

WORK PERMISSION FOR J-2 DEPENDENTS OF J-1 EXCHANGE VISITORS
Initial Request and Extension

CONDITIONS FOR EMPLOYMENT

- 1) The J-1 visa holders must have valid J-1 status, and you must hold valid J-2 status, as shown on your 1-94 Arrival/Departure Record card.
- 2) Your income in the United States may not be used to support your J-1 spouse or parents.
- 3) You may ***not*** start working until you receive your Employment Authorization Document (EAD) from the Bureau of Citizenship and Immigration Services (BCIS—Formerly Immigration and Naturalization Service, or “INS”). You may work ***only*** during the dates listed on the EAD card. (The EAD is an identification card laminated in plastic with your photo and the validity and expiration dates of your permission to work.)
- 4) You may work part-time or full-time at any job, for any employer. There is no legal limit to the amount of money that you may earn.
- 5) BCIS can authorize J-2 employment for as long as the J-1 visa holder has the permission to stay. Permission to stay expires on the date shown in Section 3 on Form DS-2019 (formerly Form IAP-66).

HOW TO APPLY

You must mail your application to:

U.S. Department of Homeland Security
Bureau of Citizenship and Immigration Services
Vermont Service Center
75 Lower Welden St.
Saint Albans, Vermont 05479

The application must consist of:

- Copy of your passport and a copy of your spouse's or parent's passport. (If you are Canadian you may use another form of photo-bearing identification).
- Copy of your I-94 card and a copy of your spouse's or parent's I-94 card
- Copy of your spouse's or parent's current SEVIS Form DS-2019 (if your spouse or parent does not have a barcoded SEVIS Form DS-2019 by August 1, 2003, please notify your spouse's/parent's J-1 program sponsor IMMEDIATELY).
- Letter from you indicating that you are not seeking this employment in order to support the J-1 exchange visitor. (Please see page 2.)
- Form I-765 (available in this office)
- Signature card (available in this office)
- 2 photos with a white background taken no earlier than 30 days before submission to the BCIS. These photographs must be taken according to very detailed specifications from BCIS. They should be unmounted; printed on thin paper; glossy; and unretouched. The photos should show a three-quarter front profile of the right side of your face, with your right ear visible. Your head should be bare unless you are wearing a headdress as required by a religious order to which you belong. The photo should not be larger than 1 1/2 X 1-1/2 inches, with the distance from the top of the head to just below the chin about 1-1/4 inches. Lightly print your name and your admission #, if known, on the back of each photo with a pencil. **A photocopy of these specifications can be found in M-70 Jefferson Alumni Hall or on the BCIS website at:**
<http://www.immigration.gov/graphics/lawsregs/handbook/m-378.pdf>
- Check or money order for \$120 (effective February 27, 2003), made payable to “Bureau of Citizenship and Immigration Services.”

INSTRUCTIONS FOR SAMPLE LETTER:

The letter you are writing to request work authorization must clearly indicate that the funds you earn will not be used to support the J-1 Exchange Visitor. The following points should be addressed in your letter:

- ❑ You are a J-2 visa holder and are applying for employment authorization on that basis.
- ❑ Give a brief reason why the income is necessary. You should suggest cultural, recreational, education or travel plans. You can indicate how employment in the United States will aid your professional development and assist you in your career upon your return to your country. If you plan to make frequent trips to a relative living in another state, list that as a reason you will need additional funds.
- ❑ Clearly state that you are not using these funds to support the J-1 principal alien. You should indicate your spouse's source of funding and document that this funding is quite sufficient for her/his purposes.

AUTHORIZATION TO WORK

You may not begin employment until you receive approval from BCIS. Your authorization to work is valid until the expiration date on the Employment Authorization Document. You may not work past this date. If your employment document expires before the extension is approved, received and presented to your employer, you must stop working until you receive approval from BCIS that your extension has been granted.

TAXES

The earnings of J-2 dependents are subject to applicable federal, Social Security, state and local taxes, and employers are required by law to withhold those taxes from paychecks. By April 15, you must file an income tax return with the Internal Revenue Services (IRS), covering the prior calendar year. The return determines whether you owe more taxes or have a refund coming. You may also be required to file a "Required Statement." See IRS publication 519, "US Tax Guide for Aliens."