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J-2 WORK AUTHORIZATION

WHAT IT IS: J-2 dependents may apply for work authorization through the U.S. Citizenship and Immigration Service. You will receive a work card also called an EAD (Employment Authorization Document). It may take 3 months to receive this card in the mail after you apply. Once you get the card, you may use it to work for any employer in the U.S. for any amount of hours from the start date to the end date listed on the card. You will have to apply for a renewal of the work card at least 3 months before the end date of your first work card in order to maintain continuous work authorization.

REQUIREMENT: It is a requirement for J-2 work authorization that the J-1 primary visa holder can demonstrate that there is enough money to support the family without needing the potential income of the J-2. In this packet we include a sample letter to show you how to address this issue.

HOW TO APPLY

To apply for your Employment Authorization Document (EAD), Mail the documents listed below to the immigration service at one of the addresses listed below.**

<u>For U.S. Postal Service deliveries including U.S.P.S. express mail</u> USCIS PO Box 660867 Dallas, TX 75266	<u>For express courier service deliveries (FedEx, UPS, etc)</u> USCIS Attn: AOS 2501 S. State Hwy. 121 Business Suite 400 Lewisville, TX 75067
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(** see back of this page for important instructions regarding your return address on the I-765)

- Form I-765 (download from www.uscis.gov and on item 16, write “(c) (5) ()” [last parentheses left blank].)
- A photocopy of your and the J-1 visitor’s valid DS-2019s
- A photocopy of both sides of your and the J-1 visitor’s I-94 card
- A copy of the ID photo page of your passport and your J-2 visa page
- A copy of the ID photo page of your J-1 spouse’s passport ID page and J-1 visa page.
- A copy of your marriage certificate, translated in to English.
- A photocopy of your previous EAD if you have one
- Two passport photographs (see attached sample). Print your name and I-94 card # in pencil on the back of each photo, and put the photos in an envelope and attach it to the front of the I-765.
- Fee of \$410.** Checks may be made payable to the Department of Homeland Security. You may send a money order or a personal check drawn on a U.S. bank, NO CASH. Attach the check to the front of the I-765.
- A letter (see the sample) requesting the employment authorization. The letter should state why you want to work and that income from your earnings will not be used to support the J-1 Exchange Visitor. Detail the J-1 Exchange Visitor’s financial support. Include a short budget.

Staple all of the above documents together and send by **certified mail** with a return receipt **or by federal express**. After mailing the documents, you will receive a receipt notice in the mail within 3 to 4 weeks. The EAD will take two or three months from the time you apply.

J-2 EMPLOYMENT AUTHORIZATION EXTENSION

Apply for an Extension of the Employment Authorization Document:

To be able to continue work, you need to apply for an extension of your work permission at least 3 months before it expires. If your work permission expires at the same time as the J-1 visitor's program, the J-1 visa holder should apply for a program extension before the extension of your employment authorization.

How to Apply

To apply for the extension, send all the documents and forms listed on page one. Don't forget to send the personal check or money order payable to USCIS.

The New EAD

When you receive your new EAD, you should show it to your employer so that they can update your I-9 Form (Employment Eligibility Verification). For non-academic positions at Cornell, your hiring department will update the I-9. For academic positions at Cornell, the ISSO will update the I-9.

Note:

If Cornell is not your visa program sponsor:

J-1 visa holders whose visa sponsor is not Cornell University (i.e. the DS-2019 was issued by IIE, Department of State or another sponsor but NOT Cornell) must be sure to obtain the new form DS-2019 from their sponsor 2 to 3 months before the end date of the current form.

Tax

J-2 dependents are subject to Social Security taxes, federal income taxes, and sometimes state income taxes (See IRS publication 519, United States Tax Guide for Aliens).

[This is just a SAMPLE--replace all the dollar amounts on this letter with the correct ones and explain your own situation]

[Your Name]
[your street address]
[your city, state and zip]

[date]

USCIS Service Center
PO Box 9765
St. Albans, VT 05479

Dear Officer:

I would like to apply for J-2 work authorization.

My J-1 spouse receives [annual funding amount] in annual financial support, including \$42,000 from [source], and \$5600 in personal funds. Of this, \$30,000 goes to the University for tuition and fees, and a total of about \$1200 for the year is withheld from his/her assistantship stipend checks for income tax. In addition we pay, \$1650 each year in health insurance. That leaves \$14,750, or just over \$1200 per month for living expenses. Our monthly budget is as follows:

\$600 Rent and utilities (electric, gas, telephone, cable TV)
\$400 Food
\$200 Miscellaneous (clothing, recreational, personal, transportation)
\$1200 Total

As this budget shows, we have enough to live modestly, but there are no funds left for expenses that are not essential. For example, while in the United States, I would like to take a casual course in English for international spouses, which would cost about \$50 in additional transportation costs, and we can afford that expense only if I work [replace the previous sentence with your own reason]. I therefore hope that you will approve my request.

I understand that none of my earnings may be used for the support of my J-1 spouse.

Sincerely,

[Your signature]
[Your name]



U.S. Citizenship and Immigration Services

USCIS Is Making Photos Simpler



**Old Three-Quarter
Style Photo**



**New Passport
Style Photo**

Photos Must Be in Color

Washington, DC — In accordance with language specified in the Border Security Act of 2003, U.S. Citizenship and Immigration Services (USCIS) today announced a change in the photo requirements for all applicants from a three-quarter face position to a standard, full-frontal face position to take effect **August 2, 2004**.

USCIS will accept both three-quarter and full-frontal color photographs until **September 1, 2004**, after which only full-frontal color will be accepted.

The application process of customers who have already submitted materials that include color photos with the three-quarter standard **will not** be affected by this change.

All photos must be of just the person. Where more than one photo is required, all photos of the person must be identical. All photos must meet the specifications for full-frontal/passport photos and must not be more than 30 days old when an application is filed.

For more information on photo standards, visit the Department of State website at <http://www.travel.state.gov/passport/pptphotos/index.html>, or contact the USCIS National Customer Service Center at 1 800 375 5283.

[List of forms that require photos is on the back](#)

Passport Photographs: Composition Checklist

(from http://www.travel.state.gov/passport/guide/composition/composition_874.html)

7 Steps to Successful Photographs:

- ✓ Frame subject with **full face, front view, eyes open**
- ✓ Make sure photo presents **full head** from top of hair to bottom of chin; height of head should measure 1 inch to 1-3/8 inches (25 mm to 35 mm)
- ✓ **Center head** within frame (see Figure 2 below)
- ✓ Make sure **eye height** is between 1-1/8 inches to 1-3/8 inches (28 mm and 35 mm) from bottom of photo
- ✓ Photograph subject against a plain white or off-white **background**
- ✓ **Position subject** and **lighting** so that there are no distracting shadows on the face or background
- ✓ Encourage subject to have a **natural expression**

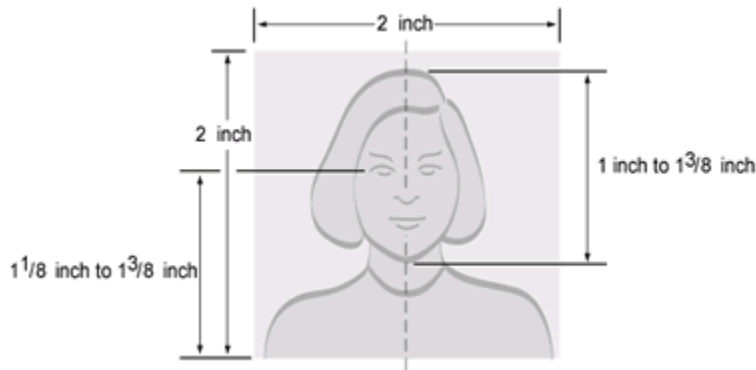
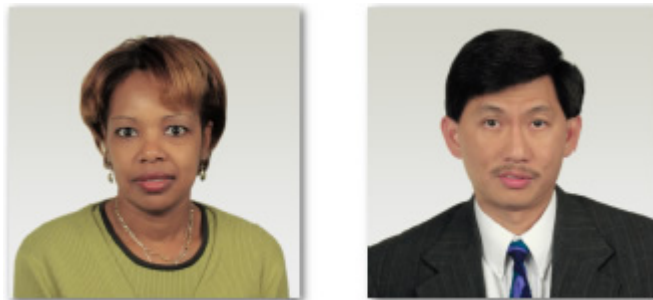


Figure 2. Head Position & Placement

Well-Composed Photos



Frequently Asked Questions about Passport Photographs

(from: http://www.travel.state.gov/passport/guide/faq/faq_881.html)

Do the photos have to be in color?

Yes, the photos must be in color.

How recent must the photos be?

The photos must be no older than 6 months.

What pose should the photos show?

The photo should show a clear, front view, full face of the customer. The customer should be in normal street attire, without hat or dark glasses against a plain white or off-white background. The customer should have a natural expression, mouth closed, and eyes open and looking directly ahead. Photos in which the face of the person being photographed is not in focus will not be accepted.

How big should the head be in the photo?

The customer's head, measured from the bottom of the chin to the top of the hair, should be between 1 inch and 1-3/8 inches. The head should be centered in the photo. The head of the person being photographed should not be tilted up, down or to the side. It should cover about 50% of the area of the photo.

Can hats or religious headgear be worn for the photo?

Unless worn daily for religious reasons, all hats or headgear should be removed for the photo. In all cases, no item or attire should cover or otherwise obscure any part of the face.

Can eyeglasses be worn for the photo?

Eyeglasses worn on a daily basis can be worn for the photo. However, there should be no reflections from the eyeglasses that obscures the eyes.

Can sunglasses or tinted glasses be worn?

Dark glasses or nonprescription glasses with tinted lenses are not acceptable unless you need them for medical reasons. A medical certificate may be required.

Can work uniforms be worn for the photo?

Uniforms should not be worn in photographs except in the case of religious attire that is worn daily. Otherwise, normal street attire should be worn.

Are photos that are copied from recent driver licenses or other official documents acceptable?

No, only original photographs are acceptable. Copied or digitally scanned photos of photos will not be accepted. In addition, photos must not be retouched to alter the customer's appearance in any way.

Are snapshots, magazine photos, or photos from vending machine acceptable?

No, snapshots, magazine photos, most vending machine prints, or full-length photographs are not acceptable.

May photos be taken with a digital camera?

If the digital camera has sufficient resolution — capable of capturing and storing images with 1 million pixels (megapixels) or more — it can be used to take the photos. However, printing of digital images is best done by professional photography processing labs because many off-the-shelf digital printers cannot achieve the image-quality required for passport and visa photographs. In any case, the image-quality criteria, described on this website, must be met in the submitted conventional film photo and/or the digital image printed photo.

Places to obtain Passport Photos

Fees are in the \$10-14 range

Student Agencies, Inc.
www.studentagencies.com
409 College Avenue
272-2000

The Post Office at ILR
311 E. Palm Road
(on campus)
Hours for passport photos only: 8am-12noon
255-3907

AAA
1284 Dryden Road
273-6727

The Cornell Store