

# Carnegie Mellon University

## Office of International Education

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### How to Apply for J-2 Work Authorization

#### Conditions:

The J-2 applicant:

1. Must hold valid J-2 status, and the Exchange Visitor must hold valid J-1 status, as noted on the I-94 cards.
2. May not use income to support the J-1 spouse or parent.
3. May work only after receipt of the Employment Authorization Document (EAD) from the US Citizenship and Immigration Services (USCIS) and after the start date on the EAD. The EAD is a photo identification card showing specific work authorization type and the start and expiration dates of the work permission.
4. May work part-time or full-time, at any job, for any employer (exceptions include that the J-2 may not practice medicine, even if holding a license). There is no limit to the amount of money that may be earned by the J-2.

USCIS usually authorizes J-2 employment until the end date on the DS-2019, although one-year work permits are issued occasionally.

#### Application Process:

In order to work while in J-2 status, one must apply for an Employment Authorization Document (EAD) from USCIS. Apply at least 3 months in advance of the anticipated employment start date, and USCIS processing times vary. To obtain an EAD, all applicants must submit the following:

- Fee – you can find the correct fee here: <https://www.uscis.gov/forms/our-fees>
  - o **You can pay by:**
    - **A check or money order** - payable to the “US Department of Homeland Security.” You may send a money order or personal check drawn on a US bank, NO CASH.
- [Form G-1145](#). Use this form if you wish to receive email or text confirmation (within about 4 weeks) of your receipt number from the Lockbox facility. Clip the form to the front of the application.
- [Two “passport” photos](#). Print your name and write your admission number (I-94#) on the back of each photo.
  - o **NO GLASSES** can be worn in the passport photos. Use powder to prevent glaring and be sure there are no shadows in your photos! You may put the photos and check in an envelope and attach carefully to the front of the I-765 (do not staple photos!).
  - o **Passport photos can be obtained at:**

<input type="checkbox"/> FedEx/Kinkos (412-268-3737)	<input type="checkbox"/> Rite Aid (412-521-3900)	<input type="checkbox"/> US Post Office (412-421-1388)
<input type="checkbox"/> University Center, Lower Level	<input type="checkbox"/> 1700 Murray Avenue	<input type="checkbox"/> 1800 Murray Ave., Sq. Hill
- [Form I-765](#) (follow instructions on how to complete form on page 2).
- A copy of all previously issued DS-2019(s) for the J-2
- A printout of the J-2’s I-94 record – downloadable from <https://i94.cbp.dhs.gov/I94/#/home>
- A copy of the J-2’s passport photo page (identification page) and expiration date page.
- A copy of the J-2’s visa page from passport (even if expired).
- A copy of any previous Employment Authorization Document (EAD) card if you have had one.
- A copy of the J-1’s I-94 record – downloadable from <https://i94.cbp.dhs.gov/I94/#/home>
- A copy of all previously issued DS-2019(s) for the J-1.
- Written statement with any supporting evidence showing that the employment is not necessary to support the J-1 but is for other purposes (see example on page 3).

#### If using a Pennsylvania address, submit application via FedEx or UPS to:

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

# INSTRUCTIONS FOR COMPLETING FORM I-765

- Download the [Form I-765](http://www.uscis.gov) from [www.uscis.gov](http://www.uscis.gov) and complete it as a form-fillable pdf **OR** if the form does not allow for certain characters – you can hand write the information in black ink. **Remember to write clearly!**
- Complete Form I-765:**
  - Part 1: REASON FOR APPLYING**
    - **CHECK Box 1a**
  - Part 2: INFORMATION ABOUT YOU**
    - **#1a Family Name:** Type or write your family/last name in all capital letters.
    - **#1b Given Name:** Type or write your given/first name.
    - **#1c Middle Name:** Type or write your middle name – if no middle name – leave blank.
    - **#2a to 4c Other Names Used:** Leave this blank unless you have had a legal name change with an updated passport.
    - **#5, 6 U.S. Mailing Address:** This must be an address where you can receive mail for at least 5 months into the future. **Governmental Mail is NOT FORWARDED.** If the EAD is sent to an address with a “forwarding order”, or if you cannot receive mail at the address you used on the I-765, then your EAD will be returned to USCIS.
      - To use a friend’s address, put their information for questions 5, and then your information in #7.
      - Return Address: Note: If the mailing address you indicate on the I-765 is not located in Pennsylvania, refer to the I-765 instructions ([www.uscis.gov](http://www.uscis.gov)).
    - **#8 and 9 “Alien # & USCIS Account:** Leave BLANK
    - **#10: Gender:** List Gender as shown in your passport
    - **#11 Marital Status:** Enter current marital status
    - **#12 Have you ever before filed an I-765 before:**
      - Check YES -> if you have filed an I-765 Form with USCIS in the past
      - If the above does not apply to you -> then check N.
    - **#13.a Has the SSA ever issued you a SSN:** Check yes or no
    - **#13.b If you answered YES to 13a:** Then enter your social security number
    - **#14, 15 (If you do not have an SSN) Do you want the SSA to issue you a SSN:**
      - If you check NO -> Skip to #18
      - If you check YES -> Answer questions 15, 16.a to 17.b
    - **#18.a Country of Citizenship or Nationality:** Enter your passport’s country – if you have more than one – use the one listed on your DS-2019
    - **#19.a, 19.b, 19c, Place of Birth:** Enter your place of city/state/country of birth (if you do not have a state/province, then leave it blank
    - **#20 Date of Birth:** REMEMBER to write this in the US date style format (mm/dd/yyyy)!
    - **#21.a I-94 Number:** You can find this [I-94 Website](#)
    - **#21.b Passport Number:** Enter most recent passport number
    - **#21.c Travel Document:** Enter visa sticker number from visa in passport
    - **#21.e Passport Expiration Date:** Enter most recent passport expiration date (mm/dd/yyyy)
    - **#22 Date of the last arrival into the US:** Check the POE (Point of Entry) Stamp in your passport. Do Not check the I-94 “Travel History Page”.
    - **#23 Place of your last arrival into the US:** Check the POE (Point of Entry) Stamp in your passport. Do Not check the I-94 “Travel History Page”.
    - **#24 Status of last entry:** “J-2 Dependent”
    - **#25 Current Immigration Status:** “J-2 Dependent”
    - **#26 Current SEVIS Number:** Find this on your DS-2019 immigration document
    - **#27 Eligibility Categories: (c)(5)**
    - **SKIP Questions #28 through #31.b**
  - Part 3: Applicant’s Statement, etc...**
    - **#1.a to 2 Applicant’s Statement:** Check as it applied to you
    - **#3, #4, #5 Contact Information:** Enter in US phone numbers and a **PERSONAL** email address
  - SKIP Parts 4, 5, & 6, unless they apply to you.**

**\*Finally Certification:** Sign and date the I-765 in **dark blue ink**. Sign WITHIN the box – do not go outside the box.

**YOU MUST INCLUDE ALL 7 PAGES OF THE I-765.**

# EMPLOYMENT RELATED INFORMATION

## Social Security Number

For payroll purposes, The J-2's employer will need a Social Security Number (SSN), which can be obtained by applying for a Social Security card in the I-765 form, or by applying for an SSN card in person once the EAD card has been obtained. If applying for an SSN in person, the J-2 should take: their passport, I-94 Departure Record, DS-2019, EAD, and the J-1's DS-2019 to an office of the Social Security Administration. For applications and instructions, refer to OIE's [SSN Handout](#)

## Employment Eligibility Verification: Form I-9

When the J-2 begins work, the employer will need the J-2 to complete an I-9 Form, which requires the J-2 to show proof of work authorization. For Form I-9, the EAD card is valid proof of identity and of permission to work. If the permission to stay expires (for example, the DS-2019), permission to work also expires regardless of the date on the EAD card.

## Taxes

The earnings of J-2 dependents are subject to federal, state, local, and Social Security taxes; and employers are required by law to withhold those taxes from paychecks. By April 15, the J-2 must file federal income tax forms with the Internal Revenue Service (IRS) covering the prior calendar year. The form determines whether the J-2 owe more taxes, or if they will receive a refund. See IRS Publication 519, "U.S. Tax Guide for Aliens" for details. OIE provides detailed tax assistance to those who are "non immigrants for tax purposes" (as defined by the IRS) in March of each year. Even if no income is earned, J-2's must always file at least one tax form ([8843](#)).

## Extending Work Eligibility

If work permission expires before the end date on the DS-2019, or if and when the J-1 extends their legal J-1 status and the J-1 and J-2 documents have been extended, the J-2 may submit another I-765 application to USCIS to have the J-2 work permission extended. The J-2 will receive a new EAD as well, the J-2 would follow the same procedures as outlined in this handout. A pending application for extension of stay or a pending application for a new EAD **does not authorize continued work permission**. Therefore, if the J-2 plans to apply for renewal of the EAD, the application must be filed well in advance of the expiration date on the card (at least 3 months in advance). When the J-2 has the new EAD, they will have to update Form I-9 with their J-2 employer. Questions about extending the DS-2019 should be directed to an OIE advisor.

## Sample Written Statement:

*[Your street address]*

*[Your city, state, and zip code]*

*[Date]*

USCIS

Attn: AOS

2501 S. State Hwy. 121 Business, Suite 400

Lewisville, TX 75067

RE: J-2 Work Authorization Application

Dear Sir or Madam:

*I would like to apply for J-2 work permission.*

*My (spouse/parent)'s Form DS-2019 shows \$xx,000 in support, including \$xx,000 from [name] University, and \$x,000 in personal funds. [refer to DS-2019, Page 1, Section 5] In addition we pay \$xx00 each year for health insurance. That leaves \$xx,500, or just over \$x,500 a month, for living expenses. Our monthly budget is as follows:*

*\$ x50 Rent and utilities*

*\$ x00 Food*

*\$ x00 Miscellaneous (clothing, transportation, recreation)*

*\$xx50 Total*

*As this budget shows, we have enough to live in the US, but it would be helpful to have additional funds for other purposes such as traveling within the US, and taking English courses. Also, I would like an opportunity to meet other Americans; and I believe this would be easier to do in a work environment. Therefore, I hope that you will approve my request.*

*I understand that none of my earnings may be used for the support of my J-1 spouse.*

*Sincerely,*

*[Your printed name and signature] [Your name]*