

Updated USCIS Form Creates Streamlined Path to EAD and Social Security Number

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By [Philip A.S. Shepherd](#)



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Applicants looking to take advantage of the streamlined filing option will only need to complete and submit an updated Form I-765, Application for Employment Authorization, along with the required supporting documentation, and check the box marked “Yes” under “Consent for Disclosure.” USCIS will forward the necessary data to the SSA for processing. As a result of this new option, USCIS anticipates that an applicant will receive his or her social security card within two weeks following the approval of the underlying Form I-765.

In order to be lawfully employed in the United States, foreign nationals in some employment classifications must have an employment authorization document (EAD) and a properly assigned social security number. EADs communicate to potential employers that an individual is authorized for employment in the United States for a specific time period and the category under which the individual qualifies. The new, streamlined application process, therefore, is a welcomed upgrade, as previously an applicant had to file Form I-765 with USCIS and wait to receive the approved EAD before submitting additional paperwork, in-person, at his or her local SSA office in order to receive issuance of a social security number.

While the new process is less cumbersome and time-consuming, applicants are not required to utilize this new option. As long as an individual has the required employment authorization, an employer may begin the individual's employment while his or her social security number application is pending. The individual may provide the employer with a letter from the SSA showing that the application is under process. Responsibility still rests with the employer, however, to take reasonable action to follow up with the individual to update his or her social security number.

Guidance available from USCIS so far does not specify which categories or classifications will be able to utilize the new filing process. [Ogletree Deakins' Immigration Practice Group](#) will continue to monitor and report on developments on this issue as additional information becomes available.

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