



F-1 OFF-CAMPUS WORK DUE TO SEVERE ECONOMIC HARDSHIP

Updated August 3, 2007

"If other employment opportunities are not available or are otherwise insufficient, an eligible F-1 student may request off-campus employment work authorization based upon severe economic hardship caused by unforeseen circumstances beyond the student's control." [8 CFR 214.2 (f)(9)(ii)(C)]

Eligibility:

Unforeseen circumstances that can make a student eligible for hardship-based employment include:

1. Unexpected loss of financial aid or on-campus employment without fault on the part of the student
2. Substantial fluctuations in the value of currency or exchange rate
3. Unexpected changes in the financial condition of the student's source of support (ex: parents losing business, bankruptcy of sponsoring institution, etc.)
4. Unplanned medical bills
5. Other substantial and unexpected expenses

F-1 students who can document that one of the above situations is true may apply for off-campus work permission under the terms of this regulation.

In order to be eligible, you must have **been in F-1 status for one full academic year (nine months)** and be in good academic standing.

*USCIS has specifically stated that applications based on the following reasons will be **denied**:*

1. Loss of scholarship when going beyond time for which scholarship was granted or exceeding program eligibility limit for funding.
2. Failure to give evidence of the hardship; both pre-and post-event documentation is required.
3. Internet articles of conditions in home country that don't demonstrate how the financial sponsor was individually affected.
4. Parents retiring or other siblings going to school.
5. Medical condition existent prior to the time the I-20 was issued.
6. Increasing tuition (it is common knowledge that tuition is expected to increase each year).

If the USCIS approves your application it will issue an Employment Authorization Document (EAD), which includes your photograph. The EAD will be valid for one year and is renewable.

A final note: The application for off-campus employment authorization is burdensome to compile, and the U.S. Citizenship and Immigration Services requires about three months or more to process such applications. Probably for these reasons, few University of Iowa F-1 students apply for permission to work off campus for reasons of economic necessity. Most students who need employment find work on the campus, where no time-consuming permission procedure is necessary and no application fee is required.

How to Apply

1) Make an appointment to meet with an OISS adviser by calling 335-0335. A new I-20, for the purpose of applying for Severe Economic Hardship, will be created for you.

2) Send **all** of the following materials to the USCIS:

1. **Form I-765** - Complete the Form I-765 that accompanies this packet. Most items on the I-765 are self-explanatory. Here are suggestions for those that might not be:
 - Above *Item 1*, tick the box beside **“Permission to accept employment.”** If you are applying for a renewal or replacement, tick the box above *Item 1* to indicate whether you are applying for “Replacement” or “Renewal of my permission to accept employment,” and enclose a copy of your previous EAD card.
 - In *Item 1*, write your full middle name, not a middle initial.
 - *Item 10* calls for the 11- or 12-digit number on your Form I-94 (the small white card that is probably stapled into your passport).
 - For *Items 12 and 13*, look at the red stamp put in your passport by an USCIS official the last time you entered the United States.
 - For *Item 16*, write (c) (3) (iii).
2. **I-20** – Send the new I-20 that will be made for you during your visit with an OISS adviser.
3. **I-94** - A photocopy of the front and back of your I-94 card.
4. **Passport Information** - A photocopy of your passport photo page, and your U.S.
5. **Documentation** and a letter detailing your economic difficulties which have resulted from circumstances beyond your control.
6. **Photographs** - 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

Fee:

The cost of filing the application is **\$340.00**. Personal checks or money orders must be in the exact amount and payable to “U.S. Department of Homeland Security.” Personal checks are preferable to money orders, because they can more easily be traced in case of problems.

Where to Mail the Application:

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 through the U.S. Postal Service using certified mail with a **return receipt requested**. 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 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 in the small plastic bag (bag is attached to this packet)
3. Form I-765
4. Supporting documentation as listed on the previous page (I-20, photocopy of I-94, 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. The Notice of Action includes a telephone number which you can call for recorded information about the status of your application. You now also have the option of checking online at <https://egov.immigration.gov/graphics/cris/jsps/caseStat.jsp> . To do so you must have the LIN number from your Notice of Action. **If you do not receive a Notice of Action within five weeks, please contact the OISS.**

Processing Time:

Normally if an EAD has been approved, it is mailed to the OISS within 90 days. If an EAD application has been pending for more than 90 days and no decision has been made, you can apply directly to a USCIS district office for a temporary EAD. **If you do not receive your EAD card 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

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

I-765, Application for Employment Authorization

Do not write in this block.

Remarks	Action Block	Fee Stamp
A#		
Applicant is filing under §274a.12 _____		

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? _____
 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)
 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.)
 F-1 Student

15. Current Immigration Status (Visitor, Student, etc.)
 F-1 Student

16. Go to Part 2 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) (3) (. iii)

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 F-1, see OISS adviser.

Enter c 3 iii exactly as it appears here.