



December 4, 2025

PA-2025-27

## Policy Alert

SUBJECT: Updating Certain Employment Authorization Document Validity Periods

### Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to update the maximum validity periods for Employment Authorization Documents (EADs, Form I-766) for certain EAD categories.

### Background

An alien must have employment authorization to work in the United States. While certain classes of aliens are authorized to engage in employment through their immigration status, commonly referred to as employment authorization incident to status, other classes of aliens are authorized to engage in employment only if they apply for, and are granted, such authorization by USCIS.<sup>1</sup> USCIS has the discretion to assign the validity period for EADs issued to aliens in each of the categories of employment authorization.<sup>2</sup>

On July 4, 2025, the President signed into law An Act to Provide for Reconciliation Pursuant to Title II of H. Con. Res. 14 (H.R.-1, also referred to as the One Big Beautiful Bill Act). This update incorporates changes to EAD validity periods required by that legislation and implemented by DHS on July 22, 2025, as announced by USCIS in its Federal Register [notice](#) and [Web Alert](#).<sup>3</sup> Therefore, for employment authorization (or EADs) under eligibility categories (a)(4), (a)(12), (c)(11), (c)(19), and (c)(34), this update reflects changes in the law applicable to requests that are pending or filed on or after July 22, 2025.<sup>4</sup>

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<sup>1</sup> See [8 CFR 274a.12\(a\)](#) and [8 CFR 274a.12\(c\)](#).

<sup>2</sup> See [8 CFR 274a.12\(a\)](#) (“USCIS may, in its discretion, determine the validity period assigned to any document issued evidencing an alien's authorization to work in the United States.”). See [8 CFR 274a.12\(c\)](#) (“USCIS, in its discretion, may establish a specific validity period for an employment authorization document, which may include any period when an administrative appeal or judicial review of an application or petition is pending.”).

<sup>3</sup> See H.R.1—One Big Beautiful Bill Act (H.R.-1), Subtitle A, Title X of [Pub. L. 119-21](#), 139 Stat. 72 (July 4, 2025) (establishing statutorily required validity periods for EADs issued to parolees and those with temporary protected status). See [90 FR 34511](#) (Jul. 22, 2025) (announcing implementation of H.R.-1). See [USCIS Updates Fees Based on H.R.1](#) (July 18, 2025) (announcing publication of notice in the Federal Register regarding H.R.-1 fees and highlighting the new validity periods for parole and TPS categories required by H.R.-1).

<sup>4</sup> See [90 FR 34511](#) (Jul. 22, 2025). See [USCIS Updates Fees Based on H.R.1](#) (July 18, 2025). An EAD in one of the applicable categories issued between July 4, 2025, and July 22, 2025, with a validity period longer than 1 year retains the validity date stated on the EAD unless termination is otherwise appropriate.

Additionally, USCIS is making changes to validity periods for certain other EAD categories to enhance its screening and vetting efforts, enable detection of aliens with potentially harmful intent, deter fraud, and place removable aliens into proceedings. USCIS uses all provisions under the law to deny benefits to those who are a risk to public safety and national security. This update therefore also rescinds aspects of USCIS' guidance of September 27, 2023, and reduces the validity period for certain EAD categories so that USCIS can more frequently review an alien's background for these concerns and take appropriate action when they arise.<sup>5</sup> This guidance, contained in Volume 10 of the Policy Manual, is effective on December 5, 2025, and applies to requests for employment authorization (or EADs) under eligibility categories (a)(3), (a)(5), (a)(10), (c)(8), (c)(9), and (c)(10) that are pending or filed on or after that date.

The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance.

### Policy Highlights

- Updates the maximum validity period for initial and renewal EADs from 5 years to 18 months for those admitted as refugees, granted asylum, granted withholding of deportation or removal, for those with pending applications for asylum or withholding of removal, those with pending applications for adjustment of status under INA 245, and for those with pending applications for suspension of deportation or cancellation of removal.<sup>6</sup>
- Updates the maximum validity period for initial and renewal EADs for those paroled as refugees from the end date of the authorized parole period, not to exceed 5 years, to the end date of the authorized parole period or 1 year, whichever is shorter.<sup>7</sup>
- Updates the maximum validity period for initial and renewal EADs for parolees from the end date of the authorized parole period to the end date of the authorized parole period or 1 year, whichever is shorter.<sup>8</sup>
- Updates the maximum validity period for initial and renewal EADs for those who have or are applying for temporary protected status, from the length of the alien's temporary protected status or any TPS renewals or extensions, to the length of temporary protected status or any TPS renewals or extensions, or 1 year, whichever is shorter.<sup>9</sup>
- Updates the maximum validity period for initial and renewal EADs for spouses of an entrepreneur parolee from the end date of the authorized parole period to the end date of the authorized parole period or 1 year, whichever is shorter.<sup>10</sup>

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<sup>5</sup> See [Employment Authorization Document Validity Period for Certain Categories](#), PA-2023-27, issued September 27, 2023.

<sup>6</sup> See [8 CFR 274a.12\(a\)\(3\)](#), [8 CFR 274a.12\(a\)\(5\)](#), [8 CFR 274a.12\(a\)\(10\)](#), [8 CFR 274a.12\(c\)\(8\)](#), [8 CFR 274a.12\(c\)\(9\)](#), and [8 CFR 274a.12\(c\)\(10\)](#).

<sup>7</sup> See [8 CFR 274a.12\(a\)\(4\)](#).

<sup>8</sup> See [8 CFR 274a.12\(c\)\(11\)](#).

<sup>9</sup> See [8 CFR 274a.12\(a\)\(12\)](#) and [8 CFR 274a.12\(c\)\(19\)](#).

<sup>10</sup> See [8 CFR 274a.12\(c\)\(34\)](#).

## **Summary of Changes**

Affected Section: Volume 10 > Part A > Chapter 4 > Section C, Decision

- Revises tables in Subsection 1 (Approval).

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

## **Citation**

Volume 10: Employment Authorization, Part A, Employment Authorization Policies and Procedures, Chapter 4, Adjudication [[10 USCIS-PM A.4](#)].