



## **Economic Hardship Employment Authorization**

USCIS regulations permit eligible students to apply for off-campus work authorization based upon severe economic hardship. The economic hardship must have been caused by *unforeseen circumstances that were beyond the student's control*.

### **Eligibility**

Unforeseen circumstances that can make a student eligible for hardship-based employment include:

1. Loss of financial aid or on-campus employment without fault on the part of the student
2. Substantial fluctuations in the value of currency or exchange rate
3. Inordinate increases in tuition and/or living costs
4. Unexpected changes in the financial condition of the student's source of support
5. Medical bills
6. Other substantial and unexpected expenses

F-1 students who can document that one of the above situations applies to them may apply for off-campus work authorization under the terms of this regulation. In order to be eligible, **you must have been in F-1 status for one full academic year (9 months)** and be in good academic standing.

If the USCIS approves your application, you will be issued an Employment Authorization Document (EAD) which includes your photograph. The EAD will be valid for one year and is renewable.

Note: The application for off-campus employment authorization is burdensome to compile, and the USCIS can take up to three months to process the applications. For these reasons, few UND students apply for permission to work off campus for reasons of economic necessity. Most students who need employment find work on-campus, where no time-consuming permission is necessary and no application fee is required.

### **Application Procedure (forms are available from the International Student Advisor)**

The application can only be submitted through **PAPER FILING**. Send all of the following materials to the USCIS:

1. **Form I-765** – Most items on the I-765 are self-explanatory. [Click here for the form](#). Here are directions for those that might not be:
  - Where it says “I am applying for” check the box  **Permission to accept employment**. If you are applying for a renewal or replacement, tick the box above Item 1 to indicate whether you are applying for “Replacement” or “Renewal of my permission to accept employment”, and enclose a copy of your previous EAD card.
  - For **Item 3**, think carefully about the address you give. The Postal Service cannot deliver your EAD card to you if your name is not on the mailbox at the address you give in Item 3, and there will be a lengthy delay if your EAD card is returned to the USCIS. Ask the international student advisor about using the mailing address of the Office of International Programs as your address.

- Item 10 – only check yes if you have already secured a job offer but do not yet have a social security number
  - Item 11 – only check yes if you answered yes to item 10
  - Item 14 calls for the number on your form I-94 (the record of your most recent entry into the US, found [here](#) by clicking on “Get most recent I-94”).
  - Items 16, 17, & 18 look at the red stamp put in your passport by a USCIS official the last time you entered the US.
  - For Item 20, enter the code **(c)(3)(iii)**
2. **Form I-20** – A **photocopy** of your current SEVIS I-20 indicating recommendation for off-campus employment. You will need to request this from your International Student Advisor.
  3. **Form I-94** – A printout of your most recent form I-94 (the record of your most recent entry into the US, found [here](#) by clicking on “Get most recent I-94”)
  4. **Passport Information** – A photocopy of your passport photo page and your US visa.
  5. **Documentation** and a letter detailing your economic difficulties which have resulted from circumstances beyond your control.
    - Write a statement describing the unforeseen hardship situation
    - Attach backup documentation-for example, a letter from home telling of a change in family circumstances or proof of currency devaluation in the student’s country
    - Explain why other employment options are unavailable or insufficient
    - Please see below for examples
  6. **Photographs** – Two immigration regulation color photos with a white background taken no more than 30 days before submission to USCIS. These are standard passport photographs and can be obtained at any location that takes passport photographs (e.g. Target, Kinko’s, Wal-Mart etc).
  7. **Fee** – there is a \$520 fee for filing the application. Personal checks or money orders must be for the exact amount and payable to “U.S. Department of Homeland Security”

It is possible to apply for a waiver of the fee. Information about this process is available at <http://www.uscis.gov/feewaiver>. Please be advised that this will add significant processing time onto your application. If your request for a fee waiver for the application is denied, you will be required to begin the entire application for Economic Hardship from the beginning.

### **Sending the Application**

Put the application together in this order: check or money order, photographs, Form I-765, supporting documentation as listed previously (photocopies of I-20, I-94, passport, and documentation of economic difficulty). **Photocopy the entire package for your records.** Mail the application through the US Postal Service using **certified mail with a return receipt**. If there is a delay with your application, the Office of International Programs cannot help you unless you have a copy of your application and proof of mailing.

Mail to:           **USPS**  
                           USCIS  
                           Attn: 1-765 C03  
                           P.O. Box 805373  
                           Chicago, IL 60680-5374

**FedEx or UPS**  
 USCIS  
 Attn: I-765 C03 (Box 805373)  
 131 South Dearborn - 3rd Floor  
 Chicago, IL 60603-5517

When your application is accepted for processing, you will be sent a Form I-797 Notice of Action which you should keep, so that you have a record of your application and its file number. The Notice of Action includes a telephone number that you can call for recorded information about the status of your application. If you do not receive a Notice of Action within five weeks, please contact the International Student Advisor.

Normally if an EAD has been approved, it is mailed to the address you provided within 90 days. If you do not receive your EAD card within 90 days of the date your Notice of Action given as the "Received Date", contact the International Student Advisor.

### Sample Student Letter

July 12, 2015

To Whom It May Concern:

Please issue a temporary need based work permit in order that I might be able to earn some of the funds for my education during the unforeseen family economic crisis I have explained below. Also shown is the estimate of costs during my first year of education as compared to the upcoming year.

#### Expenditures/Support 2011-2012 Academic Year

Costs		Income	
Tuition	\$12,316	Scholarship	\$5,000
Room & Board (on or off-campus)	\$8,320	On-campus employment (15hrs/wk)	\$3,000
Health Insurance	\$1,260	Parental Support	\$15,830
Books	\$900	Sponsor Support	No sponsor
Activity and Health Center Fees	\$234	Off-Campus Employment (if previous work permit)	No previous work permit
<b>Total</b>	<b>\$23,830</b>	<b>Total</b>	<b>\$23,830</b>

#### Expenditures/Support 2012-2013 Academic Year

Costs		Income	
Tuition	\$12,714	Scholarship	\$5,000
Room & Board (on or off-campus)	\$8,600	On-campus employment (15hrs/wk)	\$3,000
Health Insurance	\$1,140	Parental Support	\$9,000
Books	\$900	Sponsor Support	No sponsor
Activity and Health Center Fees	\$250	Off-Campus Employment (if previous work permit)	
<b>Total</b>	<b>\$24,404</b>	<b>Total</b>	<b>\$17,000</b>

Estimated financial shortage is approximately \$7,404 due to the following reasons:

- My father lost his job - documentation attached
- My grandmother required heart surgery which my father had to pay for - documentation attached

SIGNATURE HERE

*Student Signature*

## Sample Assets and Liabilities Statement for Proof of Need

This is a comprehensive statement comparing the financial status of PARENT OR SPOSOR, sponsors of Student Name from the first year of sponsorship to the current year of sponsorship.

Assets	Year 2013	Year 2015
Apartment	\$ 20,000	\$20,000
Car	\$ 3,000	\$2000
Land	-	-
Other (specify)	-	-
Other (specify)	-	-
Checking Account	-	-
Savings Account	\$30,000	\$30,000
Investments	-	-
Parents' Annual Income	\$12,000	\$ 3,000
<b>Total Assets</b>	<b>\$ 65,000</b>	<b>\$55,000</b>
<b>Liabilities</b>		
Property Tax	\$ 250	\$ 300
Electricity	\$ 50	\$ 50
Water	\$ 50	\$ 50
Telephone	\$ 10	\$ 10
Food Expenses	\$ 1,000	\$ 1,000
Interest Expenses	-	-
Bank Loans	-	-
Credit Card Debt	-	-
Miscellaneous/Specify	\$ 0	\$ 20,000
<b>Total Liabilities</b>	<b>\$ 1,360</b>	<b>\$ 21,410</b>
<b>Total Assets &amp; Liabilities</b>	<b>\$ 63,640</b>	<b>\$ 33,590</b>

I attest the above statement is accurate and true to the best of my knowledge.

Name of Parent or Sponsor	07/12/2015
SIGNATURE HERE	Certified Accountant
Printed Name of Certifying Official	Title of Certifying Official
SIGNATURE HERE	
OFFICIAL SEAL HERE	

## Sample Parent or Sponsor Letter

Parent or Sponsor Name  
Mailing Address  
City, State, Country

July 12, 2015

Dear USCIS Officer:

Please issue my son/daughter, Student Name, a temporary need based work permit to allow him to work off campus. My family has recently experienced severe and unforeseen financial hardship which affects my ability to send Student the entire amount of money she needs for her educational expenses this year. If she can work off campus, she will be able to make enough money to make up for this shortfall in the family finances.

Allow me to explain our recent unforeseen financial hardship.

I have worked as an engineer for the Civil Energy Commission in Bulgaria for 25 years. Due to the heightened security risks from Maoist rebel attacks, the Civil Energy Commission has been forced to close two of its power plants and released several hundred employees including myself. I have been seeking new employment for six months, but the economic situation is very difficult in Bulgaria and the job market is very low.

In addition, my mother recently required heart surgery for a valve replacement. In order to get quality care, she had to have this surgery in India which is very expensive. My mother is a widow and lives with us. We are therefore responsible for all the bills for her medical care. This has severely depleted our savings which we had committed to our child's education.

I am attaching the letter from the Civil Energy Commission terminating my employment and the statements of account for the medical expenses for my mother.

Please issue my daughter an off campus need based work permit in order that she may continue his education at Truman State University.

Sincerely,

SIGNATURE HERE

*Parent Signature* (father of Student)