

Work Permission for J-2 Dependents

Eligibility

A dependent (the spouse or child under the age of 21) of a J-1 visa holder is given J-2 status upon entering the U.S. J-2 visa holders are eligible to apply for work permission for any number of hours only if:

- a) The J-1 visa holder maintains his/her status in the U.S.
- b) The J-2 visa holder maintains his/her status in the U.S.
- c) The J-2's earnings do not support the J-1 visa holder.
- d) The Employment Authorization card is valid.

If the Employment Authorization card expires and the J-1 spouse/parent has maintained his/her J-1 status, work permission may be extended by repeating the application process.

J-2 Cover Letter

The J-2 visa holder should write a cover letter for the employment's authorization application. This letter should explain why work permission is being sought [earn money for school or travel or further own professional career], outline the financial resources of the family and clearly show that all J-1's expenses are met without the help of the J-2. A sample letter appears on the next page. The letter should be truthful and reflect the J-2's specific situation.

Putting the Application together

The following items should be included in the application:

- ✓ Cover letter from the J-2 requesting work permission with a financial statement.
- ✓ I-765. Remember to indicate in question # 16 (C) (5) as the reason for eligibility.
- ✓ Photocopy of the DS-2019 for the J-1 spouse/parent.
- ✓ Photocopy of I-94 documentation for the J-1 spouse/parent.
- ✓ Photocopy of the I-94 documentation for the J-2.
- ✓ Copy of marriage certificate for spouses with different last names.
- ✓ Two immigration-style photographs. Read carefully the handout regarding photograph specifications. Failure to submit photographs in compliance with these specifications will delay the processing of your application.
- ✓ \$380 check or money order payable to "Department of Homeland Security".
- ✓ Keep copies of everything sent to the USCIS. If possible, send the application via certified mail with "Return Receipt Requested" so that you will have proof that USCIS received the application. DO NOT send original DS-2019s.

Mailing the Application

For people living in the Washington, D.C. area and Maryland, the application should be sent to:

U.S. Department of Homeland Security
USCIS
P.O. Box 660867
Dallas, TX 75266

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

Upon approval of the application, USCIS will send the Employment Authorization Document (EAD) to the address that was indicated on the application (form I-765).

Work Permission while the Application is Pending

You may not begin employment before your application has been approved. After receiving the EAD, the J-2 must apply for a social security card.

Taxes

Unlike J-1 visa holders, J-2 dependents are subject to Social Security taxes, federal income taxes, and where applicable, state income taxes. (See IRS publication 519, United States Tax Guide for Aliens)

Sample Letter and Financial Statement

The following sample letter is provided only to serve as a guideline. The actual letter should reflect your actual expenses.

Address of J-2
Telephone #
Date of letter

Dear Director:

I am a J-2 dependent of a J-1 researcher/student/professor at The Catholic University of America. I would like to request permission to work in the United States.

My husband/wife/parent is a researcher/students/visiting professor at The Catholic University of America's School of _____. He/she has enough financial resources to meet his/her expenses. Our monthly expenses work out as follows:

House/apartment rental	\$ _____
Groceries	\$ _____
Utilities (electric, gas, water, telephone)	\$ _____
Health/dental insurance	\$ _____
Transportation Costs	\$ _____
Clothing, shoes, etc.	\$ _____

I would like permission to work in order to save money to further my education and to travel, both within the United States and abroad. The income I earn will not be used to financially support my husband/wife/parent.

Thank you for your consideration of my application.

Sincerely,

Name of the J-2 visa holder

This handout is intended to provide basic, general information only and should not be used as a substitute for professional advice from qualified immigration attorneys or practitioners.

April 7, 2015