

# UH Staff Guide to J-1 Program



# The Purpose of the J-1 Program

- “To increase mutual understanding between the people of the U.S. and the people of other countries by means of educational and cultural exchanges.”
- Give and take (security issues)



# *Who are the J-1's?*

- Non-Immigrants
- Here temporarily
- Exchange Visitor is the general name
- 4 Categories approved by DOS at UH
  - **Students** (Only address “intern” subcategory in this presentation)
  - **Research scholars**
  - **Professors**
  - **Short-term scholars (maximum 6 mos.)**

# *Who is involved in the program?*

- U.S. Department of State
- U.S. Department of Homeland Security (SEVIS: Student & Exchange Visitor Information System)
- Sponsor (issues DS-2019)
  - UH
  - Fulbright & Other Agencies
- Funding (UH, Fulbright, other agencies, home country, etc.)
- Worksite(s)
- UH Department
- ISSSO
- Exchange Visitors (and perhaps his or her family)
- Home institution of Exchange Visitors

# Mini- Overview of the Process

<b>Communicate with Exchange Visitor (EV)</b>	<b>Dept. requests DS-2019 from ISSSO (Online)</b>	<b>Dept. mails documents to EV</b>
<b>EV pays \$180 SEVIS Fee: I-901 (Receipt)</b>	<b>EV applies for visa (Security Delays)</b>	<b>EV submits documents at Port of Entry</b>
<b>Report to ISSSO (Validation &amp; Orientation)</b>	<b>Arrival needs and maintain status</b>	<b>If applicable apply for annual extension</b>
<b>212(e): 2 yr home residency requirement</b>	<b>Advisory opinion from Dept. of State</b>	<b>Waiver &amp; application for H-1 B</b>

## Communicate with Exchange Visitor (EV)

- Roles & Responsibilities
- Salary (payroll taxes)
- Insurance
- Family
- Dates of appointment
- Date of arrival

# Dept. requests DS-2019 from ISSSO

## ISSSO Work Flow

- Download DS-2019 request form from this website:  
<http://issso.uh.edu/j1/downloadds2019.html>
- Provide detailed info about program and J-1's info: City of birth, country of birth, residence, citizenship, current position in home country, worksites, etc.
- Submit form and \$80 fee online (SC Voucher submitted to our Office Mgr; cleared and given to front desk staff)
- Five days processing time
- Inform ISSSO of changes in expected arrival and/or length of program ISSSO inputs data into SEVIS & downloads DS-2019
- **Strict policy: No pay = DS-2019 not released**

## Dept. mails documents to EV

- Academic department is responsible for mailing DS-2019 and information packet to the scholar
- Maintain contact with scholar
- Communicate changes to ISSSO

We need to amend the program dates in order to keep the DS-2019 valid if there is a delay of J-1's coming (DS-2019 will be auto canceled by SEVIS 30 days from the program start date if the EV has not reported to ISSSO)

EV pays \$180  
SEVIS Fee: I-901  
(Receipt)

- EV pays \$180 SEVIS fee (reimburse?)
- Payment methods
  - Online with credit card  
<https://www.fmjfee.com/index.jhtml>
  - Western Union
  - By mail
- Link found on our website under Scholars
- Must keep receipt

## EV applies for visa (Security Delays)

- Scholar submits documents to the U.S. embassy
  - Passport & DS-2019
  - DS-7002 if EV is in “Student Intern” category
  - I-901 receipt
  - Proof of funding & proof of ties to home
  - May need to provide a description of the research
- **U.S. Security Clearance**
  - Washington Agency name checks (primarily FBI)
  - Security Advisory Opinion (SAO)
- **U.S. Security Triggers**
  - Males ages 16-45
  - Terrorist connections
  - Technology Alert List (TAL): weapons of mass destruction, high tech, urban planning

EV submits  
documents at  
Port of Entry

- Valid passport from home country
- I-901 SEVIS Fee receipt for \$180
- DS-2019
- J-1 visa sticker in passport
- I-94 Card (Date of entry, status: J-1, Departure: D/S)
- **Must carry documents at all times**
  - *Photocopies in the greater Houston area*
  - *Originals outside Houston area*
  - *Up to \$100 fine and/or up to 30 days in jail*

## Report to ISSSO (Validation & Orientation)

- We require all J-1s check-in with ISSSO upon their arrival in order to validate the DS-2019s. The DS-2019 will be automatically deactivated by SEVIS if it is not validated on time.
- We must provide orientation
- Confirm insurance: J-1 Visitors and their dependents are required by law to carry health insurance that meets minimum government requirements
- **90-day delay for new state employees: Must purchase 90-day policy to cover gap time**
- Repatriation/Medical Evacuation (\$7,500 / \$10,000)
  - \$30 per person (not prorated)

# DS-2019 Shows Program End Date

- Ending date is critical
- 30 day grace period
- **Research Scholar's DS-2019** can be extended each yr for a total of 5 yrs
- **Short-term Scholar's DS-2019** cannot be extended
- Notify ISSSO if scholar is leaving more than 30 days before ending date
- Checkout!

U.S. Department of State CERTIFICATE OF ELIGIBILITY FOR EXCHANGE VISITOR(J-1) STATUS				OMB APPROVAL NO. 1405-0119 EXPIRES: 02-28-2005 ESTIMATED BURDEN TIME: 45 min *See Page 2	
1. Family Name: <b>ZHANG</b>		First Name: <b>YIANGJING</b>		Middle Name:	
Date of Birth (mm-dd-yyyy): <b>03-31-1969</b>		City of Birth: <b>HANGZHOU</b>		Country of Birth: <b>CHINA</b>	
Legal Permanent Residence Country Code: <b>CH</b>		Legal Permanent Residence Country: <b>CHINA</b>		Position Code: <b>213</b>	
U.S. Address: <b>4800 Calhoun Rd. Houston, TX 77204-5003</b>		Citizenship Country Code: <b>CH</b>		Citizenship Country: <b>CHINA</b>	
3. Form Covers Period: From (mm-dd-yyyy): <b>03-11-2003</b> To (mm-dd-yyyy): <b>04-20-2004</b>		4. Exchange Visitor Category: <b>RESEARCH SCHOLAR</b>		N000238949 <b>J-1</b>	
Purpose of this form: <b>Replace a DS-2019 form (Damaged)</b>		Subject/Field Code: <b>40.0501</b>		Subject/Field Code Description: <b>Chemistry, General</b>	
5. During the period covered by this form, the total estimated financial support (U.S. \$) is to be provided to the exchange visitor by: Current Program Sponsor funds: <b>\$27,996.00</b> Total: <b>\$27,996.00</b>		6. U.S. DEPARTMENT OF STATE / INS USE OR CERTIFICATION BY RESPONSIBLE OFFICER THAT A NOTIFICATION COPY OF THIS FORM HAS BEEN PROVIDED TO THE U.S. DEPARTMENT OF STATE (INCLUDE DATE).		7. David Schaumburg Name of Official Preparing Form: <b>International Student and Scholar Servi 306 Student Service Center 1 Houston, TX</b> Signature of Responsible Officer or Alternate Responsible Officer	
8. Statement of Responsible Officer for Releasing Sponsor (FOR TRANSFER OF PROGRAM) Effective date (mm-dd-yyyy): _____ Transfer of this exchange visitor from program number _____ sponsored by _____ to the program specified in Item 2 is necessary or highly desirable and is in conformity with the objectives of the Mutual Educational and Cultural Exchange Act of 1961, as amended.		Alternate Responsible Officer: Title: <b>713-743-5072</b> Telephone Number: <b>07-06-2003</b> Date (mm-dd-yyyy):		Date (mm-dd-yyyy) of Signature:	
PRELIMINARY ENDORSEMENT OF CONSULAR OR IMMIGRATION OFFICER REGARDING SECTION 212(a) OF THE IMMIGRATION AND NATIONALITY ACT AND PL 94-484, AS AMENDED (see Item 1(a) of page 2). The Exchange Visitor in the above program:		TRAVEL VALIDATION BY RESPONSIBLE OFFICER (Maximum validation period is one year) *EXCEPT: Maximum validation period is up to six months for Short-term Scholars and four months for Camp Counselors and Summer Travel/Work. (1) Exchange Visitor is in good standing at the present time Date (mm-dd-yyyy): Signature of Responsible Officer or Alternate Responsible Officer		Date (mm-dd-yyyy):	
1. <input type="checkbox"/> Not subject to the two-year residence requirement.		2. <input type="checkbox"/> Subject to two-year residence requirement based on: A. <input type="checkbox"/> Government financing, and/or B. <input type="checkbox"/> The Exchange Visitor Skills List and/or C. <input type="checkbox"/> PL 94-484 as amended <small>(ALL USAID PARTICIPANTS G-3-024) AND ALL ALIEN PHYSICIANS SPONSORED BY P-3-4518 ARE SUBJECT TO THE TWO-YEAR HOME RESIDENCE REQUIREMENT.)</small>		Date (mm-dd-yyyy): Signature of Responsible Officer or Alternate Responsible Officer	
Name: _____ Title: _____ Signature of Consular or Immigration Officer: _____ Date (mm-dd-yyyy): _____		Name: _____ Title: _____ Signature of Responsible Officer or Alternate Responsible Officer: _____ Date (mm-dd-yyyy): _____		Date (mm-dd-yyyy):	
THE U.S. DEPARTMENT OF STATE RESERVES THE RIGHT TO MAKE FINAL DETERMINATION REGARDING 212(a).					
EXCHANGE VISITOR CERTIFICATION: I have read and agree with the statement on item 2 on page 2 of this document.					
Signature of Applicant: _____		Place: _____		Date (mm-dd-yyyy): _____	

# Unique Feature

- **Unique feature: 212(E) 2-Yr Home Residency Requirement**
  - Based on government sponsorship and/or Skills List for each country
  - Cannot accumulate more than 2 yrs
  - New entry (new program) may lead to new 2 yrs
  - Waiver may be possible
  - Advisory Opinion: Clarify applicability of 212(E)
- **Apply for H-1B if waiver of 212(E) is approved or 212 (E) does not apply**

# Employment in Professor or Researcher Category



- Works at the institution or agency **listed on the DS-2019**
- Program objective clearly stated by department
- Researcher may teach; Professor may do research
- Occasional lectures



# Employment in Professor or Researcher Category

- Maximum period of program participation in the Professor and Research Scholar categories is 5 years
- 2 Year Bar on “Repeat Participation”
- Understanding the 5 year rule
  - Clock always running (even if not in the U.S.)
  - DS-2019 must be active or may face 2 year bar

# Employment in Professor or Researcher Category

- Eligibility for 5 Year Research Scholar or Professor
  - Is not a candidate for tenure track position
  - Has not been in J-1 Research Scholar or Professor category in past 24 months (except transfer)
  - Has not been physically present in the US in any J status (including J-2) for all or part of the 12 month period immediately preceding the date of program commencement (12 month bar)
  - Exceptions to 12 month bar: In the US for less than 6 months (e.g. Short-term Scholar) or transferring to a new program sponsor

# Employment in Professor or Researcher Category

- All sites of activity must be identified in SEVIS
- Occasional lectures/consultations must:
  - Be directly related to objectives of program
  - Be incidental to primary activities
  - Not delay completion of program
  - Be documented in SEVIS
  - Have letter from inviting institution stating duration, hours, field, amount of compensation and description of activity
  - Have letter from Advisor/Supervisor
  - Have RO/ARO letter stating activity meets criteria and is authorized

# Out of Country

- Additional Report required if the EV is out of country (US)
  - Supervisor's approval
  - Out of Country information needed for SEVIS report:
    - \***Out of Country Begin Date: (MM/DD/YYYY)**
    - \***Out of Country End Date: (MM/DD/YYYY)**
    - \***Out of Country Location Name:**
    - \***Out of Country Location Address: City:**  
**Country: Province/Territory: Postal Code:**
    - \***Remarks:**

# Student Intern Subcategory

## ■ What is J Student Interns?

Effective February 20, 2009, some U.S. universities are allowed to sponsor student intern subcategory.

Participation in the Student Intern subcategory is available only to foreign students currently enrolled and pursuing a degree at a postsecondary academic institution outside the United States, whose U.S. internship will "fulfill the educational objectives for his or her current degree program at his or her home institution." Student interns may participate in a student internship program for up to 12 months for each foreign degree/major

# Basic Eligibility for Student Intern

- A participant must meet these conditions:
  1. Be currently "enrolled in and pursuing a degree at an accredited postsecondary academic institution outside the United States."
  2. The U.S. internship must "fulfill the educational objectives for his or her current degree program at his or her home institution."
  3. Have "verifiable English language skills sufficient to function on a day-to-day basis in the internship environment."
  4. Be "primarily in the United States to engage in a student internship program rather than to engage in employment or provide services to an employer."
  5. Be "accepted into a student internship program at the postsecondary accredited academic institution listed on his or her Form DS-2019."
  6. Be "in good academic standing" at his or her home institution outside the United States.
  7. Must return to his or her academic program outside the United States "and fulfill and obtain a degree from such academic institution after completion of the student internship program."
  8. Have "sufficient finances to support himself or herself and dependants for their entire stay in the United States, including housing and living expenses."

# Internship Activities

- Internships must be full-time; i.e., consist of a minimum of 32 hours per week.
- Consist of no more than 20 percent clerical work.
- All tasks assigned must be "necessary for the completion of the student internship program."
- Not displace "American workers" (including full or part-time, temporary or permanent).
- Not "serve to fill a labor need"
- Exist "solely to assist the student intern in achieving the objectives of his or her participation in a student internship program."
- Consist of "work-based learning," rather than "ordinary employment or unskilled labor."
- Expose the participant to "American techniques, methodologies, and technology," expand upon the participant's existing knowledge and skills, and "not duplicate the student intern's prior experience."
- A student may participate in an internship with or without wages or other compensation. To be employed, however, the student needs the "approval of the exchange program's responsible officer and the student's home institution's dean or academic advisor."
- The internship does not have to be in the student's field of study, but it does have to "fulfill the educational objectives for his or her current degree program at his or her home institution."

# Requirements for Host Departments

- Verify the student's English language ability, "through a sponsor-conducted interview, by a recognized English language test, or by signed documentation from an academic institution or English language school."
- Complete and secure the requisite signatures on [Form DS-7002](#)
- The program sponsor must conduct such evaluations for each Student Intern. All programs must do a concluding evaluation, and programs lasting more than six months must do a midpoint and concluding evaluation. The sponsor must retain these evaluations for at least three years following the completion of the student's internship program.
- The Student intern will participate in appropriate activities guided above.

# How to apply

- The student will apply to the academic department by submitting the application along with the application fee.
- The UH department will:
  - Verify the student's English language ability and complete the part II of the application
  - Complete Form DS-7002, this form can be downloaded from this link: <http://www.state.gov/documents/organization/84240.pdf>
  - Submit the J-1 Student Intern DS-2019 request form and DS-7002 to ISSSO along with the fee
- ISSSO will
  - Notify the department after the DS-2019 is done
  - Provide a copy of DS-7002 to the department and to the student
  - Provide instruction packets regarding SEVIS fee payment and visa application information
  - The department will send the DS-2019, copy of DS-7002 and the packet to the student
  - The student will then pay the SEVIS fee and schedule a visa interview with US Embassy or Consulate to apply for a J-1 visa

**Bookmark Our Website**

[issso.uh.edu](http://issso.uh.edu)

**- See the “Scholars” Page -**



# In Conclusion

- Who do I contact at ISSSO?
  - Basic questions about forms or steps, you may ask for Emily Estill (Office Assistants) #35065
  - Jin Zhang, Associate Director #35072 (J-1 Specialist)
- Commitment & Cooperation are needed
  - ISSSO is committed to our J-1 scholars
  - Cooperation with departments at UH essential to success of J-1 program

**Any Questions?**

