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



Important Reminders

- J-2 employment applications can only be submitted with the paper I-765 application by mail.
- J-2 I-765 EAD applications MUST be submitted <u>from inside the U.S.</u> You must be <u>physically</u> <u>present inside the U.S.</u> when your application is <u>received by USCIS</u>. There are no exceptions.
- You must <u>sign and date the I-765 by hand in black ink</u>. USCIS rejects all digital and electronic signatures on the printed USCIS forms.

Monitor BIO's <u>Immigration Policy Updates & FAQs page</u> for updates regarding travel, employment and other issues. This page is updated as we receive new guidance from government agencies including USCIS.



EAD Application Guide for J-2 Dependents

Please note that this application guide is for instructional purposes only.

An EAD application to USCIS is <u>your own personal application</u>. You alone are responsible for the accuracy of your Form I-765, for timely filing, for including all required documentation, for including the correct fee, and for properly maintaining your J-2 status.

Please review the USCIS instructions in addition to this guide and consult with a BIO adviser if you have questions or if there are any inconsistencies.



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. Prepare and mail your application materials

Allow approximately 1 week to gather and organize your materials for mailing. You must be present in the U.S. to apply for the EAD.

2. Receive the Employment Authorization Document (EAD)

See current USCIS processing times for Form I-765, Potomac Service Center here: <u>https://egov.uscis.gov/processing-times/</u>

Step 1: 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
- □ USCIS Fee. SEE the <u>USCIS Fee Schedule page</u> for current filing fee (select "I-765" from dropdown, scroll down to the "General Filing Fee" category and use the "Paper Filing Fee" in the chart)
- □ Form G-1145 to confirm receipt and obtain case number in advance of paper notification: <u>https://www.uscis.gov/g-1145</u>
- Original form I-765: <u>https://www.uscis.gov/i-765</u> SEE <u>I-765 SECTION</u> FOR DETAILS.
- □ 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
- Copy of J-2's expired passport biographical page if you used that document to enter the U.S. most recently
- Photocopy of current DS-2019 documents for both the J-1 and J-2
- Photocopy of electronic I-94 record (found at <u>https://i94.cbp.dhs.gov/I94/#/recent-search</u>) OR paper Form I-94 (both sides) for the J-1 and J-2
- Financial documentation. Photocopy of the funding documentation dated within the past six 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

Make a copy of your complete application packet to keep for your personal records before sending your application to USCIS.

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.

- Submit 2 identical color passport photos <u>taken within 30 days</u> of filing your application. The photos must have a white to off-white background, be printed on thin paper with a glossy finish, and be unmounted and unretouched. The passport-style photos must be 2" by 2". You must remove your glasses and your head must be bare unless you are wearing headwear as required by a religious order of which you are a member.
- Using pencil or felt tip (soft) pen, lightly print your name and I-94 number on the back of the photo. <u>Do not damage the photo</u> <u>surface by pressing hard while writing.</u>



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 <u>http://www.yelp.com/biz/metro-</u> publishing-berkeley

Foto Shop

131 Berkeley Sq Berkeley, CA 94704 http://www.yelp.com/biz/foto-shopberkeley

Check, Money Order, or Credit Card:

Please review the following <u>USCIS Filing Fees page</u> on how to pay USCIS filing fees, how to write a check and paying with a credit or debit card.

- USCIS Fee: The current fee can be found on the <u>USCIS Fee Schedule page</u>. Select "I-765, Application for Employment Authorization" from the dropdown. "General Filing" is the correct filing category and the "Paper Filing Fee" amount is the correct amount. You must pay the correct fee at the correct time. SEE THE <u>I-765 FORM/FEE UPDATE SECTION</u> BEFORE MAKING YOUR PAYMENT!
- **Check/Money Order** should be made payable to "U.S. Department of Homeland Security" with SEVIS number in the memo line. 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.
- For Credit Card payment, submit form <u>G-1450</u>, authorized payment for the correct fee amount. You may only use a credit card account with a U.S. billing address—no foreign billing address is allowed. You can use cards with Visa, MasterCard, American Express, and Discover. See Pay Your USCIS Fees with a Credit Card
- MOST DENIALS ARE DUE TO BAD PAYMENTS! IF YOU USE A CHECK OR CREDIT CARD MAKE SURE YOU MAINTAIN SUFFICIENT FUNDS IN THE ACCOUNT.

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

		UNITED STATES POSTAL SERVICE	POSTAI	MONEY ORDER
NAME STREET ADDRESS	<check no.=""></check>	Serial Number	Year, Month, Day	Post Office U.S. Doffare and Conts
CITY, STATE ZIP CODE Your telephone Number	DATE: MM/DD/YYYY		This section will be a	completed by issuer of money order.
PAY TO THE ORDER OF U.S. Department of	Homeland Security \$ 520.00	Pay U.S. Department of Hor	meland Security	Oerk
Five-hundred and t	wenty dollars 00/100 DOLLARS	USCIS Mailing Address	From	Your name
BANK NAME Street Address City, State Zip Code		I-765 Application: Your	SEVIS ID Number	Your mailing address
FOR Your SEVIS ID Number	signed Your Signature	:000000000:	0000000	0000*

Check & money order images are examples. Remember to check the fee before mailing!

Form G-1145

- Attach to the top of the EAD application packet.
- Use this form to request text and email notification(s) regarding your application. Download the form at <u>https://www.uscis.gov/g-1145</u>



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

Department of Homeland Security U.S. Citizenship and Immigration Services USCIS Form G-1145

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 Lockbox 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 (I-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 is collected pursuant to section 103(a) of the Immigration and Nationality Act, as amended INA section 101, et seq.

PURPOSE: The primary purpose for providing the information on this form is to request an electronic notification when USCIS accepts immigration form. The information you provide will be used to send you a text and/or email message.

DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information may prevent USCIS from providing you a text and/or email message receipting your immigration form.

ROUTINE USES: The information provided on this form will be used by and disclosed to DHS personnel and contractors in accordance with approved routine uses, as described in the associated published system of records notices [DHS/USCIS-007 - Benefits Information System and DHS/USCIS-001 - Alien File (A-File) and Central Index System (CIS), which can be found at www.dhs.gov/privacy]. The information may also be made available, as appropriate for law enforcement purposes or in the interest of national security.

Complete this form	and clip it on top of the first pa	ge of your ii	nmigration form(s).	
Applicant/Petitioner Full Last Name	Applicant/Petitioner Full First N	lame	Applicant/Petitioner Full Middle Name	
Email Address	1	Mobile Phone Number (Text Message)		

Form G-1145 09/26/14 Y

I-765 Form & Fee Reminders

USCIS occasionally updates both the **I-765 FORM** and the **I-765 FEE**. Please pay attention if you are mailing your application to be sure you pay *exactly* the correct fee and use *exactly* the correct edition of the I-765 form. You <u>DO NOT</u> need to complete the I-765 Worksheet.

Form Details

To confirm the correct edition of the I-765: Use <u>ONLY the I-765</u> <u>version indicated under the "Edition Date" on the USCIS website</u> The form edition date is found in the **lower left-hand corner** of the I-765 form.

- Download I-765 form directly from the <u>USCIS I-765 website</u> just before mailing the application since USCIS updates the form frequently.
- 2. Confirm you are using the correct edition of the I-765 form.

To confirm the I-765 fee:

- 1. Go to the <u>USCIS Fee Schedule</u> page ON THE DATE OF MAILING to be certain you are <u>paying the correct fee.</u>
- 2. Scroll down to "Select a Form for Fee Information" and ensure that the I-765 form is selected.
- 3. In the chart below, in the "Filing Category" column, look for "General Filing."
- 4. The correct amount is under the "Paper Filing Fee."

	l'onn becans	💉 Close All 🗳 🖉 Open All
<u>.</u>	Forms and Document Downloads	~
	Edition Date	~
Γ	Where to File	~
	When to File	~
	Filing Fee	~



I-765, Application for Employment Authorization <u>Visit the I-765 page for more information.</u>



I-765 Form Instructions

How to fill out Form I-765

- Type or print legibly in in <u>black ink</u>.
- Answer all questions fully and accurately.
- If a question does not apply to you, type or print "N/A"
- Print and complete <u>ALL pages 1-7</u>. If any pages are missing, your application will be rejected!
- Print all pages single-sided

Some parts of the I-765 can be confusing. The following slides will help you complete those "tricky" questions.

Contact BIO with ANY questions or uncertainties about completing the I-765.

Top Portion: leave this entire section blank

PART 1. Reason for Applying, pg. 1

Item 1a: *If you do not have an EAD based on your current J-2 status,* check the box for "Initial permission to accept employment"

Item 1c: *If you were already issued an EAD under J-2 status and are renewing your EAD,* check "Renewal of my permission to accept employment (Attach a copy of your previous EAD)".



START HERE - Type or print in black ink. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None" unless otherwise directed.

Part 1. Reason for Applying

I am applying for (select only one box):

- Initial permission to accept employment.
- 1.b. Replacement of lost, stolen, or damaged employment authorization document, or correction of my employment authorization document NOT DUE to U.S. Citizenship and Immigration Services (USCIS) error.

NOTE: Replacement (correction) of an employment authorization document due to USCIS error does not require a new Form I-765 and filing fee. Refer to **Replacement for Card Error** in the **What** is the **Filing Fee** section of the Form I-765 Instructions for further details.

1.c. Renewal of my permission to accept employment. (Attach a copy of your previous employment authorization document.)

PART 2. Information About You, pg. 1

#1 Name

Your entire family name should be in CAPITAL letters. Use upper & lower case for the first name. Write your name exactly as it appears in the *Surname/Primary Name* and *Given Name* fields on your DS-2019. Note that your DS-2019 does NOT use the Middle Name field!



#2-4 Other Names Used

Enter your previous names, including nicknames you have used in official records or documentation. If none, write "N/A"

If you are typing out the I-765 electronically, be aware that the form does not allow you to write the "/" character into these fields. You will need to hand-write the "N/A" wherever this appears in the instructions.

Part 2. Information About You

Your Full Legal Name

 1.a.
 Family Name (Last Name)
 FAMILY NAME

 1.b.
 Given Name (First Name)
 First Name

 1.c.
 Middle Name
 N/A

Other Names Used

Provide all other names you have ever used, including aliases, maiden name, and nicknames. If you need extra space to complete this section, use the space provided in **Part 6**. Additional Information.

2.a.	Family Name (Last Name)	N/A
2.b.	Given Name (First Name)	N/A
2.c.	Middle Name	N/A
3.a.	Family Name (Last Name)	N/A
3.b.	Given Name (First Name)	N/A
3.c.	Middle Name	N/A
4.a.	Family Name (Last Name)	N/A
4.b.	Given Name (First Name)	N/A
4.c.	Middle Name	N/A

Complete the Form I-765 PART 2. Information About You, pg. 2

U.S. Mailing Address

This is where you would like the Receipt Notice and the EAD card to be mailed. *This is very important!*

The address should be valid for the current USCIS processing times. If you have plans to move during this time, use a reliable friend or family member's address to receive the EAD (indicate this in **#5.a.**) It is also possible to use a P.O. Box for mailing addresses.

OR- you can use your current address and <u>update your address</u> with <u>USCIS</u>. Keep in mind that address changes can take 10 business days to process and could jeopardize your EAD delivery. We recommend keeping the same address for your entire EAD processing, if possible.

#5.a. If the mailing address belongs to someone other than yourself, put their full name (First Name Last Name) here. This person MUST be listed as a resident of the address with the U.S. Postal Service. If this is *your* address, write "N/A."

#5.b-5.e Write a valid mailing address in the U.S. It may be a residence, commercial address, or PO Box. *You may not use BIO's address.*

#6 If you listed a mailing address that is **NOT** your current physical living address, select "No" and complete **#7.a-7.e.** with your current physical address. If "Yes," write "N/A" in **#7.a-7.e.** Physical address should reflect where you actually live.

Part 2. Information About You (continued)

Your U.S. Mailing Address

- 5.a. In Care Of Name (if any) Oski Bear (or N/A if this is your address) 5.b. Street Number **123 College Ave** and Name X Apt. Flr. 8 5.c. Ste. **Berkeley** 5.d. City or Town 5.f. ZIP Code 5.e. State CA -94720 (USPS ZIP Code Lookup)
- Is your current mailing address the same as your physical address?



U.S. Physical Address 7.a. Street Number and Name 987 Example Street 7.b. X Apt. Ste. Flr. 45A 7.c. City or Town Oakland 7.d. State CA 7.e. ZIP Code 94604

If you live outside of CA, please pay attention to the special mailing instructions later in the tutorial.

PART 2, pg. 2, continued...

Other Information

8. J Exchange Visitors do not have an A-Number, leave this blank.

9. J Exchange Visitors do not have a USCIS Online Account Number, leave this blank.

10. Check the box to indicate your gender.

11. Check "Married" if you are a J-2 spouse.

12.

Check "No" if you have never applied for an EAD.

Check "Yes" if you have previously applied for an EAD. You will need to provide copies of your previous EADs.

Other Information

8.	Alien Registration Number (A-Number) (if any)
	► A- Leave blank
9.	USCIS Online Account Number (if any)
	Leave blank
10.	Gender Male Female
11.	Marital Status Single Married Divorced Widowed
12.	Have you previously filed Form I-765?
	Yes No
	If yes, you will need to provide copy(s) of your previous EAD(s)

PART 2, pg. 2, continued...

#13.a.-17.b. Social Security Number (SSN)

#13.a. Check "Yes" if you have been issued an SSN and enter your SSN with one letter in each box.

#13.b. Skip this if you don't already have an SSN.

#14. Check "Yes" if you want a new or replacement SSN card and complete. Check "No" if you do not want a new or replacement SS card

#15-17.b. If you checked "Yes" for #14, answer these questions. I you checked "No" for #14, skip these questions.

13.a. Has the Social Security Administration (SSA) ever officially issued a Social Security card to you?

If yes, complete 13.b. X Yes

No If no, skip to 14

NOTE: If you answered "No" to Item Number 13.a., skip to Item Number 14. If you answered "Yes" to Item Number 13.a., provide the information requested in Item Number 13.b.

13.b. Provide your Social Security number (SSN) (if known).

1 2 3 4 5 6 7 8 9

Do you want the SSA to issue you a Social Security card? 14. (You must also answer "Yes" to Item Number 15., Consent for Disclosure, to receive a card.)

If yes, complete 15-17.b Yes

If no. skip to 18

No

NOTE: If you answered "No" to Item Number 14., skip to Part 2., Item Number 18.a. If you answered "Yes" to Item Number 14., you must also answer "Yes" to Item Number 15.

Consent for Disclosure: I authorize disclosure of 15. information from this application to the SSA as required for the purpose of assigning me an SSN and issuing me a Social Security card. No Yes

NOTE: If you answered "Yes" to Item Numbers 14. - 15., provide the information requested in Item Numbers 16.a. - 17.b.

Father's Name

Provide your father's birth name.

16.a. Family Name **FAMILY NAME** (Last Name) 16.b. Given Name **First Name** (First Name)

Mother's Name

Provide your mother's birth name.

17.a. Family Name (Last Name)

FAMILY NAME

Given Name (First Name)

First Name

You should receive your Social Security card from SSA about 2 weeks after receiving your approved EAD from USCIS.

PART 2, pg. 2-3 continued...

The responses to these questions are straightforward. Please complete them accurately.

#18 Countries of Citizenship, pg 2

List all as applicable (*use Part 6 of the I-765 if needed*) or write "N/A" in **18.b.** if you do not have multiple citizenships.

#19-20 Place of Birth, pg 3

List the name of the country as it was named when you were born, even if its name has changed

Make sure your Date of Birth is in the correct format of MONTH - DAY - YEAR. (01/31/1998 not 31/01/1998)

Your Country or Countries of Citizenship or Nationality

List all countries where you are currently a citizen or national. If you need extra space to complete this item, use the space provided in **Part 6. Additional Information**.

18.a. Country

Australia

18.b. Country

N/A

Place of Birth

List the city/town/village, state/province, and country where you were born.

19.a. City/Town/Village of Birth

Brisbane

19.b. State/Province of Birth

Queensland

- 19.c. Country of Birth Australia
- 20. Date of Birth (mm/dd/yyyy)

01/31/1998

Complete the Form I-765 PART 2, pg. 3 continued...

Information About Your Last Arrival

#21.a. I-94 Number

Use your current <u>I-94 number</u>. This is at the number found on the electronic I-94 record or on the top left corner of the paper Form I-94 card (see example). I-94 numbers issued prior to May 2019 are 11 characters long and contain only numbers. Example: 01234567890. I-94 numbers starting in May 2019 have a format of 9 numbers, followed by a letter, then another number. Example: 012345678A1.

#21.b.-e. Passport Information

Enter the information directly from your passport. This passport should match the country on your I-20.

In cases where you entered the US on a passport that is now expired, **enter the number of your expired passport**. (You will provide information on the **new** passport on pg. 7 of the application.)

#21.c. Travel Document Write "None" here.

Admission (I-94) Record Number: 0123456781A Most Recent Date of Entry: 2017 March 06 Class of Admission : F1 Admit Until Date : D/S Details provided on the I-94 Information form: Last/Surname : First Given Name Birch Date : Passport Number : Country of Issuance Cet Travel History
Most Recent Date of Entry: 2017 March 06 Class of Admission : F1 Admit Until Date : D/S Details provided on the I-94 Information form: Last/Surname : First (Given) Name Birth Date : Passport Number : Country of Issuance Cet Travel History
Class of Admission : F1 Admit Until Date : D/S Details provided on the I-94 Information form: Last/Surname : First (Given) Name Birch Date : Passport Number : Country of Issuance Get Travel History Ffective Antl 26 2013. DHS base automation the admission process. An alim lawfully admitted or particular
Admit Until Date : D/S Details provided on the I-94 Information form: LastSurname : First (Given Name Birth Date : Passport Number : Country of Issuance Get Travel History
Admit Unit Jate : U/S Details provided on the I-94 Information form: Last/Surname : First (Given) Name Birth Date : Passport Number : Country of Issuance Cet Travel History Ffective Aori 26, 2013. DHS basen automating the admission process. An alim layfully admitted or particular
Details provided on the I-94 Information form: Last/Surname : First (Given) Name : Birth Date : Passport Number : Country of Issuance Get Travel History Ffective Aorl 26, 2013, DHS basen automating the admission process. An alim lawfully admitted or parameters
Last/Surname : First (Given) Name : Birth Date : Passport Numbe : Country of Issuance Get Travel History Ffective Aorl 26, 2013, DHS basen automating the admission process. An alian lawfully admitted or particular
LastSumame : First Given Name ; Birth Date : Passport Number : Country of Issuance Get Travel History
Priss (Geven) walne Birh Date Passport Number : Country of Issuance Get Travel History Ffective Aori 26, 2013, DHS beam automating the admission process. An alien lawfully admitted or parced
Brinn Lower - Passport Number : Country of Issuance Get Travel History Ffective Aori 26, 2013, DHS beam automating the admission process. An align lawfully admitted or purchase
Country of Issuance Get Travel History Ffective April 26 2013, DHS becam automating the admission process. An alien tayfully admitted or parcelet
Get Travel History
Get Travel History
Effective April 26. 2013. DHS becan automating the admission process. An alien lawfully admitted or paroled
Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled
U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from P website constitutes a lawful record of admission. See 8 CFR § 1.4(d).
f an employer local state or federal agency requests admission information, present your admission (I-94)
U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from P website constitutes a lawful record of admission. See 8 CFR § 1.4(d).

Information About Your Last Arrival in the United States

21.a. Form I-94 Arrival-Departure Record Number (if any)

0123456781A

- 21.b. Passport Number of Your Most Recently Issued Passport YG000954R
- 21.c. Travel Document Number (if any)
- 21.d. Country That Issued Your Passport or Travel Document Australia
- 21.e. Expiration Date for Passport or Travel Document (mm/dd/yyyy) 03/01/2024

PART 2, pg. 3 continued...

#22 Date of Last Entry into the U.S.

Your most recent entry date can be found on your passport admission stamp, electronic I-94 record, or paper I-94 card.

#23 Place of Last Arrival into the U.S.

Name of the Port of Entry city from your most recent entry. This information can be found on your passport admission stamp, travel history section of your electronic I-94 record, or paper I-94 card (usually as a code, i.e. "SFR" for San Francisco). If you drove across the border, write the name of the city where you entered the U.S.

#24 Immigration Status at Last Entry

Status in which you entered the U.S. If you entered with a J-2 DS-2019, write "J-2 Dependent."

#25 Current Immigration Status

Current status should be "J-2 Dependent." If not, talk to a BIO adviser, and this status should be reflected on your current I-94.

#26 SEVIS ID

Your SEVIS ID appears on the top right side of your DS-2019 and starts with N00...

- Date of Your Last Arrival Into the United States, On or About (mm/dd/yyyy) 12/19/2017
- 23. Place of Your Last Arrival Into the United States
 SFR
- Immigration Status at Your Last Arrival (for example, B-2 visitor, F-1 student, or no status)

J-2 Dependent

 Your Current Immigration Status or Category (for example, B-2 visitor, F-1 student, parolee, deferred action, or no status or category)

J-2 Dependent

 Student and Exchange Visitor Information System (SEVIS) Number (if any)

▶ N- 0023104289

Complete the Form I-765 PART 2, pg. 3 continued...

#27 Eligibility CategoryUse the code (c) (5) for J-2 Employment.DO NOT USE a different code!

Information About Your Eligibility Category

27. Eligibility Category. Refer to the Who May File Form I-765 section of the Form I-765 Instructions to determine the appropriate eligibility category for this application. Enter the appropriate letter and number for your eligibility category below (for example, (a)(8), (c)(17)(iii)).

#28-31.b. Other Eligibility Categories: (c)(3)(c), (c)(26), (c)(8), (c)(35), (c)(36)

Write "N/A" in these fields. These questions are for *other* types of I-765 applications for *other* visa categories. They are NOT related to J-2 employment

1	entered the eligibility category (c) (3) (C) in Item Number 27., provide the information requested in Item Numbers 28.a - 28.c.
28.a.	Degree N/A
28.b.	Employer's Name as Listed in E-Verify
	N/A
28.c.	Employer's E-Verify Company Identification Number or a Valid E-Verify Client Company Identification Number
	N/A
29.	(c) (26) Eligibility Category. If you entered the eligibility category (c) (26) in Item Number 27., provide the receipt number of your H-1B spouse's most recent Form I-797 Notice for Form I-129, Petition for a Nonimmigrant Worker.
/	► N/A
30.	(c) (8) Eligibility Category. If you entered the eligibility category (c) (8) in Item Number 27., have you EVER been arrested for and/or convicted of any crime? Leave blank Yes No NOTE: If you answered "Yes" to Item Number 30., refer to Special Filing Instructions for Those With
	Pending Asylum Applications (c)(8) in the Required Documentation section of the Form I-765 Instructions for information about providing court dispositions.
31.a.	(c)(35) and (c)(36) Eligibility Category. If you entered the eligibility category (c)(35) in Item Number 27., please provide the receipt number of your Form I-797 Notice for Form I-140, Immigrant Petition for Alien Worker. If you entered the eligibility category (c)(36) in Item Number 27., please provide the receipt number of your spouse's or parent's Form I-797 Notice for Form I-140.
	► Leave blank
:	 31.b. If you entered the eligibility category (c) (35) or (c) (36) in Item Number 27., have you EVER been arrested for and/or convicted of any crime? Yes No Leave blank NOTE: If you answered "Yes" to Item Number 31 b

(c)(3)(C) STEM OPT Eligibility Category If you

28

NOTE: If you answered "Yes" to **Item Number 31.b.**, refer to **Employment-Based Nonimmigrant Categories**, **Items 8. - 9.**, in the **Who May File Form I-765** section of the Form I-765 Instructions for information about providing court dispositions.

PART 3. Applicant's Statement, pg. 4

#1.a. Select 1.a. to indicate that you have read and understood the questions.

#3-6 Provide your information as requested

Part 3. Applicant's Statement, Contact Information, Declaration, Certification, and Signature

NOTE: Read the **Penalties** section of the Form I-765 Instructions before completing this section. You must file Form I-765 while in the United States.

Applicant's Statement

NOTE: Select the box for either **Item Number 1.a.** or **1.b.** If applicable, select the box for **Item Number 2**.

- 1.a. X I can read and understand English, and I have read and understand every question and instruction on this application and my answer to every question.
- 1.b. The interpreter named in Part 4. read to me every question and instruction on this application and my answer to every question in

Leave blank

a language in which I am fluent, and I understood everything.

2. At my request, the preparer named in Part 5., Leave blank

> prepared this application for me based only upon information I provided or authorized.

Applicant's Contact Information

3. Applicant's Daytime Telephone Number

1234567890

Applicant's Mobile Telephone Number (if any)

1234567890

6.

- Applicant's Email Address (if any) oskibear067@gmail.com
 - Select this box if you are a Salvadoran or Guatemalan national eligible for benefits under the ABC settlement agreement.

PART 3, pg. 4-5

Applicant's Declaration and Certification

Read the entire declaration carefully.

Applicant's Signature

#7.a.-7.b. Hand sign your name and provide the date of the signature in black ink.

Important!

Because your signature will be scanned at USCIS, it must fit within the box. It must NOT touch the box outline. If it touches a line, your application could be delayed. You must sign and date by hand in black ink. Do NOT use any form of e-signature including those that are replicas of your exact hand-written signature. Print the form and sign it with an actual pen. USCIS will DENY applications with e-signatures.

Troubleshooting Signature Line:

In some cases the "Don't forget to sign!" automatic reminder will not disappear when you print the form. You should remove the auto filled "Don't forget to sign!"

Applicant's Declaration and Certification

Copies of any documents I have submitted are exact photocopies of unaltered, original documents, and I understand that USCIS may require that I submit original documents to USCIS at a later date. Furthermore, I authorize the release of any information from any and all of my records that USCIS may need to determine my eligibility for the immigration benefit that I seek.

I furthermore authorize release of information contained in this application in supporting documents and in my USCIS

Applicant's Signature

- 7.a. Applicant's Signature
- ➡ [

Your signature here (don't touch the lines)

7.b. Date of Signature (mm/dd/yyyy)

MM/DD/YYYY

NOTE TO ALL APPLICANTS: If you do not completely fill out this application or fail to submit required documents listed in the Instructions, USCIS may deny your application.

We recommend trying to...

- open the form in the most recent version of Adobe Reader.
- print a blank version of the form's second page from your web browser.

PARTS 4 and 5, pgs. 5-6

These sections are not applicable to you, since you've completed the form yourself, so write "N/A." This section is for those who use an interpreter or translator, or other paid preparer (i.e. an attorney) to complete the form.

Part 4 pg. 5

Part 4. Interpreter's Contact Information,	Part 4. Interpreter's Contact Information, Certification, and Signature
Certification, and Signature	Interpreter's Mailing Address
Provide the following information about the interpreter.	3.a. Street Number N/A
Interpreter's Full Name	3.b. Apt. Ste. Fir.
1.a. Interpreter's Family Name (Last Name)	3.d. State 3.e. ZIP Code
NA	3.f. Province
1.b. Interpreter's Given Name (First Name)	3.g. Postal Code
N/A	3.h. Country
2. Interpreter's Business or Organization Name (if any N/A) Interpreter's Contact Information
	4. Interpreter's Daytime Telephone Number
	5. Interpreter's Mobile Telephone Number (if any)
	6. Interpreter's Email Address (if any)
	Interpreter's Certification
	I certify, under penalby of perjury, that: I am fluent in English and MAA which is the same language specified in Part 3., Item Number I.b. , and I have read to this application and his or her answer to every question. The applicant informed me that he or she understands very instruction, question, and alawser on the application, including the Applicant's Declaration and Certification , and has verified the accuracy of every answer. Interpreter's Signature 7.a. Interpreter's Signature

Part 5 pg. 6

arer's Full Name Proparer's Family Name (Last Name) N/A Proparer's Given Name (First Name) N/A Proparer's Business or Organization Name (if any) N/A arer's Mailing Address Street Number N/A and Name Apt SteFIr	ov	de the following information about the preparer.
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arer's Contact Information Preparer's Daytime Telephone Number N/A		Preparer's Mobile Telephone Number (if any)
arer's Contact Information Preparer's Daytime Telephone Number N/A Preparer's Mobile Telephone Number (if any)		N/A



Part 5. Contact Information, Declaration, and Signature of the Person Preparing this Application, If Other Than the Applicant (continued)

Preparer's Statement

- 7.a. I am not an attorney or accredited representative but have prepared this application on behalf of the applicant and with the applicant's consent.
- 7.b. I am an attorney or accredited representative and my representation of the applicant in this case extends does not extend beyond the preparation of this application.

NOTE: If you are an attorney or accredited ay need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, with this application.

Preparer's Certification

By my signature, I certify, under penalty of perjury, that I prepared this application at the request of the applicant. The applicant then reviewed this completed application and informed me that he or she understands all of the information contained in, and submitted with, his or her application, including the Applicant's Declaration and Certification, and that all of this information is complete, true, and correct. I completed this application based only on information that the applicant provided to me or authorized me to obtain or use.

Preparer's Signature

8

8.a. Preparer's Signature

	N/A	
b.	Date of Signature (mm/dd/yyyy)	N/A

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a-3.c. Reference Pg. 3, Part 2, Item 27 **#3d.**

See attached evidence:

Copy of J-1 DS-2019, visa, passport, I-94

Copy of J-2 DS-2019, visa, passport, I-94 for applicant

Financial documents

Proof of marriage (or if J-2 child is applying include birth certificate)

Part 6. Additional Information

If you need extra space to provide any additional information within this application, use the space below. If you need more space than what is provided, you may make copies of this page to complete and file with this application or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.

1.a.	Family Name (Last Name)	FAM		NAME					
1.b.	Given Name (First Name)	First	Nan	ne					
1.c.	Middle Name	N/A							
2.	A-Number (if a	any) 🕨	- <mark>A-</mark>						
3.a.	Page Number	3.b.	Part	Number	3.e	. It	em N	Num	ber
	3		2				27		
3.d.	See attache	ed evid	ence	:					
	Copy of J-1	DS-20:	19. v	isa. pass	port. I	-94			
	Copy of J-2	DS-20	19, v	isa, pass	port, I	-94 j	for		
	applicant								
	Financial do	ocumei	nts						
	Proof of ma	irriage	(or i	f J-2 chil	d is ap	plyi	ng		_
	include birt	h certij	ficat	e)					

PART 6, Additional Information, pg. 7, if you:

Have previously filed Form I-765 (this is a J-2 EAD renewal_{4.d} application, or you have otherwise applied for an EAD) complete sections 4a through 4d.

#4.a-4.c. Reference Pg. 2, Part 2, Item 12

#4d. List all previous J-2 work authorizations or other employment authorization documents (EADs). Include the dates, receipt numbers, "See attached documentation for previous work authorizations."

4.a.	Page Number	4.b .	Part Number	4.c.	Item Number		
	2		2		12		
4.d.	List all previo	us J-2	work authoriza	itions or	other		
	employment	autho	rization docum	ents (EA	ADs).		
	Include the d	ates, re	eceipt number	s, "See			
	attached documentation for previous work						
	authorizatior	าร."					

PART 6, Additional Information, pg. 7, if you:

Most recently entered the US on a passport that is no longer valid and you now have a renewed passport

PART 6, Additional Information, pg. 7

#1.a.-1.c. Provide your name again as listed in Part 2, 1.a-1.c.

#2. Leave blank

#3.a-3.c. Reference Pg. 3, Part 2, Item 21.d.

#3d. Write an explanation that clarifies that you have two passports: one that you used for entry but is no longer valid, and one that is currently valid.

#3.d. Include copies of both passports and your I-94 with your application.

PART 6, Additional Information, pg. 7

You must add your signature and the date to page 7.

Simply sign and date in the blank space at the bottom of page 7.

Oski Bear March 1, 2024

Form I-765

Page 7 of 7



You are done with the I-765!

- 1. Review all the information on the form for accuracy. You must submit **ALL** pages of the I-765.
- 2. Make a copy of your completed I-765 application to keep for your records, in case there is a problem with the application.
- 3. Next, gather the additional required documentation and copies. See the following slides.

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>.
 - Please use this template letter for the EAD application because USCIS generally requires the applicant present a breakdown of monthly expenses.
- 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 current DS-2019 documents:

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

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Photocopy of I-94 Information (For J-1 and J-2):

The I-94 can be *either*:

• An electronic I-94 record. Visit <u>www.cbp.gov/i94</u> to access and print your record

- OR -

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

- OR -

 a copy of an I-797 Change of Status Approval Notice which includes a new I-94







Financial Documentation Can Be:

- Funding letter used to obtain the J-2 visa stamp at the US embassy.
- Funding letter submitted to UC Berkeley for the DS-2019 documents.
- Income letter from home country
- Personal funds, etc.
- UC Berkeley Salary, please include last 3 pay statements.



In addition to the above, include copies of current U.S. and/or home country bank statements.

All financial documentation must be dated within the past 6 months. For questions about financial documentation, please see an adviser 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 an EAD was ever issued while in a different immigration status.





Mailing the I-765 Application

Review the current filing address for the I-765 ON THE DATE OF MAILING at <u>https://www.uscis.gov/i-765-addresses</u>

Home > Forms > All Forms > Direct Filing Addresses for Form I-765, Application for Employment Authorization

Direct Filing Addresses for Form I-765, Application for Employment Authorization

If you are filing <u>Form I-765</u> with another form, file both forms at the location specified by the other form. For example, if you are filing Form I-765 with a Form I-539, file both forms according to the Form I-539 Instructions. Use addresses below only when you are NOT submitting Form I-755 with another form.

	🖞 Close All 🛛 🖨 Open All
Asylees/refugees and their spouses and children	~
Categories based on nationality	~
Foreign students	~
Eligible dependents of employees of diplomatic missions, international organizations, or NATO	il 🗸 🗸

- 1. Click on the Foreign Students section.
- 2. Find your eligibility category (c)(5).

3. Choose the address based on your type of mailing: Either U.S. Postal Service or private courier (FedEx, UPS, DHL) Write the address EXACTLY as indicated on the webpage.

BIO recommends FedEx as a reliable option. If using US Postal Service, choose *Express or Priority Mail* option Be sure your mailing option includes *tracking and guaranteed delivery*.

Step 2: Receive the Employment Authorization Document (EAD)

I-797 Notice of Action

The I-797 is very important.

If you lose the receipt, it may be difficult to replace it.

The I-797 is necessary if you want to 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 http://www.uscis.gov

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

<u>Verify the name and address on the I-765 receipt notice</u>. If incorrect, contact a BIO adviser immediately.

Contacting USCIS

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



Step 3: Receive the Employment Authorization Document (EAD)

USCIS Issues & Tracking Your Case

Case Status Updates

Sign up for an account at <u>https://www.uscis.gov</u>. This will allow you to receive automatic updates and monitor your case. Click "Check Your Case Status" and then select "Sign Up".

General Case Tracking:

If you don't sign up for an account, you can still track your case using the "Check Your Case Status" Tool

Address Changes:

If your address changes, you can update it online through the "Change of Address" tool. Keep in mind that address changes can take 10 business days to process and could jeopardize your EAD delivery. We recommend keeping the same address for your entire EAD processing, if possible.

Case Inquiries:

You can submit inquiries about your case using the Case Inquiry tool, if you don't receive your receipt or other notifications, or if your EAD has been pending for more than 75 days.



Application Problems- RFE or Rejection or Denial

RFE- If there is a problem with your application, the USCIS may send you a notice by mail called a "**Request for Evidence (RFE**)." An RFE does not mean that your application has been rejected. It simply means that you need to send in additional documents before your EAD can be issued.

- Getting an RFE will delay the processing of your application
- You must respond by the due date on the notice

Rejection or Denial- In some cases, if too many items are missing from your application or if USCIS determines you are not eligible for a J-2 EAD, USCIS will return the entire application to you or they may deny the application. If this happens, contact a BIO adviser to discuss next steps.

Contact BIO IMMEDIATELY if you receive an RFE, rejection, or denial.

To avoid delays, review your application materials for completeness and sign all the forms before mailing them to the USCIS.

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		Application/Petition I-129F Petition for Alien Fiancé(e)
leceipt #		Applicant/Petitioner
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UNE 23, 2006	1 of 3	Beneficiary
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The Employment Authorization Document (EAD)

- Official approval of work authorization in the United States.
- Review card to make sure the information is accurate. If not, consult with a BIO adviser.
- Present your EAD to employers as a form of work authorization.
- J-2 dependents are only eligible to work on the validity dates indicated on the card.



Avoiding Immigration Scams

It is very rare for USCIS to contact you via phone regarding your 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.

- See USCIS's website on how to avoid <u>immigration scams</u>, report fraud, and find <u>authorized legal services</u>.
- You can report immigration scams by contacting the FTC. Please visit the USCIS <u>Avoid Scams Initiative</u> website to learn more about avoiding immigration scams and reporting fraud.

General Tips for Travelers

- Be sure to have ALL necessary <u>documents for travel and re-entry</u> 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 adviser 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.
- There are increased risks of traveling outside of the U.S. while your EAD application is pending. Please consult with a BIO adviser before planning international travel.

Renewal of EAD – Important Reminders

- You can ONLY work during the dates listed on the approved EAD card – NOT before or after. Please review your employment authorization dates closely.
- The expiration date specifies when your work authorization ends. If your extended EAD has **not arrived** before your card expires, you will need to stop working.
- Please note that there is no 180-day extension while the J-2 EAD renewal is pending. This benefit is not available to the J-2 EAD renewal application.



Eligibility to Renew EAD and Application Timeline

- You can only apply for a new EAD if the J-1's program in the U.S. has been extended and/or if the EAD dates are shorter than the DS-2019 dates.
- The J-2 can apply for a new EAD authorization up to 180 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 to extend the program in a timely manner.
- After reapplying, it may take 3-5 months to receive the new EAD. **Please note:** If your EAD for your renewal has not been approved by the time it expires, you will need to stop working until you have your new EAD card.

Renewal of EAD

- Part 1, #1: To apply for the renewal of the EAD, on the I-765, check "Renewal of my permission to accept employment (Attach a copy of your previous employment authorization document.)"
- Part 2, #12: Answer "Yes" to "Have you ever previously filed Form I-765?"
- Part 6. #4a-4d (page 7): You will then also need to complete and sign PART 6, Additional Information, pg. 7 question 4a-4d.

Part 1. Reason for Applying

I am applying for (select only one box):

- 1.a. Initial permission to accept employment.
- **1.b.** Replacement of lost, stolen, or damaged employment authorization document, or correction of my employment authorization document **NOT DUE** to U.S. Citizenship and Immigration Services (USCIS) error.

NOTE: Replacement (correction) of an employment authorization document due to USCIS error does not require a new Form I-765 and filing fee. Refer to **Replacement for Card Error** in the **What is the Filing Fee** section of the Form I-765 Instructions for further details.

1.c. Renewal of my permission to accept employment. (Attach a copy of your previous employment authorization document.)

Other Information Alien Registration Number (A-Number) (if any) 8. ► A-USCIS Online Account Number (if any) 9. 10. Gender Male Female 11. Marital Status Single Married Divorced Widowed Have you previously filed Form I-765? No Yes



Contact Us:

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

When calling/emailing our office, please tell us your J-1 spouse's name and SEVIS ID or Date of Birth.