

J-2 Work Permission

General Information

J-2 visa holders (the spouses and children of J-1s) may apply to the US Citizenship and Immigration Services (USCIS) for permission to work in the United States. Title 8, Code of Federal Regulations, part 214.2(j)(1)(v) states:

"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."

All applications for the Employment Authorization Document (EAD), including applications for J-2 employment authorization, must be submitted to one of the USCIS Regional Service Centers. **The USCIS can take 2 to 3 months to process the EAD and work may begin only after the J-2 has received this approval card.** J-2 holders can only apply for J-2 work permission after they have entered the US in J-2 status or have successfully changed their visa status to J-2 within the US. EAD cards for J-2 work permission are generally approved for a period of 1 year (or less if the J-1 length of authorized stay is less than 1 year). They are valid for any kind of full-time or part-time employment for the period stated on the card as long as the J-1 is maintaining status. To apply for an **EAD extension**, follow the same instructions below. Processing time for renewals is also 2 to 3 months.

Application Materials

To apply for J-2 work permission, you need the following:

1. Completed USCIS **Form I-765** with "(c) (5) ()" noted in section 16. Blank forms are available from OIP or the USCIS web site at: <http://www.uscis.gov/I-765>.
2. Copies of both J-1's and J-2's I-94 cards (white card in the passport, both sides), and DS-2019 Forms. Copies of the identification pages of J-2's passport, including the photo page.
3. I-765 filing fee: A personal check or money order for **\$340** payable to "US Citizenship and Immigration Services".
4. **2 identical color passport style photographs.** Immigration regulations require that your head be uncovered unless you wear a headdress for religious reasons. Passport photos can be obtained at Campus Copy located at 3907 Walnut Street. Print your name lightly in pencil on the back of the photos. For more information on photo standards visit: <http://www.travel.state.gov/passport/pptphotos/>.
5. If you have applied for an EAD before, copies of your previous EAD card(s) (front and back).
6. A letter stating why income is necessary. See the **Sample J-2 Work Permission Letter** below.
7. To send your application, see the **Mailing Instructions** below.

Social Security and Taxes

Anyone who earns money in the United States must have a social security number for taxpayer identification purposes. **You may apply for a social security number only after you have received your EAD card.** J-2 visa holders are subject to social security taxes, federal income taxes and, where applicable, state and local income taxes.

Sample J-2 Work Permission Letter

[Your address]

[Date]

USCIS
75 Lower Welden Street
St. Albans, VT 05479-0001

Dear Sir or Madam:

With this letter, I am applying for employment authorization on the basis of my J-2 status. I am the dependent [husband or wife] of [name], a J-1 [student or scholar] at the University of Pennsylvania.

I want to work because [reason for employment]. *(Please remember that income from employment is to be used to support the family's customary recreational, educational and cultural activities and related travel.)*

I declare that the money I earn will be used for cultural, recreational, and related travel activities and will not be used to support the J-1.

Sincerely,

[J-2 signature]

[J-2 name]

Mailing Instructions

1. Before mailing, make a photocopy of the completed application for your records.
2. Staple the check and envelope with photos to the form I-765 and place on top. Mail the application to the USCIS Service Center which has jurisdiction over the address you listed on the I-765 in item 3. Pennsylvania addresses use the Vermont Service Center:

**US Citizenship and Immigration Services
Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001**

3. We strongly recommend you mail your application by express mail or by "Certified Mail Return Receipt" so that you will have a record of its delivery.
4. If you would like to have your application reviewed before you mail it to USCIS, please bring your application materials to OIP to meet with an advisor.