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# **Rules for Maintaining Your J-1 Status**

## **Your Responsibility**

It is your responsibility to understand the regulations of the J Visa program and to comply with them. Below are some points to review that will help you maintain your visa status. If you have any questions, contact your RO right away.

## **Arriving in the U.S.**

You and your dependents must arrive in the U.S. within the 30-day period preceding your program start date on your DS-2019.

## **Check in with Your Responsible Officer**

As soon as possible after arriving in the United States, you must check in with your Responsible Officer. Please check in within 3 days of arriving in the States. We are required to verify your status within the first 30 days. Failure to do so will cause your J visa program to be canceled.

## **Maintain Your Medical Insurance**

The U.S. Government requires you to keep your medical insurance, as outlined by the J Visa Program, in place at all times while you are under J status. Failure to do so is grounds for termination of your J status.

## **Change of Address and Phone Number**

You must report the address of your residence in the U.S., and your local phone number to your RO. If your address or phone number changes you must report it to the RO within 10 days. Failure to do so is a violation of J Program regulations and may jeopardize your status as a J visitor.

## **DS-2019**

This document must remain current during your entire stay. If you think you will be staying in the U.S. on a J visa beyond the current expiration date of your DS-2019, you must request an extension from your RO, preferably several months in advance. Keep all of your DS-2019's permanently.

## **Passports**

Your passport and your dependents' passports must remain current at all times. If your passport is going to expire while you are in the U.S., or if it is lost and needs to be replaced, contact your country's consulate in the U.S. for instructions.

## Visas

You need a valid visa to enter the U.S. Your visa may expire while you are in the U.S. if it is not stamped “duration of stay.” This is not a problem unless you plan to leave and re-enter the U.S. while under J status. If you leave and your visa is expired, you will have to receive a new visa from a U.S. consulate before returning. Re-entry is not guaranteed. If you are making a short visit (less than 30 days) to Canada, Mexico, and some Caribbean islands, you may qualify for an automatic extension of visa validity, which means you do not have to apply at the consulate. Foreign nationals from some countries are not eligible for an automatic extension. See the Department of State website for more information (<http://travel.state.gov/>).

## Travel Outside the U.S.

If you plan to travel outside the U.S. during your J visa stay, your DS-2019 must be endorsed for travel by your RO. If you are leaving for more than just a few days, your dependents should travel with you; their eligibility to be in the U.S. is tied to you residing here under J-1 status. Always carry all your documents with you when you travel as they will likely be required upon re-entry. This includes your passport, all your DS-2019’s, your I-94, visa stamp, documentation showing your funding, and marriage and birth certificates for your dependents if they are accompanying you. Also refer to the section above on Visas.

## Employment

### J-1 Employment

A J-1 Visitor will receive compensation for the employment shown on the DS-2019 form. *Other employment is not allowed.* A Research Scholar may give an occasional lecture or presentation relative to their work under the J visa, for which they receive an honorarium or other form of payment, however, *advance approval from the RO is required.* Failure to receive approval and an amended DS-2019 before accepting an honorarium or other type of payment is an infraction of Program regulations. If you have accepted a payment for services without approval, speak to your RO right away; often a corrected DS-2019 may be issued and the situation resolved. All services performed for payment must be related to the objectives of your program, be incidental to your primary program objectives, and not delay the completion date of your program. These types of compensation are authorized on a case by case basis by your RO. Any payment you receive for incidental work must be paid to you as an independent contractor.

An exchange visitor who engages in unauthorized employment shall be deemed to be in violation of his or her program status and is subject to termination as a participant in an exchange visitor program.

### J-2 Employment

J-2 dependents may apply for work status from USCIS (United States Citizenship and Immigration Services), on Form I-765. Authorization can take 90 days or longer to process. Once qualified, J-2’s can work in any employment, either full-time or part-time, but their work status is only valid for as long as the J-1 maintains status. J-2 dependents will not be approved for work status if their income is required to support the J-1.

## **Transferring to Another Sponsor**

The transfer of a participant from one program (sponsor) to another may be allowed at the discretion of the RO and must be within the same J category. The RO of the program to which the participant seeks to transfer is required to verify the participant's visa status and eligibility, issue an amended Form DS-2019 reflecting the transfer, obtain the release of the participant from the current RO, who indicates approval of the transfer by completing and signing block 8 of the new DS-2019. A transfer does not extend the maximum duration of the program.

## **Program Extension**

The responsible officer has the discretion to extend a participant's program to its maximum regulatory duration (five years for the Research Scholar, one year for the Specialist and six months for the Short Term Scholar). The duration of your stay in the United States (and hence the duration of time listed on your DS-2019) will be determined based on NWRA's consultation with the PI requesting the exchange and assessment of the funding available to the contract or project on which you will be working.

A program may be extended up to the maximum duration if additional research funding has been received and the EV's expertise is desired by the Principal Investigator on the contract. An extension would only occur if the original duration of the EV's stay was less than the maximum allowed.

If the program is extended, an amended Form DS-2019 will be issued to the participant to reflect the extension. Extensions beyond the maximum program duration are not permitted for the Specialist, Short-term Scholar and the Research Scholar J Visa categories.

## **Change of Category**

Any change of category must be clearly consistent with and closely related to the participant's original exchange objective, and necessary due to unusual or exceptional circumstances. A change of category is *very difficult* to obtain. Participants should address all inquiries regarding change of category to the Responsible Officer of their programs. The Responsible Officer submits a written request with supporting justification for the change to the Department of State on behalf of the participant. A nonrefundable fee is payable to the US Department of State to process the change.

If the Department grants the request, the Responsible Officer issues a new Form DS-2019 that reflects the change. If the request is denied, the participant is expected to return home no later than 30 days from the date of the Department's notice or the program's end date indicated on the Form DS-2019, whichever is later.

## **Termination**

Participants are subject to the Department of State's Exchange Visitor Program regulations, and to the rules specified by their sponsors. Participants found to be in violation of program regulations and/or sponsors' rules may be terminated from the program.

Other grounds for termination include, but are not limited to 1) failure to pursue the exchange activities for which the participant was admitted to the United States; 2) inability to continue the program; 3) willful failure to maintain insurance coverage as required under 22 CFR 62.14; and 4) unauthorized employment.

Participants who withdraw or are terminated from their exchange programs are expected to leave the United States immediately.

## **30-Day Grace Period**

The J-1 and dependents have 30 days after the end of their program to leave the United States. You may not work for compensation during this 30 day grace period.