Exchange Visitor Visa

Overview

Generally, a citizen of a foreign country who wishes to enter the United States must first obtain a visa, either a nonimmigrant visa for temporary stay, or an immigrant visa for permanent residence. Exchange visitor (J) visas are nonimmigrant visas for individuals approved to participate in exchange visitor programs in the United States.

Exchange Visitor Categories Include:

Au pair and EduCare Short-term Scholar

<u>Camp Counselor</u> <u>Specialist</u>

Government Visitor Student, college/university

InternStudent, secondaryInternational VisitorSummer Work Travel

<u>(Dept. of State use)</u> <u>Teacher</u> <u>Physician</u> <u>Trainee</u>

Professor and

Research Scholar

Exchange Visitor Pilot Programs:

Summer Work Travel Pilot Program: Australians Summer Work Travel Pilot Program: New Zealanders

Intern Work Travel Pilot Program: Irish WEST (Work, English Study, and Travel) Program: South Koreans

Exchange Visitors cannot travel on the Visa Waiver Program or with Visitor Visas - An exchange visitor visa (J) is required to participate in an exchange visitor program in the United States. Foreign nationals may not study after entering on a visitor (B) visa or through the Visa Waiver Program (VWP) For more information on the VWP, see <u>Visa Waiver Program</u>.

Acceptance in Exchange Visitor Program - The first step is to apply for and be accepted into an exchange visitor program through a designated sponsoring organization in

the United States. Visit the Department of State <u>J-1 Visa</u> <u>Exchange Visitor Program</u> website to learn about program requirements, regulations, and more.

After the exchange visitor program accepts your participation, you will be registered for the <u>Student and Exchange Visitor Information System (SEVIS)</u> and must pay the SEVIS I-901 fee (except in certain cases – consult your exchange visitor program sponsor). Visit the U.S. Immigration and Customs Enforcement (ICE) <u>Student and Exchange Visitor Program (SEVP)</u> website to learn more about SEVIS and the SEVIS I-901 Fee.

How to Apply

There are several steps to apply for a visa. The order of these steps and how you complete them may vary by U.S. Embassy or Consulate. Please consult the instructions on the embassy or consulate website.

Complete the Online Visa Application

- Online Nonimmigrant Visa Application, Form DS-160 – Learn more about completing the DS-160. You must: 1) complete the online visa application and 2) print the application form confirmation page to bring to your interview.
- Photo You will upload your photo while completing the online Form DS-160. Your photo must be in the format explained in the <u>Photograph Requirements</u>.

Schedule an Interview

Interviews are generally required for visa applicants with certain limited exceptions below. Consular officers may require an interview of any visa applicant.

If you are age:	Then an interview is:
13 and younger	Generally not required
14 - 79	Required (some exceptions for renewals)
80 and	Generally not required

older

You should schedule an appointment for your visa interview at the <u>U.S. Embassy or Consulate</u> in the country where you live. You may schedule your interview at another U.S. Embassy or Consulate, but be aware that it may be more difficult to qualify for a visa outside of the country where you live.

Wait times for interview appointments vary by location, season, and visa category, so you should apply for your visa early. Review the interview wait time for the location where you will apply:

Appointment Wait Time

Check the estimated wait time for a nonimmigrant visa interview appointment at a U.S. Embassy or Consulate.

Note: Please check the individual Embassy or Consulate website to determine if your case is eligible for a waiver of the in-person interview.

Applicants scheduling visa appointments in a location different from their place of residence should check post websites for nonresident wait times.

Select a U.S. Embassy or Consulate:

Wait Times for Embassy/Consulate
Enter a City G0

Nonimmigrant Visa Type Interview Required Students/Exchange Visitors (F, -- days M, J) Interview Required PetitionBased Temporary Workers (H, L, -- days O, P, Q) Interview Required Crew and Transit (C, D, C1/D) Interview Required Visitors

(B1/B2)

Interview Waiver

Students/Exchange Visitors (F, -- days

M, J)

Interview Waiver Petition-Based

Temporary Workers (H, L, O, P, -- days

Q)

Interview Waiver Crew and

Transit (C, D, C1/D)

-- days

-- aays

Interview Waiver Visitors

(B1/B2)

-- days

<u>See details on appointment availability and processing times</u>

Prepare for Your Interview

 Fees - Pay the non-refundable visa application fee, if you are required to pay it before your interview. If your visa is approved, you may also need to pay a visa issuance fee, if applicable to your nationality. Fee information is provided below:

Application Fee

Select your nationality to see Issurance Fee

Select a country/authority or area

Q

All Fees

- Review the instructions available on the website of the <u>embassy or consulate</u> where you will apply to learn more about fee payment.
- NOTE: U.S. government sponsored exchange visitor (J visa) applicants and their dependents are not required to pay application processing fees if participating in a Department of State, a U.S. Agency for International Development (USAID), or a Federally funded educational and cultural exchange program which has a program serial number beginning with G-1. G-2. G-3. or G-7 printed on Form DS-2019.

Certificate of Eligibility for Exchange Visitor Status. U.S. government sponsored exchange visitor (J visa) applicants and their dependents are also not required to pay applicable issuance fees.

Gather Required Documentation

Gather and prepare the following required documents before your visa interview:

- Passport valid for travel to the United States Your
 passport must be valid for at least six months beyond
 your period of stay in the United States (unless
 exempt by country-specific agreements □). Each
 individual who needs a visa must submit a separate
 application, including any family members listed in
 your passport.
- Nonimmigrant Visa Application, Form DS-160 confirmation page.
- Application fee payment receipt, if you are required to pay before your interview.
- Photo You will upload your photo while completing the online Form DS-160. If the <u>photo upload fails</u>, you must bring one printed photo in the format explained in the <u>Photograph Requirements</u>.
- Certificate of Eligibility for Exchange Visitor Status,
 Form DS-2019 Your program sponsor will provide
 you a SEVIS-generated Form DS-2019 after the
 sponsor enters your information in the <u>Student and</u>
 <u>Exchange Visitor Information System (SEVIS)</u>
 database. All exchange visitors must be registered in
 SEVIS. Your spouse and/or minor children, if they
 intend to live in the United States with you, will each
 receive a separate Form DS-2019.
- Training/Internship Placement Plan, Form DS-7002 –
 In addition to the Form DS 2019, participants in the J 1 Trainee and Intern categories require Form DS-7002
 (based on Box 7 on Form DS-2019). Learn more about the Trainee and Intern programs.

Legal Rights and Protections

You must read the <u>Legal Rights and Protections</u> pamphlet to learn about your rights in the United States and protection available to you. Review this important pamphlet before

applying for your visa.

Additional Documentation May Be Required

A consular officer will interview you to determine your qualifications for an exchange visitor visa, and may request additional documents, such as evidence of:

- The purpose of your travel;
- Your intent to depart the United States after your travel;
- Your ability to pay all travel costs.

Evidence of your employment and/or your family ties may be sufficient to show the purpose of your travel and your intent to return to your home country. If you cannot cover all the costs for your travel, you may show evidence that another person will cover some or all costs for your travel.

Review the instructions for how to apply for a visa on the website of the <u>embassy or consulate</u> where you will apply.

Attend Your Visa Interview

A consular officer will interview you to determine whether you are qualified to receive an exchange visitor visa. You must establish that you meet the requirements under U.S. law to receive a visa.

Ink-free, digital fingerprint scans are taken as part of the application process. They are usually taken during your interview, but this varies based on location.

After your visa interview, the consular officer may determine that your application requires further <u>administrative</u> <u>processing</u>. The consular officer will inform you if this is required.

After the visa is approved, you may need to pay a visa issuance fee (if applicable to your nationality), and make arrangements for the return of the passport and visa to you. Review the <u>visa processing times</u> to learn more.

Two-year Home-Country Physical Presence Requirement

When you agree to participate in an Exchange Visitor

Program and your program falls under the conditions below, you will be subject to the two-year home-country physical presence (foreign residence) requirement. This means you will be required to return to your home country for two years at the end of your exchange visitor program. This requirement under immigration law is based on Section 212(e) of the Immigration and Nationality Act.

Two-year Home-country Physical Presence Requirement Conditions - An exchange visitor is subject to the two-year home-country physical presence requirement if the following conditions exist:

- Government funded exchange program The program is financed in whole or in part directly or indirectly by the U.S. government or the government of the exchange visitor's nationality or last residence;
- Graduate medical education or training The exchange visitor entered the United States to receive graduate medical education or training;
- Specialized knowledge or skill: Skills List The
 exchange visitor is a national or permanent resident
 of a country which has deemed the field of
 specialized knowledge or skill necessary to the
 development of the country, as shown on the
 Exchange Visitor Skills List. Review the Exchange
 Visitor Skills List 2009.

Restrictions - If you are subject to the two-year homecountry physical presence requirement, you must return to your home country for a cumulative total period of at least two years before you can do any of the following:

- <u>Change status</u>
 [™] while in the United States to the nonimmigrant categories of temporary worker (H) or intracompany transferee (L);
- Receive an immigrant visa at a U.S. Embassy or Consulate; or
- Receive a temporary worker (H), intracompany transferee (L), or fiancé (K) visa at a U.S. Embassy or Consulate.

Requirement - If you are not able to fulfill the home country presence requirement, you may apply for a waiver.

Select Waiver of the Exchange Visitor Two-Year HomeCountry Physical Presence Requirement to learn more about this requirement and how to request a waiver.

Entering the United States

A visa does not guarantee entry into the United States. A visa only allows a foreign citizen to travel to a U.S. port-of-entry (generally an airport) and request permission to enter the United States. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) officials at the port of entry have authority to permit or deny admission to the United States.

After you present your passport, visa, and DS-2019 at the port-of-entry, a CBP official will make this decision. Once you are allowed to enter the United States, the CBP official will provide an admission stamp or paper Form I-94, Arrival/Departure Record.

Learn about procedures for students (with F or M visas) entering the United States on the CBP website under <u>Arrival Procedures for Students or Exchange Visitors</u>. Learn more about admissions and entry requirements, restrictions about bringing food, agricultural products, and other restricted/prohibited goods, and more by reviewing the <u>CBP</u> website.

Extending Your Stay

See <u>Program Extension</u> on the Department of State Exchange Visitor Program website to learn about requesting to extend your exchange visitor program beyond the date listed on your Form DS-2019.

Additional information to maintain exchange visitor status is on the U.S. Immigration and Customs Enforcement SEVP website under <u>Maintaining Your Immigration Status While a Student or Exchange Visitor</u>.

Failure to depart the United States on time will result in being <u>out of status</u>. Under U.S. law, visas of individuals who are out of status are automatically voided (<u>Section 222(g)</u> of the <u>Immigration and Nationality Act</u>). Any multiple

not be valid for future entries into the United States.

Failure to depart the United States on time may also result in you being ineligible for visas in the future. Review <u>Visa</u>

<u>Denials</u> and <u>Ineligibilities</u> and <u>Waivers: Laws</u> to learn more.

Change of Status

If your plans change while in the United States (for example, you marry a U.S. citizen or receive an offer of employment), you may be able to request a change in your nonimmigrant status to another category through U.S. Citizenship and Immigration Services (USCIS). See <u>Change My</u>

Nonimmigrant Status ^[27] on the USCIS website to learn more.

While you are in the United States, receiving a change of status from USCIS does not require you to apply for a new visa. However, once you depart the United States, you must apply for a visa at a U.S. Embassy or Consulate in the appropriate category for your travel.

Additional Information

- There is no guarantee that you will be issued a visa.
 Do not make final travel plans or buy tickets until you have a visa.
- For information about workig in the United Sates
 during your exchange program, review <u>Exchange</u>
 <u>Visitors</u> and <u>Employment Authorization</u> on the
 USCIS website.
- Spouse and children
 - Your spouse and unmarried, minor children may be able to apply for J-2 visas to accompany or join you at a later date to reside with you during your J program, if permitted on your exchange program category. While SEVIS fee payment is not required, your sponsor must issue them separate DS-2019 Forms, which are required when they apply for their visas, along with a copy of the primary visa holder's J-1 visa and proof of relationship.
 - Your minor children are permitted to attend school while in the United States on J-2 visas and are not required to obtain <u>student (F)</u> <u>visas</u>.
 - U.S. Embassies and Consulates will adjudicate

visa applications that are based on a same-sex marriage in the same way that we adjudicate applications for opposite gender spouses.

A valid U.S. visa in an expired passport is still valid.
 Unless canceled or revoked, a visa is valid until its expiration date. Therefore, a valid U.S. visa in an expired passport is still valid. If you have a valid visa in your expired passport, do not remove it from your expired passport. You may use your valid visa in your expired passport along with a new valid passport for travel and admission to the United States.

Can I enter the United States more than 30 days in advance?



Exchange visitors are not permitted to enter the United States earlier than 30 days before their program start dates. If you want to enter earlier than 30 days, you must separately apply and qualify for a visitor (B) visa.

After you are admitted to the United States by U.S. Customs and Border Protection (CBP) officials in visitor (B) visa status, you must separately apply to U.S. Citizenship and Immigration Services (USCIS) for a change of status to exchange visitor (J) status status prior to the start of your exchange program. You will not be permitted to begin your exchange program until the change of status is approved. You may also depart the United States and re-enter on your exchange visitor (J) visa.

What is an International Cultural Exchange Visitor Q-1 visa?



There are two nonimmigrant visa categories for persons to participate in exchange visitor programs in the United States. The J-1 exchange visitor visa is for educational and cultural exchange programs designated by the

Department of State, Bureau of Educational and Cultural Affairs.

The Q-1 visa is for participation in certain international cultural exchange programs. These programs are designed to provide practical training and employment and allow program participants to share the history, culture, and traditions of their home countries in the United States. A person who wants to participate in an international cultural exchange program must be approved in advance by U.S. Citizenship and Immigration Services (USCIS) on the basis of a petition filed by the U.S. sponsor.

Select <u>Temporary Worker Visas</u> to learn more.

Visa Renewal

Whether you are applying for the first time or renewing your visa, you will use the same application process (please review <u>How to Apply</u>, above).

Visa Denial and Ineligibility



Review <u>Visa Denials</u> for detailed information about visa ineligibilities. denials, and waivers.

I was refused a visa, under section 214(b). May I reapply?



You may reapply if you believe you have additional evidence of your qualifications for an exchange visitor (J) visa, or you believe your circumstances have changed. Review <u>Visa Denials</u> to learn more.

Misrepresentation or Fraud



Attempting to obtain a visa by the willful misrepresentation of a material fact, or fraud, may result in the permanent refusal of a visa or denial of entry into the United States.

Review Ineligibilities and Waivers: Laws.

Citizens of Canada and Bermuda



Citizens of Canada and Bermuda do not require visas to enter the United States as students, although they must present a valid Form DS-2019 at the time of admission. For more information see <u>information for Citizens of Canada and Bermuda</u>.

Additional resources for Canadian visitors to the United States can be found on the <u>U.S. Embassy and Consulate websites in Canada</u>.

Further Questions



- Case-Specific Questions Contact the U.S.
 Embassy or Consulate handling your visa application for status information. Select <u>U.S.</u>
 <u>Embassy or Consulate</u> for contact information.
- General Questions review Contact Us.