



J1 Visa Questions and Answers

The Washington Center
for Internships and Academic Seminars

1. What is the purpose of the Exchange Visitor Program (J-1 visa program)?

The Exchange Visitor Program is carried out pursuant to the Mutual Educational and Cultural Exchange Act of 1961, as amended. Its purpose is to foster mutual understanding between the people of the United States and the people of other countries through educational and cultural exchanges. All exchange visitors are expected to return to their home country upon completion of their program in order to share their exchange experiences with people in their home country.

2. What is the role and responsibility of the State Department's Office of Private Sector Exchange?

The State Department's Office of Private Sector Exchange in the Bureau of Educational and Cultural Affairs is responsible for designating and monitoring eligible U.S. government, academic and private sector entities to administer their own exchange visitor programs in order to further promote international exchanges and the U.S. government's public diplomacy efforts.

3. What are some of the responsibilities and obligations of the State Department-designated Exchange Visitor Program sponsors?

The State Department-designated sponsors are responsible for all aspects of the exchange program, including screening and selecting of foreign national participants and monitoring the participants throughout their exchange visitor program in the United States. These sponsors can explain what their program requirements are and how their program works.

4. What is SEVIS?

The Student and Exchange Visitor Information System (SEVIS) implements section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Public Law 104-208 (as amended), that requires the Department of Homeland Security (DHS) to collect current information, on an ongoing basis, from DHS-certified schools and Department of State (DoS)-designated exchange visitor program sponsors relating to nonimmigrant foreign students (F and M visas) and exchange visitors (J-visa) and their dependents during the course of their stay in the United States.

SEVIS is an Internet-based system that provides tracking and monitoring functionality, with access to current information on nonimmigrant students (F and M visa) and exchange visitors (J visa), and their dependents (F-2, M-2, and J-2). SEVIS enables schools and program sponsors to transmit electronic information and event notifications, via the Internet, to the DHS and DoS throughout a student's or exchange visitor's stay in the United States. SEVIS is updated with changes or status events for students and exchange visitors including, but not limited to, entry/exit data, changes of current United States address (residence), program extensions, employment notifications, and changes in program of study. SEVIS will also provide system alerts, event notifications, and reports to the end-user schools and programs, as well as for DHS and DoS office.

5. What is the Form DS-2019?

The Form DS-2019 is the "Certificate of Eligibility for Exchange Visitor (J-1) Status". The Form DS-2019 is a controlled document which only State Department-designated sponsors are authorized to issue to foreign nationals (prospective exchange visitors) they have screened and selected for participation in their State Department-designated exchange visitor program. Foreign nationals (prospective exchange visitors) then apply at a U.S. embassy or consulate for the J-1 exchange visitor visa to participate in their prospective sponsor's exchange visitor program. Issuance of the J-1 visa, like all non-immigrant visas, is at the discretion of Consular Officers viewing visa applications at U.S. embassies and consulates.

6. What is the Form DS-7002?

The Form DS-7002 is the "Training/Internship Placement Plan" (T/IPP). It is a controlled document which only sponsors designated by the State Department for the "trainee" and "intern" exchange visitor program categories are authorized to issue to foreign nationals they have screened and selected for participation in

their designated exchange visitor program. Such sponsors must complete and sign the T/IPP for each trainee or intern before issuing the Form DS-2019. The T/IPP ensures that trainees are participating in bona fide training and that interns are participating in work-based learning, both of which are permitted while ordinary employment and unskilled labor are not permitted using the J-1 visa for training and internship purposes.

In addition to presenting their DS-2019 to U.S. embassy or consulate Consular Officers at the time of application for the J-1 visa, prospective trainees and interns must also present their fully executed DS-7002 when requested by the reviewing Consular Officer.

7. What are the required visa fees for participating in the Exchange Visitor Program (obtaining a J-1 visa)?

Each applicant for a visa must pay a non refundable \$131 (U.S. currency) nonimmigrant visa application-processing fee. If the visa is issued, there may be an additional visa issuance reciprocity fee for citizens of certain countries.

8. Do all exchange visitors have to pay the I-901 SEVIS Fee?

Most exchange visitors are required to pay a one-time SEVIS fee of \$180 (U.S. currency).

For the Summer Work/Travel, Au Pair, and Camp Counselor programs, the fee is \$35 (U.S. currency). All those applying for a J-1 visa for initial participation in a program must pay this fee. In addition, those already in the United States applying for a change of status to J-1 must pay the fee, as does an exchange visitor applying for a change of category. Exceptions: Government-sponsored exchange visitors who are participating in programs with a program number that begins with G-1, G-2, G-3, or G-7 do not need to pay the fee.

For more information see: <https://www.fmjfee.com/i901fee/>

9. What is the visa interview like?

Once the exchange visitor receives the Form DS 2019 from the sponsor, they must pay the SEVIS I-901 fee and make a visa appointment at the U.S. embassy or consulate nearest their home. At the visa appointment, the consular officer will determine whether the potential exchange visitor qualifies for the visa. Applicants must demonstrate that they properly meet the requirements to be issued an exchange visitor visa, including the following:

That they plan to remain in the United States for a temporary, specific, limited period;

Evidence of funds to cover expenses in the United States;

Evidence of compelling social and economic ties to their home country.

The critical documents that each exchange visitor must protect for the duration of their stay in the United States are:

All Forms DS 2019 issued / DS-7002

Passport

Form I-94 Arrival/Departure Record (small white card stapled in passport by the Immigration Officer at the port of entry)

10. How early before the program can I enter the U.S.?

Current regulations allow the students to enter the U.S. on the J1 visa up to 30 days before the program start date, as listed on their DS-2019. Please consider this date carefully when making travel plans to the U.S. Immigration officers may deny you entry into the United States at your expense if you attempt to enter

more than 30 days before your program start date. The 30-day limitation does not apply to current exchange participants who are returning to continue with their exchange program.

11. Can I enter on a visitor visa (B visa) and change status to an Exchange Visitor Program (J visa)?

If you want an earlier entry in the U.S. (more than 30 days prior to the course start date), you must qualify for, and obtain a visitor visa; however, this is strongly discouraged. If you travel to the U.S. on a visitor visa, before beginning an exchange program, you must obtain a change of visa classification from the B status to that of J. You must file Form I-539, Application for Change of Nonimmigrant Status, with application fee, and also submit the required Form DS-2019 to the Department of Homeland Security office where the application is made. Please be aware that you cannot start your exchange visitor program until the change of status is approved, and therefore in view of the processing time to your change status in the U.S., you may be in danger of missing your entire exchange program waiting approval of change of status. We recommend entering the U.S. under your J1 visa status, otherwise you'll need to leave the country and reenter with your J1 visa in order to begin the program.

12. Why should I purchase insurance with an American company and not buy insurance in my native country?

It is advisable to have insurance from an American company while in the United States, even if the premium for this plan is more expensive. The reason is that while almost all Doctors/hospitals in the United States accept American insurance company cards, they will be reluctant to acknowledge overseas insurance coverage. The medical office can easily contact an American insurance company for clarification, while the same will not be true for an overseas insurance company.

Typically medical offices in the US will bill directly to known American insurance companies. For overseas insurance companies you most probably will have to pay the bill, and then try to get the claim reimbursed from the insurance company.

13. When should I purchase the insurance?

You should purchase the insurance only after being certain of your travel plans (having the passport/visa papers and the airline tickets in order). It is safest to start the insurance coverage from the date of departure from your native country.

14. Can I work in the U.S. during my internship program?

No, you are only allowed to do your internship program and received stipend from the organization where you are placed, in case that they offered to you.

15. What should I do if my passport is lost or stolen?

If your passport and I-94 are lost or stolen, you must get them replaced immediately. There are a number of steps you need to take as follows:

Police Report: go to the local police station and report your document (s) lost or stolen. If available, you will need to provide copies of the original documents. You will be issued a police report detailing the incident. Don't forget to make an extra copy of the report for your own records.

Request Placement of Lost/ Stolen Arrival – Departure Record (Form I-94): You will need to submit a copy of the original or submit a copy of the biographic page from your passport and copy of the page indicating admission. If you are unable to provide this evidence, submit a full explanation stating why you cannot give any of the above evidence, along with a copy of evidence of your identity and copies of any evidence in your possession to substantiate your claim. If your card was stolen, submit a copy of the police report relating the theft.

Report your passport Lost/ Stolen to your Embassy: contact the local Embassy or consular section for the country of your citizenship, for information on the procedure to replace a lost or stolen passport. Most countries have internet web sites with contact information.

Report your visa Lost/ Stolen to the U.S. Embassy Abroad: fax the Consular Section or Consul General at the Embassy abroad which issued your visa, to report it lost/stolen. Go to the Embassy Consular Section Website to locate the Fax number and contact information. Specifically state whether your visa was lost or stolen. Be sure to include your full name, date of birth, place of birth, address in the U.S., and an email address (if available) If you have a copy of the passport or visa, fax this to the Embassy or consular section. Otherwise, If known, report the category of visa, and the passport number from the lost/stolen visa. If you have already reported your visa lost/stolen to the U.S.

Applying for a Replacement U.S. Visa: Lost /Stolen U.S. visas cannot be replaced in the U.S. For replacement of a visa, you must apply in person at an Embassy or Consulate abroad. When applying for the replacement of a visa, you will need to provide a written account documenting the loss of your passport and visa. The above information was taken directly from the United States Department of State travel website. (www.travel.state.gov)

16. Two-Year Foreign Residency Requirement

An exchange visitor is subject to INA 212(e) requirement, if the following conditions exist:

The program in which the exchange visitor was participating was financed in whole or in part directly or indirectly by the United States government or the government of the exchange visitor's nationality or last residence;

The exchange visitor is a national or resident of a country designated as requiring the services of persons engaged in the field of specialized knowledge or skills in which the exchange visitor was engaged for the duration of their program (Exchange Visitor Skills List 9 FAM 41.62, Exhibit II);

The exchange visitor entered the United States to receive graduate medical education or training.

If the exchange visitor is subject to INA 212(e) requirement, he or she cannot change his or status to that of H, L, K, or immigrant lawful permanent resident (LPR) until he or she has returned to his/her home country for at least two-years **or received a waiver of that requirement**. Such waivers can be obtained under five separate bases: No Objection Statement, Exceptional Hardship or Persecution, Conrad Program, or Interested Government Agency. For information, see Waiver of the J Visa Two-Year Foreign Residence Requirement 212(e).

17. How does an exchange visitor “Maintain Program Status”?

Exchange visitors are admitted to the United States for a specific period of time to engage in a particular program (activity), as described on their Form DS 2019. Exchange visitors must maintain lawful (J-1) program status, as failure to do so can have serious long-term consequences.

Key Reminders:

- Exchange visitors must know the expiration date of their program (the end date in section 3 of the DS 2019 Form) and the expected departure date. If regulations permit and the Exchange visitors J-1 program is extended, the sponsor must use SEVIS to change the end date on the Form DS 2019 prior to the expiration date of the original Form, reprint the Form, sign it in blue ink and give it to the exchange visitor.
- When traveling outside the United States, exchange visitors must first obtain a “travel signature” on the Form DS 2019 to facilitate re-entry. Exchange visitors should be reminded to retain all copies of Form DS-2019 with their immigration papers.
- Exchange visitors must never accept unauthorized employment.
- Exchange visitors must comply with the Department of State's health insurance requirements for J-1 visa holders and their families. Willful disregard of this requirement will result in termination of the J-1 program.
- Exchange visitors must keep their passports valid. Passports can be renewed by foreign embassies in Washington D.C. and foreign consulates in other cities. For information about embassies, see <http://www.embassy.org>.

18. What does the notation “D/S” on the I-94, Arrival/Departure Record, mean?

Exchange visitors (J-1) are admitted to the United States for the period of time necessary to complete their program, and are given the notation “D/S” (Duration of Status) on their I-94 Arrival/Departure Record by the Department of Homeland Security (DHS) immigration officials at the port of entry into the United States.

For non-immigrants admitted with Duration of Status, unlawful presence in the United States begins to accrue on the date DHS finds a status violation while adjudicating a request for an immigration benefit (for example, a request for a change of status), or

when an immigration judge finds a status violation during proceedings. For non-immigrants admitted with a date certain (as opposed to D/S), unlawful presence begins to accrue on the date the Form I-94 expires.

19. What will happen to my J-1 visa status if I withdraw from my exchange visitor program?

If you plan to withdraw from your program you must notify your program sponsor. If you withdraw, your program sponsor will enter this information into SEVIS and you will be expected to depart the United States immediately. You will not be entitled to the post-completion 30 day period because you did not successfully complete your program.

20. What will happen to my J-1 visa status if my exchange visitor program sponsor terminates my exchange visitor program?

If your sponsor terminates you for just cause, they will enter this information into SEVIS and you will be expected to depart the United States immediately. You will not be entitled to the post-completion 30 day period because you did not successfully complete your program.

21. Will I have to pay taxes on my salary if I am working and receiving wages while on a J-1 visa?

Yes. You will need to pay taxes on any salary/wages earned while utilizing the J-1 visa in the United States.

22. How long am I permitted to stay in the U. S. after my program has ends?

The initial admission of an exchange visitor, spouse and children may not exceed the period specified on Form DS-2019, plus a period of 30 days for the purpose of travel. The 30-day grace or travel status period is intended to be a period following the end of the exchange visitor's program and is to be used for domestic travel and/or to prepare for and depart from the U.S., and for no other purpose.

23. I understand that I can travel within the U.S. for no longer than 30-days period after the program end date.

For 30 days past the program end date on the DS-2019 form, you can stay in the U.S. and travel. Once that time is over, you will have to leave the U.S. During the grace period you cannot leave the U.S. and reenter on the J-1 visa. Once you leave the US after the program end date (as listed on your DS-2019), your J-1 visa is no longer valid and you cannot reenter on it.