

## E & L SPOUSE WORK AUTHORIZATION | FREQUENTLY ASKED QUESTIONS

### 1. I am the spouse of someone who has an E-1, E-2, E-3, or L-1 work visa. Can I work in the United States?

If you hold a proper dependent-spouse E or L visa, you can work in the United States if you are currently in the United States and you were properly admitted in L-2S, E-1S, E-2S, or E-3S visa status as the spouse of a current E or L worker.

### 2. May I start work immediately upon entry to the U.S. in L-2S or E-1S or E-2S or E-3S status?

Yes. It is common practice for the Social Security Administration to issue work-authorized social security cards to anyone in possession of an unexpired I-94 record reflecting E or L spousal status, and a copy of the marriage certificate to the E or L principal worker.

### 3. Am I required to obtain an EAD card for U.S. work authorization as an E or L spouse?

No. L and E dependent spouses are no longer required to apply for an employment authorization document (EAD) to work in the United States.

Certain L and E dependent spouses who **choose** to apply for an EAD as proof of work authorization are eligible for automatic extensions of EADs for up to 180 days. You can still apply for the EAD card if you wish by filing Form I-765 with the USCIS, but this is not a requirement.

The American Immigration Lawyers Association (AILA) published a flyer in 2021 detailing these changes to employment authorization for L, E, and H-4 dependent spouses. To view the flyer and read the overview, challenges, and implementation, see:

<https://www.jackson-hertogs.com/news/20220408.pdf>.

### 4. I am a child of someone who has an E-1, E-2, E-3, or L-1 work visa. Can I work in the United States?

No. Children of E and L workers are not authorized to obtain employment authorization or otherwise work in the United States. However, they may attend school.

### 5. My I-94 notation is different than in prior years. What are the L and E dependent I-94 annotations?

Proper I-94 annotations for E or L dependents include the following:

- E-1S – Spouse of E-1
- E-1Y – Child of E-1
- E-2S – Spouse of E-2
- E-2Y – Child of E-2
- E-3S – Spouse of E-3
- E-3Y – Child of E-3
- L-2S – Spouse of L-1A or B
- L-2Y – Child of L-1A or B

Note that CBP typographical errors are common in these entries unfortunately. Simple typographical errors can usually be corrected via requests sent to the Deferred Inspection office closest to the Port of Entry associated with your U.S. entry.