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J-2 EMPLOYMENT AUTHORIZATION

I. EXPLANATION

Dependents of J-1 scholars and students who are in the U.S. in J-2 status are eligible to apply to US Citizenship and Immigration Services (USCIS) for work authorization. This authorization is considered a privilege by USCIS and is NOT automatically guaranteed. This handout will explain restrictions and how to apply for J-2 work authorization.

II. HIGHLIGHTS

- J-2 work authorizations are obtained through a mail-in application that **takes 3-4 months to process**.
- The J-2 dependent may not begin to work until s/he receives the Employment Authorization Document (EAD) from USCIS.
- J-2 work permits allow the holder to work in any job, full-time or part-time, but employment may not extend beyond the end date on the EAD. A pending application for extension of stay or for a new EAD does not authorize you to continue working. Therefore, extensions of work authorization should be applied well in advance of the expiration date of the EAD (4 months in advance).
- J-2 employment can be authorized for as long as the J-1 has permission to stay. In the past, these authorizations were only given for one year, but under current policy are being issued for longer.
- There is no legal limit to the amount of money that a J-2 may earn. However, the earnings of J-2 dependents are subject to applicable federal, state, local, and Social Security taxes (FICA) and employers are required by law to withhold those taxes from paychecks. By April 15 you must file federal income tax returns with the Internal Revenue Service (IRS), and state tax officials covering the prior calendar year.

III. OTHER IMPORTANT INFORMATION

A. Social Security Number (SSN)

To properly report, your employer will need your Social Security number, which you can obtain by applying for a Social Security card. You may be able to apply on the current employment application (form I-765) or you can apply after you receive the work permission by taking your passport, I-94 Departure/Arrival Card, copy of you and your spouse's J-1 Form DS-2019, and your EAD to the Social Security office to apply for the SSN.

B. Home Residency and Employer Concerns

If the J-1 student or scholar is subject to the two-year home residency requirement, his or her J-2 dependents are also subject to the requirement and are prevented from switching to an H or other employment visa until the J-1 gets a waiver of the requirement or returns home for two years. Because employers are aware of the two-year home return requirement for J visa holders, some employers MAY be reluctant to hire those on J-2 visas for longer-term positions even if they have work permission. If you have questions about whether you are subject to the two-year requirement, please consult an international advisor in GEO.

IV. APPLICATION PROCESS (You must file on paper still as of 08/2025)

STEP 1: Assemble the Following Items:

- ❑ **Payment:** A \$520 check payable to "Department of Homeland Security."
- ❑ **Form I-765:** Available at <http://www.uscis.gov/i-765> Complete the paper form and sign at the bottom (<https://www.uscis.gov/sites/default/files/document/forms/i-765.pdf>). On item #27, put in the code "(c)(5)()." Please note this form is revised often. Therefore, you must download the most recent version of the form from the USCIS website. USCIS generally only accepts the Form I-765 that reflects the most recent version.
- ❑ **Form G-1145 E-Notification of Application/Petition Acceptance:** www.uscis.gov/forms This form ensures electronic notification that your application has been received. You will be notified via email and/or text message of receipt of your application and you will be given the receipt number for your records. The notification is a courtesy service, but it does not provide legal proof of receipt. We recommend all J-2 EAD applicants use this form.

- ❑ **Two passport photos:** secured in an envelope and attached to the application. Pictures can be taken at any location that takes standard passport photos. In pencil (or lightly in pen), print your name and write your admission number (I-94#) on the back of each photo
- ❑ **Financial statement:** See instructions and sample below. USCIS will **not** approve an EAD application if the J-2 employment income is needed for support of the J-1.
- ❑ **Evidence of funds:** Photocopy of J-1's funding source documentation.
- ❑ **Copies of J-1 and J-2 passports, visas, I-94s, and all Forms DS-2019.**

FOR EXTENSION/RENEWAL OF THE EMPLOYMENT AUTHORIZATION DOCUMENT (EAD) (which takes 3-4 months), include all the above items PLUS:

- ❑ **Copies of all previous EADs:** Photocopy of all previously issued EAD cards from USCIS.

STEP 2: Write a Financial Statement Letter:

This is a **sample**; please modify your letter to best describe **your** situation.

(Your name)
 (Your street address), (Your city, state, and zip code)
 (Date)
 Dear Sir or Madam:

I, (your name), am the J-2 dependent of the J-1 Exchange Visitor (J-1's name) and I wish to apply for J-2 employment authorization. My (spouse or parent) receives a (salary, grant, or stipend) from (specify source) sufficient to provide for all our expenses. My income is not necessary to help financially support the family. I would like the opportunity to work for professional development (cultural or educational purposes or language opportunities). Please grant me permission to be employed.

Enclosed are all required documents for my application (list documents). Thank you very much for your assistance.
 Sincerely,
 (your signature)
 (your name)

STEP 3: Mail Your Application and All Attachments to the USCIS (see above)

Make copies of all the documents for your records. Mail the application in a large envelope via the U.S. Postal Service (USPS) to the USCIS Dallas Lockbox at:

USCIS
 Attn: NFB
 P.O. Box 660867
 Dallas, TX 75266-0867

Or you can send it via FedEx, UPS or DHL to:

USCIS
 Attn: NFB (Box 660867)
 2501 S. State Hwy. 121 Business
 Suite 400
 Lewisville, TX 75067-8003

If you mail it through the USPS, we recommend you use "certified mail, return receipt" which you request at the post office or any other postage that provides you proof of delivery. You should keep the proof of delivery with your application copies. Within 4-6 weeks of mailing your application to USCIS, you should receive a standard "notice of action" letter stating that USCIS has received the application. The Notice of Action is a very important document that can help track the status of your application. The case number in the top left corner of this receipt notice can be used to call USCIS or look on their website at <http://uscis.gov> under "check case status" to check on your case. If you do not get this letter within 6 weeks of mailing your application, contact an advisor at GEO for more information.