## **Employment Authorization Document (EAD) Application Guide for J-2 Dependents**

Preparing the application to the U.S. Citizenship and Immigration Service (USCIS)

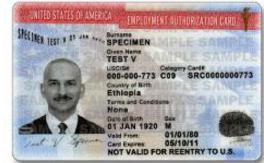


# What is the EAD?

The Employment Authorization Document (EAD) is an employment benefit available to J-2 dependents.

The EAD allows a J-2 dependent to work in any job, full-time or part-time.

Employment eligibility is based on the start and end dates listed on the EAD.





# **The Application Process: An Overview**

#### 1. Complete the Form I-765, Application for Employment Authorization

You must be present in the U.S. to apply for the EAD.

#### 2. Prepare and mail your application materials

Allow approximately 1 week to gather and organize your materials for mailing.

### 3. Receive the Employment Authorization Document (EAD)

Average processing time at the United States Citizenship and Immigration Services (USCIS) is 90 days.



# Step 1: Complete Form I-765, Application for Employment Authorization



# The I-765 is the USCIS form needed to submit with the EAD application.

Use the <u>most current version</u> of the I-765 from the <u>USCIS web site</u>.

**Important:** Best to download the I-765 before mailing the application since USCIS updates forms frequently.

BIO does not recommend completing the e-file option of the I-765.

You must be present in the U.S. to apply for the EAD.

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Completing the I-765 for an EAD is a simple task, but a few items can be confusing. The tips in the following slides will answer any tricky questions to avoid delays in receiving the EAD.

Check the box for "Permission to accept employment."

If you have previously had an EAD under J-2 status, check "Renewal of my permission to accept employment."

Department of Homeland Security U.S. Citizenship and Immigration Services				Emp		Applicat t Autho	
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Print Name	Address		Signatur			Date	
Remarks	Initial Receipt	Resubmitted	Relo Rec'd	ated	Approved	Completed	Return



**#1:** Entire family name should be in CAPITALS or UPPER CASE letters.

Use upper and lower case for the first name.

**#3:** Put the address\* where the receipt notice and EAD card should be sent once it is produced. The address needs to be valid for at least 3 months, the length of time it will take to process the EAD application. If there are plans to move during this time, use a reliable friend or family member's address to receive the EAD (see the C/O reference). If name is not registered at the I-765 address, there must the C/O notation to ensure delivery.

1. Name (Family Name in CAPS)	(First)	(Middle)
FAMILY NAME	First Name	
2. Other Names Used (Include Ma	iden Name)	
3. Address in the United States (N	umber and Street)	(Apt. Number)
C/O John Smith, 229	99 Piedmont Ave	. #8
(Town or City)	(State/Country)	(ZIP Code)
Berkeley	СА	94720

\*If the address listed is outside of California, talk to an advisor at Berkeley International Office who works with the J-1's program, i.e. scholar advisor or student advisor.



#### **#9:** Social Security Number (SSN)

Leave this space blank if there is no SSN. J-2 dependents can <u>apply for a SSN</u> after receiving the EAD.

### **#10:** I-94 Number

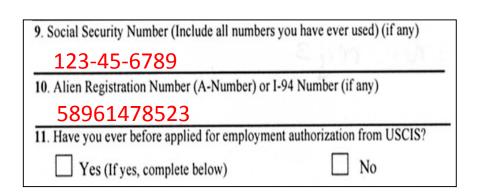
11-digit number found on the electronic I-94 record or the top left corner of the paper Form I-94 card. Alien Registration Numbers are not issued to J-2 dependents. Fill this out by hand since the online form has a character limit and you need to enter all 11 numbers.

#### **#11:** Previous Employment Authorization

Check "no" here if there has never been employment authorization through USCIS before.

Check "yes" if an EAD was received in the past. Fill the next two lines (at the top of the right column) with the information related to the previous EAD(s). Include a photocopy of the EAD(s) the application package. (If the EAD has been lost, write "lost EAD" in the space). If you have received an EAD in the past, you still need to submit the same documents as your first application.





#### **#12:** Date of Last Entry into the U.S.

Date of the most recent entry into the U.S. The entry date can be found stamped on the paper form I-94 card, passport admission stamp or electronic I-94 record.

#### **#13:** Place of Last Entry into the U.S.

Name of the city where you entered the U.S. during your last entry. The information is on the passport admission stamp or paper Form I-94 card (usually as a code , i.e. "SFR" for San Francisco).

If driving across the border from Canada, write the name of the city where you entered the U.S.,

#### **#14:** Manner of Last Entry

Status received upon entering the U.S. For example, you initially entered with an F-1 Student visa, write "F-1." If you entered with a DS-2019 as a J-2 dependent, write "J-2 Dependent."

12.	. Date of Last Entry into the U.S. (mm/c	id/y	yyy)				
	08/27/2013						
_	. Place of Last Entry into the U.S.						
	SFR						
14.	. Manner of Last Entry (Visitor, Student,	etc.)	)				
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	5. Current Immigration Status (Visitor, Stu J-2 Dependent	iden	t, etc.	)			
16.	<ol> <li>Go to Part 2 of the Instructions, Eligibi place the letter and number of the categ (For example, (a)(8), (c)(17)(iii), etc.).</li> </ol>						
El	ligibility under 8 CFR 274a.12 (	)	(	5	)	(	)

#### **#15:** Current Immigration Status

Current status should be "J-2 Dependent." If not, talk to an advisor in Berkeley International Office.

**#16: Eligibility Category** Use the following code: (C) (5) ()



Sign your name.\*

Fill in your telephone number and the date of signature at the bottom of the form.

Certification							
Your Certification: I certify correct. Furthermore, I author eligibility for the benefit I am Block 16.	rize the release of any informa	tion that U.S. (	Citizenship a	nd Immigra	ation Services	s needs to de	etermine
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\* Important: Your signature must fit between the lines on the form. If the signature is too big or touches the lines, the application will be returned and will cause a delay in the processing of the application. Be conservative and use a signature smaller than normal.



# Step 2: Preparing & Mailing the EAD Application



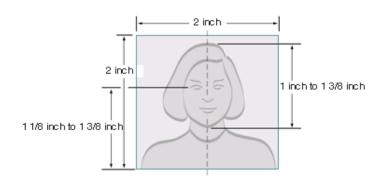
- 2 U.S. Passport Photos (with name and I-94 number written lightly in pencil on back of each), taken within the past 30 days.
- Check or Money Order for **\$380** made payable to: "U.S. Department of Homeland Security."
- □ Form G-1145 (Optional) to confirm receipt and obtain case number in advance of paper notification: <u>http://www.uscis.gov/files/form/g-1145.pdf</u>.
- □ Original form I-765. <u>http://www.uscis.gov</u>
- □ J-2 Work Permission Letter (see <u>example</u>)
- Photocopy of passport biographical page and visa stamp for the J-1 and J-2, if applicable.
- Photocopy of DS-2019 documents for both the J-1 and J-2.
- Photocopy of electronic I-94 record (found at <u>www.cbp.gov/i94</u>) OR paper Form I-94 (both sides) for the J-1 and J-2. The electronic I-94 record is available ONLY to those with passport admission stamp.
- Financial documentation. Photocopy of the funding documentation dated within the past 6 months. (I.e. J-1 appointment letter on campus, employment letters from overseas, bank statements)
- Proof of marriage. Photocopy of marriage certification with <u>certification of translation</u> if not in English.
- Photocopy of previous EAD card(s), if applicable.



#### **Passport Photo Requirements**

The photos required to use for the EAD application must meet the specifications of U.S. style passport photos. To see a full description of these specifications, go to the <u>U.S. Department of State</u> web site.

- Passport photos must be 2"x2" and taken within the past 30 days.
- Write your name and I-94 number lightly on the back of each photo.



#### **Professional Photography**

USCIS has been examining passport photos more strictly. BIO recommends J-2 dependents have their photos taken professionally. Recently, J-2 dependents have been visiting the following locations to obtain their photos.

Metro Publishing 2440 Bancroft Way Berkeley, CA 94704 http://www.yelp.com/biz/metro-publishing-berkeley

Foto Shop 131 Berkeley Sq Berkeley, CA 94704 http://www.yelp.com/biz/foto-shop-berkeley



### **Check or Money Order:**

- Use a personal check or money order made payable to "U.S. Department of Homeland Security".
- Money orders can be purchased at banks, post office and some local grocery stores.
- Make sure a name and address are printed on the check. If the address has changed, that is fine.
  - ✓ Do not use "temporary checks" often issued by the bank when opening a new account. These checks have no name or address in the upper left hand corner.
  - ✓ In the memo line, write your SEVIS ID number and name, if different than the name on the check.

Money orders and cashier checks should include the same information as a personal check.

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### Form G-1145 (Optional)

Use this form to request a text message and/or email when USCIS receives your EAD application and when there are any updates. Download at <u>http://www.uscis.gov/files/form/g-1145.pdf</u>

- No cost
- Attach to the top of the EAD application packet.



#### e-Notification of Application/Petition Acceptance Department of Homeland Security

U.S. Citizenship and Immigration Services OMB No. 1615-0109 Emirase 09302014

USCIS

What Is the Purpose of This Form?

Use this form to request an electronic notification (e-Notification) when U.S. Citizenship and Immigration Services accepts your immigration application. This service is available for applications filed at a USCIS Lockbow facility.

#### General Information

Complete the information below and clip this form to the first page of your application package. You will receive one e-mail and/or text message for each form you are filing.

We will send the e-Notification within 24 hours after we accept your application. Domestic customers will receive an e-mail and/or text message; overseas customers will only receive an e-mail. Undeliverable e-Notifications cannot be resent.

The e-mail or text message will display your receipt number and tell you how to get updated case status information. It will not include any personal information. The e-Notification does not grant any type of status or benefit, rather it is provided as a convenience to customers.

USCIS will also mail you a receipt notice (1-797C), which you will receive within 10 days after your application has been accepted; use this notice as proof of your pending application or petition.

#### USCIS Privacy Act Statement

AUTHORITIES: The information requested on this form, and the associated evidence, is collected under the Immigration and Nationality Act, section 101, et seq.

PUEPOSE: The primary purpose for providing the requested information on this form is to determine if you have established eligibility for the immigration benefit for which you are filing. The information you provide will be used to grant or deny the benefit sought.

DISCLOSURE: The information you provide is voluntary. However, fullure to provide the requested information, and any requested evidence, may delay a final decision or result in denial of your form.

ROUTINE USES: The information you provide on this form may be shared with other Federal, State, local, and foreign government agencies and authorized organizations following approved routine uses described in the associated published system of trends notices [DHS-USCIS-90] - Benefits information System and DHS-USCIS-901 - Alien File, Indies, and National File Tracking System of Records, which can be found at <u>wave discover</u> group gravity and DHS-USCIS-901 - Alien File, Indies, and National File Tracking System of Records, which can be found at <u>wave discover</u> gravity gravity and the information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

#### Paperwork Reduction Act

An agency may not conduct or sponsor an information collection and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at a minute per response, including the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy. 20 Masschusetts Avenue, NW, Washington, DC 2005-1440. OMB No. 1015-0109. Do not anal your completed Form G-1145 to this address.

Complete this form and clip it on top of the first page of your immigration form(s).					
Applicant/Petitioner Full Last Name	Applicant/Petitioner Full First	Name	Applicant/Petitioner Full Middle Name		
E-mail Address		Mobile Phon	ne Number (Text Message)		
Form G-1145 02/28/13			Page 1 o		



#### Form I-765:

The I-765 is the USCIS form needed to submit with the EAD application. Downloaded from the <u>USCIS web site</u>.

Instructions for filling out the form are included on slides 5-10.

Department of Homeland Securi J.S. Citizenship and Immigration S			I-765, A Employment	pplication For Authorization
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#### J-2 Work Permission Letter

- USCIS wants to ensure the employment of a J-2 dependent is for customary recreational and cultural activities; therefore they require a work permission letter showing the J-1 has sufficient funding for the length of their program.
- For template Work Permission Letter, see this <u>example</u>.
  - BIO recommends you use this template letter for the EAD application.
- If your J-2 status is valid for more than one year, add the following statement to the Work Permission Letter: "I would like to request employment until the end date of my DS-2019 on **include your actual end date here**, under federal regulations 8 CFR274a.12(a) and (c)."



# Photocopy of Passport and Visa for J-1 and J-2:

- Photocopy the passport biographic page (with photo and passport expiration date); passport must be valid into the future.
- Photocopy the visa, if applicable; visa can be expired.







### Photocopy of J-1 and J-2 DS-2019 documents:

- Keep the original.
- J-1 scholar should sign the J-1 DS-2019 and J-2 should sign the J-2 DS-2019.

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Departure Record

## Gather the required documentation.

# Photocopy of I-94 Information for J-1 and J-2:

The I-94 can be *either*:

 a passport admission stamp and electronic I-94 record.
 Visit: <u>www.cbp.gov/i94</u> to access and print your <u>electronic</u> I-94 record. The electronic I-94 record is what USCIS requires for the EAD application.

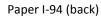
#### OR

• a small, white card stapled into passport. Include a copy of both sides of the I-94, even though the back side may be blank.

DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection	CMB No. AAW-awar	Warning A nonimmigration who accepts unauthorized a
Departure Record Xaman Handa 123456789 01	SEP 1 8 2006 To The State	Important Retain this permit in year posession, see ma feave the U.S. Failer to do so may dolay your erity mit You are authorized to stay in the U.S. only until the date or retain past this date, which permitsion from Department Surrender this permit when you leave the U.S.: By the so rait, to the transportation line. Access the Canadan beder, on a Canadam Orficial, Students planning to release the U.S.: Students planning to release the U.S. and this 30 days to re- 'Arrival-Departure' on page 2 of Form 1-20 prior to surr Record of Clanges
18. Family Name	*	1
	A R R R R R R R R	
19. First (Given) Name	20. Birth Date (DD/MM/YY)	Port:
		Date:
21. Country of Citizenship		Carrier:
		Flight # / Ship Name:

Paper I-94 (front)







Electronic I-94 Record



### Financial Documentation Can Be:

- Photocopy of the funding used to obtain the J-2 visa stamp at the US embassy.
- Funding submitted to UC Berkeley for the DS-2019 documents.
- UC salary, income from home country, personal funds, etc.



All financial documentation must be dated within the past 6 months. For questions about financial documentation, please see an advisor at BIO



#### **Proof of Marriage**

- Photocopy of marriage certificate.
- Include <u>certification of translation</u>, if not in English.

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### Photocopy of Previous EAD, if applicable:

- If an EAD was received in the past, include a copy of the front and back of the card.
- Can be from employment approved during a stay at prior institution or if ever issued while in a different immigration status.

UNITED STATES OF AMER	CA. EMPLOYMENT AUTHORIZATION CARD
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	None Outs at Bith Sex 01 JAN 1920 M Vald From: 01/01/80 Card Envires 05/10/11 NOT VALID FOR REENTRY TO U.S.





## Mail the EAD application.

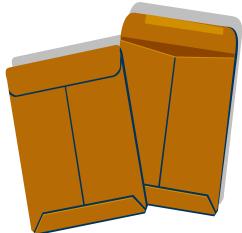
- Express Mail (Federal Express, UPS, USPS Priority Mail)
- BIO recommends FedEx as a reliable option.
- If using FedEx or UPS, use the express mail address. If using USPS, choose the Priority Mail option and use the USPS address.

### **USCIS Mailing Addresses**

for people who live in California\*

#### **Express Mail:**

USCIS Attn: AOS 1820 E. Skyharbor, Circle S Suite 100 Phoenix, AZ 85034 U.S. Postal Service Mail USCIS PO Box 21281 Phoenix, AZ 85036



\*If your address on the I-765 is **NOT** in California, speak with an advisor at the Berkeley International Office. The EAD application may need to be mailed to a different address.



# Step 3: Receive the Employment Authorization Document (EAD)



## I-797 Notice of Action

You should receive the notice by mail within 2-4 weeks after mailing the EAD application to USCIS.

- The I-797 is very important.
   If you lose the receipt, there is no way to replace it.
- The I-797 is necessary if you want to:

1) inquire about the status of your EAD application.

#### **Receipt Number**

The case number for the EAD application at USCIS. Check the status of the case on the USCIS web site at <a href="https://www.uscis.gov">https://www.uscis.gov</a>

#### **Received Date**

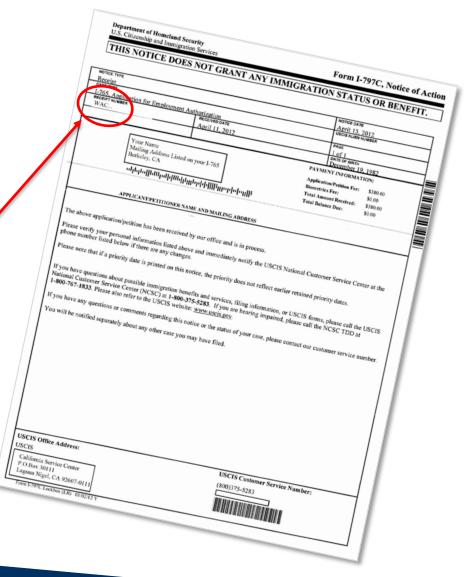
Date when USCIS begins processing the application. (It may not be the actual date the application was received, but it is when the case was entered into the system.)

#### **Address Information**

Verify the name and address on the I-765 receipt notice. If incorrect, contact a BIO advisor immediately.

#### **Contacting USCIS**

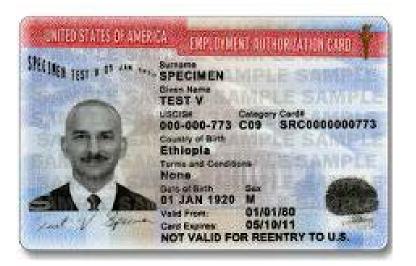
If you have any problems or questions with the EAD application, contact a BIO advisor <u>before</u> calling the USCIS Customer Service.





## The Employment Authorization Document (EAD)

- Average processing time at USCIS is 90 days.
- Official approval of work authorization in the United States.
- Review card to make sure the information is accurate. If not, see an advisor at BIO.
- Present your EAD to employers as a form of work authorization.
- Only eligible to work the dates issued on the card.





## **Communication from USCIS** (a.k.a. Beware of Scams!)

While your EAD application is pending, you may receive text message, email, and paper letter updates from USCIS regarding the status of your application.

## USCIS will <u>rarely</u> contact you by phone regarding the status of your EAD application.

If you receive a phone call from a person claiming to work for USCIS or any other government agency, **do not provide your personal information to them.** Note the person's name and phone number and contact Berkeley International Office before responding.



## **General Tips for Travelers**

- Be sure to have ALL necessary documents for travel and re-entry to the US.
- Don't enter the U.S. in a status other than J-2 unless willing to give up the EAD and other benefits associated with J-2 status.
- Consult a BIO advisor if your Form DS-2019 has expired or will expire within 30 days of your expected return to the U.S.

#### **Travel Before EAD Card is received**

- Must be in the U.S. to apply for the EAD.
- No international travel is recommended while the J-2 work permit (EAD) application is pending at USCIS. The application could be denied based on the fact that the applicant is not in any U.S. immigration status while they are abroad, and therefore ineligible for any status-associated benefits, including the EAD.

#### **Extension of EAD**

You can only apply for a new EAD if the J-1's program in the US has been extended. J-2 can apply for a new EAD authorization up to 120 days before the current EAD expires. If you have future plans in the U.S., please make sure the J-1 works with their department 5-6 months prior to the DS-2019 end date.





## Contact Us:

http://internationaloffice.berkeley.edu/contact-us

When calling/emailing our office, please tell us your spouse's name and SEVIS ID or Date of Birth.

