

# UNIVERSITY OF WYOMING

## International Students and Scholars

Dept. 3228, 1000 E. University Avenue • Laramie, WY 82071  
(307) 766-5193 • fax (307) 766-4053 • e-mail: uwglobal@uwyo.edu  
www.uwyo.edu/iss/

## INSTRUCTIONS FOR REQUESTING J-2 EMPLOYMENT AUTHORIZATION

J-2 dependents can apply for work authorization. However, the regulations (8 C.F.R. § 214.2 (j)(1)(v)(A)) state:

“Income from the spouse's or dependent's employment may be used to support the family's customary recreational and cultural activities and related travel, among other things. Employment will not be authorized if this income is needed to support the J-1 principal alien.”

Further, DHS regulations state the “J-2 employment may be authorized for the duration of the J-1 principal alien’s authorized stay as indicated on Form I-94 or a period of four years, whichever is shorter. The employment authorization is valid only if the J-1 is maintaining status.” Despite this, USCIS practice is to limit issuance of all EADs to no more than 1 year at a time.

Please note, J-2 dependents are subject to federal income taxes, and state income taxes, if the state has income taxes, because the employment services were not performed “to carry out a purpose for which the individual was admitted.” See IRS publication 519, *United States Tax Guide for Aliens*.

ISS staff will help submit an application for employment authorization. If you want ISS support, collect the following documents:

1. A completed I-765 (you can print one from the web, or use the one in this packet. If you print one, please use the following as the home address:  
c/o ISS, Dept. 3228, 1000 E. University Ave.  
Laramie, WY 82071
2. The I-765 fee of \$380, check or money order written out to US Department of Homeland Security;
3. 2 photos (must have been taken no more than 30 days before filing the form). See <http://travel.state.gov/content/visas/english/general/photos.html> for further instructions.
4. Copy of the current DS-2019 for both the J-1 and the J-2;
5. I-94 documents for both J-1 and J-2;
6. Letter from J-2 stating why the employment is desired. While the letter does not need to demonstrate financial need to receive the employment authorization, it should indicate the source and amount of support for the J-1 Exchange Visitor and specifically state that the income derived from the employment will not be used for the support of J-1 Exchange Visitor.
7. If you have previously been given an Employment Authorization Document, please submit a copy of it.

ISS will submit all of the above to the Service Center in Nebraska for you, along with a supporting letter from our staff. Generally, adjudication for EADs takes about 90 days. You may NOT begin employment until you have the EAD and the date on the card is current. The employment authorization is only valid if the J-1 is maintaining status.

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## SAMPLE REQUEST LETTER FOR J-2 EMPLOYMENT AUTHORIZATION

Current Date

Your Address

To Whom it May Concern:

I am a J-2 visa holder requesting employment authorization so that I may work in the US. My [husband/wife] is [name], a J-1 [student/scholar] at the University of Wyoming.

As you can see from my [husband/wife's] DS-2019, we have sufficient funding for our essential needs.

My husband's/wife's annual [income/funding] is: \$36,000

Our annual expenses:

Tuition/Fees [if a J-1 is a student]	\$12,500
Books	\$1,200
Rent	\$10,200
Food	\$6,000
Utilities	\$1,200
Insurance	\$2,000
Miscellaneous (clothing, transportation, etc.)	\$2,400
TOTAL	\$35,500

As the budget shows, we have enough to live modestly. However, I would like to have the opportunity to work to engage in cultural and recreational activities. [You can also indicate here that you wish to further your career, etc]. My income will not be used to support my [husband/wife].

Thank you for your consideration.

Regards,

[J-2 Signature]

[J-2 Name]