



[Home](#) > [Newsroom](#) > [All News](#) > [Alerts](#) > USCIS Increases Employment Authorization Document Validity Period for Certain Categories

# USCIS Increases Employment Authorization Document Validity Period for Certain Categories

Release Date : 09/27/2023

We are updating guidance in the [Policy Manual](#) to increase the maximum validity period to 5 years for initial and renewal Employment Authorization Documents (EADs) for certain noncitizens who are employment authorized incident to status or circumstance, including those admitted as refugees, paroled as refugees, and granted asylum, as well as recipients of withholding of removal.

We are also increasing the maximum validity period to 5 years for initial and renewal EADs for certain noncitizens who must apply for employment authorization, including applicants for asylum or withholding of removal, adjustment of status under INA 245, and suspension of deportation or cancellation of removal.

The updated guidance also explains the categories of noncitizens who are automatically authorized to work (also known as being employment authorized incident to status or circumstance) and provides more information on who can present a Form I-94, Arrival/Departure Record, to an employer as an acceptable document showing employment authorization under List C of Form I-9, Employment Eligibility Verification. The Form I-94 must be accompanied by identity documentation for purposes of employment authorization. Finally, this guidance clarifies that certain Afghan and Ukrainian parolees are employment authorized incident to parole.

Increasing the maximum EAD validity period to 5 years is intended to significantly reduce the number of new Forms I-765, Application for Employment Authorization, we receive for renewal EADs over the next several years, contributing to our efforts to reduce associated processing times and backlogs. However, whether the noncitizen maintains employment authorization remains dependent on their underlying status, circumstances, and EAD filing category. For example, if an individual received an EAD under the (c) (9) category based on a pending adjustment of status application for the maximum validity period of 5 years, and the adjustment application is then denied, their ancillary employment authorization may be terminated before the expiration date listed on their EAD.

For more information, please see the [Policy Alert \(PDF, 352.94 KB\)](#).

