

Instructions for Filing Form I-765 with the USCIS

(This information substitutes for USCIS instructions which accompany Form I-765.)

Purpose of the Application:

Certain non-immigrants may file a Form I-765, Application for Employment Authorization, to request an Employment Authorization Document (EAD). The EAD is evidence that the bearer is authorized to work in the United States. The USCIS adjudicates a request for employment authorization by determining whether an applicant (1) is eligible, and (2) has submitted the required information and documentation.

Changing OPT starting and ending dates

When you meet with the ISS advisor, he will submit into SEVIS the OPT starting and ending dates you request. If you decide you want to change the dates BEFORE you mail your application to USCIS, ISS can help you. However, once you mail the application, ISS cannot change the dates itself and instead must follow a lengthy procedure with the Nebraska Service Center, which could significantly delay your OPT authorization. So before you mail your application you should be very certain that you have the dates you want.

Required Documentation:

- Form I-765 (*See sample I-765*)
- Photocopy of I-20 that you will receive during the OPT application session with the ISS advisor
- Photocopies of all prior forms I-20**, including the last pages, particularly those containing CPT authorizations
- A copy of your MOST RECENT Form I-94, front and back (make sure the red stamp is visible on the copy)
- Two identical "natural color" passport photos** – These are *U.S.-style* passport photos – passport photos taken in your home country will probably not be acceptable. The photo should be no larger than 2 inches x 2 inches. Lightly print your name and your SEVIS number on the back of each photograph with a pencil to prevent problems should your photographs become separated from your I-765 application. *You can have these photos done at the ID office located next to the Information Desk in WCC.* ISS does not encourage you to attempt to take these photos yourself. For more details on the photograph specifications, please go to:
http://www.travel.state.gov/passport/get/first/first_830.html#Photos
- A copy of BOTH your passport photo page AND your most recent U.S. visa.
- A copy of a **job offer letter stating a specific employment start date** (only if you are going to request expedited OPT processing).
- A copy of your previous EAD, if you have ever had one before. If you are applying for a renewal or replacement, tick the box above Item 1 on the I-765 to indicate whether you are applying for “**Replacement**” or “**Renewal of my permission to accept employment.**”

Fee:

The cost of filing the I-765 is \$380.00. Personal checks or money orders must be in the exact amount and payable to "U.S. Department of Homeland Security." **Personal checks are preferable to money orders** because they can more easily be traced in case of problems.

Where to File:

Regular mail:
USCIS
PO Box 21281
Phoenix, AZ 85036

Express mail or courier:
USCIS
Attn: AOS
1820 E. Skyharbor Circle S
Suite 100
Phoenix, AZ 85034

Note: Make sure you mail your application to the USCIS within 30 days of the date the new OPT I-20 is made. If you delay beyond 30 days, we will need to issue an updated I-20. If your delay also causes you to need to change the requested starting and ending dates, please refer to the section on changing dates on the prior page.

ISS strongly recommends that you make a photocopy of your entire application and that you send it by **"certified mail, return receipt."** The extra cost is approximately \$6.

In the event that there is a delay in the processing of your application, ISS will not be able to help you if you do not have a photocopy of your application and a U.S. Postal Service certified mail return receipt.

Processing Information:

The Nebraska Service Center prefers to receive envelopes with the contents in this order:

1. Check or money order
2. Photographs
3. Form I-765
4. Supporting documentation (photocopies of I-20, I-94, etc.)

About 3-4 weeks after you mail your application, you should get a special receipt letter from the USCIS called an ***I-797C, Notice of Action***. This letter will actually be mailed to ISS, and we will email you to notify you when it arrives. Remember to keep this letter, since it will contain a special number beginning with the letters "LIN..." that refers to your specific application.

The Notice of Action also has a phone number that you can call to **check on the status of your application**. This number is generally busy during the day, so you may have more success getting through late at night. You now also have the option of checking online at <https://egov.uscis.gov/cris/Dashboard/CaseStatus.do>. To do so you must have the LIN number from your Notice of Action.

If you do not receive a Notice of Action within five weeks, please provide ISS with a photocopy of the front and back of your U.S. Postal Service receipt and a photocopy of the front and back of your canceled check or money order.

Decision on Your Application:

If your application is approved, your EAD will be mailed to ISS and the advisor will notify you by email that it has arrived. In the very unlikely event that your application cannot be granted, you will receive an explanation for the denial.

Processing Time:

If you do not receive your EAD within 90 days of the date your Notice of Action gives as the "Received Date," contact the ISS advisor.