



## J-2 Employment

### Eligibility

J-2 dependents are eligible to apply to US Citizenship and Immigration Services (USCIS) for employment authorization, as long as the employment is not for the purpose of supporting the J-1. Financial need is not a criterion for employment authorization of a J-2 dependent.

“Income from the spouse’s or dependent’s employment may be used to support the family’s customary recreational and cultural activities and related travel, among other things. Employment will not be authorized if this income is needed to support the J-1 principal alien.” 8 C.F.R. S 214.2(j)(1)(v)(A)

### Application procedure

Applications for employment authorization are made to the USCIS Service Center with jurisdiction over the J-2’s place of residence.

J-2 Dependents who wish to apply for Employment Authorization should submit the following to the Office of International Programs:

- Form I-765, Application for Employment Authorization - available at [www.uscis.gov](http://www.uscis.gov) under the Forms section at the top of the page
- I-765 filing fee (As of March 27, 2014- \$380.00); Check or money order payable to: **Department of Homeland Security**.  
ATTN: Check the USCIS website at [www.uscis.gov](http://www.uscis.gov) to be sure of the correct filing fee. For item #16, the eligibility code is (c)(5) for J-2 applicants.
- 2 passport style photos (For a small charge, these can be obtained on campus at Imaging Services in Gerard Hall, at Walgreens Drug Store, or at WalMart)
- Copies of the current DS-2019 of both the J-1 and J-2
- Copy of passport information page, visa page, and I-94 (back and front) for both J-1 and J-2
- Letter from J-2 stating why the employment is desired, indicating the source and amount of support for the J-1, and specifically stating that the income that the J-2 will derive from employment will not be used for the support of the J-1 exchange visitor. A sample letter can be found on page 3 – please use this as a guide as you write your own letter.

Collect all of the above listed items. Do not staple items together! Make sure to provide a valid mailing address on the I-765, because both a receipt notice and the EAD Card will be sent to the address you provide on the I-765 form. If your EAD Card does not arrive by 90 days after the receipt date listed on the receipt notice, please check with the Office of International Programs for procedures to obtain a temporary card. (This is only an option if the application has been pending at USCIS for more than 90 days.)



## Length of employment authorization

If permission for employment is granted, a Form I-766 Employment Authorization Document (EAD card) will be issued to the J-2 Visa holder. The EAD Card is valid for any kind of full-time or part-time employment for the period of time stated on the EAD Card.

Although the regulations permit employment authorization to be granted for J-2 employment authorization for up to 4 years at a time, USCIS practice is to limit issuance of EAD Cards for J-2 dependents to no more than 1 year at a time. J-2 employment authorization may not exceed the program duration indicated on the principal's (J-1 holder's) DS-2019. In addition, the J-2 employment authorization is valid only if the J-1 is maintaining status. Should the J-1 change his/her status to another category, for example, H-1B, the J-2's work authorization becomes invalid, regardless of what is written on the EAD Card. 8 C.F.R. S 214.2(j)(1)(v)(B)

## Renewal of EAD Card

Follow the same procedures listed above for initial application. It is wise to apply **at least 3 months** before your current EAD expires. If your current EAD expires before you receive the renewal card, you must stop working until you receive the new card.

## Social Security Numbers

Once a J-2 Visa holder receives his/her EAD Card, the J-2 Visa holder will be eligible to apply for a Social Security Number, which is necessary to be paid. Please inquire at the Office of International Programs for a letter of support, a list of needed items, and instructions for applying for an SSN.

**Please note: You must have a valid EAD card in your hand before beginning any work. A receipt notice does not constitute employment authorization.**

# **SAMPLE LETTER**

## **DATE**

USCIS

ATTN: EAD for J-2 Dependent

P.O. Box 660867

Dallas, TX 75266

To Whom It May Concern:

I am the J-2 dependent of a J-1 exchange visitor, and I wish to apply for work authorization. My **husband/wife** is currently employed as a \_\_\_\_\_ in the department of \_\_\_\_\_ . His/her salary is \_\_\_\_\_ per year, and this is sufficient to provide for our expenses. Any income I make will not be used to support my spouse or my family.

Sincerely,

**SIGNATURE**



## Nonimmigrant Visa Photograph Requirements

The photograph format required for the nonimmigrant visa has changed. This format is similar to that required for U.S. passport processing.

**Photographers** can visit the Photography Guide at [http://travel.state.gov/passport/guide/guide\\_2081.html](http://travel.state.gov/passport/guide/guide_2081.html) for detailed information to assist in preparing quality photographs.

**Applicants**, submit your Nonimmigrant Visa Application, DS-156 with the new photo format, as explained below.

### General

- The photograph for each visa applicant must be an unmounted, full face photo, as described below
- The photograph must have been taken within the last six months
- One (1) photograph must be submitted stapled or glued to the application DS-156

### Photo Size

The photo for each visa applicant submitted must measure:

- 2 by 2 inches (roughly 50 mm square) with the head centered in the frame.
- The head (measured from the top of the hair to the bottom of the chin) should measure between 1 inch to 1 3/8 inches (25 mm to 35 mm) with the eye level between 1 1/8 inch to 1 3/8 inches (28 mm and 35 mm) from the bottom of the photo

### Photo Appearance

- The photograph must be a full-face view in which the visa applicant is facing the camera directly.
- The applicant should not look down or to either side, and the face should cover about 50 percent of the photo area.
- Side or angled views are NOT accepted.
- The photograph may be in color or black and white, but must have only a white or off-white background. Photos with dark, busy, or patterned backgrounds will not be accepted.
- In general, the applicant's head, including both face and hair, should be shown from the crown of the head to the tip of the chin on top and bottom and from hairline side-to-side. It is preferable that ears be exposed.
- Head coverings and hats are only acceptable due to religious beliefs, and even then, may not cover any portion of the applicant's face.
- Sunglasses or other wear which detracts from the face are not acceptable unless required for medical reasons (an eye patch, for example).
- A photograph depicting a person wearing a traditional facemask or veil that does not permit adequate identification is not acceptable.
- Photos of military, airline, or other personnel wearing hats are not acceptable. Photographs of applicants wearing tribal, national costume, or other headgear not specifically religious in nature are not acceptable.

### Digital Photos

Digitally reproduced photographs must be reproduced without discernible pixels or dot patterns. Photocopied photographs are NOT accepted.

### Attaching the Photo to the DS-156

- Staple or glue the one photograph to the DS-156 in the designated space. If the photograph is stapled, staples should be placed as far away as possible from the applicant's face.
- Do not enclose photographs in glassine or other types of envelopes. The photograph must be stapled or glued properly to the DS-156 in the designated space.



## Composition Checklist

### 7 Steps to Successful Photos

- ✓ Frame subject with [full face, front view, eyes open](#)
- ✓ Make sure photo presents [full head](#) from top of hair to bottom of chin; height of head should measure 1 inch to 1-3/8 inches (25 mm to 35 mm)
- ✓ [Center head](#) within frame (see Figure 2 below)
- ✓ Make sure [eye height](#) is between 1-1/8 inches to 1-3/8 inches (28 mm and 35 mm) from bottom of photo
- ✓ Photograph subject against a plain white or off-white [background](#)
- ✓ [Position subject](#) and [lighting](#) so that there are no distracting shadows on the face or background
- ✓ Encourage subject to have a [natural expression](#)

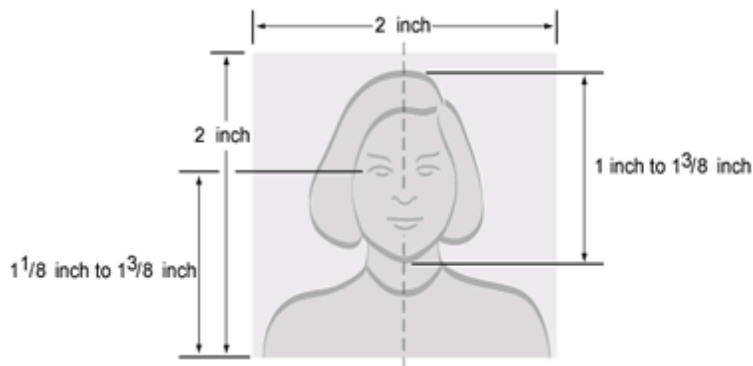


Figure 2. Head Position & Placement

### Well-Composed Photos

