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## Another EAD story

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Submitted by Chief Editor on Mar 13th 2004

**Name:**

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**Country:**

United States

Applied for EAD in first week of Jan (paper filing) and because of some issue with I got the application back on 26th sent again on 27th received by NSC on 28.. I got the receipt with the RD of 28 and ND of 30th ... My current EAD was expiring on Mar 12. I was waiting and checking the status every day, but when it did not get approved till like 2nd or 3rd march. I started talking with my attorney; I also talked with Rajiv and my company's attorney. (I don't want to offend the knowledgeable peoples on this forum but I would suggest that, if you are confused about your issue then it is better to talk to attorney, though it costs money, but you get better and reliable advice)

These are some of the responses I got...

1. Take vacation: - basically you cannot work for that duration of time... you can take paid or unpaid vacation, you cannot WORK,
2. Got to INS and plead them to issue you IEAD.
3. Per one of the attorney, the MOST EXTREME step you can take is (if applicable) you can sort of file a lawsuit against INS, for example (that when you applied the EAD it was taking about day 30-40 days and you applied about 50 days before but, because INS has slowdown the work and they are taking say 100 days to approve, which will cause me to take vacation and will cause so much loss, etc, etc. and per her instead of fighting the case INS will normally approve you case, and you will end up withdrawing your case), but your EAD will get approved.(and if you have the question, SHE was not sure that this will work for 485 case because 485 involves FBI and background check and other national security related issues, as this was my very next question)

So, I took the second route...

I took following documents ( as I was went on Mar 11, before 90 days). I talked with my Att. got a letter format which says mainly ?I work for company this and all usual thing, you have in employment varification letter, along with the line which says please reissue me a IEAD so that I can keep working for the company...? I got it signed from my HR.

Other documents I took...

1. Filled 765 form
2. Original receipt.
3. Above described letter from My HR.
4. Current EAD Card (original and few copies).

Apart from these I took following document...

1. Copy of 485 receipt notice.
2. Copy of 140 Approval Notice.
3. Copy of offer letter.
4. Copy of I-94

Basically all documents, which can say that I am still working, and I am in a valid status in USA...

I reached TCS Dallas district office at I-35 at about 4:50 AM, there were about 40 people already there, to my surprise now a days they start working on 6:30 AM, any way they opened the ticket window at about 6:10 AM, at about 7:50AM, I was at ticket window.

This was the conversation...

Me = ?I am here to get IEAD as our ( me and my wife) EAD is expiring tomorrow.?

him = ?let me see you EAD ??

I gave him old EAD

him = ?have you applied for renewal yet.?

Me = ?Yes?

him = ?can I see the receipt notice .?

I gave the receipt notice. After looking at the RD, he says it is not 90 days yet you have to come back after 90 days.

Me = ?I have letter from my company.?

Him = ?let me see letter.?

I gave mine and my wife's letter which I got from my company... he passed that letter to one immigration officer lady sitting behind him. She started reading the letter and nodded to him to give me tokens but before he gave me tokens.. She says, "It does not says that there is any emergency. I cannot accept this letter.?"

Me = ?If I do not get the EAD Company will terminate my job.?

her = ?But it does not says this on the letter. How I believe that you are not making it up.?

Me = ?If company writes it on letter, then you will believe me...?

Her = ?Yes, They have to write.?

After this, I tried to talk her for couple of minutes, but she just refused, and we were out of the line at about 7:00.

After coming out of the line I tried to get hold of my Attorney, but could not contact him. From here I went to my corporate office (which is just next exit from INS Office), talked with the HR Director and she updated my and my wife's letter within couple of hour.

So I went back to INS Office at about 9:30 AM. Again in the line luckily, there were only about 100-120 people in line at that time. We reached the Token counter again at about 11:00AM. This time the Immigration officer lady was not there but the gentleman recognized us. So we just showed the new letter, which says, ?as per INS Regulations Company will required to terminate my employment?. He said ?You I do not have 90 days. But I will give you token and let see what happens inside??

Anyway we quickly took the tokens from him and run towards the entry (Before he changes his mind again).

At about 11:05 we were in the waiting hall of the Dallas District INS office? we got token # B231 and B232. When we entered they were processing B222 and B223. We got our number in about 15 minutes? we went to the counter gave both tokens to the immigration office lady at the counter. After seeing the receipt notice. She again calculated the number of days and said, ?She cannot do any thing. I have to come back again after 90 days.?

Me = ?my company will terminate me, if I do not get EAD.?

Her = ?Do you have a letter from your company saying the same?

Me = ? Yes?

I gave letters (our both) to her. After reading one letter. She looked satisfied and asked if we have a filled 765 form. We had the already filled forms with us. She took following documents from US.

1. Form 765.
2. Original EAD.
3. Original Letter from Company.
4. Original Receipt Notice for renewal.

After asking us to wait, she went inside, after about 5-7 minutes. She came back with a brown sealed envelop in her hand (along with a new appointment letter). She gave us that envelope and asked us to take that envelop to another INS office (at I-35 and Inwood Rd.) about 2 miles south. And told that DO NOT OPEN the envelop and give it to the I765 Room, in the new office and they will give you IEAD? We Thanked to lady and came out side it was about 11:35AM. At new location we had appointment at 12PM.

We reached new INS location in about 10 minutes. Went inside. There were about 4-5 peoples were waiting there. There were 3-closed door in the room with the number 1,2 and3. We pushed our envelop in a mail Hole in door#1 as directed by the security guard. After about 30 minutes the door opened and a lady called our names, gave a card to sign, took polarized picture ID photo? laminated card and gave it to us (about 10 minutes). She gave the IEAD, which is valid until 11/10/2004 (Till November!!!). We were out of the INS office before 1 PM, thanking GOD and promising that next time we are filing at least 120 days before.

From there we went back to our corporate office. Thanked the HR Director and filled new I-9 form. And took off for rest of the day? went home and slept till evening (good sound and worry free sleep after about a week).

Basically I was quite impressed with the efficiency the INS officers were working. I could not believe that this is the same department where my 485 case is pending for more the 2 years. In all it took about 20 minutes total to process my EAD PLUS about 40 minutes of wait time inside PLUS more then 3 hours of wait in line. But as they say ?All is well that ends well??

### **Taxonomy upgrade extras:**

Dallas [2]

EAD [3]

Texas [4]

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### **Links:**

[1] <https://immigration.com/community-stories/another-ead-story>

[2] <https://immigration.com/usa/usa/texas/dallas>

[3] <https://immigration.com/law/immigration-law/ead>

[4] <https://immigration.com/usa/usa/texas>