



June 9, 2021

PA-2021-10

Policy Alert

SUBJECT: Employment Authorization for Certain Adjustment Applicants

Purpose

U.S. Citizenship and Immigration Services (USCIS) is updating policy guidance in the [USCIS Policy Manual](#) to increase the amount of time a grant of employment authorization is valid for applicants seeking adjustment of status under Section 245 of the Immigration and Nationality Act (INA).

Background

When an applicant applies for adjustment of status, he or she may also apply for employment authorization so that the applicant may work in the United States while waiting for a decision on the adjustment application. Currently, USCIS issues adjustment applicants Employment Authorization Documents (EADs) that are valid for 1 year. However, in the interest of reducing the burden on both the agency and the public, because the current median processing time for certain adjustment of status applications is close to or greater than 1 year, USCIS will now issue initial and renewal EADs to adjustment applicants that are valid for 2 years. Replacement EADs will not be affected by this update; USCIS will continue to issue replacement EADs with the same validity dates as the original EAD.¹

This guidance, contained in Volume 10 of the Policy Manual, is effective immediately. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

Policy Highlights

- Updates the validity period for initial and renewal EADs issued to applicants for adjustment of status under INA 245 from 1 year to 2 years.

Citation

Volume 10: Employment Authorization, Part B, Specific Categories, Chapter 4, Adjustment Applicants Under INA 245 [[10 USCIS-PM B.4](#)].

¹ An applicant files for a replacement EAD if his or her card has been lost, stolen, mutilated, or when the previously issued card contains erroneous information, such as a misspelled name.