]	Duration of U-1 nonimmigrant status[31]
(a)(20)	Family members of victims of qualifying criminal activity (U-2, U-3, U-4, or U-5 nonimmigrant)[32]	Duration of U-2, U-3, U-4, or U-5 nonimmigrant status	Duration of U-2, U-3, U-4, or U-5 nonimmigrant status[33]

Category 8 CFR 274a.12	Purpose	Maximum Initial Validity Period	Maximum Renewal Validity Period
(c)(1)	Dependent of a diplomat or foreign government official (A-1 or A-2) [34]	3 years or tour of duty end date on Form I-566, whichever is less	3 years or tour of duty end date on Form I-566, whichever is less
(c)(2)	Dependent of Taipei Economic and Cultural Representative Office (TECRO) (E-1) [35]	3 years or end of principal E-1 status, whichever is less	3 years or end of principal E-1 status, whichever is less
(c)(3)(A)	Student pre-completion Optional Practical Training (OPT)	Variable, 12 months, date recommended by Designated School Official (DSO), or date course of study ends, whichever is earlier	Renewal not authorized
(c)(3)(B)	Student post-completion OPT	Variable, up to 12 months	Renewal not authorized
(c)(3)(C)	Student STEM OPT	24 months [36]	Renewal not authorized

(c)(3)(ii)	Off-campus employment – qualifying international organization	Variable, up to 12 months ^[37]	Variable, up to 12 months
(c)(3)(iii)	Off-campus employment – student severe economic hardship under 8 CFR 214.2(f)(9)(ii)(C)	Variable, up to 1 year ^[38]	Variable, up to 1 year ^[39]
(c)(3)(iii)	Off-campus employment – student severe economic hardship under 8 CFR 214.2(f)(9)(ii)(A) (special student relief)	Variable ^[40]	Variable ^[41]
(c)(4)	Spouse or unmarried child, son or daughter of an employee of an international organization (G-1, G-3, or G-4) ^[42]	3 years or tour of duty end date on Form I-566, whichever is less	3 years or tour of duty end date on Form I-566, whichever is less
(c)(5)	Dependent spouse or minor child of a J-1 exchange visitor	2 years or end of principal J-1 status, whichever is less	2 years or end of principal J-1 status, whichever is less

(c)(6)	Nonacademic or vocational student (M-1) post-completion OPT	6 months, not to exceed recommendation on Certificate of Eligibility for Nonimmigrant Student Status (Form I-20) or 1 month for each 4 months of completed full-time studies, whichever is earlier ^[43]	Renewal not authorized
(c)(7)	Dependent of NATO-1 through NATO-7 employee	3 years, not to exceed tour of duty listed on Form I-566	3 years, not to exceed tour of duty listed on Form I-566
(c)(8)	Pending application for asylum or withholding of deportation or removal	5 years	5 years
(c)(9)	Pending application for adjustment of status under INA 245 ^[44]	5 years	5 years
(c)(10)	Pending application for suspension of deportation, cancellation of removal, or relief under the Nicaraguan Adjustment and Central American	5 years	5 years

	Relief Act (NACARA) [45]		
(c)(11)	Parole [46]	Variable, to end date of the parole period	Variable, to end date of the parole period
(c)(12)	Spouse of E-2 CNMI investor [47]	End of principal E-2 CNMI Investor status not to exceed 2 years	End of principal E-2 CNMI Investor status not to exceed 2 years
(c)(14)	Deferred action (non-Deferred Action for Childhood Arrivals (DACA))	Variable, end date of deferred action period [48]	Variable, end date of deferred action period [49]
(c)(16)	Applicant for creation of record of lawful admission	1 year	1 year
(c)(17)(i)	Domestic employee of nonimmigrant employer [50]	1 year or validity of B-1, whichever is less	1 year or validity of B-1, whichever is less
(c)(17)(ii)	Domestic employee of U.S. citizen abroad [51]	1 year or validity of B-1, whichever is less	1 year or validity of B-1,

			whichever is less
(c)(17)(iii)	B-1 foreign airline employee [52]	1 year or validity of B-1, whichever is less	1 year or validity of B-1, whichever is less
(c)(18)	Final order of removal with order of supervision [53]	1 year	1 year
(c)(19)	Application for TPS pending [54]	Variable, length of TPS designation, or any TPS renewals and TPS extensions	Variable, length of TPS designation, or any TPS renewals and TPS extensions
(c)(20)	Pending application under INA 210	1 year	1 year
(c)(21)	S nonimmigrant law enforcement witness or informant [55]	Variable, up to 3 years [56]	Variable, up to 3 years
(c)(22)	Pending application under INA 245A	1 year	1 year

(c)(24)	Pending application for LIFE Act Legalization ^[57]	1 year	1 year
(c)(25)	Family members of victims of human trafficking (T-2, T-3, T-4, T-5, or T-6 nonimmigrant)	Duration of T-2, T-3, T-4, T-5, or T-6 nonimmigrant status	Duration of T-2, T-3, T-4, T-5, or T-6 nonimmigrant status
(c)(26)	H-4 nonimmigrant spouse of a H-1B nonimmigrant	Variable, up to end date of H-4 status, not to exceed principal's H-1B status	Variable, up to end date of H-4 status, not to exceed principal's H-1B status
(c)(27)	Abused spouse of A nonimmigrant ^[58]	2 years	2 years
(c)(28)	Abused spouse of E nonimmigrant ^[59]	2 years	2 years
(c)(29)	Abused spouse of G nonimmigrant ^[60]	2 years	2 years
(c)(30)	Abused spouse of H nonimmigrant ^[61]	2 years	2 years

(c)(31)	Violence Against Women Act (VAWA) self-petitioner	2 years	2 years
(c)(33)	Granted DACA [62]	Variable, 2 years or end date of deferred action period, whichever is earlier	Variable, 2 years or end date of deferred action period, whichever is earlier
(c)(34)	Spouse of entrepreneur parolee under 8 CFR 212.19(h)(3)	Variable, up to end date of parole	Variable, up to end date of parole
(c)(35)	Form I-140 beneficiary with compelling circumstances	1 year	1 year
(c)(36)	Dependents of (c)(35)	1 year	1 year
(c)(37)	CNMI long-term residents	5 years	5 years