J-1 Exchange Visitor Information

A J-1 Exchange Visitor Visa (Form DS-2019) is a non-immigrant visa issued to exchange visitors who come to the United States to teach, conduct research, study or receive training as a participant in an Exchange Visitor Program designated by the Department of State. The International Students and Scholars Office (ISSO) at the University of Massachusetts Lowell will issue a Form DS-2019 to eligible individuals. The J-1 Exchange Visitor Visa program was established to facilitate educational and cultural exchange. For this reason, it is intended for temporary appointments or exchanges only.

The J-1 Exchange Visitor program allows for people to enter in various capacities. There are eleven categories on the J-1 visa document. Each category has its own set of rules and regulations. Exchange Students enter on the “Non-Degree Student category”.

The Non-Degree Student Category

Some rules apply to all J-1 categories. Below we list the pertinent ones:

12-Month Bar: Effective June 10, 1996, the Department of State imposed a regulation, known as the 12-month bar, preventing program sponsors from issuing J-1 visa documents to any individual applying for either the J-1 Professor or Research Scholar categories, who has been physically present in the U.S. in "J" status for all or part of the preceding twelve-month period (including J-2 status). The rule DOES allow for transfer of "J" program sponsors within the same "J" category (i.e. from Professor at one institution to Professor at another U.S. institution) provided that there is no lapse in time between transfers and that the J Exchange Visitor does not leave the U.S. to complete the transfer. A change of "J" categories, however, is not allowed (i.e. from Student to Research Scholar).

The rule does allow program sponsors to issue J-1 documents to individuals who have been in the U.S. for less than six months over the preceding 12-month period, if during that 12-month period, they were categorized as J-1 Short-Term Scholars (the maximum duration period of a Short-Term Scholar is six months with no potential for extension within the category of Short-Term Scholar). However, in order to change from the category of Short-Term Scholar to that of Professor or Research Scholar, the individual should leave the U.S. and re-enter from his/her home country.

Two-Year Home Country Residence Requirement: There are some J-1 Exchange Visitors who are affected by a provision referred to as "the two-year home country residence requirement." This means that after completing one's program in the United States, an Exchange Visitor subject to the two-year foreign residence requirement would be expected to return to his/her home country for a two-year period. The Exchange Visitor would not be permitted to apply for permanent resident status or for H or L non-immigrant visas. The Home Country Residence rule applies to: 1) Exchange visitors whose programs are financed in whole or in part, directly or indirectly, by the U.S. Government or the government in their home country; 2) Exchange Visitors whose country and field of specialized knowledge (skill) are listed in the "Skills List" as published by the Department of State; 3) Exchange Visitors who are receiving graduate medical education or training. This requirement also applies to Short-Term Scholars.
**J-1 English Language Ability Attestation:** Recent changes to J-1 regulations require sponsoring Universities to attest to the English language proficiency of incoming scholars. Sponsoring departments are encouraged to ensure the language proficiency of the scholars they sponsor, and recommend conducting a Skype interview (or the like) to determine the same. Sponsoring departments will complete an attestation confirming that the sponsored scholar has sufficient proficiency in the English language to a) function in the US on a day-to-day basis; b) successfully participate in the offered UMass Lowell appointment; and c) fully understand employee responsibilities, rights and protections.

**J-1 Health Insurance Compliance:** Exchange Visitors are required, as a condition of their J-1 status in the United States, to carry health insurance for themselves and accompanying family members (J-2 visa holders). By government regulation the J-1 & J-2 visa holders must carry minimum coverage in the amount of $100,000 per accident or illness, at least $25,000 for repatriation of remains, at least $50,000 for medical evacuation to the home country, and a deductible not to exceed $500 per accident or illness.

**J-2 Visa Holders (dependents of J-1):** Dependents of J-1 Exchange Visitors entering in J-2 dependent status (i.e. accompanying spouse or unmarried minor children under 21 years of age) are allowed employment authorization. This work permission can only be granted after the J-2 has arrived in the U.S. The ISSO assists in providing information on the application process. The J-2 visa holder applies to the U.S. Citizenship and Immigration Services (USCIS) for work authorization. USCIS will not approve employment for J-2 visa holders if the J-2 visa holder is requesting work for the purpose of financially supporting the J-1 Exchange Visitor. A J-2 dependent's status terminates in the U.S. when that of the J-1 participant terminates.

**Transfers/Terminations/Change of Visa Status:** Once someone is in the U.S. in valid "J" classification, he/she must maintain legal immigration status at all times. All requests to transfer or change to another visa category need to be officially processed prior to the Exchange Visitor's visa expiration. The validity date of an Exchange Visitor's visa is determined by the expiration date on Part 3 of Form DS-2019 or by his/her last day at UMass Lowell, whichever comes first. **J-1 Transfers from one academic institution to another must be processed by the International Offices of both institutions. A SEVIS electronic transfer is required.**

An exchange visitor who engages in unauthorized employment will be in violation of his/her program status and subject to termination.

**Some Helpful Sites on the J-1 Program:**

General J-1 Information, [http://travel.state.gov/visa/temp/types/types_1267.html](http://travel.state.gov/visa/temp/types/types_1267.html)


For Questions, contact [esso@uml.edu](mailto:esso@uml.edu) or 978-934-2383
Major Advantages of J-1 vs H-1B:

- J-1 Scholar may collaborate on teaching and/or research projects across US institutions with the prior written approval of the UMass Lowell International Students & Scholars Office. Take note, however, that J-1 Scholar must concentrate most of its teaching and/or research time (i.e. 51%+) with the institution who issues the Form DS-2019;
- J-1 Scholar can easily transfer to another U.S. academic institution who is able to issue them a Form DS-2019. The Transfer is coordinated between the international offices of both institutions and new Form DS-2019 is issued by the new institution;
- J-2 Dependents are eligible to apply for US work authorization after arriving in the US, with the assistance of the UMass Lowell International Students & Scholars Office;
- There are fewer legal compliance requirements imposed on the US employer

Major Disadvantages of J-1 vs H-1B:

- Depending on country of citizenship and/or source of funding, J-1 scholar may be subjected to the two-year foreign residence requirement, http://travel.state.gov/visa/temp/info/info_1296.html