EAD Application Guide for J-2 Dependents

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

An EAD application to USCIS is your own personal application. You alone are responsible for timely filing with full documentation and properly maintaining your J-2 status.

Please review the entire guide and consult with a BIO adviser if you have questions.
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.


Average processing time at the United States Citizenship and Immigration Services (USCIS) is 3-5 months. See current USCIS processing times for Form I-765, Potomac Service Center here: [https://egov.uscis.gov/processing-times/](https://egov.uscis.gov/processing-times/)
Step 1: Preparing & Mailing the EAD Application
Gather the required documentation.

- 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 of $410. Check or Money Order made payable to: “U.S. Department of Homeland Security” or Credit Card payment by using completed Form G-1450, Authorization for Credit Card Transactions
- J-2 Work Permission Letter (see example)
- 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 DS-2019 documents for both the J-1 and J-2
- Photocopy of electronic I-94 record (found at https://i94.cbp.dhs.gov/I94/#/recent-search) 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 certification of translation 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.
Gather the required documentation.

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.S. Department of State web site.

- Submit 2 identical color passport photos taken within 30 days 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. Do not damage the photo surface by pressing hard while writing.

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

Foto Shop
131 Berkeley Sq
Berkeley, CA 94704
Gather the required documentation.

USCIS Fee of $410 by Check, Money Order, or Credit Card

- **USCIS Payment Methods**: Check/Money Order or Credit Card Payment for $410.
- **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 [G-1450](#), authorized payment amount $410. 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 OPT 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.

![Money Order Example](#)

![Credit Card Example](#)
Gather the required documentation.

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 http://www.uscis.gov/files/form/g-1145.pdf

**WARNING!**

USCIS will rarely contact you by phone regarding the status of your OPT 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, phone number, and email address, and contact a BIO advisor before responding.
Gather the required documentation

**Form I-765**
Download the I-765 form from the [USCIS web site](https://www.uscis.gov) and review the I-765 instructions found here. **Important:** Use the most current version of the Form I-765. It is best to download it just before mailing the application since USCIS updates it frequently.

**How to fill out Form I-765**
- Type or print legibly in **black ink**.
- Answer all questions fully and accurately.
- If a question does not apply to you, type or print “N/A”
- Print and complete ALL pages 1-7. 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.
Complete the Form 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)”.
Complete the Form I-765

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.
Complete the Form I-765

PART 2. Information About You (continued), pg. 2

Your U.S. Mailing Address
This is where you would like the Receipt Notice and the EAD to be mailed. This is very important!

The address should be valid for at least 3-5 months, the length of time it will take to process the application. 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 the mailing address.

#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.d. Physical address should reflect where you actually live.

*If the address listed is outside of California, consult with an adviser at Berkeley International Office.*
Complete the Form I-765

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.
Complete the Form I-765

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 character in each box in #13.b.

Check “No” if you do not yet have an SSN

#14.
Check “Yes” if you want a new or replacement SSN card and complete #15-17.b

Check “No” if you do not want a new or replacement SS card

You should receive your Social Security card from the SSA about 2 weeks after receiving your approved EAD from USCIS.
Complete the Form I-765

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

#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*)
Complete the Form I-765

PART 2, pg. 3 continued...

Information About Your Last Arrival

#21.a. I-94 Number
Use your current I-94 number (for your J-2 status). This is the number found on the electronic I-94 record (see example) or on the top left corner of the paper Form I-94 card. 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. 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
Complete the Form I-765

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 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...
Complete the Form I-765

PART 2, pg. 3 continued…

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

#28-31.b Other Eligibility Categories
Write “N/A” in these fields. N/A means not applicable. These questions are NOT applicable to applying for your J-2 EAD.
Complete the Form I-765

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
Complete the Form I-765

PART 3, pg. 4 continued...

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

Important!

Your signature will be scanned and must fit within the box. It must NOT touch the box outline. If the signature is too big and crosses a line, your application could be delayed. Be conservative and use a signature smaller than normal. Please see the example.

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!” We recommend trying:

• To open the form in the most recent version of Adobe Reader.
• To print a blank version of the form’s second page from your web browser.
Complete the Form I-765

PARTS 4 and 5, pgs. 4-6

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 other paid preparer to complete the form.
## Complete the Form I-765

### 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)

### Form I-765

<table>
<thead>
<tr>
<th>1.a.</th>
<th>Family Name (Last Name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.b.</td>
<td>Given Name (First Name)</td>
</tr>
<tr>
<td>1.c.</td>
<td>Middle Name</td>
</tr>
<tr>
<td>2.</td>
<td>A-Number (if any)</td>
</tr>
<tr>
<td>3.a.</td>
<td>Page Number</td>
</tr>
<tr>
<td>3.b.</td>
<td>Part Number</td>
</tr>
<tr>
<td>3.c.</td>
<td>Item Number</td>
</tr>
</tbody>
</table>

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)
Complete the Form I-765

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

Have previously filed Form I-765 (this is a J-2 EAD renewal 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          |

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.”
Complete the Form I-765

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


#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.

I most recently entered the US on MM-DD-YYYY with passport ####### and was issued I-94 ######. Since this date, I have renewed my passport. The number of my new passport is ######. See attached copies of both passports and the I-94.
Complete the Form I-765

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  August 1, 2019
Step 1: Complete Form I-765

Complete the Form I-765

You are done with the I-765!

1. Review all the information on the form for accuracy. You must submit **ALL** 7 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.
Gather the required documentation.

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 example.
  - 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)."
Gather the required documentation.

**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.
Gather the required documentation.

Photocopy of J-1 and J-2 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.
Gather the required documentation.

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

The I-94 can be *either*:

- An electronic I-94 record. Visit [www.cbp.gov/i94](http://www.cbp.gov/i94) 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
Gather the required documentation.

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.
Gather the required documentation.

Proof of Marriage

- Photocopy of marriage certificate.
- Include certification of translation, if not in English.
Gather the required documentation.

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 from California

USCIS Mailing Addresses
for people who live in California*

FedEx, UPS, & Other Express Carrier Mail, requesting signature from the addressee:

USCIS
Attn: NFB AOS
1820 E. Skyharbor, Circle S
Suite 100
Phoenix, AZ 85034

BIO recommends FedEx as a reliable option. If using FedEx or UPS, use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

U.S. Postal Service Mail

USCIS
PO Box 21281
Phoenix, AZ 85036

If using USPS, choose Express or Priority Mail option and use the above address. Be sure your mailing option includes tracking and guaranteed delivery.

* If you do not live in California, consult with a BIO adviser for mailing instructions.
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, 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](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**
Verify the name and address on the I-765 receipt notice. If incorrect, contact a BIO adviser immediately.

**Contacting USCIS**
If you have any problems or questions with the EAD application, contact a BIO adviser before calling the USCIS Customer Service.
USCIS Issues & Tracking Your Case

**Case Status Updates**
Sign up for an account at [https://www.uscis.gov](https://www.uscis.gov). 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.
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 immigration scams, report fraud, and find authorized legal services.
- You can report immigration scams by contacting the FTC. Please visit the USCIS Avoid Scams Initiative website to learn more about avoiding immigration scams and reporting fraud.
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 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

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.

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 EAD)” and answer “Yes” to question 12. You will then also need to complete and sign PART 6, Additional Information, pg. 7 question 4a-4d.

START HERE - Type or print in black ink.

I am applying for:

☐ Permission to accept employment.

☐ Replacement (of lost employment authorization document).

☒ Renewal of my permission to accept employment (attach a copy of your previous employment authorization document).

Other Information

8. Alien Registration Number (A-Number) (if any) [A-]

9. USCIS Online Account Number (if any)

10. Gender

☐ Male  ☐ Female

11. Marital Status

☐ Single  ☐ Married  ☐ Divorced  ☐ Widowed

12. Have you previously filed Form I-765?

☒ Yes  ☐ No
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.