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## **Applying for Employment Authorization as Dependent Spouse of E or L Visa Holder**

In order to work legally in the U.S. as the dependent spouse of an E or L visa holder, you must first obtain an employment authorization document (“EAD card”) from the U.S. Citizenship and Immigration Services (“CIS”). To obtain this document, you must submit an application to the CIS Service Center with jurisdiction over your state of residence. (The only exception to this jurisdictional rule is where your I-765 accompanies your spouse’s Form I-129 petition for E-1 or E-2 status, in which case both applications must be filed with the appropriate California or Texas Service Center.)

Your application for employment authorization must include the following:

- Form I-765, Application for Employment Authorization;
- Two recent CIS-style photographs;
- Copies of your **and** your spouses’ most recent Forms I-94, Arrival/Departure Records;
- A copy of your marriage certificate, with an English translation (if necessary);
- A copy of the Form I-797, Notice of Approval for your spouse’s current L or E status (if available);
- Documentation of your spouse’s ongoing employment in L or E status; and
- Check for \$180 to cover the CIS filing fee.

### **Form I-765, Application for Employment Authorization**

You may find this form on the CIS website at [www.uscis.gov](http://www.uscis.gov). This form may be downloaded and completed on your computer using Adobe Acrobat. Alternatively, you may print out a blank form to complete by hand. The form is also available at any CIS district office.

These offices are located throughout the country and in most major U.S. cities. A list of the district offices is provided on the CIS website as well.

The form that is available online includes several pages of filing instructions, which we would strongly recommend that you read. Included in these instructions is a list of the four CIS Service Centers with information regarding the states under their jurisdiction.

Although most items on the form are self-explanatory, a couple of them are less clear. For example, item #11 asks whether you have ever applied for employment authorization in the past. Please be aware that this pertains only to applications for employment authorization cards and does not include work-authorized status such as H-1B or L-1.

The instructions ask the applicant to refer to a list of eligibility categories on the second page of the form. Spouses with E classifications should write in “(a)(17)” and L spouses should respond “(a)(18).”

### **CIS style photographs**

The photographs that you submit with your application must conform to special CIS guidelines, which are available on the CIS website. The photographs must show a full-face front image and be in color; and the two photographs must be identical to one another. Most places that do passport photos do CIS photos.

If you live near a CIS district office, you may wish to check the surrounding neighborhood for photography stores. Many of these shops specialize in CIS-style photographs and have a full understanding of the complicated guidelines.

### **Documentation of Your Spouse’s Employment**

We recommend that you submit two items to document your spouse’s employment: a short letter from your spouse’s company, and copies of his or her three most recent pay stubs. The letter from your spouse’s employer should state that your spouse is employed pursuant to either E or L nonimmigrant status and should state your spouse’s title and salary. This letter may also include a short description of the company as well as a description of your spouse’s job. The letter need not be more than one or two pages long and may be completed by your spouse’s supervisor, a member of the human resources department, or a company executive with discretion over your spouse’s employment.

### **Processing Time for Applications**

CIS regulations specify that applications for employment authorization be completed by CIS within 90 days. If 90 days have passed since the CIS Service Center received your application and your case still has not been adjudicated, you may submit a new application to the CIS district office in your area. This application must include all items listed above, as well as a

copy of the Service Center's receipt notice for your application. Procedures for this type of application vary from office to office and we advise you to contact the district office before submitting your application to determine the specific policies and procedures for that office. Most district offices require an appointment, which can be scheduled via the Infopass web-based system. Please see the CIS website for Infopass information.

### **Validity and Use of Employment Authorization Documents**

The employment authorization issued to spouses of E and L nonimmigrants is valid for free market employment. This means that there are no restrictions on the type of work you may accept, the work's location, or the salary offered. The card you receive should be valid for two years or until the expiration of your spouses' E or L status. *You must have a valid EAD card at all times in order to work in the U.S.* Unless you are able to obtain your own work-authorized status (e.g., H-1B, L-1, E), you must have a valid card while you are working. As these applications can take many months to process, you should be sure to submit your application to renew your EAD several months before your current card expires in order to ensure your continued ability to work.

Once you have received your EAD card, you will need to apply for a social security number at a local Social Security Administration office. Applications and office locations can be found at [www.ssa.gov](http://www.ssa.gov).

Should you have further questions regarding this process, please have your spouse contact the human resources office in his or her company.