Dependent Information: Status, Work and Travel

Legal dependents (spouse and children) of international students or employees in F-1, J-1, TN or H-1B non-immigrant status may enter the US as F-2, J-2, TD or H-4 visa holders. Their stay in the US is completely dependent on that of the principal alien. If the principal visa holder withdraws from school, takes an extended vacation, or leaves his or her employment at Dartmouth College and leaves the US, the dependent must leave as well. Children must be under the age of 21 in order to qualify for a dependent visa.

SEVIS fee information:
F-1 and J-1 students and scholars must pay the SEVIS fee before applying for a new F or J visa. The fee is only paid once per SEVIS program, even if the F or J principal has to leave to get a new visa, as long as they are in the same academic program and status. F-2 and J-2 dependents do not have to pay the SEVIS fee. H-1B principals and H-4 dependents are not subject to the SEVIS fee.

Studying:
Spouses: F-2 dependent spouses are not allowed to participate in full time or part time study in a degree program, or in taking courses toward the completion of a degree program. J-2 dependent spouses may still engage in part-time or full-time study, however the Department of State is reviewing this regulation, and this will probably change sometime in the near future. A J-2 may accept financial support in exchange for work or an assistantship, but only after applying for and receiving an employment authorization card from the Citizenship & Immigration Services (CIS) (Please see below for work authorization application procedures for J-2’s). If a dependent is accepted into a full-time program of study, the Office of Visa and Immigration Services strongly recommends applying for a change of status to an appropriate student visa such as F-1 or J-1.

Children: F-2 and J-2 children may attend elementary and secondary school.

Employment Regulations
Dependents in F-2, TD or H-4 status may not accept employment in the U.S. They may volunteer only if the position for which they are interested has always been a volunteer position, and always will be. CIS and the Department of Labor (DOL) do not allow a dependent to volunteer for a position, and then begin to receive payment for performing the same duties once a change of immigration status is approved. It is possible for the dependent to be offered a paid position, and apply for a change of status to an appropriate visa that allows employment. These opportunities are rare, however, and certain qualifications dictated by the visa type must be met before the visa status change is approved. In addition, employment may not commence until the CIS approves the change of status, or the person leaves the U.S. and successfully applies for the appropriate visa. This can take several months or more.

Dependents in J-2 status may apply for employment authorization from CIS. The required forms and instructions can be obtained at the Office of Visa and Immigration Services. The authorization will need to be renewed by application each year, and the wages earned must not be used to support the J-1 principal in any way. The J-2 may not commence employment until he or she has received the employment authorization card from the INS. This can take up to three months or more. Once the card is received, the J-2 must apply for a social security number. The Office of Visa & Immigration Services (OVIS) has social security card applications available.

J-2 Work Permission Procedure
The process to obtain J-2 work permission is a mail-in process to Citizenship & Immigration Services. The J-2 dependent must be in the United States in order to apply for the Employment Authorization Document (EAD). The application and all of the supporting documents are mailed to:
CIS Vermont Service Center
75 Lower Welden St.
St. Albans, VT 05479

The application must include the following documents:

1. Form I-765 – complete #16 as (c) (5) (c)
2. Two photographs (3/4 frontal view with the right ear showing)
   Note: they are NOT passport photos, rather "green card" photos
3. Check for $340.00 - personal check accepted
4. Photocopy of the J-1’s form DS-2019. (This should be valid at least 12 months or more into the future, as work authorization will only be given until the expiration date on the form)
5. Photocopy of J-2’s form I-94 (both sides)
6. Photocopy of J-2’s visa page in passport
7. Photocopy of J-2’s identification page in passport
8. Signed signature card
9. Letter from the J-2 applicant. The letter should be addressed "To Whom It May Concern", and in addition to requesting permission to accept employment, it should verify that:
   o The J-1 visa holder can support the J-2 dependent
   o The reason for applying for permission to work is related to a desire to attend cultural events, take language lessons or other course offerings, have a broader experience in the community, or travel.
   o Any money earned will not be used to support the J-1 exchange visitor.
10. Mail all documents by “certified mail with a return receipt.”

The J-2 applicant will receive the employment card (EAD) by mail at the address provided on form I-765. It is important to remember that the J-2 visa holder cannot begin work until the EAD card has been issued. However, the applicant can begin to look for work while the application is pending.

Travel:
If traveling outside and re-entering the U.S, the dependents need to ensure that they have valid passports adequate, valid dependent visas, and the proper forms (F-2: I-20 form, J-2: DS-2019 form, and H-4: the I-797 H-1B Approval Notice). The I-20 form held by the dependent must have a travel signature on the form that is no older than 6 to 9 months or within a year on the DS-2019. The H-4 dependent should have the original Notice of Approval for their change of status to H-4 if appropriate, a copy of the H-1B’s visa, and the approval notice for the principle’s H-1B status, Form I-797 as well.

Travel to Canada:
Your U.S. visa will not be valid to let you enter Canada. Citizens of certain countries are required to have a visa to enter Canada, while others are not. Please go to this website to determine if you need a Canadian visa to visit Canada:

- List of countries whose citizens need visas to travel to Canada: [http://www.cic.gc.ca/english/visit/visas.asp](http://www.cic.gc.ca/english/visit/visas.asp)

Automatic Revalidation:
If the F or J principal and or dependents will be traveling to Canada, Mexico, or the adjacent islands (ie: Caribbean islands) for a visit of less than 30 days, and their visas have expired, they will be allowed to re-enter the U.S. using those expired visas due to a process called Automatic Revalidation, if they are in possession of a valid passport, I-20 or DS-2019 form, and valid I-94 card. Please contact OVIS for more information on this. H principals and dependents may also take advantage of automatic revalidation, but only when traveling to Canada and Mexico, not the adjacent islands.