J-2 EMPLOYMENT AUTHORIZATION APPLICATION INSTRUCTIONS

J-2 visa holders (dependents of J-1’s) are eligible to apply for employment authorization from the U.S. Citizenship and Immigration Services (USCIS) as long as the purpose of the employment is not to support the J-1 exchange visitor. The information in this handout outlines the conditions and procedures needed in order to submit an application. Contact an international student or scholar advisor if you have any questions.

Conditions:

- You and the J-1 exchange visitor must hold and maintain valid J visa status, as shown on the I-94 departure cards.
- Income from the employment may be used to support recreational and cultural activities for you and any children; however, it may not be used to support the J-1.
- You may work only after you receive your employment authorization document (EAD) from the U.S. Citizenship and Immigration Services (USCIS).
- The EAD is valid for any kind of part-time or full-time employment. There is no legal limit to the amount of money that you may earn.
- The USCIS will generally authorize J-2 employment for one year or up to the expiration date of the J-1 visa holder’s DS-2019. Permission to work ends on the expiration date shown on the EAD and is valid only as long as the J-1 is maintaining status.

Application Procedure:

To apply for an employment authorization document, you will need to compile the following documents:

- I-765 Form (available from International Student & Faculty Services). The code for item #16 is (c)(5)
- Two color passport photos (see attached instructions)
- A copy of the J-1 exchange visitor’s DS-2019 form and the J-2 dependent’s DS-2019 form
- A copy of the J-2 dependent’s I-94 AND the J-1 exchange visitor’s I-94 card, both front and back
- A copy of the J-2 dependent’s passport identification page and expiration or renewal date, if applicable
- A copy of the J-2 dependent’s visa page
- A copy of any previously issued employment authorization document(s)
- $340 check or money order made payable to the Department of Homeland Security (DHS) for all applications postmarked or filed after July 30, 2007.
- A letter written by the J-2 dependent to the USCIS requesting work permission. You need to demonstrate that the J-1 Exchange Visitor has adequate funds for his or her own support without your employment. You may seek employment to support the family’s customary recreational and cultural activities and related travel, among other things.

Make a copy of all documents for your own files before mailing your completed application and allow 3-4 months for processing. We recommend that you send your application by certified, return receipt mail to:

USCIS, Nebraska Service Center
P.O. Box 87765
Lincoln, NE 68501-7765

Authorization to Work:

When you begin work, your employer will ask you to complete an I-9 form, which requires you to document your employment authorization. Your EAD is acceptable proof of your identity and your permission to work. To be eligible for payment for your employment, you will need to apply for a social security card. Information about social security cards is available in the International Program’s reception lobby or on the International Student and Faculty Services website. The earnings of J-2 dependents are subject to applicable federal, state and local taxes. You must file an income tax return (Form 1040NR) with the Internal Revenue Service (IRS) by April 15, covering the prior calendar year.

If you wish to renew your EAD, you will need to submit a new application (following the procedures above) and allow 3-4 months processing time. You must have a valid EAD to continue working. When you receive the new EAD, you will need to update the I-9 form with your employer.