

# **Guide to Applications for Dependent Employment Authorizations**

To assist the Department of State's Office of Foreign Missions (OFM) in the adjudication process, OFM urges you to complete applications for employment authorizations in accordance with the instructions below, as well as to read and follow the instructions provided by U.S. Citizenship and Immigration Services on forms I-765 and I-566.

## **Eligibility**

To be eligible for OFM's endorsement of a Dependent Employment Authorization application:

- The applicant must be notified to OFM as the dependent of a principal diplomatic agent, consular officer/employee, administrative and technical staff member, International Organization support staff member, or NATO representative with an active assignment at a mission with which the United States has a bilateral employment agreement or de facto arrangement.
- Eligibility for NATO dependents, dependents of service staff members and dependents of employees at Miscellaneous Foreign Government Offices (MFGOs) is determined by the relevant bilateral employment agreement or de facto arrangement.
- The principal's visa classification must be A-1, A-2, G-1, G-3, G-4, or NATO. OFM will not endorse applications for individuals with visa classification of A-3, G-2, G-5, NATO-5, nor for those individuals who are considered permanently resident in the United States.
- The applicant's residential address on Form I-566 must match the principal's residential address on file with OFM.
- Applicants for renewal of employment authorization must demonstrate that they have met all tax requirements for years previously authorized for employment. See "Prior Tax Information" on pages 4-5 for further information.

## Guide to Application Forms

Refer to the chart below to determine which documents/items to submit with your employment authorization application package. A detailed explanation of each document follows.

<b>Document</b>	<b>Initial Application</b>	<b>Renewal Application</b>	<b>Replacement Application</b>
<b>Cover Sheet</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Military/NATO: command verification letter and assignment orders, posting instructions, or travel order/contract</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>I-765</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>I-566</b>	<b>X</b>	<b>X</b>	
<b>Passport, Visa, and I-94 for Principal and Dependent. (Note: NATO principals do not need to submit an I-94)</b>	<b>X</b>	<b>X</b>	
<b>2 passport photos</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>Job offer letter – or – Self-employment letter and resume</b>	<b>Refer to Bilateral Agreement or <i>de facto</i> arrangement</b>	<b>Refer to Bilateral Agreement or <i>de facto</i> arrangement</b>	
<b>Copy of Previous EAD Card</b>		<b>X</b>	
<b>1040 NR or 1040 NR-EZ Tax transcripts or signed statement that taxes were not owed for each year previously authorized to work</b>		<b>X</b>	
<b>Certificate of Labor</b>	<b>Under age 16</b>	<b>Under age 16</b>	
<b>Current College Transcripts</b>	<b>Refer to Bilateral Agreement</b>	<b>Refer to Bilateral Agreement</b>	
<b>Reciprocal Fee</b>	<b>Subject to Reciprocity</b>	<b>Subject to Reciprocity</b>	<b>Subject to Reciprocity</b>

- **Cover sheet from the foreign mission/international organization.** The cover sheet should include:
  - an email address and/or telephone number for the mission's point of contact
  - name of the principal and dependent,
  - PID number for both the principal and dependent, and
  - DOB for the both the principal and dependent.
  
- **For Military and NATO applicants: A command verification letter and a copy of one of the following: assignment orders, posting instructions, or travel order/contract.**
  - The command verification letter should:
    - Be an original on letterhead, signed and include the name and telephone number of the signatory. Letters signed by sponsor of applicant are not acceptable.
    - Should include the sponsor's name, position held, and command where posted.
    - The tour of duty end date should match the attached orders and I-566-part 2 item 3. If only month and year are provided on the orders, the tour of duty will end on the first day of the month.
  
- **Form I-765, Application for Employment Authorization:**  
(<http://www.uscis.gov/sites/default/files/files/form/i-765.pdf>)
  - The form should be filled out with black ink or typed, with original signature.
  - For Part 2, the applicant should use the mission address as the U.S. mailing address (excluding NATO).
  
- **Form I-566, Interagency Record of Request:**  
(<http://www.uscis.gov/sites/default/files/files/form/i-566.pdf>)
  - The form should be filled out with black ink or typed, with original signatures.
  - Part 2, item 2, Physical Address must match the residential address on file with OFM.
  - Part 8 should be completed, signed, dated and sealed by the embassy, international organization or NATO organization.

- **Copy of the passport, visa, and Form I-94 for both the principal *and* the applicant.**
  - The I-94 form can be found here: <https://i94.cbp.dhs.gov>
  
- **Two (2) passport photos of the applicant**
  - Photos should list the applicant's name and PID on the back in case they get separated from the application and must comply with the USCIS's specifications noted in the instructions on form I-765.
  
- **Job offer letter or self-employment package**
  - If applicable, job offer letters must be on letterhead from the prospective employer. It must identify the dependent by name and include the position, salary, duties of position, and verify that the dependent possesses the qualifications for the position. The job offered must be in the same metropolitan area as the principal's residence.
  - If applicable, self-employment packages must include the intended clients, method of advertising, predicted income, and a CV or resume.
  
- **Previously-issued Employment Authorization Card**
  - Applicants for renewal of the Employment Authorization must submit copies of the front and back of their previously issued Employment Authorization card.
  
- **Prior Tax Information for Years Previously Authorized to Work**
  - Applicants for renewal of Employment Authorization must submit Federal Tax Account Transcripts from the Internal Revenue Service which shows that the individual filed form 1040NR or 1040NR-EZ and state income tax returns. Applicants must submit such documentation for each year they were previously authorized for employment. Alternatively, they may submit a signed statement certifying that they earned no taxable income.
  
- **Current College Transcripts**

- If applicable, applicants who are college students eligible may demonstrate their student status by submitting current college transcripts.
- **Reciprocal Fees**
  - On the basis of reciprocity, OFM may charge a reciprocal fee for the endorsement of employment authorization applications. Missions will be notified separately if such fee applies. If so notified, missions should submit the fee with the application.