

F-1 Economic Hardship

NOTE: Read the Instructions, Gather the Information and Meet with International Programs Office.

If you are an F-1 student who is experiencing **unforeseen, serious financial hardship** while studying in the U.S., you may be able to obtain off-campus employment authorization from the U.S. Citizenship and Immigration Services (USCIS) under certain conditions.

- This authorization may provide real help in difficult circumstances by allowing you to supplement your income enough to meet some living expenses.
- Economic hardship employment authorization will not; however, enable you to earn enough to bear the cost of full-time course of study required to maintain F-1 student status.
- It should not be thought of, then, as a solution for serious financial difficulties.

Eligibility Requirements

To qualify for economic hardship employment, immigration regulations require that you meet the following conditions:

- You are a full-time student in good standing and have been in valid F-1 status for at least one full academic year.
- You must be able to document the circumstances which led to your economic situation were unexpected and beyond your control.
- You must be capable of continuing full-time studies and maintaining F-1 status while engaged in economic hardship work permission.

Immigration regulations state that unforeseen circumstances "may include loss of financial aid or on-campus employment without fault on the part of the student, substantial fluctuations in the value of currency or exchange rate, inordinate increases in tuition and/or living costs, unexpected changes in the financial conditions of the student's source of support, medical bills, or other substantial and unexpected expenses." Only unforeseen problems can be the basis for hardship employment since students must first demonstrate that all of the financial resources needed for their program of study are available before they are able to obtain an I-20 and enter the US in F-1 status.

Conditions and Restrictions of Employment

If USCIS authorizes your hardship employment application, you will receive an Employment Authorization Document (EAD) from USCIS granting you permission to work off-campus. Typically, permission is granted for one year or for the remainder of your academic program, whichever period is less. Please also note the following:

- You may work off-campus for up to 20 hours per week while school is in session and full time during vacation periods.
- You may work in any job, related or not related to your studies.
- You may not start employment until you have received an EAD or before the start date indicated on the EAD.
- Hardship employment does not count towards your ability to work on-campus or affect your eligibility for practical training.
- If you transfer to another institution, your EAD becomes invalid.

Internal Process Prior to Mailing Your Application to USCIS

Step One:

- Meet with an International Student Advisor at the International Programs Office to confirm your eligibility and review the conditions and procedures for applying.
- It is recommended that you bring a draft of a letter explaining your economic need and supporting evidence that documents this.
- If you are eligible to apply for economic hardship, the advisor will request a new SEVIS I-20 with a recommendation for economic hardship.

Step Two:

- Once your application is complete, you should immediately mail it to USCIS.
- For additional instructions, refer to [Mailing Your Application to USCIS](#).

Mailing Your Application to USCIS

Mail the following items to the USCIS Service Center which has jurisdiction over the address listed on Form I-765:

- A letter written by you addressed to USCIS in which you describe in detail the circumstances that support your request for hardship employment authorization and a statement explaining why other employment options are unavailable or insufficient.
- Supporting documentation confirming these circumstances (for example, a letter from your department to document the loss of a scholarship, or exchange rate data showing a currency devaluation, or a letter from an accountant confirming unexpected business losses).
- Completed USCIS Form [I-765](#)
 - Write "(c)(3)(iii)" in item 16 of Form I-765
 - use an address where you can receive mail over the next two to three months
 - Type or print legibly as USCIS uses optical character recognition (OCR) technology
 - Be sure to check off the purpose ("I am applying for:") of the form
 - Sign in blue ink
 - Signature should be within the box
- Two US passport-style photos (Photograph instructions are found on the Form I-765 instructions under Required Documentation. Also, lightly print your name on the back of each photo with a pencil.)
- A personal check or money order for the [I-765](#) Application Fee payable to "U.S. Department of Homeland Security" (A personal check is preferable because, if necessary, you will be able to determine if it has been cashed).
- New I-20 issued by ISSS with recommendation for economic hardship.
- Photocopies of all I-20s previously issued.
- Photocopy of your I-94 card (front and back if issued paper I-94) or US entry/admission stamp in passport (if issued electronic I-94)
photocopy of the visa used for last entry into the U.S. (except for citizens of Canada and Bermuda)
- Photocopy of passport (photocopy of photo page, renewal page if original has expired, and pages showing amendments such as name changes, corrections etc.)
- Photocopy of any previously issued employment authorization documents (EAD cards), if applicable

IMPORTANT:

- Please **consult International office Coordinator prior to e-filing I-765 via the USCIS website.**
- Check all documents for completeness and accuracy.
- Be sure to sign Forms I-20 and I-765.
- Make a complete copy of your application for your records. Our office will need to maintain copies of your application, please send via email or regular mail, Do not fax.
- We suggest you meet with an International Staff member to have your application materials reviewed.
- Once your application is complete and has been reviewed, you should immediately mail it to USCIS.

Mailing Information

We recommend that you mail your application by express mail such as Federal Express or UPS, or by Certified Mail, Return Receipt Requested, so you will have a record of its delivery.

Within a few weeks of sending your application, USCIS will mail you a receipt. The receipt and final decision will be sent to the address you wrote on USCIS Form I-765. Please note that USCIS processing usually take about 60-90 days. You may not begin employment before you receive your EAD; working prior to that time constitutes illegal employment that renders you illegally present in the US.

Important Reminders

- You must be physically present in the U.S. until after USCIS receives your application for processing. Keep delivery confirmation whenever possible. We strongly recommend you to discuss your travel plans in advance of the filing with USCIS to avoid any rejection or denial.
- If you later decide **not** to mail your Economic Hardship application (Form I-765 plus supporting documentation) to USCIS for any reason, you must notify an International staff member immediately so that we may timely cancel your recommendation in SEVIS. Failure to inform an International Staff that you are not applying for Economic Hardship can cause problems in the future.
- Please meet with an International Staff member if you have not received an I-797 Receipt Notice with a case number from USCIS within 2-6 weeks from the date that your application was received at USCIS. Please bring a copy of delivery confirmation.
- Please email (international@uhv.edu) or fax (361-580-5500) a copy of your employment authorization card to International Staff member immediately upon receipt.
- While the application is pending, we strongly advise you against changing the address listed on Form I-765 as USCIS has not been able to process change of address notifications properly. Changing your address while it is still pending may result in your being required to file a new Economic Hardship application with a new fee if your documents are lost. The US Postal Service will not forward USCIS mail.
- If you receive a Request for Evidence (RFE), please consult an International Staff member immediately.
- Your Economic Hardship will be automatically terminated when you begin study at another educational level or transfer to another school.
- If you find any errors by USCIS on your EAD card, please inform International Staff member immediately.
- Immediately inform an International Staff member of any immigration status change.

Other Information

Social Security Numbers

- Before you begin work you will need a valid Social Security number (your Penn ID is not a valid Social Security Number).
- If you do not already have one, please obtain application instructions and directions to the Social Security Office from International Staff member.
- The Social Security Administration will process your application and a card will be sent to you.

Taxes

- In general, F-1 students who have been in the US in less than six calendar years are exempt from social security (FICA) and Medicare taxes.
 - You should be sure to bring this to the attention of your employer because many employers are not familiar with this provision of the tax laws.
 - Students in F-1 status are subject to all other taxes that may apply: federal, state and local. But check with your employer to see if your country is one of the few that has a tax treaty with the U.S. allowing students to exclude a limited amount of earned income from federal taxation.
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Economic Hardship Application Shipping Instructions



Documents should be placed in the large envelope in the following order:

- Check or Money Order for \$380 to **U.S. Department of Homeland Security**.
 - In the note area on your check or money order, write: I-797 / I-94#: (your number here)
- 2 color passport Photos
 - Do not take these photos yourself or use old passport photos you may have at home!
Go to Walgreens, CVS pharmacy, or some other passport photo place for new photos.
 - Lightly write your name and I-94 number on the back of each photo.
- Copy of Visa and unexpired passport pages with expiration dates showing
- Form I-765, completed with signature and date at the bottom.
 - it is best to type the form, print, then sign the bottom to submit.
- Personal Statement, Letter for request, along with any supporting information
- Form G-1145, E-Notification of Application/Petition Acceptance
- I-94 Copy, front & back (old copies), or one page from computer or notice of action.
- I-20 Copy from UHV or other schools (first & last pages only) that show previous CPT or OPT
- Copies of previous employment authorization documents, (EAD cards)

It is best to place your payment and photos in a separate small-unsealed envelope and include with your other documents in a larger envelope. **No staples** or **highlighters** should be used on any of the documents!

I encourage you to make a copy of all documents that you send in to keep for your records as proof of submission.

Send your documents to the USCIS Texas Service Center by one of the following ways:

- U.S. Postal Service Express Mail with tracking to:
USCIS
PO Box 660867
Dallas, TX 75266
- FedEx or Lone Star Courier Overnight Priority to:
USCIS
ATTN: AOS
2501 S State Hwy 121, Business
Suite 400
Lewisville, TX 75067

You will be able to track the documents receipt by the processing center. In a week to 10 days you will receive a Notice of Action stating that the service center has received your application. Please send a copy of this Notice of Action by email to: international@uhv.edu. Then advise the International office when you receive a decision or your card has arrived; we will need a copy for you records.

REMINDER: You **cannot** begin employment without the card and start date of employment.