



# J-2 EMPLOYMENT AUTHORIZATION

*Updated August 9, 2007*

**REGULATIONS:** U.S. immigration regulations allow individuals in J-2 status to obtain authorization from U.S. Citizenship and Immigration Services (USCIS) to work.

A person in J-2 status can be given authorization to work if the income from the work is not for the support of the J-1 family member with whom the J-2 is affiliated. The J-2 can work only if the income is to be used for her or his own support (and perhaps that of other J-2 family members).

**PROCEDURE:** In order to apply for authorization to work, a person in J-2 status must mail a completed Form I-765 ("Application for Employment Authorization") to USCIS's Nebraska Service Center.

When USCIS approves the work-authorization application, it will issue an Employment Authorization Document (EAD). The EAD is a laminated, plastic card with a photograph.

The USCIS usually takes about **90 days** to issue EADs, which are valid for one year (or until the end date listed on the DS-2019, whichever is earlier) and must be renewed annually (*ideally, at least four months before expiration*). You cannot begin employment (or continue employment) until you have a valid EAD.

**SOCIAL SECURITY NUMBER:** Individuals in J-2 status who have an EAD can be issued a Social Security number. To apply, go to the Social Security Administration Office (400 South Clinton Street, in the U.S. Post Office building), with the EAD, passport, DS-2019, and I-94 card.

## Include the following in your application:

- Form I-765
- A personal check (preferably not a money order) made out to the “Department of Homeland Security” for the application fee in the amount of **\$340**.
- Two identical "natural color" photos with a plain white or off-white background taken no more than 30 days before submission of the I-765 to U.S. Citizenship and Immigration Services. They should be unmounted; printed on thin photo paper or stock; and unretouched. The photos should be taken from a full-frontal face position. This is the same type of photo that was required for your *U.S. visa application*. Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong. If wearing a headdress, please note that it may not obscure any portion of your face. The photo should be no larger than 2 inches x 2 inches with the distance from the top of the head to just below the chin between 1 inch to 1 3/8 inches. The distance from the eyes to the bottom of the photograph should be between 1 1/8 inches to 1 3/8 inches. The photograph must contain only an image of you with no other people in the photograph. Lightly print your name and your SEVIS number on the back of each photograph with a pencil to prevent problems should your photographs become separated from your I-765 application. Please check a local telephone book (yellow pages) for local business which take passport photographs. The OISS does not encourage you to attempt to take these photos yourself. For more details on the photograph specifications, please go to: [http://www.travel.state.gov/passport/pptphotos/digital\\_photography.html](http://www.travel.state.gov/passport/pptphotos/digital_photography.html)
- A letter from you to the Citizenship and Immigration Services, simply stating that the money you earn will *not* be used to support your J-1 spouse or parent. **(If your spouse or parent is not on the UI payroll, please show your letter to an OISS adviser before you submit your application.)**
- A photocopy of your DS-2019
- A photocopy of your J-1 spouse or parent’s DS-2019
- A photocopy of the front and back of your I-94 card
- A photocopy of the front and back of your J-1 spouse or parent’s I-94 card
- A photocopy of your passport identity page with your personal information, photograph, signature and the expiration date of your passport. If any of this information is on other pages, please be sure to copy them as well.
- A photocopy of your visa if it contains a photograph of you. If your visa does not include a photo and you have a driver's license with a photo, send a copy of it in addition to the copy of your passport photo page.
- A photocopy of your previous EAD, if you have ever had one before. If you are applying for a **renewal or replacement**, tick the box above Item 1 on the I-765 to indicate whether you are applying for **“Replacement”** or **“Renewal of my permission to accept employment.”**

## Where to File:

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
Nebraska Service Center  
P.O. Box 87765  
Lincoln, NE 68501-7765

The OISS strongly recommends that you make a photocopy of your entire application and that you send it by "**certified mail, return receipt.**"

***In the event that there is a delay in the processing of your application, the OISS will not be able to help you if you do not have a photocopy of your application and a U.S. Postal Service certified mail return receipt.***

### **Processing Information:**

The Nebraska Service Center prefers to receive envelopes with the contents in this order:

1. Check or money order
2. Photographs
3. Form I-765
4. Your Letter to USCIS
5. Supporting documentation (photocopies of DS-2019, I-94, passport, visa, etc.)

When your application is accepted for processing, you will be sent a Form I-797 Notice of Action, which you should keep, so you have a record of your application and its file number. ***If you do not receive a Notice of Action within five weeks, please provide the OISS with a photocopy of the front and back of your U.S. Postal Service receipt and a photocopy of the front and back of your canceled check or money order.***

I-797 Notices of Action include a telephone number which applicants can call for recorded information about the status of their applications. However, USCIS officials have reported that they are often unable to keep the information up-to-date, and the number is almost always busy. You are more likely to get through if you call late at night. A new website is also available at which you can check the status of your application. Go to <https://egov.immigration.gov/graphics/cris/jsps/index.jsp> - you will need to enter the special LIN number that will be included on the I-797 Notice of Action letter.

### **Decision on Your Application:**

If your application is approved, your EAD will be mailed either to (1) the address you put on your application form, if your application included adequate photo identification, or (2) the USCIS district office in Omaha, if your photo identification was inadequate. If your EAD is mailed to Omaha, you will have to go there to pick it up.

In the very unlikely event that your application cannot be granted, you will receive an explanation for the denial or, if something was missing from your application, a Request for Evidence asking you to resubmit the entire application along with additional information.

### **Processing Time:**

If an EAD application has been in process for more than 90 days and no decision has been made, the applicant can apply directly to a USCIS district office for a temporary EAD. ***If you do not receive your EAD within 90 days of the date your Notice of Action gives as the "Received Date," contact an OISS adviser.***

**SAMPLE I-765 Form – Follow these instructions carefully:**

1. Go to <http://www.uscis.gov/files/form/I-765.pdf> - scroll to the last page to find the form.
2. Fill out the form using OISS instructions, not the instructions found on the website.
3. Print and bring the completed form to your meeting with an OISS adviser.

OMB No. 1615-0040

**I-765, Application for Employment Authorization**

Department of Homeland Security  
U.S. Citizenship and Immigration Services

**Do not write in this block.**

Remarks A# Applicant is filing under §274a.12 _____	Action Block	Fee Stamp
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Application Approved. Employment Authorized / Extended (Circle One) until \_\_\_\_\_ (Date).  
\_\_\_\_\_ (Date).

Subject to the following conditions:  
Application Denied.

Failed to establish eligibility under 8 CFR 274a.12 (a) or (c).  
 Failed to establish economic necessity as required in 8 CFR 274a.12(c)(14), (18) and 8 CFR 214.2(f)

I am applying for:

Permission to accept employment.  
 Replacement (of lost employment authorization document).  
 Renewal of my permission to accept employment (attach previous employment authorization document).

11. Have you ever before applied for employment authorization from USCIS?  
 Yes (If yes, complete below) No  
Which USCIS Office? \_\_\_\_\_  
e(s) \_\_\_\_\_  
Results (Granted or Denied - attach previous authorization document) \_\_\_\_\_

3. Address in the United States (Number and Street) (Apt. Number)  
c/o OISS Adviser, Univ. of Iowa 1111 UCC  
(Town or City) (State/Country) (ZIP Code)  
Iowa City IA 52242-5500

4. Country of Citizenship/Nationality  
India

5. Place of Birth (Town or City) (State/Province) (Country)  
Varanasi India

6. Date of Birth (mm/dd/yyyy) 7. Gender  
 Male  Female

8. Marital Status  Married  Single  
 Widowed  Divorced

9. Social Security Number (Include all numbers you have ever used) (if any)  
123-45-6789

10. Alien Registration Number (A-Number) or I-94 Number (if any)  
1 Enter 11-digit number from I-94

12. Date of Last Entry into the U.S. (mm/dd/yyyy)  
03/01/2006

13. Place of Last Entry into the U.S.  
Chicago

14. Manner of Last Entry (Visitor, Student, etc.)  
J-2 Dependent

15. Current Immigration Status (Visitor, Student, etc.)  
J-2 Dependent

16. Go to part 4 of the instructions, Eligibility Categories. In the space below, place the letter and number of the category you selected from the instructions. For example, (a)(8), (c)(17)(iii), etc.).  
Eligibility under 8 CFR 274a.12  
( c ) ( 5 ) ( . )

**Certification.**  
**Your Certification:** I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information that the U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit I am seeking. I have read the Instructions in Part 2 and have identified the appropriate eligibility category in Block 16.

Signature \_\_\_\_\_ Telephone Number \_\_\_\_\_ Date \_\_\_\_\_

You must use the OISS address exactly as listed here.

Consult with OISS adviser if any questions on #11.

If #14 or #15 is different than J-2, see OISS adviser.

Enter c 5 exactly as it appears here.