GENERAL INFORMATION ABOUT J-1 VISA

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INTRODUCTION TO J-1 VISA

The purpose of the J-1 visa program is "to provide foreign nationals with opportunities to participate in educational and cultural programs in the United States and return home to share their experiences, and to encourage Americans to participate in educational and cultural programs in other countries" (22 CFR 514.1(b)). Participants in such programs enter the U.S. as Exchange Visitors (EV) on J visa. A DS-2019 form, "Certificate of Eligibility for Exchange Visitor (J-1) Status" is required 1) to obtain a J-1 visa at a U.S. Consulate abroad, 2) to extend the stay in the U.S., 3) to transfer from another institution to UCLA or 4) to change visa status from another non-immigrant visa, such as B-1 or F-1, to the J status. The U.S. Department of State monitors the Exchange Visitor Program; compliance with the regulations and purpose of the program rests with the Office of International Students & Scholars (OISS).

ELIGIBILITY RESTRICTIONS

Visitor is NOT ELIGIBLE for J STATUS under the following circumstances:

1. If he/she had completed a previous J program (eg. Specialist or Student) which lasted more than 6 months and now requesting a J status as a RESEARCH SCHOLAR or PROFESSOR to start a NEW PROGRAM, there must be a 12-month gap between the end date of the previous J/J2 program and starting date of the new J program.
2. If he/she had completed a previous J program in the U.S as A PROFESSOR or RESEARCH SCHOLAR, he/she is subject to a 24-MONTH BAR (gap) TO START A NEW J PROGRAM as A PROFESSOR or RESEARCH SCHOLAR.
3. If he/she had applied for a an “H” class VISA or U.S. PERMANENT RESIDENT STATUS (green card).
4. If he/she had applied for a Waiver of the Two Year Home Residence Rule and RECEIVED APPROVAL notification from the State Department or the U.S. Citizenship and Immigration Service (USCIS).
5. If the STUDENT is fully supported by PERSONAL FUNDS.
6. If the position is TENURE TRACK.

EXCHANGE VISITOR CATEGORIES, PRIMARY ACTIVITY AND MAXIMUM STAY

UCLA can issue J-1 visa for the following five categories. The chart describes each category, provides eligibility criteria and maximum length of stay. Except for the Student category, the minimum educational level required for all other categories is master's degree or bachelor's degree with substantial experience in their respective specialty field. Please call DCISS if you need additional information.

<table>
<thead>
<tr>
<th>Category</th>
<th>Primary activity at UCLA/Eligibility</th>
<th>Length of Stay</th>
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<tbody>
<tr>
<td>STUDENT</td>
<td>An individual pursuing studies leading to a degree or certificate from UCLA on full-time basis: Must be substantially funded from sources other than personal or family funds.</td>
<td>Maximum 5 years. Includes time spent at another institution on J-1 status. If he/she had completed a previous J program in the U.S as A PROFESSOR or RESEARCH SCHOLAR, he/she is subject to a 24-MONTH BAR (gap) to start a NEW J PROGRAM as a PROFESSOR or RESEARCH SCHOLAR.</td>
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<td>Non-degree students</td>
<td>An individual participating in non-degree objectives; Funding as above.</td>
<td>Non-Degree Student - 24 Months.</td>
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<tr>
<td>PROFESSOR</td>
<td>An individual whose primary activity is teaching, lecturing, observing or consulting on non-tenure track appointments. Participation in Departmental research is allowed.</td>
<td>Maximum 1 year. No extension of stay allowed beyond 1 year.</td>
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<tr>
<td>RESEARCHER</td>
<td>An individual whose primary activity is conducting research, observing, or consulting in connection with a research project under the supervision of a UCLA faculty. Generally holds PGR or Visiting Scholar appointments.</td>
<td>Maximum 6 months. No extension of stay allowed beyond 6 months.</td>
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<tr>
<td>SPECIALIST</td>
<td>An individual who is an expert in a specialized field of knowledge or skill coming to the U.S. for observing, consulting, or demonstrating special skills. Generally holds SRA or equivalent appointment.</td>
<td>Maximum 1 year. No extension of stay allowed beyond 1 year.</td>
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<tr>
<td>SHORT-TERM SCHOLAR</td>
<td>A professor, researcher, or person with similar education or accomplishments coming to the U.S. on a short-term visit for the purpose of lecturing, observing, consulting, training, or demonstrating special skills. This category includes speakers at Conferences receiving an honorarium from UCLA.</td>
<td>Maximum 6 months. No extension of stay allowed beyond 6 months.</td>
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TWO-YEAR HOME COUNTRY RESIDENCE REQUIREMENT

The Immigration and Nationality Act has placed a condition on certain J-1 visa holders called "two-year home country residence requirement" (Section 212(e)). Participants "subject" to this requirement are ineligible to change visa status from J to H, L or permanent resident status unless they reside for two years in their country of last legal permanent residence or nationality or receive a waiver from the U.S. State Department. An EV is subject to this requirement if:

1. the financial support comes totally, or in part, from the U.S. government, the home country government, or certain international organizations (i.e. WHO, UNICEF, PAHO, etc.), and/or;
2. the field of specialization and home country are included in the Exchange Visitor Country Skills List. This list includes countries which have shortages of trained professionals in specific fields of specialization.

The USCIS, in consultation with the U.S. State Department, determines the applicability of this requirement to a participant's program. If subject, an EV may apply for a waiver of the home country residence requirement. For further information call DCISS.

EMPLOYMENT ELIGIBILITY OF EXCHANGE VISITORS AND THEIR DEPENDENT(S)

EVs are authorized to receive funds from the organization(s) listed on the DS-2019 form. EVs wishing to receive funds from other sources, once in the United States, require special authorization(s) from their visa sponsor. DCISS may authorize employment for an UCLA-sponsored EV if:

- a) IT IS DIRECTLY RELATED TO THE PROGRAM'S OBJECTIVE,
- b) IT IS INCIDENTAL TO PRIMARY PROGRAM ACTIVITIES, AND
- c) WILL NOT DELAY COMPLETION OF THE PROGRAM AT UCLA.

J-1 visa holders whose DS-2019 forms were not issued by UCLA, must obtain written authorization from the sponsoring agency/institution before being compensated for services rendered at UCLA.

J-2 visa holders are eligible for employment (with approval from USCIS) as long as it is not to support the J-1. They (J-2) should submit an application to the USCIS for work authorization. Applications and instructions are available at the DCISS.

EXCHANGE VISITORS' FUNDING AND HEALTH INSURANCE

The University must verify that prospective EVs have sufficient funds to carry out their activities at UCLA. Current estimated expenses can be found at www.internationalcenter.ucla.edu. Additionally, EVs (and their dependents in J-2 status) MUST carry adequate health insurance throughout their stay at UCLA (see Note below). Those who fail to comply with this requirement become ineligible for UCLA's J-1 sponsorship and will be terminated. EVs under a group policy (Health-Net, etc.) may require additional coverage to comply with the requirement. Please contact DCISS for information on policies that meet this requirement.

NOTE: A qualifying insurance policy MUST provide:

a) At least $50,000 per accident or illness
b) No less than $7,500 for repatriation of remains
c) No less than $10,000 for medical evacuation to the home country
d) Maximum deductible $500 per accident or illness.

The source of the EV's funds must be indicated on the DS-2019 form. The list below help determine the appropriate source:

+UCLA: will receive a check generated by UCLA's Payroll Office.
+U.S. Government Agency: will be paid directly by one or more agencies. Be sure to identify each one.
+Intl Organization: will receive direct funds from organizations such as the UN, UNICEF, etc.
+Home Government: will be funded by an agency of the EV's government.
+Bi-national Commission: will receive monies from the Fulbright Commission.
+Other Organizations: will be paid by a private organization, university or foundation in the U.S. or abroad
+Personal Funds: will use personal/family funds, sabbatical salaries, etc. Attach original documents.

For an EV funded by UCLA, please indicate:

a) source; e.g. department budget, DOE grant, etc.,

b) if appropriate, Payroll title; e.g. Visiting Assistant Research Geophysicist,
c) whether the position is tenure/non-tenure track, and

d) whether or not Health Insurance will be paid by the funding source. If so, name the insurance carrier.

If you have further questions, please call Dr. Shideh Hanassab or Mr. L. B. Tillakaratne at (310) 825-1681.

it://doc/files/j1doc/jinstructions07.doc