

J-2 EMPLOYMENT AUTHORIZATION

Exchange Visitors who wish to bring their families with them to the United States must prove sufficient funds to provide for their dependents, as well as for themselves. A J-2 dependent is permitted to work: only with permission from the United States Citizenship and Immigration Services (USCIS), only if the J-1 visitor is maintaining status and only if money earned will not benefit the J-1 visitor.

The USCIS will not authorize J-2 employment if the earnings are to be used to support the J-1 visitor. Money earned may be used for recreational and cultural activities, travel, and/or personal living expenses, etc. for the J-2 dependent(s).

It is not permissible to work unless/until employment authorization is granted. Those with J-2 status who are granted employment permission will have Social Security and income taxes deducted from any earnings.

J-2 with employment authorization may work full or part-time, and according to USCIS regulations, may engage in any kind of employment, but are not authorized to practice medicine.

Application Procedures

A J-2 who wishes to work should write a letter to the USCIS requesting employment authorization. While financial need is not a criterion, the reason for requesting authorization should be fully explained. The letter should itemize the total income and expenses of the family and state for what purpose the income will be used. It is important to explain that any money earned **will not** be used toward the support of the J-1 visitor.

Checklist:

- Letter to USCIS (from J-2) requesting employment authorization. See sample attached.
- Photocopy of J-1's Form DS-2019
- Photocopy of J-1's I-94 card printed from:
<http://www.cbp.gov/travel/international-visitors/i-94-instructions>
- Photocopy of the identity page and U.S. visa in J-1's passport
- Photocopy of J-2's Form DS-2019
- Photocopy of J-2's I-94 card
- Photocopy of the identity page and U.S. visa in J-2's passport

J-2 Employment Instructions for Employment Authorization Document

___ Completed Form I-765 *On Item#16, use the following code: (c)(5)()

To ensure you are using the latest version of this form, visit the USCIS Web site at www.uscis.gov where you can get USCIS forms and immigration-related information.

___ 2 color photographs

___ Check or Money Order made payable to "U.S. Citizenship and Immigration Services" in the amount of \$410

Mail all materials to USCIS using CERTIFIED mail to the following address:

USCIS Dallas Lockbox

For U.S. Postal Service (USPS) Deliveries:

USCIS
PO Box 660867
Dallas, TX 75266

For Express mail and courier deliveries:

USCIS
Attn: AOS
2501 S. State Hwy. 121 Business
Suite 400
Lewisville, TX 75067

Issuance of Employment Document

If and when employment is authorized, the J-2 will be sent an Employment Authorization Document (EAD).

PLEASE NOTE: No employment is permitted unless/until authorization is granted or renewed by the USCIS. The applicant cannot begin working until the EAD card is received.

The J-2 EAD cardholder may apply for a U.S. Social Security Number when they have found a job. The J-2 EAD cardholder will take their immigration documents and a letter or contract from the employer to the Social Security Office and apply for a SSN.

Income earned by J-2s is subject to Social Security taxes as well as federal, state, and local income tax.

Sample Letter for J-2 Employment

Date (Month, Day, Year)

U.S Department of Homeland Security
USCIS
2501 S. State Hwy. 121 Business, Suite 400
Lewisville, TX 75067

Dear Sir or Madam:

I am applying for J-2 Employment Authorization in order to work in the United States while my J-1 spouse, (Name of Spouse) pursues his/her program objective at George Mason University.

The money I will earn will not be needed to support our stay in the United States (\$ put amount of support you and spouse are already getting for your stay), but the work will further my professional growth and I will be able to spend my time here in an interesting and constructive manner.

Enclosed you will find the following items:

1. I-765, Application for Employment Authorization Form
2. Check for \$410
3. Copies of J-1 DS-2019, passport, and I-94 card
4. Copy of my DS-2019, passport, and I-94 card
5. Two Color Passport Photographs

Sincerely,

(Sign in Blue Ink Here)

(Your Name Typed)