

## INSTRUCTIONS FOR EMPLOYMENT AUTHORIZATION APPLICATION BY SPOUSES OF PERSONS IN E-1, E-2, E-3, & L-1 NONIMMIGRANT STATUS\*

Spouses of persons in E-1, E-2, E-3 and L-1 visa status are eligible to apply for employment authorization once they enter the United States in dependent E-1, E-2 or E-3, or L-2 status. The spouse must apply for an Employment Authorization Document (EAD) on Form I-765. The spouse may not begin working until this application is approved and the EAD is received in the mail, which typically takes between 2 and 3 months.

**Note: The EAD will be granted for no more than 2 years and not longer than the validity period of the principal applicant's E or L visa holder's authorized period of stay.**

Note that spouses in dependent E-1, E-2, E-3 or L-2 status may now apply for Social Security Numbers (SSN) without having to first apply for an EAD. The spouse may apply for the SSN using Form SS-5 at a local Social Security Administration (SSA) office, with his or her passport and Form I-94 admission record, and marriage certificate, with certified English translations, if applicable. We also recommend bringing a copy of the principal spouse's I-94 arrival departure record. Note that although the dependent spouse may apply for the SSN without the EAD, they will not be able to start work without the actual EAD card.

Please refer to the following instructions to assist you in preparing and submitting your EAD application. Although we make every effort to ensure this information is correct and up-to-date, due to frequently changing procedures of the United States Citizenship and Immigration Services ("USCIS"), we encourage you to refer to the USCIS website (<http://www.uscis.gov/portal/site/uscis>) for the latest information.

### APPLICATION FORM

The most recent edition of Form I-765, Application for Employment Authorization can be downloaded online from the USCIS at: <https://www.uscis.gov/i-765>. The application form must bear the applicant's original signature. The questions on the application form are straightforward. **Note: For Question 27, you will need to indicate:**

- a(17), if you hold E-1, E-2, or E-3 dependent status; or
- a(18), if you hold L-2 status.

The complete instructions for the EAD application can be found online at: <https://www.uscis.gov/sites/default/files/document/forms/i-765instr.pdf>.

### FILING FEE

A check in the amount of \$410 payable to the "U.S. Department of Homeland Security" should be included with the filing, with the applicant's name included on the memo line of the check. We recommend filing with a personal check, as the back of the cancelled check will have the USCIS' receipt number printed on it.

If a receipt notice is not received from the USCIS, the cancelled check can be used to track the application. Because filing fees change often, we recommend reviewing the USCIS' website for the latest information.

### PHOTOGRAPHS

You must submit two (2) identical color photographs taken within six (6) months with your application. The photos must be passport-style and 2"x2" in size. More information on USCIS photo specifications can be found at <http://travel.state.gov/content/passports/english/passports/photos/photos.html>.

### SUPPORTING DOCUMENTS

You will also need to include the following documents with your standalone EAD application filing:

- Copy of your passport identification page;
- Copy of your I-94 admission record showing that you currently hold E-1, E-2, E-3, or L-2 dependent status. The I-94 record may be obtained online at <https://i94.cbp.dhs.gov/i94/>;
- Copy of your spouse's passport identification page;
- Copy of your spouse's I-94 admission record, showing that s/he currently holds E-1, E-2, or L-1 status. The I-94 record may be obtained online at: <https://i94.cbp.dhs.gov/i94/>;
- If applicable, copies of your spouse's E-1, E-2, E-3, or L-1 approval notice issued by the USCIS (note: this would not apply to many persons in E-1, E-2, or E-3 status), OR the government-endorsed Form I-129S for Blanket L-1 visa holders;
- If applicable, copy of your spouse's visa stamp;
- Copy of your marriage certificate, with certified English translation; and
- Copy of the front and back of your last EAD card(s) (if you are filing for a renewal).

### WHERE TO FILE

We strongly recommend you file your application by FedEx or other reputable courier with a means to track delivery of the package. Please note that the filing locations below apply only to stand-alone EAD applications being filed without any other applications.

State of Residence	U.S. Postal Service (USPS)	Express mail and courier deliveries
AK, AZ, CA, CO, HI, ID, IL, IN, IA, KS, MI, MN, MO, MT, NE, NV, ND, OH, OR, SD, UT, WA, WI, WY, Guam, or the Commonwealth of Northern Mariana Islands	USCIS Attn: NFB PO. Box 21281 Phoenix, AZ 85036-1281	USCIS Attn: NFB (Box 21281) 1820 E. Skyharbor Circle S Suite 100 Phoenix, AZ 85034 -4850

State of Residence	U.S. Postal Service (USPS)	Express mail and courier deliveries
AL, AR, CT, DE, DC, FL, GA, KY, LA, ME, MD, MA, MS, NH, NJ, NM, NY, NC, PA, Puerto Rico, RI, SC, OK, TN, TX, VT, VA, US Virgin Islands, or WV	USCIS Attn: NFB P.O. Box 660867 Dallas, TX 75266-0867	USCIS Attn: NFB (Box 660867) 2501 S. State Hwy. 121 Business Suite 400 Lewisville, TX 75067-8003

Because filing locations can change, please check back with the USCIS website prior to filing for updated instructions and file the application with the appropriate service center: <https://www.uscis.gov/forms/forms-information/uscis-phoenix-and-dallas-lockbox-facilities>. Please contact our office should you need further assistance in preparing and submitting the application.