



Executive Summary

Revised Form I-765, Application for Employment Authorization Teleconference October 18, 2017

Overview

On October 18, 2017, the U.S. Citizenship and Immigration Services (USCIS), and the Social Security Administration (SSA) hosted a teleconference on the revised [Form I-765, Application for Employment Authorization](#) with the revision date 07/17/17 N.

During this session, representatives from USCIS and SSA reviewed the updates made to the form, provided an overview of the process of obtaining a Social Security Number (SSN), and answered your questions. The questions and answers provided during this call have been outlined in the section below.

Teleconference Q & As

Form Technical Issues

1. **There is a new I-765 floating around that consists of 7 pages, what is the anticipated implementation time for that newer I-765?**

Response: A 60 day public comment period on proposed revisions to Form I-765 ended on December 12, 2017. USCIS anticipates publishing the finalized revision in February 2018.

2. **In the newest I-765 form (dated 7/17/2017) would any future revisions fix the technical glitches, like some boxes won't let you type into in certain systems?**

Response: In order to view, fill out, save, and print our PDF forms, you should use the latest version of Adobe Acrobat Reader, which you can download for free at <https://get.adobe.com/reader/>. Filling out USCIS forms when opened in a browser or used in a different program may cause issues.

3. **On the most recent I-765 (dated 1/17/2017), the one right before the I-765 (dated 7/17/2017), students were able to use a comma in the question pertaining to "Place of your Last Arrival or Entry into the US", and students were able to use a hyphen in "Status at Last Entry". Now in many web browsers when trying to type into the newest I-765 form, students are unable to use a hyphen or comma. Is this being looked at to be fixed?**

Response: In order to view, fill out, save, and print our PDF forms, you should use the latest version of Adobe Acrobat Reader, which you can download for free at

<https://get.adobe.com/reader/>. Filling out USCIS forms when opened in a browser or used in a different program may cause issues. USCIS systems currently allow 30 characters each for Family Name (Last Name), Given Name (First Name), and Middle Name fields. While we understand there may be people with longer names, our system can only accept 30 characters per field. If additional space or explanation is needed, provide the information on a continuation sheet.

4. **Is it O.K. to submit a combination of printed black ink and typed on the form?**

Response: USCIS recommends that applicants complete the online, fillable Form I-765 whenever possible. However, an application containing both legibly handwritten and typed information will be processed. In order to view, fill out, save, and print our PDF forms, you should use the latest version of Adobe Acrobat Reader, which you can download for free at <https://get.adobe.com/reader/>. Filling out USCIS forms when opened in a browser or used in a different program may cause issues.

Student Related Questions (Length of name, Degree, etc.):

5. **In Item 1 "Full Name," there is very little space provided for Family Name and First Name. Most of our students from India and Latin America have long names that do not fit in that space (oftentimes, even half of the name doesn't fit there). Where should these students put their full name?**

Response: USCIS systems allow 30 characters each for Family Name (Last Name), Given Name (First Name), and Middle Name fields. While we understand there may be people with longer names, our system can only accept 30 characters. If the student's full name will not fit in the field, please put as much of the name as possible in the field, and also provide the full name on a continuation sheet.

6. **We have a similar problem with Item 3. The full address often doesn't fit in the space provided, especially when a student needs to add "c/o".**

Response: If the student's address will not fit in the correct field, please put as much of the address as possible in the field, and also provide the full address on a continuation sheet.

7. **The full name of their employer doesn't always fit in the space provided. Is it ok to use the abbreviated name of the employer?**

Response: The form instructions require that the applicant list the employer's name the same as it appears in E-Verify. If the name was abbreviated in E-Verify, it can be abbreviated on the form. If the employer's full name will not fit in the correct field, the applicant can abbreviate the employer's name in the field, but should also provide the full name on a continuation sheet.

8. **On the current I-765 (dated 7/17/2017), does a student have to enter information into question #15 if the information is pre-SEVIS?**

Response: Yes, please follow the instructions and submit all pertinent information.

9. **On the current I-765 (dated 7/17/2017), if a student does not know which USCIS office adjudicated their previous EAD application, and they are unaware of the date it was adjudicated, what is the student supposed to put in question #15?**

Response: The student can look on their approval for which service center adjudicated their employment authorization.

10. **On the current I-765 (dated 7/17/2017), what should students do if their name is too long to fit into the family name or first name boxes in question #1?**

Response: If the student's name will not fit in the correct field, please put as much of the address as possible in the field, and also provide the full address on a continuation sheet.

11. **What if a student is unable to fit all of the information typed into a box on the I-765 form, are they able to also hand write it out, therefore having an I-765 form with typed and handwritten information?**

Response: A combination of typing and legible writing is acceptable.

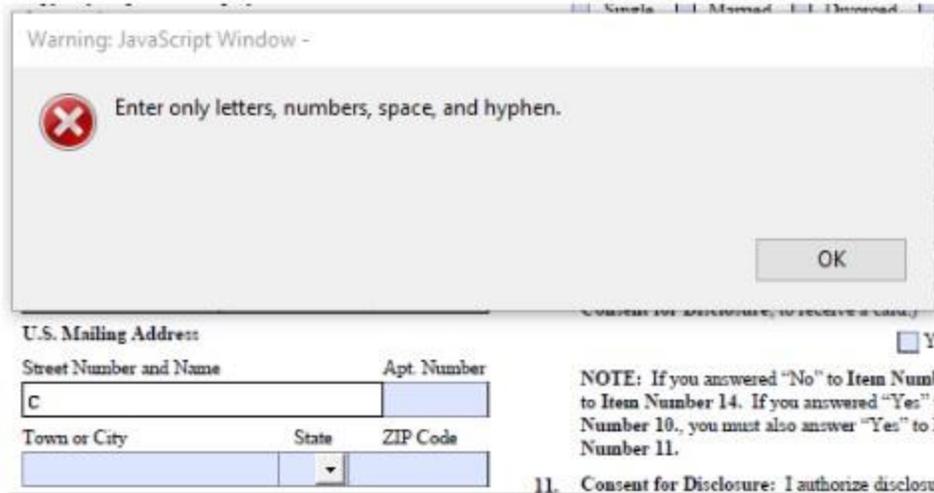
12. **On the current I-765 (dated 7/17/2017), what should be put in #21? Should the Degree be MS CIP CODE, therefore MS 11.0801 as an example, or should the student try to type the name of their degree, for instance, Design and Technology? However, keeping in mind, that the whole name of Design and Technology would not fit.**

Response: The most complete response for this field would include degree level and name of the major (for example "B.A., Design and Technology"). If there are any fields that do not contain sufficient space or for which the applicant would like to provide additional information, such as CIP code, he/she should follow the form instructions for attaching a continuation sheet.

13. **When a student is applying for the OPT STEM Extension, eligibility category C 3 C, should they check off "Permission to Accept Employment" or "Renewal of my permission to accept employment" at the top of the I-765? I am asking because students applying for the STEM Extension are technically extending/renewing their Post Completion OPT, however it is considered a different eligibility category leading me to believe they should be checking off "Permission to Accept Employment".**

Response: Applicants should select "Permission to accept employment," because this will be a request for a new eligibility category of employment authorization.

14. **Typically when advising our students on how to fill out the Form I-765, we ask them to use N/A for fields that are not applicable or C/O on item #3 when using a mailing address other than their own. When filling out the updated I-765 form, I am unable to use the '/' character — when I try, I receive an error:**



In addition, items 9b (Social Security Number) as well as items 12 (Father's Name), 13 (Mother's Name), and 15 (Previous Employment Authorization) are not 'fillable' online. Please let me know if this is intentional so that I can advise our students on best practices. In the meantime, I will encourage them to legibly handwrite the forms.

Response: USCIS systems allow 30 characters each for Family Name (Last Name), Given Name (First Name), and Middle Name fields. While we understand there may be people with longer names, our system can only accept 30 characters. In order to view, fill out, save, and print our PDF forms, you should use the latest version of Adobe Acrobat Reader, which you can download for free at <https://get.adobe.com/reader/>. Filling out USCIS forms when opened in a browser or used in a different program may cause issues. A combination of typing and legible writing is acceptable.

15. I did notice that the [instruction page](#) for the I-765 (page 12, number 2), states that we should include a "continuation sheet" if any information can't fit on the I-765. I suspect this continuation sheet could be used for the name field. Many of students have long first and last names, which unfortunately will not fit in Line 1 of the I-765. If these students with long names submit a continuation sheet, will USCIS use the continuation sheet for the name on the EAD OR will USCIS use the truncated name on Line 1 of the actual I-765? If USCIS uses the latter, the truncated name, then their immigration documents will not match. This mismatch causes real issues for people when they present their documents at their first day at work, or when they apply for driver's licenses at the DMV, or in many other situations.

Response: USCIS systems import the applicant's name from the Name field. The character limitation on the form-fillable Form cannot be manually overridden. In order to view, fill out, save, and print our PDF forms, you should use the latest version of Adobe Acrobat Reader, which you can download for free at <https://get.adobe.com/reader/>. Filling out USCIS forms when opened in a browser or used in a different program may cause issues.

16. Can we use Form I-765WS to show full names?

Response: No. If the student's name will not fit in the correct field, please put as much of the name as possible in the field, and also provide the full name on a continuation sheet.

17. **My question is regarding Question 2. on the Form I-765, "Other Names Used." Suppose the Applicant's full legal name is John Paul Smith. At times, he has been known as and/or had documents issued under *abbreviated forms of that same name*, such as "John Smith" or "John P. Smith." Should these variations be included in the list of other names used?**

Response: Yes. Please include all name variations and nicknames used. (E.g., Johnny Smith, if used)

18. **For question 15, there is a box indicating 'Dates'. First, what 'dates' does this reference - the dates that are on the previously issued EAD? And the form itself only allows the student to input 1 date, not a range. How should students proceed?**

Response: The student should indicate when he/she applied for employment authorization; for example, "August 2016", or at least provide the year of the request. If he/she has had multiple EADS, he/she might indicate "2013-2016". If these annotations do not fit properly into the designated fields, the information can be provided by following the form instructions for attaching a continuation sheet.

19. **If a student was issued an EAD in the past but lost it and does not have a copy of it to include with the new OPT packet, should they write a memo indicating the dates of the previously granted EAD?**

Response: Applicants should provide any available information, such as Receipt number, validity dates, approximate date of filing, and/or category of employment requested.

Address:

20. **If an I-765 applicant's US mailing address changes after the applicant files the I-765 with USCIS, USCIS allows for change of addresses to be submitted either online or via telephone to the National Customer Service Center. Will address updates made to USCIS automatically be transmitted to the Social Security Administration if the applicant requests a Social Security Number through the new I-765? Or does the applicant have to contact SSA directly?**

Response: It depends on how the applicant notifies USCIS of the address change. Applicants should follow the instructions on <https://www.uscis.gov/addresschange> to ensure USCIS has the correct address on any pending applications. Applicants with pending I-765s should follow the two-step process outlined on the address change web page. The applicant does not have to contact SSA directly. SSA will receive the address in the USCIS system at the time of I-765 approval. If there is an address change, it must be updated in USCIS's case management system prior to approving the I-765; otherwise, SSA will get the old address.

21. **Since there is no field in question 3 U.S. mailing address for "c/o" if the applicant is having mail sent to an office or other non-residential address, where do you suggest that we put our office name, since the student's name is not associated with our office?**

Response: The revised Form I-765 will include a data field for “in care of” addresses. For the Form I-765 dated 07/17/17—which does NOT have an “in care of” address field, applicants should enter the “in care of” information in box # 3 “U.S. Mailing Address.”

Social Security Related Questions:

22. **If a student received their EAD card and they do not have a SSN, when can they go to SSA to apply for SSN? It was stated in call, if a student requests SSN with I-765 and did not receive SSN within the 7 days; they could then go to SSA (or call). What about a student that did not request SSN on I-765? Can they go to SSA after they receive their EAD card? We had always been told by SSA that the student had to have EAD card AND it must be after start date in order to apply for SSN. Although students have also gone close to their start date (with card) and were able to apply. Please clarify.**

Response: SSA will mail you a SSN card within 7 days **after** USCIS approves your I-765. If you do not receive SSN card within 7 days, you should visit your local Social Security office with all original documents including your EAD card. Students who did not request an SSN via the I-765 may go to a local SSA office after they receive their EAD card. For clarification the following information applies:

- Students may not apply for an SSN before the start date indicated on their EAD.
- Students may apply for an SSN with an EAD 30 days before the start of their classes.
- For more information regarding international students and Social Security Numbers please visit <https://www.ssa.gov/pubs/EN-05-10181.pdf>.

23. **For EAD and SSN cards, since USCIS only sends EAD cards for F-1 students to the address in SEVIS, will the SSN also go to the address in SEVIS (without regard to the address listed on the I-765). We see a lot of students entering a different address on I-765 than is listed on their I-20 (in SEVIS). In such, the cards get returned and the students do not know why.**

Response: Both the Employment Authorization Document and the Social Security cards will be mailed to the address listed on the I-765 unless USCIS receives an address change prior to approval.

24. **We imagine there will be situations in which a student applies for a Social Security card using the I-765, submits the I-765 to USCIS, and then soon after submission receives a job offer for on-campus work or CPT (to begin during the current program, before post-completion OPT is approved). In order to begin working, this student would use the current job offer letter to apply for a Social Security number. What would happen in this situation? Would there be any negative impacts on the student? Would the Social Security Administration know not to process a second Social Security number from the I-765 application? Is it possible that the student could receive two Social Security numbers?**

Response: You should only **choose one** option to apply for a SSN card, so not to receive multiple cards as we do have limits on SSN cards. SSA will match the applicant’s information from the I-765 against their existing SSA records, and if the applicant already has applied for an SSN, then SSA will issue a replacement card.

Employers have certain responsibilities when hiring foreign workers. If a worker applied for but has not yet received a SSN, employers should get the following information as complete as possible: the worker's full name, address, date of birth, place of birth, father's full name, mother's full name, gender and date he or she applied for a SSN. See www.ssa.gov/employer/hiring.htm for additional guidance on what the employer should do if an employee is waiting on SSN to be issued.

25. How would the SSA office know if the student is requesting a re-printed SSN card or requesting a new number if they don't provide an answer to question 9b? SSA

Response: Students (applicants) should do due diligence by providing SSA their previously assigned SSN. This will ensure we properly issue the replacement SSN card. In situations where the student (applicant) does not provide the answer to question 9b, we will search our records to look for a previously assigned SSN based on the identifying data, such as the student's name and DOB provided on the current I-765. Students (applicants) should do due diligence in providing the correct spelling of their name on their previously assigned SSN and DOB to ensure they receive a replacement SSN card with the SSN they were assigned.

26. What would be the process for I-9 if the student has a job beginning on the first day of OPT received their EAD and hasn't received the SSN? How would they prove to their employer that they did apply for the SSN?

Response: This response can be found on page 5 of the [instructions for the Form I-9](#). "U.S. Social Security Number: Providing your 9-digit Social Security number is voluntary on Form I-9 unless your employer participates in E-Verify. If your employer participates in E-Verify and:
1. You have been issued a Social Security number, you must provide it in this field; or
2. You have applied for, but have not yet received a Social Security number, leave this field blank until you receive a Social Security number."

27. If an R-1 visa applicant already has an SSN, can we ask on the form again to be issued a new card to avoid having to go to the local social security office later to request one without the line 'work with USCIS authorization only'?

Response: We do not recommend that a Religious worker with category code of R-1 apply for another SSN card through the I-765 process because the R-1 will receive a replacement SSN card with a legend of "VALID FOR WORK ONLY WITH DHS AUTHORIZATION."

Only the following four categories will receive an unrestricted card:

- Refugees with category code of A3
- Asylees with category code of A5
- Lawful Permanent Residents
- U.S. Citizens

28. The USCIS representative stated that the new form lists 7 new data fields or boxes (9A, 10, 11, 12 A and B and 13A and B). If an applicant chooses NOT to apply for a social security number (SSN) when completing Form I-765, he/she should indicate "No" in box 10 and box 11 and the skip the next 4 boxes (12A, 12B, 13A and 13B). I just wanted to confirm that an applicant who already has a valid SSN can skip question 9a (Has the SSA ever officially issued a social security

card?) and only respond to 9b. by listing their SSN. Similarly, an applicant who does not have a SSN but also does not wish to apply for an SSN can skip 9a and leave 9b. blank.

Response: The Instructions for completing Form I-765 direct applicants to “answer all questions fully and accurately.” Applicants are also directed to “State that an item is not applicable with ‘N/A.’ If the answer is none, write ‘None.’” Furthermore, the Instructions for completing Form I-765 state: “Once Form I-765 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your Form I-765.” Therefore, if an applicant already has an SSN or does NOT wish to apply for an SSN when completing Form I-765, he/she should answer question 9A by indicating either “Yes” or “No” rather than skipping the question. If the applicant does not know his/her SSN, or has never been issued one, he/she should indicate “Yes” to question 9A and enter “N/A” in response to question 9B. In addition, an applicant not wishing to apply for an SSN can indicate “No” in box 10 and box 11 rather than skipping these questions. USCIS must have a “Yes” response in both question 10 and 11 to send the necessary data to SSA for SSN production.

29. **A question was asked about what information on the I-765 would be shared with SSA, but I didn't catch all the box numbers. Please send me a list of the box numbers whose information will be forwarded to SSA.**

Response: If the applicant’s Form I-765 is approved by USCIS and questions 10 and 11 on page 1 are both marked ‘Yes’, USCIS will electronically submit data from the following boxes to SSA: Boxes 1-7 (Full Name, Other Names Used, U.S. Mailing Address, Country of Citizenship or Nationality, Place of Birth, Date of Birth, Gender) as well as data from Boxes 9b-14 (SSN if known, Do you want the SSA to issue you a Social Security card?, Consent for Disclosure, Father’s Name—Family Name, Given Name, Mother’s Name—Family Name, Given Name, Alien Registration Number or Form I-94 Number (if any)).

30. **You mentioned the boxes on the form pertaining to a social security card can also be used to apply for a replacement of a lost or stolen card. If an applicant would like to receive a replacement card, there is no space on the I-765 form to clarify this. Will the Social Security Administration assume this is the case and send a duplicate card? Assume box 9a is checked “yes” and box 9.b. is left blank, (because the applicant has been issued a card but does not remember the number because it was lost.)**

Response: SSA will match the applicant’s information from the I-765 against their existing SSA records, and if the applicant already has applied for an SSN, then SSA will issue a replacement card.

31. **The new I-765 (7/17/17) has name fields limited to:**

Family name – 18 characters/spaces

First name – 14 characters/spaces

Middle name – 11 characters/spaces

SSA has specific system issues of character limitations of names, addressed

here: <https://secure.ssa.gov/poms.nsf/lnx/0110205125> (first/middle names - 16 characters each, last name – 21 characters). The Form I-765 and SSA system have inconsistencies in

character limits – please address/comment on this matter. These limits don't help applicants with a long/too many names. Please address/comment on the following:

- For example, I have an international student from Brazil (a typical population for this issue) with:

First name: 5 characters

1st family name: 10 characters

2nd family name: 9 characters

3rd and primary family name: 7 characters

This student, as an example, has had difficulties to get his full name in his legal documents matched up and it was impossible at the end. As a result, he had to deal with a state DMV who didn't want to accept his application for a state license because none of his documents have the same exact name (due to the U.S. systems that cannot display his full name on federally issued documents).

- Another example – student received an EAD with the middle name initial. SSA said that they cannot verify her identity as all other legal documents (except EAD) shows her spelled out middle name. These two names (initial only vs. spelled-out) are not the same in SSA's eyes. With this EBE program, will this type of issue be eliminated?

Please issue a temporary guidance to eliminate these issues – Problems of not being able to timely get a SSN, state license, etc. are affecting negatively international students/scholars' lives in the U.S. The I-765 instructions (<https://www.uscis.gov/sites/default/files/files/form/i-765instr.pdf>, page 12, #2) indicate: *"If extra space is needed to complete any item, attach a continuation sheet, write your name and A number, at the top of each sheet of paper, indicate the Part and item number to which your answer refers, and date and sign each sheet."* I wonder if these supplemental information on extra sheets would solve above mentioned issues.

Response: We will consider increasing the field length on our forms. USCIS systems allow 30 characters each for Family Name (Last Name), Given Name (First Name), and Middle Name fields. While we understand there may be people with longer names, our system can only accept 30 characters. In order to view, fill out, save, and print our PDF forms, you should use the latest version of Adobe Acrobat Reader, which you can download for free at <https://get.adobe.com/reader/>. Filling out USCIS forms when opened in a browser or used in a different program may cause issues. A combination of typing and legible writing is acceptable. If these annotations do not fit properly into the designated fields, the information can be provided by following the form instructions for attaching a continuation sheet.

Special Cases:

32. I work primarily with survivors of human trafficking (T and U Nonimmigrant status, VAWAs, SIJS). For these cases, if we put our organization's address as their address on the I765 (since we're their mailing/safe address), it sounds like our office will get the SS cards? Will it create any issues if Social Security has our address on file as their address? Frequently these clients do not have our safe mailing address. Sometimes our office is in a different county or city than

the client's. We could have them change it once their case is closed or even once they receive their card (although they may not have another mailing address).

Response: If question 3 on page 1 of the Form I-765 is filled in with a Safe Address, the Safe Address will receive the SS card. USCIS is not aware of the impacts the address might have on SSA's processes. SSA would have to answer whether it will keep this address on file and mail all correspondence to the Safe Address or just use it to mail the Social Security card. The SSA [website](#) further explains the process.

- 33. Our office represents crime and domestic violence victims in U visa, T visa, SIJS and VAWA Self-Petition cases, so we file all our clients' I-765 forms with USCIS's VAWA Unit at the Vermont Service Center, which keeps our clients' addresses confidential for safety reasons. On the I-765 form we either indicate our clients' actual mailing addresses or indicate a confidential address, but USCIS always mails the approvals and EADs to our office, nonetheless.**

Response: If question 3 on page 1 of the Form I-765 is filled in with a Safe Address, the Safe Address will receive the SS card.

- 34. If our clients choose the option of applying for a social security card or a replacement card on the new I-765, where will the Social Security Administration send the card? Since SSA will be getting the information from the VAWA Unit of USCIS, will it get our office's mailing information, as well? Or will SSA be receiving a copy of the I-765 form itself and automatically mail the card to the address listed on the I-765?**

Response: The card will be mailed to the address provided in the response to question 3, on page 1 of the Form I-765. USCIS is only providing the address information submitted in the response to question 3, on page 1 of Form I-765. USCIS will not be providing SSA a copy of the applicant's approved I-765 form.

- 35. I have Refugee clients who had been waiting on their Refugee adjustment case (Form I-485) to get approved since 2015. Refugee client's EAD card also expired. My question is if refugee client renew their EAD card, do they need to pay filing fee? Where do they need to send Form I-765 applications? What category do they need to use.**

Response: A Refugee does not need to be in possession of a valid EAD card in order to be eligible to work. However, if an individual with Refugee status would like to obtain a renewal card, he or she should be applying under eligibility category (a)(3) and follow the filing instructions on the [USCIS website](#) for the direct filing address. A refugee who has applied under INA 209 to adjust to lawful permanent resident status using Form I-485, Application to Register Permanent Residence or Adjust Status, should file Form I-765 under category (a)(3) as a refugee. The refugee should not file Form I-765 under eligibility category (c)(9) as an INA 245 adjustment applicant.

An Adjustment of Status applicant who filed Form I-485 and paid the appropriate Form I-485 filing fee does not need to pay for a renewal EAD. If the applicant did not pay the appropriate Form I-485 fee because the I-485 filing fee was waived or the refugee was exempt from paying it, the applicant must pay the Form I-765 filing fee or request that the filing fee be waived.

36. **Refugees should continue to go to the SSA office to apply for a card shortly after arrival; however, we have some refugee clients who have been turned away from applying at that agency. Can you share with me a link to a policy that we can share with the representatives at SSA to show them that they should still process SSN applications for refugees, or direct me to the appropriate agency to get that information?**

Response: Please refer to [RM 10211.185- Evidence of Refugee Status for an SSN Card](#).

Refugees have different ways to apply for and obtain an SSN card. However, it is important to note that they should choose only one option to apply for an SSN card, to prevent multiple cards being issued, as we do have lifetime limits on the issuance of cards. Refugees have work authorization inherent to their immigration status. They may apply for a SSN utilizing EBE via the I-765 Application for Employment Authorization or visit a local Social Security Office with their I-94 Arrival Form and DoS Transportation Boarding Letter. We understand that for refugees the EAD may take longer to receive and they may want to begin searching for work immediately. Therefore, it is suggested that if the refugee wants to begin work immediately they apply for their SSN at a local Social Security Office using their I-94 rather than applying for the SSN as part of the EAD process. As we mention above the refugee should only choose one of those options to apply for a card so as to not receive multiple cards as we do have limits on SSN cards.