

# Applying for Economic Hardship

**Please see your DSO, before you mail your forms so that they may go over each form and make sure they are complete. This is *extremely* important! If you do not meet with your DSO, getting your EAD card may take longer than usual.**

## **What is Economic Hardship?**

According to USCIS regulations, if other employment opportunities are not available or are otherwise insufficient (i.e. on-campus employment), F-1 students are eligible for off-campus work authorization. The need to work must have been caused by unforeseen circumstances beyond the student's control: (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 in the exchange rate (3) unusually high increases in tuition and/or living expenses (4) unusually high medical bills (5) unexpected changes in the financial condition of the student's source of support (6) other substantial and unexpected expenses.

## **Eligibility for Economic Hardship:**

- The student has been in F-1 status for one full academic year;
- The student is in good standing as a student and is carrying a full course of study
- The student has demonstrated that acceptance of employment will not interfere with the student's carrying a full course of study
- The student has demonstrated that the employment is necessary to avoid severe economic hardship due to unforeseen circumstances beyond the student's control and has demonstrated that employment is unavailable or otherwise insufficient to meet the needs that have arisen as a result of the unforeseen circumstances.
- Must prove to USCIS that employment is necessary due to severe economic hardship caused by circumstances beyond his or her control that arose after obtaining F-1 status

## **What the student must do:**

- Document the circumstances causing his or her economic need;
  - The student can write a statement describing the unforeseen hardship situation and, if possible, should attach supporting documentation; for example, a letter from home telling of a change in family circumstances or proof of a currency devaluation in the student's country.
- Explain why other employment options are unavailable or insufficient;
- Complete Form I-765, Application for Employment Authorization, using the code: (c)(3)(iii) at item 20;
- Provide a check or money order for the I-765 fee. Please check the USCIS website for the fee amount as it may change periodically.
  - The correct filing fee for Form I-765 must be included, unless the student wishes to request a fee waiver, in which case the student should also include a properly completed and documented Form I-912, Request for Fee Waiver. The student should review USCIS guidance on fee waivers before completing Form I-912
- Obtain 2 photos (see 16.B.8 Photo guidelines for visas and immigration benefits)
  - The instructions to Form I-765 state that the photos must have been taken no more than 30 days before filing the form.

## **What the DSO must do:**

- Verify eligibility for the benefit under 8 CFR 214.2(f)(9)(ii) , including:
  - Maintenance of F-1 status for at least one academic year;
  - The student is currently in good standing;
  - The student has demonstrated that acceptance of employment will not interfere a full course of study;
  - The student has demonstrated that the employment is necessary to avoid severe economic hardship due to unforeseen circumstances beyond the student's control;
  - The student has demonstrated that on-campus employment is unavailable or otherwise insufficient to meet the student's needs that arose because of the unforeseen circumstances

- Update SEVIS with a recommendation for employment:
  - In SEVIS RTI, select the Off-Campus Employment link from the *\_Student Information\_screen*, which will bring up the Off-Campus Employment page.
  - Click the New Off-Campus Employment link; On the *Add Off-Campus Employment* screen that displays: Input the Employment Start and End Dates in fields 1 and 2; Select "Economic Hardship" from the drop-down menu in item 3; Write the following notation in the recommendation space at item 4: Severe Economic Hardship employment recommended in accordance with 8 C.F.R. 214.2(f)(9)(ii)(C) (this will print on page 2 of Form I-20); add any relevant remarks in the Student Remarks box in field 5 (this will print on page 1 of Form I-20)
  - When finished, click the **Add Employment** button to add the recommendation to the student's SEVIS record
- Print the Form I-20, which includes the DSO recommendation on page 2;
- Student and DSO sign the respective attestations on page 1
- Although not required, the DSO may also choose to write a brief letter summarizing and verifying the student's financial situation, and supporting his or her application.

**What to send where:**

- Form I-765 and fee. Completed by the student, marked with the code "(c)(3)(iii)" at item 16 Form I-765 processing fee, check or money order to **Department of Homeland Security**
- Copy of Form I-20 with your DSO's recommendation for economic hardship employment
- 2 photos (see 16.B.8 Photo guidelines for visas and immigration benefits)
  - The instructions to Form I-765 state that the photos must have been taken no more than 30 days before filing the form
  - Copy of the student's Form I-94 (card or I-94 system printout);
- A letter from the student (and an optional letter from the DSO), explaining the circumstances of the hardship. The USCIS Service Center might also require the student submit supporting materials documenting the unforeseen nature of the economic hardship and the unavailability of on-campus employment to meet the need;
- Copy of the ID pages from the student's passport, or, for applications for renewal of work authorization, a photocopy of the previously issued EAD;

**Mail all of the above to USCIS Phoenix Lockbox:**

**US Postal Service**  
**USCIS**  
**P.O. Box 21281**  
**Phoenix, AZ 85036**

**Express Mail and courier deliveries**  
**USCIS**  
**Attn: AOS**  
**1820 E. Skyharbor Circle S**  
**Suite 100**  
**Phoenix, AZ 85034**

**E-Notification:** If you want to receive an email and/or text message that your Form I-765 has been accepted at a USCIS Lockbox, complete Form G-1145, E-Notification of Application/Petition Acceptance and clip it to the first page of your application.

<b>Preconditions</b>	Must have been in F-1 status for at least one full academic year and be in good academic standing. Must prove to USCIS that employment is necessary due to severe economic hardship caused by circumstances beyond his/her control that arose after obtaining F-1 status.
<b>Location</b>	Is designed for off-campus employment but can be done on-campus as well.
<b>Duration</b>	Granted by USCIS one year at a time, or until the program end-date, whichever is shorter. Authorization ends if a student transfers schools.
<b>Hours per week</b>	Limited of 20 hours per week while school is in session; can be full-time during official school breaks.
<b>Field/level of work</b>	Can be in any job. Does not have to be related to course of study.
<b>Offer of employment</b>	Not required as a condition of eligibility.
<b>Effect on other work</b>	Does not affect eligibility of practical training. See NAFSA for detailed information.
<b>Approval process</b>	Must apply for EAD from USCIS after DSO updates SEVIS with recommendation and receive EAD before employment begins.