

## J-2 Employment Authorization Application Process

**Purpose of J-2 work authorization:** J-2 dependents may apply to USCIS for employment authorization provided that the income from such employment will not be used for the support of the J-1 principal participant. If permission for employment is granted, it is valid for employment in any field without limitation as to full or part time. The period of authorized employment is indicated on the EAD card. If the J-2 dependent wishes to extend his/her work permission, the J-2 must apply for employment authorization again after an extension of stay has been obtained from the J-1 program sponsor on behalf of the J-1 participant (if necessary). If the current EAD expires while the renewal EAD is pending, the J-2 must wait until the new EAD is in hand and the EAD start date has arrived to return to work.

**Taxes and Social Security:** J-2 dependents who work in the U.S are subject to Social Security Taxes, Federal Income Taxes, and State Income Taxes. See IRS publication 519, "United States Tax Guide for Aliens." Dependents can apply for a Social Security Card after obtaining an Employment Authorization Document.

### Application Checklist:

1. Form I-765: <https://www.uscis.gov/i-765><sup>1</sup>  
*\*Instructions for completing the I-765 are available at <https://www.uscis.gov/i-765>*  
*\*The eligibility category for J-2 dependents is (c) (5) ( ) and don't forget to sign and date the form.*
2. Form G-1145: <https://www.uscis.gov/g-1145>.
3. Written statement with any applicable supporting evidence (such as proof of J-1's funding information) showing that the employment is not necessary to support the J-1 but is for other purposes. A sample letter is on page 2.
4. Personal Check or Money Order<sup>2</sup> for the amount for paper filing in the [fee schedule](#) made payable to US Department of Homeland Security.<sup>3</sup>
5. Photocopy of J-1's DS-2019, passport identification page, visa and I-94 record<sup>4</sup>
6. Photocopy of J-2's DS-2019, passport identification page, visa and I-94 record
7. For renewal applications, include a copy of the previous EAD(s)
8. Two (2) identical color photographs. Follow the specifications in the I-765 instructions or on this web site: <http://travel.state.gov/content/visas/english/general/photos.html>

**Sending your Application:** Before sending your application to USCIS, always check their website for the most current mailing address:<sup>5</sup> <https://www.uscis.gov/i-765-addresses>

Make sure to check for your category (typically listed under the "Foreign Students" section) and follow the directions on the page to find the mailing address.

You will receive a receipt notice<sup>6</sup> with your case number in the mail from USCIS within approximately 3 weeks. You can use your receipt number to check your case status at <https://egov.uscis.gov/casestatus/landing.do> Processing times vary. You can check USCIS's processing times for the latest updates: <https://egov.uscis.gov/processing-times/>.

<sup>1</sup> Check USCIS's [website](#) to make sure you are using the correct edition for the date your application will be postmarked.

<sup>2</sup> A money order can be obtained from bank or post office

<sup>3</sup> Check USCIS's [website](#) to make sure you are using the correct fee amount for the date your application will be postmarked.

<sup>4</sup> The I-94 can be downloaded from <https://i94.cbp.dhs.gov/I94/>

<sup>5</sup> OIS recommends using a courier service such as FedEx, UPS, or DHL in order to ensure safe delivery of your application

Please confirm the application fee, mailing address and procedures for any possible changes with USCIS prior to mailing your application: <http://www.uscis.gov/portal/site/uscis>.

**Instructions for sample letter:** The below letter is just a sample. You are free to change it to fit your own circumstances but at a minimum it should include basic information such as your spouse's J-1 category, department, and funding source as well as a statement that any earnings you make from your J-2 work authorization won't be used to support the J-1.

## **SAMPLE LETTER**

TO: USCIS

**[insert USCIS address where you will mail your application according to the mailing instructions on page 1]**

**[DATE]**

Subject: Request for J-2 Employment Authorization

I am a J-2 visa holder requesting employment authorization. Permission to work will enable me to gain useful experiences from cultural and recreational activities here in the United States.

My spouse who is the principal J-1 holder is a **[insert J-1 category such as student/research scholar/etc.]** at North Carolina State University, department of **[insert your spouse's department name here]**. My spouse and our family's expenses are fully covered by **[indicate name of funding source here]**. Thus earnings from my employment will not be used to support my spouse or our family.

I would like to request employment until the end date of my DS-2019 on **[insert your actual DS-2019 end date here]**, under federal regulations 8 CFR 274a.12(c).

Thank you for your consideration of this request of employment.

Sincerely,

**[sign your name here]**

**[insert your printed name here]**