

Boyce Thompson Institute

PROCESS: The J-1 Visitor Exchange Program

DESCRIPTION:

BTI is an official Program Sponsor of the Visitor Exchange Program, monitored by the Department of State. This program is renewable every 4 years. Each program sponsor must have one person assigned as Responsible Officer and can also have one or more Alternate Responsible Officers.

The J-1 Exchange Program is considered an exchange program, not a temporary employment visa or an immigrant visa. It is issued for a three year period with one possible six month extension (there is also a second six month extension that is special case only). The intention of the visa is that the visitor plans to return home to her/his country at the expiration of the visa. The visitor is here to expand upon skills, learn skills and experience the US.

The visitor has 30 days after the expiration of the J visa in which to return home. BTI uses this visa for Postdoctoral Associates, Visiting Scientists (PhD's) and Visiting Scholars (Graduate and Undergraduates doing research)

New J-1 Visas

- BTI sponsors a variety of incoming staff or visitors from abroad using the J1 visa. A DS-2019 form must be completed in SEVIS and sent to the person one to two months in advance of intended arrival. Both the original form and the "data only" form are sent to the scholar. The "data only" form is used by the BCIS officer at the port of entry. Accompanying the DS-2019 is a letter from the Responsible Officer outlining the parameters and restrictions of the Exchange program, information on insurance and funding requirements, as well as information on Ithaca and the surrounding area.
- The J1 scholar takes this form to a US embassy in their country. Embassy staff then issue a J-1 visa based on the DS-2019 form. This can take significant time, which varies by country. Often an appointment at the embassy must be made and those often take weeks to set up.

Parameters and Restrictions of J1 Exchange Program:

- A potential visitor/employee must not have been in the US on another J-1 visa for a period in excess of six months in the prior twelve months.
- A potential visitor/employee must have a minimum level of financial support per month. Current minimum levels are \$1,100 per month for a single person, an additional \$550 per month for an accompanying spouse, and an additional \$270

per month for each accompanying child.

- Federal law requires that all J-1 Exchange Visitors and their dependents have health and accident insurance. Minimum amounts are as follows: 1) medical benefits of at least \$50,000 per accident or illness; 2) deductible not to exceed \$500 per accident or illness; repatriation of remains in the amount of \$7,500; 4) expenses associated with medical evacuation to home country in the amount of \$10,000. BTI health insurance covers items 1 and 2, but not 3 and 4. Visitors are required to purchase this on their own.
- Many visitors are required to pay U.S. income and social security taxes; however certain people may benefit from a tax treaty. HR will determine tax status upon arrival. In general, foreign nationals earning any money in the US must file a tax return, even if their earnings are below the minimum established annually by the IRS or if they are beneficiaries of a tax treaty.
- In some cases, J1 scholars may have a 2-year residency requirement following completion of their exchange program in the United States. This is usually required when the scholar receives direct funding from their government, or when their area of training is on a “skills list” which the home country has determined. It is possible to obtain a “waiver of the 2 year residency requirement.” This process varies from country to country and is taken care of by the visitor. This becomes an issue when the J1 scholar wants to change their status to a different category, i.e., the H1 temporary worker.
- Travel Endorsement – J1 visitors need to have a valid signature from the Responsible Officer in order to re-enter the United States. This signature is valid for 12 months. J2 dependents must have the same information with them when traveling abroad.

Extensions or Additions to J Visas

- Although a J visa is good for up to 3.5 years, BTI extends them for only the time period for which funding is guaranteed. This means a J can be issued for a month, a year, 18 months, whatever time period is funded.
- If additional funding is obtained, a J visa may be extended (not to exceed the 3.5 year period). This is accomplished by entering the extension into the SEVIS database
- If a family member is planning to join a visitor already at BTI, they must be entered into SEVIS and forms sent to them.

SEVIS:

The SEVIS manual is located in the HR office and contains complete instructions on how to add, edit, track and delete individuals from the database. Some key requirements:

- All new arrivals must be “checked in” via SEVIS
- All visitors must notify HR when their address has changed. The address must be changed in SEVIS as well.
- Transfers in and out of the program are done through SEVIS.
- Changes in funding sources or amounts, must be entered into SEVIS.
- Program renewal is conducted via SEVIS

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