

**TABLE OF CHANGES – INSTRUCTIONS**  
**Form I-765, Application for Employment Authorization**  
**OMB Number: 1615-0040**  
**08/25/2020**

**Reason for Revision: Orders of Supervision Rule.**

**Project Phase: DHS 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 1-14,</b></p> <p><b>Who May File Form I-765?</b></p>	<p>[Page 1]</p> <p><b>Who May File Form I-765?</b></p> <p>...</p> <p><b>4. Granted Withholding of Deportation or Removal--(a)(10).</b> File Form I-765 with a copy of the EOIR IJ’s signed order granting withholding of deportation or removal.</p> <p>...</p> <p><b>3. Temporary Protected Status (TPS)--(a)(12) and (c)(19).</b> File Form I-765 with your Form I-821, Application for Temporary Protected Status, or evidence that we accepted or approved your initial Form I-821. Include evidence of your nationality and identity as required by the Form I-821 Instructions. If an EOIR IJ or the Board of Immigration Appeals (BIA) granted TPS, and you are requesting your first EAD or are re-registering for the first time, you must submit a copy of the EOIR IJ or BIA order that granted TPS with your Form I-765 (such as a copy of your Form I-</p>	<p>[Page 2]</p> <p><b>Who May File Form I-765?</b></p> <p>...</p> <p><b>4. Granted Withholding of Deportation or <b>Removal or Granted Deferral of Removal Pursuant to Regulations Implementing the Convention Against Torture (CAT)</b>--(a)(10).</b> File Form I-765 with a copy of the EOIR IJ’s signed order or a copy of an order from the Board of Immigration Appeals (BIA) granting withholding of deportation or <b>removal, withholding of removal under CAT, or CAT deferral of removal.</b></p> <p>...</p> <p><b>3. Temporary Protected Status (TPS)--(a)(12) and (c)(19).</b> File Form I-765 with your Form I-821, Application for Temporary Protected Status, or evidence that we accepted or approved your initial Form I-821. Include evidence of your nationality and identity as required by the Form I-821 Instructions. If an EOIR IJ or <b>the BIA</b> granted TPS, and you are requesting your first EAD or are re-registering for the first time, you must submit a copy of the EOIR IJ or BIA order that granted TPS with your Form I-765 (such as a copy of your Form I-821 that the</p>

	<p>821 that the EOIR IJ or BIA approved). You must also follow the instructions for filing your application as described in the most recent TPS Federal Register notice regarding a TPS designation, re-designation, or extension for your country. Please check the USCIS website at <a href="http://www.uscis.gov/tps">www.uscis.gov/tps</a> for procedures to register or re-register for TPS, including obtaining an EAD, if your country has been designated for TPS.</p> <p>...</p> <p><b>[Page 4]</b></p> <p><b>C. 24-Month Extension for STEM Students (Students With a Degree in Science, Technology, Engineering, or Mathematics)--(c)(3)(C).</b> File Form I-765 up to 90 days before the expiration of your current OPT, if you are requesting a 24-month STEM extension. Include evidence the degree that is the basis for the STEM OPT extension is in one of the degree programs currently listed on the STEM Designated Degree Program List. Additionally, submit the employer’s name as listed in E-Verify, along with the E-Verify Company Identification Number, or a valid E-Verify Client Company Identification Number for the employer with whom you are seeking the 24-month STEM OPT extension. You must provide this information in <b>Part 3., Items A. - C. in Item Number 2.,</b> of Form I-765. You must include a copy of the Form I-20 endorsed by the DSO within 60 days before filing Form I-765.</p> <p><b>NOTE:</b> If you are applying for a STEM OPT extension based on a previously earned STEM degree, you must also include a copy of your prior STEM degree and evidence that the institution is currently accredited by the U.S. Department of Education and certified by the SEVP.</p> <p>...</p> <p><b>[Page 9]</b></p> <p><b>D. Traffic Violations and Arrests</b></p>	<p>EOIR IJ or BIA approved). You must also follow the instructions for filing your application as described in the most recent TPS Federal Register notice regarding a TPS designation, re-designation, or extension for your country. Please check the USCIS website at <a href="http://www.uscis.gov/tps">www.uscis.gov/tps</a> for procedures to register or re-register for TPS, including obtaining an EAD, if your country has been designated for TPS.</p> <p>...</p> <p><b>[Page 4]</b></p> <p><b>C. 24-Month Extension for STEM Students (Students With a Degree in Science, Technology, Engineering, or Mathematics)--(c)(3)(C).</b> File Form I-765 up to 90 days before the expiration of your current OPT, if you are requesting a 24-month STEM extension. Include evidence the degree that is the basis for the STEM OPT extension is in one of the degree programs currently listed on the STEM Designated Degree Program List. Additionally, submit the employer’s name as listed in E-Verify, along with the E-Verify Company Identification Number, <b>or E-Verify</b> Client Company Identification Number for the employer with whom you are seeking the 24-month STEM OPT extension. You must provide this information in <b>Part 3., Items A. - C. in Item Number 2.,</b> of Form I-765. You must include a copy of the Form I-20 endorsed by the DSO within 60 days before filing Form I-765.</p> <p>[no change]</p> <p>...</p> <p><b>[Page 9]</b></p> <p><b>D. Traffic Violations and Arrests</b></p>
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	<p>Do not select the “Yes” box for <b>Part 2., Item Number 30.</b>, on the application or submit documentation if you only have had minor traffic violations. Minor traffic violations do NOT include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select the “Yes” box for <b>Item Number 30.</b> on the application and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact your employment authorization eligibility.</p> <p>...</p> <p><b>[Page 11]</b></p> <p><b>D. Traffic Violations and Arrests</b></p> <p>Do not select the “Yes” box for <b>Part 2., Item Number 31.b.</b>, on the application or submit documentation if you only have had minor traffic violations. Minor traffic violations do NOT include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select the “Yes” box for <b>Item Number 31.b.</b> on the application and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact your employment authorization eligibility.</p> <p>...</p> <p><b>[Page 12]</b></p> <p><b>7. Consideration of Deferred Action for Childhood Arrivals--(c)(33).</b></p> <p><b>A.</b> You must file Form I-765 with Form I-821D, Consideration of Deferred Action for Childhood Arrivals, if you meet the guidelines described in the Form I-821D Instructions. Enter (c)(33) in <b>Part 3., Item Number 1.</b>, as the eligibility category under which you are applying.</p> <p><b>(1)</b> You must file Form I-765 Worksheet to demonstrate that you have an economic</p>	<p>Do not select the “Yes” box for <b>Part 3., Item B. in Item Number 6.</b>, on the application or submit documentation if you only have had minor traffic violations. Minor traffic violations do NOT include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select the “Yes” box for <b>Item B. in Item Number 6.</b> on the application and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact your employment authorization eligibility.</p> <p>...</p> <p><b>[Page 11]</b></p> <p><b>D. Traffic Violations and Arrests</b></p> <p>Do not select the “Yes” box for <b>Part 3., Item B. in Item Number 6.</b>, on the application or submit documentation if you only have had minor traffic violations. Minor traffic violations do NOT include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select the “Yes” box for <b>Item B. in Item Number 6.</b> on the application and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact your employment authorization eligibility.</p> <p>...</p> <p><b>[Page 12]</b></p> <p>[no change]</p>
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	<p>necessity to work. We will consider whether you have an economic necessity to work by reviewing your current annual income, your current annual expenses, and the total current value of your assets. Provide this financial information on Form I-765WS. If you would like to provide an explanation, complete <b>Part 3. Explanation</b> of the worksheet. Supporting evidence is not required, but USCIS will accept and review any documentation that you submit. You do not need to include other household members' financial information to establish your own economic necessity.</p> <p>(2) The filing fee for Form I-765 is based on the Consideration of Deferred Action for Childhood Arrivals category and the associated biometric services fee <b>cannot</b> be waived. However, we may waive the collection of certain biometrics.</p> <p><b>8. Final Order of Deportation or Removal, including Deferral of Removal under the Convention Against Torture--(c)(18).</b> File Form I-765 with a copy of the EOIR IJ's Order of Removal and Form I-220B, Order of Supervision. Additional factors that may be considered include, but are not limited to, the following:</p> <p>A. Existence of a dependent spouse and/or children in the United States who rely on you for support;</p> <p>B. Existence of economic necessity to be employed; and</p> <p>C. Anticipated length of time before you can be removed from the United States.</p>	<p><b>8. Aliens Ordered Removed and Released from Custody on Orders of Supervision--(c)(18).</b> File Form I-765 along with supporting documentation for an initial grant or a renewal of employment authorization under the (c)(18) eligibility category. In addition to the instructions below, please refer to the <b>Special Filing Instructions for Aliens on Orders of Supervision in the Required Documentation</b> section of these Instructions.</p> <p><b>A. For Initial Applications:</b> If this is your first application for employment authorization under the (c)(18) eligibility category, you must file Form I-765 with:</p> <p>(1) A copy of the IJ's Order of Removal (or Board of Immigration Appeals (BIA) decision affirming the final order) or an administrative removal order issued by DHS demonstrating you are subject to a final order of removal or deportation;</p> <p>(2) A copy of your current Form I-220B, Order of Supervision, with annotation from ICE noting your removal is impracticable because all countries from whom travel documents have been requested have affirmatively declined to issue a travel document and with a complete Personal Report Record showing your compliance</p>
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		<p>with the terms and conditions for release and;</p> <p><b>(3)</b> Form I-765 Worksheet (Form I-765WS) to demonstrate that you have an economic necessity to work.</p> <p><b>NOTE:</b> Your release on an order of supervision alone does not render you eligible for employment authorization under 8 CFR 274a.12(c)(18). USCIS will deny your application unless your Form I-220B is annotated by ICE to indicate that your removal is impracticable because all countries from whom travel documents have been requested have affirmatively declined to issue a travel document. Employment authorization is discretionary and USCIS may deny your application as a matter of discretion even if you cannot be removed is impracticable and you demonstrate economic necessity to work.</p> <p><b>NOTE:</b> We will consider whether you have an economic necessity to work by reviewing your current annual income, your current annual expenses, and the total current value of your assets. Provide this financial information on Form I-765WS. If you would like to provide an explanation, complete <b>Part 3. Explanation</b> of the worksheet.</p> <p><b>NOTE:</b> You do not need to submit supporting evidence in connection with Form I-765WS, but USCIS will accept and review any documentation that you submit. You <b>do not</b> need to include other household members' financial information to establish your own economic necessity.</p> <p><b>B. For Renewal Applications:</b> If you are applying for a renewal of your employment authorization, you must file Form I-765 with:</p> <p><b>(1)</b> All the forms and documents listed in <b>Item A. (1) - (3)</b>; and</p> <p><b>(2)</b> Your employer's name as listed in <b>E-Verify</b> along with the E-Verify Company Identification Number or E-Verify Client Company Identification Number for your employer (if the employer is using an employer agent to create its E-Verify</p>
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	<p><b>9. LIFE Legalization Applicant--(c)(24).</b> File Form I-765 with evidence that you were a Catholic Social Services (CSS), League of United Latin American Citizens (LULAC), or Zambrano class member applicant before October 1, 2000 and a copy of the Form I-797 Notice or other evidence that your Form I-485 is pending.</p> <p>...</p>	<p>cases). You must provide this information in <b>Part 3., Item Number 5.</b> of Form I-765.</p> <p><b>C. Additional Factors.</b> Employment authorization under this category is discretionary, and USCIS will not grant an EAD unless we determine that you warrant a favorable exercise of discretion. Factors USCIS may consider include, but are not limited to, the following:</p> <p>(1) Whether you are the primary provider of economic support for a dependent U.S. citizen or lawful permanent resident children, spouse, and/or parents;</p> <p>(2) The anticipated length of time before you can be removed from the United States;</p> <p>(3) Whether you are complying with the conditions for release from detention noted on Form I-220B, Order of Supervision; and</p> <p>(4) Whether you have been arrested for or convicted of any crimes after having been ordered removed from the United States and released from custody on an order of supervision;</p> <p><b>D. Evidence of Arrests and Convictions.</b> Refer to the <b>Special Filing Instructions for Applications filed under (c)(18)</b> in the <b>Required Documentation</b> section of the Form I-765 Instructions for information about providing arrest reports and court dispositions.</p> <p>[no change]</p>
<p><b>Pages 14-15,</b> <b>General Instructions</b></p>	<p>...</p> <p><b>[Page 15]</b></p> <p><b>Filing Fee.</b> Each application must be</p>	<p>...</p> <p><b>[Page 15]</b></p> <p><b>Filing Fee.</b> Each application must be</p>

	<p>accompanied by the appropriate filing fee. (See the <b>What Is the Filing Fee</b> section of these Instructions.)</p> <p><b>Biometric Services Fee.</b> If you file this application with USCIS, you do not need to include a biometric services fee at the time you submit your application. If you are later notified that you must submit biometrics, you will receive a biometric services appointment notice with instructions on how to submit the additional biometric services fee. If you file this application with an agency other than USCIS, please check with that agency to determine if and when you must submit a biometric services fee.</p> <p><b>Evidence.</b> At the time of filing, you must submit all evidence and supporting documents listed in the <b>Required Documentation</b> section of these Instructions. If you do not have and cannot get a required document, you must demonstrate this and provide secondary evidence. If secondary evidence does not exist or is unavailable, you must demonstrate both the unavailability of the required document and the relevant secondary evidence and submit two or more sworn affidavits by people not named on this application who have direct knowledge of the event and circumstances.</p> <p><b>Biometric Services Appointment.</b> USCIS may require that you appear for an interview or provide biometrics (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</p>	<p>accompanied by the appropriate filing fee. (See the <b>What Is the Filing Fee</b> section of these <b>Instructions</b>.)</p> <p>[Delete]</p> <p><b>Evidence.</b> At the time of filing, you must submit all evidence and supporting documents listed in the <b>Required Documentation</b> section of these Instructions. If you do not have and cannot get a required document, you must demonstrate this and provide secondary evidence. If secondary evidence does not exist or is unavailable, you must demonstrate both the unavailability of the required document and the relevant secondary evidence and submit two or more sworn affidavits by people not named on this application who have direct knowledge of the event and circumstances.</p> <p><b>Biometric Services Appointment.</b> USCIS may require that you appear for an interview or provide <b>biometrics at</b> 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.</p>
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	<p>USCIS office outside the United States to set up an appointment.</p> <p>If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:</p> <p>...</p>	<p>[no change]</p>
<p><b>Pages 16-19,</b> <b>Special Instructions</b></p>	<p><b>[Page 16]</b></p> <p><b>Specific Instructions</b></p> <p><b>[Page 19]</b></p> <p><b>Part 3. Information About Your Eligibility Category</b></p> <p><b>Item Number 1. Eligibility Category.</b> Refer to the list of the eligibility categories in the <b>Who May File Form I-765</b> section of these Instructions. Find your eligibility category, and enter it in the space provided.</p> <p><b>Item Number 2. (c)(3)(C) STEM OPT Eligibility Category.</b> If you entered eligibility category (c)(3)(C) in <b>Item Number 1.</b>, provide your degree level and major (for example, Bachelor’s degree in English), your employer’s name as listed in E-Verify, your employer’s E-Verify Company Identification Number, or E-Verify Client Company Identification Number in the spaces provided.</p> <p><b>Item Number 3.A. (c)(8) Eligibility Category.</b> If you entered the (c)(8) eligibility category in <b>Item Number 1.</b> and are eligible for benefits under ABC settlement agreement as a Salvadoran or Guatemalan national, you should select the box.</p> <p><b>Item Number 3.B. (c)(8) Eligibility Category.</b> If you entered the eligibility category (c)(8) in <b>Item Number 1.</b>, provide an answer to the question “Have you have <b>EVER</b> been arrested for and/or convicted of any crime?” If you answered “Yes” to <b>Item Number 3.B.</b>, refer to <b>Special Filing Instructions for Those With Pending Asylum Applications (c)(8)</b> in the <b>Required Documentation</b> section of the Instructions for information about</p>	<p><b>[Page 16]</b></p> <p><b>Specific Instructions</b></p> <p><b>[Page 19]</b></p> <p><b>Part 3. Information About Your Eligibility Category</b></p> <p><b>Item Number 1. Eligibility Category.</b> Refer to the list of the eligibility categories in the <b>Who May File Form I-765</b> section of these Instructions. Find your eligibility category, and enter it in the space provided.</p> <p><b>Item Number 2. (c)(3)(C) STEM OPT Eligibility Category.</b> If you entered eligibility category (c)(3)(C) in <b>Item Number 1.</b>, provide your degree level and major (for example, Bachelor’s degree in English), your employer’s name as listed in E-Verify, your employer’s E-Verify Company Identification Number, or E-Verify Client Company Identification Number in the spaces provided.</p> <p><b>Item Number 3.A. (c)(8) Eligibility Category.</b> If you entered the (c)(8) eligibility category in <b>Item Number 1.</b> and are eligible for benefits under ABC settlement agreement as a Salvadoran or Guatemalan national, you should select the box.</p> <p><b>Item Number 3.B. (c)(8) Eligibility Category.</b> If you entered the eligibility category (c)(8) in <b>Item Number 1.</b>, provide an answer to the question “Have you have <b>EVER</b> been arrested for and/or convicted of any crime?” If you answered “Yes” to <b>Item Number 3.B.</b>, refer to <b>Special Filing Instructions for Those With Pending Asylum Applications (c)(8)</b> in the <b>Required Documentation</b> section of the Instructions for information about</p>

	<p>providing court dispositions.</p> <p>[New]</p> <p><b>Item Number 4. (c)(26) Eligibility Category.</b> If you entered eligibility category (c)(26) in <b>Item Number 1.</b>, provide the receipt number of your spouse’s most recent Form I-797 Notice for Form I-129, Petition for a Nonimmigrant Worker, in the space provided.</p> <p><b>Item Number 5.A. (c)(35) and (c)(36)</b></p>	<p>providing court dispositions.</p> <p><b>Item Number 4.A. (c)(18) Eligibility Category (Aliens on Orders of Supervision).</b> If you entered the eligibility category (c)(18) in <b>Item Number 1.</b> and selected <b>Item C.</b> in <b>Item Number 1.</b> in <b>Part 1. Reason for Applying,</b> provide your employer’s name as listed in E-Verify and your employer’s E-Verify Company Identification Number or an E-Verify Client Company Identification Number in <b>Item A.</b> in <b>Item Number 4.</b></p> <p><b>Item Number 4.B (c)(18) Eligibility Category.</b> If you entered the (c)(18) eligibility category in <b>Item Number 1.,</b> provide an answer to the question “Have you <b>EVER</b> been arrested for and/or convicted of any crime?” If you answered “Yes” to <b>Item B.</b> in <b>Item Number 4.,</b> refer to <b>Special Filing Instructions for Aliens Ordered Removed and Released on Orders of Supervision – (c)(18)</b> in the <b>Required Documentation</b> section of the Instructions for information about providing arrest reports and court dispositions.</p> <p><b>NOTE: Traffic Violations and Arrests.</b> Do not select “Yes” for <b>Item B.</b> in <b>Item Number 4.,</b> on the application or submit documentation if you only have had minor traffic violations. Minor traffic violations do NOT include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select “Yes” for <b>Item B.</b> in <b>Item Number 4.</b> on the application and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact its favorable exercise of discretion in granting employment authorization.</p> <p><b>Item Number 5. (c)(26) Eligibility Category (Spouse of an H-1B Nonimmigrant).</b> If you entered eligibility category (c)(26) in <b>Item Number 1.,</b> provide the receipt number of your spouse’s most recent Form I-797 Notice for Form I-129, Petition for a Nonimmigrant Worker, in the space provided.</p> <p><b>Item Number 6.A. (c)(35) and (c)(36)</b></p>
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	<p><b>Eligibility Category.</b> If you entered the eligibility category (c)(35) or (c)(36) in <b>Item Number 1.</b>, please provide the receipt number of your Form I-797 Notice for Form I-140 or the receipt number of your spouse’s or parent’s Form I-797 Notice for Form I-140. Provide an answer to the question “Have you <b>EVER</b> been arrested for and/or convicted of any crime?”</p> <p><b>NOTE:</b> If you answered “Yes” to <b>Item B.</b> in <b>Item Number 5.</b>, refer to <b>Employment-Based Nonimmigrant Categories, Items 8. - 9.</b> in the <b>Who May File Form I-765</b> section of the Instructions for information about providing court dispositions.</p>	<p><b>Eligibility Category (Aliens with an Approved Employment-Based Immigrant Petition Facing Compelling Circumstances).</b> If you entered the eligibility category (c)(35) (principal beneficiary) or (c)(36) (spouse or unmarried child of principal) in <b>Item Number 1.</b>, please provide the receipt number of your Form I-797 Notice for Form I-140 or the receipt number of your spouse’s or parent’s Form I-797 Notice for Form I-140. Provide an answer to the question “Have you <b>EVER</b> been arrested for and/or convicted of any crime?”</p> <p><b>NOTE:</b> If you answered “Yes” to <b>Item B.</b> in <b>Item Number 6.</b>, refer to <b>Employment-Based Nonimmigrant Categories, Items 8. - 9.</b> in the <b>Who May File Form I-765</b> section of the Instructions for information about providing court dispositions.</p>
<p><b>Pages 19-22,</b></p> <p><b>Required Documentation</b></p>	<p><b>[Page 20]</b></p> <p><b>Required Documentation</b></p> <p>...</p> <p>Assemble the documents in the following order.</p> <ol style="list-style-type: none"> <li>1. The appropriate filing fee, if applicable. See the <b>What Is the Filing Fee</b> section of these Instructions for details.</li> <li>2. Your properly signed application.</li> <li>3. You must submit the following documents. <ul style="list-style-type: none"> <li><b>A.</b> A copy of at least one of the following documents: Form I-94, Arrival-Departure Record (front and back), a printout of your electronic Form I-94 from <a href="http://www.cbp.gov/i94">www.cbp.gov/i94</a>, passport, or other travel document. If you are filing Form I-765 under the (c)(9) category, copies of any of the above are not required.</li> <li><b>B.</b> A copy of your last EAD (front and back). If you were not previously issued an EAD, you must submit a copy of a government-issued identity document (such as a passport) showing your picture, name,</li> </ul> </li> </ol>	<p><b>[Page 20]</b></p> <p><b>Required Documentation</b></p> <p>...</p> <p>[no change]</p>

	<p>and date of birth; a birth certificate with photo ID; a visa issued by a foreign consulate; or a national ID document with photo and/or fingerprint. The identity document photocopy must clearly show your facial features and contain your biographical information.</p> <p><b>NOTE:</b> If you are filing under the (c)(33) category, you are not required to submit additional documentation beyond what you submit with Form I-821D under <b>2. What documents do you need to provide to prove identity</b> in the <b>Evidence for Initial Requests Only</b> section of the Form I-821D Instructions.</p> <p><b>C. Photographs</b></p> <p>You <b>must</b> submit two identical color passport-style photographs of yourself taken recently. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.</p> <p>The two identical passport-style photos must be 2 by 2 inches. The photos must be in color with a full face, frontal view, on a white to off-white background. Head height should measure 1 to 1 3/8 inches from the top of your hair to the bottom of your chin, and eye height is between 1 1/8 to 1 3/8 inches from the top of your eyes to the bottom of photo. Your head must be bare unless you are wearing headwear as required by a religious denomination of which you are a member. Using a pencil or felt pen, lightly print your name and A-Number (if any) on the back of the photo.</p> <p>...</p> <p><b>[Page 23]</b></p> <p><b>[New]</b></p>	<p><b>NOTE:</b> If you are filing under the (c)(33) category, you are not required to submit additional documentation beyond what you submit with Form I-821D under <b>Item 2. What documents do you need to provide to prove identity</b> in the <b>Evidence for Initial Requests Only</b> section of the Form I-821D Instructions.</p> <p><b>C. Photographs</b></p> <p><b>Unless you are applying under a category that requires you to appear for a biometric services appointment to submit biometrics, you must</b> submit two identical color passport-style photographs of yourself taken recently. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched.</p> <p>[no change]</p> <p>...</p> <p><b>[Page 23]</b></p> <p><b>Special Filing Instructions for Aliens Ordered Removed and Released on Orders of Supervision – (c)(18)</b></p> <p><b>Aliens who have a final order of removal and have been released from custody on an order of supervision are eligible to seek</b></p>
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		<p>employment authorization only if DHS has determined their removal is impracticable because all countries from whom travel documents have been requested have affirmatively declined to issue a travel document, as evidenced by a completed Form I-220B, Order of Supervision, with annotation from ICE indicating their removal is impracticable for the reasons stated above.</p> <p><b>Final order of removal</b> as used here has the meaning set forth in 8 CFR 1241.1, 1241.31, and 8 CFR pt. 241, subpart B. It also includes final expedited removal orders under INA section 235(b), administrative removal orders under INA section 238(b), judicial orders of removal under INA section 238(c), and reinstated removal orders under INA section 241(a) (5).</p> <p>For <b>initial and renewal applications filed under (c)(18)</b>, you must appear for a biometric services appointment to submit biometrics (fingerprints, photograph, and/or signature) so that USCIS can verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the FBI before making a decision on your application or petition.</p> <p>For <b>initial and renewal applications filed under (c)(18)</b>, you also must submit a certified copy of all arrest reports, court dispositions, sentencing documents, and any other relevant documents. Do not select “Yes” for <b>Part 3., Item Number 4.</b> on the application or submit documentation if you only have had <b>minor traffic violations</b>. Minor traffic violations do NOT include violations that are alcohol- or drug-related. If you were <b>ARRESTED</b> for any traffic offense, select “Yes” for <b>Item Number 4.</b> on the application and provide arrest and disposition documentation so USCIS can properly assess whether your arrest and/or conviction may impact its favorable exercise of discretion in granting employment authorization.</p>
Pages 22-25,	[Page 23]	[Page 23]

<p><b>What Is the Filing Fee?</b></p>	<p><b>What Is the Filing Fee?</b></p> <p>...</p> <p><b>Special Instructions for TPS Applicants.</b> If you are requesting an EAD as an initial TPS applicant, you must pay the Form I-765 filing fee, unless you are under 14 years of age or over 65 years of age. If you are a TPS beneficiary requesting an EAD when filing for TPS re-registration, you must pay the Form I-765 filing fee, regardless of your age.</p> <p><b>Special Instructions for Deferred Action for Childhood Arrivals--(c)(33).</b> All requestors under this category must pay the biometric services fee of <b>\$85</b>. The biometric services fee and the filing fee for this application cannot be waived.</p> <p><b>Special Instructions for Beneficiaries of an Approved Employment-Based Immigrant Petition--(c)(35) and Spouses or Children of a Principal Beneficiary of an Approved Immigrant Petition--(c)(36).</b> All applicants under these categories must submit biometrics. An additional biometric services fee of <b>\$85</b> is required for applicants 14 to 79 years of age, unless waived.</p> <p><b>Special Instructions for Applicants for Commonwealth of the Northern Mariana Islands (CNMI) Long-Term Resident Status—(c)(37).</b> All applicants under this category must pay the biometrics services fee of <b>\$85</b>. The biometric services fee and the filing fee for the I-765 application cannot be waived.</p> <p>[new]</p> <p><b>Exceptions</b></p>	<p><b>What Is the Filing Fee?</b></p> <p>...</p> <p>[No change]</p> <p><b>Special Instructions for Beneficiaries of an Approved Employment-Based Immigrant Petition--(c)(35) and Spouses or Children of a Principal Beneficiary of an Approved Immigrant Petition--(c)(36).</b> All applicants under these categories must submit biometrics. An additional biometric services fee of <b>\$30</b> is required for applicants 14 to 79 years of age, unless waived.</p> <p><b>Special Instructions for Applicants for Commonwealth of the Northern Mariana Islands (CNMI) Long-Term Resident Status—(c)(37).</b> All applicants under this category must pay the biometrics services fee of <b>\$30</b>. The biometric services fee and the filing fee for the I-765 application cannot be waived.</p> <p><b>Special Instructions for Aliens Ordered Removed and Released from Custody on Orders of Supervision--(c)(18).</b> All applicants for an initial, renewal, or replacement EAD under the (c)(18) eligibility category must submit biometrics and pay the <b>\$30</b> biometric services fee. If you fail to appear for your biometric services appointment, you may be ineligible for employment authorization.</p> <p>[no change]</p>
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	<p><b>Initial EAD.</b> If this is your initial application and you are applying under one of the following categories, a filing fee is <b>not</b> required for:</p> <ol style="list-style-type: none"> <li>1. (a)(3) Refugee;</li> <li>2. (a)(4) Paroled as Refugee;</li> <li>3. (a)(5) Asylee;</li> <li>4. (a)(7) N-8 or N-9 nonimmigrant;</li> <li>5. (a)(8) Citizen of Micronesia, Marshall Islands, or Palau;</li> <li>6. (a)(10) Granted Withholding of Deportation;</li> </ol> <p>...</p> <p><b>Renewal EAD.</b> If this is a renewal application and you are applying under one of the following categories, a filing fee is <b>not</b> required for:</p> <ol style="list-style-type: none"> <li>1. (a)(8) Citizen of Micronesia, Marshall Islands, or Palau;</li> <li>2. (a)(10) Granted Withholding of Deportation;</li> </ol> <p>...</p>	<ol style="list-style-type: none"> <li>6. (a)(10) Granted Withholding of <b>Deportation or Removal, or Granted Deferral of Removal under the Convention Against Torture (CAT);</b></li> </ol> <p>...</p> <p>[no change]</p> <ol style="list-style-type: none"> <li>2. (a)(10) Granted Withholding of <b>Deportation or Removal, or Granted Deferral of Removal under the Convention Against Torture (CAT);</b></li> </ol> <p>...</p>
<p><b>Page 27,</b></p> <p><b>Paperwork Reduction Act</b></p>	<p><b>[Page 27]</b></p> <p><b>Paperwork Reduction Act</b></p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of 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 4 hours and 30 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</p>	<p><b>[Page 27]</b></p> <p><b>Paperwork Reduction Act</b></p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of 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 5 hours 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 public</p>

	<p>application. The public reporting burden for the collection of information for Form I-765WS is estimated at 30 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. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0040. <b>Do not mail your completed Form I-765 to this address.</b></p>	<p>reporting burden for the collection of information for Form I-765WS is estimated at 30 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. 1615-0040. <b>Do not mail your completed Form I-765 to this address.</b></p>
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