

GENERAL
INFORMATION

Application Procedures for Employment Authorization Document (EAD) for J-2 Dependents Pg. 1

The procedures outlined below are provided for guidance, but do not take the place of the U.S. Citizenship & Immigration Services (USCIS) instructions. Please note that Form I-765, Application for Employment Authorization, is a personal application that is signed by you and, as such, is your responsibility. Employment authorization is required for employment at NIH whether or not any income is received. Therefore, J-2 dependents that wish to volunteer in an NIH lab/branch/etc. are required to obtain an EAD from USCIS prior to beginning the volunteer assignment.

ELIGIBILITY FOR J-2 EAD

1. You must hold valid J-2 status, and you must have a spouse or parent in valid J-1 Exchange Visitor status, as indicated by passport admission stamps and I-94 Arrival/Departure Records.
2. Your income gained by your J-2 work authorization may not be used to support your J-1 spouse or parent.
3. You may begin work for the period authorized on your EAD only after you receive your EAD from USCIS. The EAD is an identification card with your photograph, signature, and the expiration date of your permission to work.
4. You may work part-time or full-time, at any job, for any employer. There is no limit on the amount of income you may earn, the amount of hours you may work, or the level of your position.
5. USCIS determines the dates of work authorization eligibility. USCIS will usually issue the J-2 EAD until the expiration date of the J-1 Exchange Visitor's status as indicated on their Form DS-2019.

FILING SUGGESTIONS

- Make a copy of the entire application and supporting documents for your records.
- Please verify the Form I-765, Application for Employment Authorization, filing location address at www.uscis.gov. Be sure to use Certified Mail, Federal Express, UPS, or other courier to ensure delivery.

AUTHORIZATION TO WORK

If your J-2 status expires, so will your EAD, even if USCIS does not issue a separate notice revoking the EAD. A DIS Immigration Specialist can explain how to extend permission to stay for the J-1 and all J-2 dependents. We recommend that you file for extension of your EAD four (4) months in advance of the current EAD expiration date. You may begin or continue working provided your current EAD has not expired.

TAXES

The income of J-2 dependents is subject to applicable federal, state, and local taxes. Employers are required by law to withhold those taxes from your paycheck.

SOCIAL SECURITY NUMBER

J-2 dependents with a valid EAD are authorized to work in the U.S. and are, therefore, eligible to apply for a Social Security Number (SSN). The SSN application, Form SS-5, can be obtained at a local SSA office and is available online at www.ssa.gov.

LETTER REQUESTING EMPLOYMENT AUTHORIZATION

As a part of your application, USCIS requires a letter from you, the J-2 dependent, explaining that the J-1 Exchange Visitor has sufficient resources for his/her own expenses and will not depend on your income. In the letter you should indicate the source and amount of the J-1's financial support. You should give a reason for wanting to work, noting some worthwhile interest or activity that might include family travel, or recreational or cultural activities you will fund with your income. In your letter you must specifically state that your income will not be used to financially support the J-1.

Questions should be addressed to **DIS** at (301) 496-6166 or DIS@mail.nih.gov

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Application Procedures for Employment Authorization Document (EAD) for J-2 Dependents Pg. 2

BASIC DOCUMENTS REQUIRED

- Completed and signed Form I-765 "Application for Employment Authorization". The Form I-765 is available at www.uscis.gov. (See Form I-765 Filing Tips at right)
- I-765 Filing Fee – check or money order in U.S. Dollars, from a U.S. financial institution, made payable to "U.S. Department of Homeland Security". Confirm the current filing fee at www.uscis.gov.
- Form G-1145 (Optional) – The Form G-1145 initiates e-notification updates regarding your application. The Form G-1145 is available at www.uscis.gov.
- Letter to request employment authorization (See Page 1 of this document for instructions)
- Form DS-2019 photocopy for J-1 and J-2
- Form I-94 electronic print-out, or photocopy of current paper I-94 (front and back), for J-1 and J-2
- Visa stamp photocopy for J-1 and J-2
- Passport biographical page photocopy for J-1 and J-2
- Photocopies of any previous EAD cards. If not applicable, please provide **ONE** of the following:
 - Visa stamp photocopy for J-2 **OR**
 - Passport biographical page photocopy for J-2
- Two (2) passport-style photographs. See Form I-765 instructions, page 7, for photograph requirements. Lightly print your name in pencil on the back of each photo.
- Marriage certificate copy if you are the primary applicant's spouse, translated into English
- Official birth certificate copies for dependent children filing Form I-765, translated into English

FORM I-765 FILING TIPS

- Follow the USCIS instructions carefully when completing the Form I-765. See www.uscis.gov.
- Type or print all answers legibly in black ink.
- Answer all questions fully and accurately. If an item is not applicable or the answer is "none," type or print "N/A," unless otherwise directed.
- If applying for your first J-2 EAD, check the first box, "permission to accept employment". If applying for an EAD renewal, check "renewal of my permission to accept employment".
- Question 3: Your I-797 Approval Notice and EAD are mailed to this address.
- Question 10: You will likely not have an "Alien Registration Number" (A-Number). In most cases you will use your Form I-94 number found on the Form I-94 electronic record. You can look up your Form I-94 here: <https://i94.cbp.dhs.gov/i94/consent.html>
- Question 11: The answer is "no" unless you have previously applied for an EAD.
- Question 13: The port of entry most recently used to enter the U.S. by land, sea, or air. This information can be found on the admission stamp in your passport.
- Question 16: Enter (c) (5) to indicate that you are applying for J-2 work authorization.
- Certification: Remember to sign and date the I-765 after completion.

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