

UNIVERSITY OF MIAMI  
EXCHANGE VISITOR PROGRAM  
POLICY AND PROCEDURE

MILLER SCHOOL OF MEDICINE

**PREPARED BY  
INTERNATIONAL STUDENT AND SCHOLAR  
SERVICES**

**International Student and Scholar Services  
Whitten University Center, Suite 2275  
University of Miami  
Coral Gables, Florida 33146-6929  
Telephone: 305-284-2928  
<https://iss.miami.edu>**

**December 17, 2020**

## Table of Contents

<b>The Exchange Visitor Program</b> .....	<b>1</b>
Categories: Program Activities of Exchange Visitors .....	2
University of Miami Exchange Visitor Program P-1-00212: International Scholars .....	2
Definition of Various Categories.....	2
Program Administration: International Student and Scholar Services.....	4
Role of the Host Department .....	4
<b>Identifying a Potential Candidate</b> .....	<b>4</b>
Qualifications for International Scholars.....	5
English Language Proficiency.....	5
Eligibility for the Position .....	5
Funding.....	5
Deciding Between Research Scholar/Professor and Short-Term Scholar.....	5
The Difference between J-1 and H-1B .....	6
<b>Procedures for Requesting Form DS-2019</b> .....	<b>6</b>
<b>Prior To and Upon Arrival</b> .....	<b>8</b>
<b>Maintaining Immigration Status</b> .....	<b>8</b>
Employment .....	9
Time Limitations .....	9
Twelve-month Bar after Previous J Participation.....	9
Two-year (24-month) Bar on Repeat Participation in the Research Scholar and Professor Categories .....	9
Medical Insurance Requirements.....	10
Extension of Program .....	11
Transfer of Program.....	12
Departmental Notification of Early Completion.....	12
<b>U.S. Department of State Policy Regarding Extensions</b> .....	<b>12</b>
<b>The Two-Year Home-Country Physical-Presence Requirement</b> .....	<b>13</b>
Intent of the Requirement .....	13
Terms of the Requirement .....	13
Waivers of the Requirement .....	14
<b>Change of Status</b> .....	<b>14</b>
Change of Status from J-1 to J-2 or from J-2 to J-1.....	15
<b>Dependents of Exchange Visitors</b> .....	<b>15</b>
Entering the United States .....	16
Medical Insurance.....	16
Employment for J-2 Dependents .....	16
Change of Category .....	16
Time Limitations .....	16
Two-Year Home Country Physical-Presence Requirement.....	16
<b>United States Income Tax and Social Security Withholding</b> .....	<b>16</b>
Persons who must comply with U.S. Internal Revenue Service (IRS) Filing Requirements.....	16
Service offered by ISSS to assist with IRS Filing Requirements .....	17
Tax Forms and Publications .....	17
Tax Deductions.....	17
IRS Resources.....	18
<b>Appendices</b> .....	<b>19</b>

## The Exchange Visitor Program

The U.S. Department of State administers the overall Exchange Visitor Program. In 1948, Congress passed the U.S. Information and Educational Exchange Act, which formed the basis for the current Exchange Visitor Program. Thirteen years later the Fulbright-Hays Act, formally titled the Mutual Educational and Cultural Exchange Act of 1961, established the "J" letter and visa class with the following purpose:

To enable the government of the United States to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations, and the contributions being made toward a peaceful and more fruitful life for people throughout the world; to promote international cooperation for educational and cultural advancement; and thus to assist in the development of friendly, sympathetic, and peaceful relations between the United States and the other countries of the world.

The Exchange Visitor Program provides foreign nationals with opportunities to participate in exchange programs in the United States and then return home to share their experiences, thus the title “*exchange visitor*.” An exchange visitor is a foreign national who has been selected by a sponsor to participate in an exchange visitor program. The exchange visitor enters the United States on a J-1 visa, hence an exchange visitor is also referred to as a "J-1." Exchange visitors or "J-1's" are often referred to as "scholars" in university settings. Any accompanying spouse and unmarried children under 21 years of age may apply for the J-2 visa.

The U.S. State Department designates sponsors to administer individual exchange visitor programs. **Sponsors** are U.S. organizations such as government agencies, educational and cultural organizations, and corporations. Sponsors provide exchange visitors with pre-arrival information, offer orientation, and monitor the activities of their program participants.

The terms **Responsible Officer** and **Alternate Responsible Officer** are used by the U.S. State Department to refer to the persons who administer the J program. Sponsors appoint responsible officers and alternate responsible officers to advise and assist exchange visitors, issue Certificates of Eligibility (Forms DS-2019), and conduct official communications with the U.S. Department of State. When questions arise on the regulations, the initial and primary contact for exchange visitors should be with the responsible officer. International student and scholar advisors serve in this function.

**Form DS-2019** is issued to foreign scholars coming to the U.S. as part of an exchange program. This document allows the scholar to apply for the J-1 visa. These people enter the U.S. in J-1 status. The Form I-94 or the DS-2019 are the documents that many erroneously refer to as the visa. They are more important identifying documents than the visa, for they show the foreign national's current status in the U.S., whereas the visa only shows that the foreign national was permitted to apply for entry into this country in a particular immigration classification.

The U.S. **visa** is the stamp placed by a U.S. consular officer on a page of the alien's passport. The term "visa" is frequently used incorrectly to mean legal status and permission to remain in the United States. In fact, it has a more narrow and limited meaning. It indicates that a consular officer has determined that the holder is qualified to apply for admission to the U.S. in a particular immigration classification. Some visas are valid for several days, some for indefinite periods, but the expiration of the visa does not have any relationship to the length of time the alien may remain in the U.S. That period is indicated on the Arrival-Departure Record, Form I-94.

The Arrival-Departure Record or **Form I-94** is a white card, 3.5" by 4.25" in size, which identifies the status of a nonimmigrant who enters the U.S. The I-94 carries a record of the alien's entry, the immigration status, and date through which the alien is authorized to remain in this country. The I-94 of an alien in J-1 status has the notation "D/S". This stands for "Duration of Status," and it means that the person may stay in the U.S. for as long as permitted under the regulations of that status or category. Please note that U.S. Customs and Border Protection automated Form I-94 in May 2013 and no longer issues this document in paper form to nonimmigrants entering the U.S. by plane or ship. Form I-94 is now an electronic document and accessible at [www.cpb.gov/i94](http://www.cpb.gov/i94)

### **Categories: Program Activities of Exchange Visitors**

Exchange Visitors come to the United States to participate in particular program activities, which are known as "**categories.**" They come for a variety of educational and cultural exchange purposes under sponsorships of an agency or organization designated by the U.S. State Department. The Exchange Visitor program is used to bring to the United States students, trainees, teachers, professors, international visitors, alien physicians, government visitors, research scholars, short-term scholars, specialists, camp counselors, participants in summer student travel/work, and participants in au pair programs.

It is important to know that the J-1 exchange visitor may not easily change objectives while in this country. For example, the U.S. State Department rarely permits a change from the research scholar category to the student category. Transfer from one institution to another is usually permitted if the objective remains essentially unchanged, provided that the exchange visitor is still within the overall time limit for his or her category.

### **University of Miami Exchange Visitor Program P-1-00212: International Scholars**

The University of Miami is the sponsor of the Exchange Visitor Program P-1-00212, which is administered by the Department of International Student and Scholar Services (**ISSS**). In this publication, the term "sponsor" refers to the University of Miami, the "Responsible Officer" and "Alternate Responsible Officers" are administrators in the Department of International Student and Scholar Services. The Executive Director, Teresa de la Guardia, is the Responsible Officer. The Director, Claudia Zitzmann, the Associate Director, Kristin Pongé, and the Assistant Directors, Ana Sippin and Sevgi Ural, are Alternate Responsible Officers.

The University of Miami refers to a scholar as an exchange visitor for U.S. Department of State purposes and as an "international scholar" for university purposes. If the scholar's spouse or children accompany him or her, they are considered dependents and must enter the United States on J-2 visas.

The University is authorized to sponsor exchange visitors in five categories: **professor, research scholar, short-term scholar, specialist and student.** Students will not be discussed here. The other four categories are those that the University refers to as "**International Scholars.**"

### **Definition of Various Categories**

#### **Professor**

**Definition:** A professor is an "individual primarily teaching, lecturing, observing, or consulting at post-secondary accredited educational institutions, museums, libraries, or similar types of institutions. A professor may also conduct research, unless disallowed by the sponsor." A professor is allowed to be in

the United States for a minimum of three weeks to a maximum of five years. Please note 12-month bar and 24-month bar discussed below.

**Eligibility:** A potential exchange visitor in the professor category must have appropriate academic or similar credentials, i.e., at least a Bachelor's degree with appropriate experience in the field of endeavor. The potential exchange visitor in the professor category cannot be a candidate for a tenure-track position nor may he or she be placed in positions that involve patient contact.

### **Research Scholar**

**Definition:** A research scholar is an "individual primarily conducting research, observing, or consulting in connection with a research project at research institutions, corporate research facilities, museums, libraries, post-secondary accredited educational institutions, or similar types of institutions. The research scholar may also teach or lecture, unless disallowed by the sponsor." A research scholar is allowed to be in the U.S. as an exchange visitor for a minimum of three weeks to a maximum of five years. Please note 12-month bar and 24-month bar discussed below.

**Eligibility:** A potential exchange visitor in the research scholar category must have appropriate academic or similar credentials, i.e., at least a Bachelor's degree with appropriate experience in the field of endeavor. The potential exchange visitor in the research scholar category cannot be a candidate for a tenure-track position nor may he or she be placed in positions that involve patient contact.

### **Short-Term Scholar**

**Definition:** A short-term scholar is defined as "a professor, research scholar, specialist, or a person with similar education or accomplishments coming to the United States on a short-term visit for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries, post-secondary accredited educational institutions, or similar types of institutions." A short-term scholar is allowed to be in the U.S. as an exchange visitor for a minimum of one day to a maximum of six months. A short-term scholar program cannot be extended beyond the maximum program duration of six months.

**Eligibility:** A potential exchange visitor in the research scholar category must have appropriate academic or similar credentials, i.e., at least a Bachelor's degree with appropriate experience in the field of endeavor. The potential exchange visitor in the short-term scholar category cannot be a candidate for a tenure-track position nor may he or she be placed in positions that involve patient contact.

### **Specialist**

**Definition:** A specialist is an "individual who is an expert in a field of specialized knowledge or skill coming to the United States for observing, consulting, or demonstrating special skills." This category is intended for exchanges with experts in such areas, for example, as mass media communication, environmental science, youth leadership, international educational exchange, museum exhibitions, labor law, public administration, and library science. A scholar in the specialist category is allowed to participate for a period of up to one year.

**Eligibility:** A potential exchange visitor in the specialist category must have appropriate academic or similar credentials to be considered an expert in the relevant field of specialized knowledge or skill. The candidate is to be classified as a specialist if he or she "seeks to travel to the United States for the purpose of observing, consulting, or demonstrating his or her special knowledge or skills, and does not fill a permanent position of employment while in the United States." The potential exchange visitor in the

specialist category cannot be a candidate for a tenure-track position nor may he or she be placed in positions that involve patient contact.

**PLEASE NOTE:** *None of these categories allows for Technician, either as the candidate's previous training or for the program activity.*

**A Special Note on Alien Physicians:** "Alien Physician" is the term used in U.S. State Department regulations to refer to "foreign nationals, who have graduated from any medical school, even schools in the United States." This is not a separate category in UM Exchange Visitor Program P-1-00212, which is authorized to issue Form DS-2019 to alien physicians to enable them to come to the U.S. in a *non-clinical* capacity in the categories listed above for the purposes of observation, consultation, teaching or research involving no patient contact. Alien Physicians who come to UM to participate in *clinical* activities must be sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG). For information, contact the Office of Physician Services, ECFMG, Jackson Memorial Hospital, (305) 585-6448.

### **Program Administration: International Student and Scholar Services**

In its role as administrator of the University of Miami Exchange Visitor Program P-1-00212, International Student and Scholar Services (**ISSS**) is responsible for the selection of program participants, providing pre-arrival and orientation information to participants, issuing Form DS-2019, monitoring the activities of participants and compliance with the medical insurance requirement, communicating with the U.S. Department of State, and maintaining records on the program. In addition to the responsibilities mandated by the U.S. Department of State, ISSS also, for each scholar, monitors the passport expiration date.

### **Role of the Host Department**

The Department hosting the scholar should let him or her know what facilities are available to the scholar, e.g., office and/or laboratory space, access to a computer, libraries, and so forth. The Department should arrange for someone to pick up the scholar at the airport, and assist him or her in finding housing.

### **Identifying a Potential Candidate**

When identifying a candidate as a potential J-1 scholar, the following are the factors that should be considered: (1) qualifications, (2) English language proficiency, (3) eligibility for the position, (4) funding, (5) category, and (6) J-1 status versus H-1B status.

Departments should also consider any funded projects that the candidate would be assigned and whether there are any restrictions to dissemination of information or foreign national participation. The Office of Research Administration will be able to assist with this inquiry and can be reached at (305) 284-3871.

In addition, if the foreign national will need to have access to export-controlled technology (such as high-energy-lasers, select agents or toxins, restricted radiation equipment, etc.), the Department considering the candidate should speak with the University of Miami's Director of Export Control Compliance, William J. Collins, who can be reached at (305) 284-9558.

Also, all candidates must be screened and cleared prior to any offer or invitation being extended. Requests for screening must be submitted using the [DS-2019 Applicant Review Form \(EXPORT-F-006\)](#),

which is available on the website for the University of Miami's Office of Research Administration. The Department must complete the form electronically and submit it to the Export Control Compliance mailbox ([exportcontrol@miami.edu](mailto:exportcontrol@miami.edu)). After Export Control Compliance has returned the form to the Department with the orange box on the bottom completed, the Department must upload it as an attachment to the electronic [Form DS-2019 Request for Scholars in J-1 Status](#) that is submitted to ISSS for processing.

## Qualifications for International Scholars

A potential J-1 scholar must have appropriate academic or similar credentials for his or her respective J-1 program category. Please note that candidates who are in the process of completing a university degree but have not yet obtained such a degree may qualify for a short-term scholar program; however, they are not eligible for a research scholar or professor program.

### English Language Proficiency

A potential J-1 scholar must have sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, to successfully participate in his or her program and to function on a day-to-day basis. Proof of English language proficiency must be uploaded to the electronic [Form DS-2019 Request for Scholars in J-1 Status](#). Potential J-1 scholars who cannot provide proof of English language proficiency are not eligible to participate in the J-1 program.

### Eligibility for the Position

Scholars working at the Miller School of Medicine may only be placed in a non-clinical position that requires *no patient contact*. Tenure-track positions are not suitable for scholars because of the temporary nature of the J-1 status. Also, as mentioned above, a technician's position is not permitted.

### Funding

**Type of Funding Needed:** The scholar's funding may be from the University of Miami, the scholar's home institution, the scholar's government, another organization, such as fellowship awards, or personal funds. Scholars may be entirely self-funded.

**Amount of Funding Needed For Exchange Visitors:** Estimated funding for 12 months is currently the following:

Single scholar	\$31,332 + cost of health insurance (\$3,972/year)*
Spouse	\$13,124 + cost of spouse's health insurance (\$3,972/year)*
Each child	\$4,973 + cost of child's health insurance (\$3,972/year)*

\*Please note that these insurance fees are subject to change. The insurance fees quoted here refer to *United Healthcare Insurance* rates for the insurance year 2020-2021 and are valid from July 15, 2020 to August 14, 2021.

### Deciding Between Research Scholar/Professor and Short-Term Scholar

In recommending if a scholar should be placed in the category of research scholar/professor or that of short-term scholar, long-range plans should be taken into consideration. If the scholar's activity or

project can readily be completed within a six-month period, then the category of short-term scholar should be used. **Since the short-term scholar term of six months cannot be extended, if the project will take longer, the research scholar/professor category should be chosen.** As discussed above, the research scholar/professor category may be extended for a total period of time of five years.

Short-term scholars may return for another period of time either as a short-term scholar or research scholar/professor if they remain out of the country for three or four months. Research scholars and professors are subject to the 12-month bar and 24-month bar.

### **The Difference between J-1 and H-1B**

The U.S. Department of State and the U.S. Citizenship and Immigration Services (CIS) make a distinction between the H-1B alien who comes specifically to perform services and the J-1 exchange visitor who comes as a participant in an exchange visitor program designed to "promote interchange of persons, knowledge, and skills, and the interchange of developments in the field of education, the arts and sciences," in such a way as to promote "mutual understanding between the people of the United States and the people of other countries." If it is decided that H-1B is the more appropriate status, the University of Miami's Office of Faculty and Professional Affairs, Miller School of Medicine, should be contacted at (305) 243-6551 regarding faculty positions, and the University of Miami's Office of Human Resources, Miller School of Medicine, should be contacted at (305) 243-8160 regarding non-faculty, researcher/scientist positions.

### **Procedures for Requesting Form DS-2019**

**Scholar Form DS-2019 Request:** Once a potential candidate has been identified, the electronic [Form DS-2019 Request for Scholars in J-1 Status](#) should be completed and submitted with required attachments by the prospective scholar's UM Host Department. The U.S. Department of State and University requirements do not allow the processing of requests for Form DS-2019 unless all required documentation is provided. The [Form DS-2019 Request for Scholars in J-1 Status](#) is an electronic form and can only be completed and submitted online.

In order for the Form DS-2019 Request to be considered, the electronic [Form DS-2019 Request for Scholars in J-1 Status](#) form must be completed in its entirety and submitted with required attachments and electronic signatures to International Student and Scholar Services (ISSS) by the deadline for submission. Once a correct and complete electronic [Form DS-2019 Request for Scholars in J-1 Status](#) is submitted to ISSS, the Responsible or Alternate Responsible Officer will determine if the prospective exchange visitor meets the qualifications, eligibility, and funding requirements for the exchange visitor (scholar) program as required by the U.S. Department of State.

The electronic [Form DS-2019 Request for Scholars in J-1 Status](#) requires the following attachments (all attachments must be written in English; if an attachment is not available in English, the attachment must be accompanied by a certified English translation):

**Curriculum vitae:** The prospective exchange visitor's current curriculum vitae. The candidate must have appropriate academic or similar credentials for his or her respective J-1 program category (see section on Definition of Various Categories for details). Candidates who are in the process of completing a university degree but have not yet obtained such a degree may qualify for a short-term scholar program; however, they are not eligible for a research scholar or professor program.

**Certification of English Language Proficiency:** The [Certification of English Language Proficiency](#) (Appendix II), completed and signed by the Departmental Sponsor, must be included.



Please note the following: If a University of Miami department requests a Form DS-2019 with proof of objective measurement of English language proficiency through the results of a recognized English language test or through signed documentation from an academic institution or English language school to bring a prospective exchange visitor to UM, yet it becomes apparent after the exchange visitor's arrival at UM that he or she is not proficient in the English language, it will be the exchange visitor's the responsibility to pay for English language training, and to provide proof of his or her enrollment in English language training to International Student and Scholar Services (ISSS). Failure to enroll in English language training and to provide proof to ISSS that the he or she is enrolled in English language training will result in the exchange visitor's termination from UM's J-1 program.

If a University of Miami department requests a Form DS-2019 with proof of objective measurement of English language proficiency through a documented interview conducted by the Departmental Sponsor to bring a prospective exchange visitor to UM, yet it becomes apparent after the exchange visitor's arrival at UM that he or she is not proficient in the English language, it will be the Department's responsibility to pay for English language training, and to provide proof of his or her enrollment in English language training to International Student and Scholar Services (ISSS). Failure by the Department to enroll in English language training and to provide proof to ISSS that the he or she is enrolled in English language training will result in the exchange visitor's termination from UM's J-1 program.

**Passport Biographical Data and Expiration Date Page(s) :** A copy of the passport biographical data and expiration date page(s) for the prospective scholar and any dependents listed on the DS-2019 request.

**J-1 Paid Appointment Intent Letter or Courtesy Appointment Invitation Letter:** An intent letter or courtesy appointment invitation letter must be included and signed by the Departmental Sponsor and included with the DS-2019 request form. The enclosed template (Appendix III) should serve as a basis for the composition of intent letters to international scholars who will receive payment from the University of Miami. The enclosed template (Appendix IV) should serve as a basis for the composition of invitation letters to international scholars who will not receive payment from the University of Miami and are therefore considered to be courtesy appointments. The policy on the verification of the academic credentials is as follows: Departments are entrusted with the primary verification responsibility, and signatures on the DS-2019 request form signify that the candidate has earned the academic degree and certifications appropriate to the recommended appointment and visa.

**Financial Support Documents:** A letter/letters of financial support if funding is from a source other than the University of Miami, with funding listed in U.S. currency. Proof of funding must be on letterhead and indicate the amount of funding the prospective scholar will receive from the funding source(s) during his/her time at UM.

**DS-2019 Applicant Review Form (EXPORT-F-006):** All candidates must be screened and cleared prior to any offer or invitation being extended. Requests for screening must be submitted using the [DS-2019 Applicant Review Form \(EXPORT-F-006\)](#), which is available on the website for the University of Miami's Office of Research Administration. The Department must complete the form electronically and submit it to Export Control Compliance's mailbox ([exportcontrol@miami.edu](mailto:exportcontrol@miami.edu)). After Export Control Compliance has returned the form to the Department with the orange box on the bottom completed, the Department must include the completed form in the candidate's packet that is submitted to ISSS for processing.

**Deadline for Submission:** No less than three months prior to the need of the exchange visitor's services, submit the DS-2019 request form, with the proper attachments, to ISSS. The three-month period is needed in order to allow the scholar sufficient time to apply for a J-1 visa. The ISSS processing time for document preparation is five business days.

## **Prior To and Upon Arrival**

Once Form DS-2019 has been prepared by ISSS, it will be sent by express mail to the scholar along with along with the J-1 paid appointment intent letter (see Appendix III) or J-1 courtesy (unpaid) appointment invitation letter (see Appendix IV), a pre-arrival letter (see Appendix V), Form I-9 Completion Reminder if the scholar is to receive University of Miami funding (see Appendix VI), Health Insurance Requirement Certification (see Appendix VII), Form I-901, and original funding letters.

When the scholar arrives, he or she must contact the sponsoring department to make the department aware of his or her presence. The scholar is also required to complete and submit online the required J-1 Scholar Arrival to UM Confirmation as well as the scholar online orientation and immigration quiz. Once the scholar has complied with these ISSS arrival procedures, ISSS validates the scholar's SEVIS record and notifies the scholar via email of the date and time of the scholar's follow-up appointment with ISSS. During the follow-up appointment, ISSS answers any questions the scholar may have related to their immigration status and the services and programs provided by ISSS.

Scholars who will receive University of Miami funds must also obtain a Social Security Number as soon as possible. ISSS will explain during the scholar's orientation how and where to apply. At the earliest, the scholar can apply for a Social Security Number one day after validation of the SEVIS record and no sooner than 10 days after the date of entry to the U.S.

To apply for a Social Security Number, the scholar needs their intent or courtesy appointment invitation letter, passport, Forms DS-2019 and Form I-94, and other documents. Due to Social Security Administration policies and procedures, it may take up to two months for a scholar to receive a Social Security Number. At the request of the scholar's department, the University of Miami Payroll Office will issue manual checks for a maximum of four months to those scholars that have applied for, but not yet received their Social Security Number, and who have an offer to work for the University for longer than six months. All other scholars cannot receive payment from the University until they have received a Social Security Number and have provided the number to the University for Payroll purposes. It is therefore critical that scholars who will receive UM payment but do not have an offer to work at UM for longer than six months, bring with them sufficient funding to cover anticipated expenses for at least the first two months of their stay as there may be delays in processing their Social Security Number applications.

Scholars who will receive University of Miami funds through Payroll must contact and appear in person at Medical Faculty and Professional Affairs (exchange visitors in faculty positions) or Medical Human Resources (exchange visitors in non-faculty, researcher/scientist positions) to complete Form I-9, Employment Eligibility Verification. The Form I-9 must be updated each time the scholar extends their program if the scholar receives University of Miami funds through Payroll.

## **Maintaining Immigration Status**

Every nonimmigrant classification has certain regulations that must not be violated. In the case of J-1 scholars, these regulations are the following:

**Note:** Keep in mind that in maintaining valid J-1 immigration status, the most important factors to consider are the dates in item #3 of the Form DS-2019, since this is the length of time that a scholar may participate in the exchange program.

## Employment

J-1 (scholar) employment is what is known as “incident to status.” This means that once the J-1 Scholar has entered the U.S. with Form DS-2019, he/she is eligible for employment in the activity and location noted on the DS-2019 for the period of time in item #3 of the Form DS-2019. No other employment authorization is necessary.

Other Employment: A J-1 scholar is permitted to engage in occasional lectures or short-term consultations at other locations if allowed by the Responsible or Alternate Responsible Officer of the program. The scholar must consult with ISSS before accepting this type of outside employment.

## Time Limitations

When the scholar enters the U.S., he or she is given a Form I-94 with the notation “D/S.” This stands for “Duration of Status,” which means that the scholar may remain legally in the U.S. for the period of time noted in item #3 of the Form DS-2019. In addition to these dates, if the scholar is at the end of his or her program, the U.S. Department of State allows a “grace period” of 30 days. This time is designed to allow the scholar to arrange the trip home, and take care of any details before he or she leaves the U.S. During the grace period, the scholar may not work.

As discussed above, each category has a maximum amount of time allowed: Professor/Research Scholar/five years; Short-term Scholar/six months, and Specialist/one year.

## Twelve-month Bar after Previous J Participation

Under the terms of the 12-month bar, an exchange visitor is not eligible for program participation **as a research scholar or professor** if he or she has been physically present in the United States in J status for any part of the 12-month period immediately preceding the date of program commencement on the Form DS-2019, unless (1) the participant is transferring to the sponsor’s program within the time limits allowed, or (2) the participant’s presence in the U.S. was of less than six months duration, or (3) the participant’s presence in the U.S. was pursuant to a short-term scholar exchange activity.

The U.S. Department of State has always had a strong interest in encouraging exchange visitors to return to their home countries in order to preserve the objective of the Exchange Visitor Program. The 12-month bar was introduced in an effort to end the movement of students in J visa status into the professor and research scholar category. This 12-month bar to J professor or researcher status affects all J-1 status participants, *including J-2 dependents*.

## Two-year (24-month) Bar on Repeat Participation in the Research Scholar and Professor Categories

Under the terms of the two-year bar on repeat participation in the research scholar and professor categories, an individual who has participated in the Exchange Visitor Program as a research scholar or professor becomes subject to a two-year bar on repeat participation in these categories if the exchange visitor completes a full five years of program participation with one or more program sponsors or if the exchange visitor completes a particular exchange visitor program, and the Student and Exchange Visitor Information System (SEVIS) record becomes Inactive before the full five-year period is over. In either case, the individual is not eligible to begin a new program as a J research scholar or professor for a period of two years. This rule applies to individuals in the J research scholar or professor categories (*including J-2 dependents*) whose programs ended on November 18, 2006 or thereafter.

The purpose of the two-year bar on repeat participation in the research scholar and professor categories is to prevent research scholars and professors who have completed a program in J status from exiting the United States and immediately re-entering for a new J program in these two categories.

## Medical Insurance Requirements

**Medical Insurance Requirements:** As soon as the exchange visitor arrives in the US, the exchange visitor and his/her dependents are required by law to have medical insurance with the provisions outlined below. This insurance must be paid in full to cover the exchange visitor and his/her dependents for the duration of his/her Form DS-2019. Within two weeks of the exchange visitor's arrival, he/she must sign and provide to ISSS the Exchange Visitor Program P-1-00212 Health Insurance Requirement Certification (HIRC), thereby certifying that he/she has obtained health insurance coverage for himself/herself and his/her dependents during his/her stay in Exchange Visitor Program P-1-00212, and that his/her health insurance meets the minimum requirements outlined below. By signing the HIRC, the exchange visitor also certifies that he/she understands and accepts that his/her participation in this Exchange Visitor Program will be terminated if ISSS determines that the exchange visitor or any accompanying J-2 dependent willfully fails to remain in compliance with the U.S. State Department's regulations governing required health insurance coverage for Exchange Visitor Program participants. Please see a copy of HIRC in Appendix VI.

**(a) Required Coverage** - At a minimum, insurance coverage shall include the following basic benefits:

- (1) Coverage period: the complete time the insured person will be affiliated with the University of Miami as an exchange visitor or dependent of an exchange visitor;
- (2) Medical benefits: at least \$100,000 per accident or illness;
- (3) Deductible: should not exceed \$500 per illness or injury;
- (4) Repatriation: \$25,000 (coverage to return remains to home country);
- (5) Medical evacuation: \$50,000 (expenses associated with the medical evacuation of the exchange visitor or dependent thereof to his/her home country).

**(b) Maintenance of Insurance** - Exchange visitors must maintain the required insurance during the duration of the program. *Due to the high costs of medical care in this country, we also encourage the exchange visitor to purchase insurance that will cover him or her and dependents for the trip to the U.S.*

1. Exchange visitors who need to purchase insurance in the U.S. may purchase the coverage designed for University of Miami visitors from *United Healthcare* (UHC) or other insurance company. (To purchase UHC coverage, complete the *J-1 Visiting Scholar Insurance Enrollment Form*, available at [miami.edu/scholarinsurance](http://miami.edu/scholarinsurance), and submit it online).

2. If the exchange visitor will be insured through one of the University's employee insurance plans, it is important to keep in mind the following:

- The University's employee health insurance plans do not cover the required repatriation and medical evacuation coverage. The exchange visitor will need to purchase the required coverage to supplement the University's employee health insurance plan. The exchange visitor may purchase this coverage from UHC or other insurance company (To purchase coverage for

medical evacuation and repatriation, google “medical evacuation and repatriation insurance J1” to find links to insurance companies that provide this coverage).

- The University’s employee health insurance plans do not go into effect until the date of hire and until the exchange visitor has obtained a Social Security Number. Between the date of arrival and the date the insurance goes into effect, the exchange visitor must have or obtain the required health insurance for exchange visitors and dependents. The exchange visitor may purchase this coverage from UHC or other insurance company.

## Extension of Program

The Form DS-2019 is issued for a period of up to one year. If the scholar is going to remain beyond this time frame, he or she must request a program extension. This request for extension may be made up to four months before the expiration date on the DS-2019.

**Eligibility:** A scholar is eligible to apply for an extension of stay if:

- He/she is working toward the objective for which he/she was granted J-1 status;
- He/she is maintaining status as a J-1 exchange visitor;
- He/she can demonstrate adequate funding for the period of the proposed extension;
- He/she does not appear in the Restricted Party Screening (RPS) database. Rescreening is required for each extension request; and
- The extension will not carry the scholar beyond the time limitations for each category: six months in J-1 status as a short-term scholar, one year in J-1 status as a specialist, or five years in J-1 status as professor or research scholar.

**Procedures:** According to the J-1 regulations, scholars who fail to apply for an extension before the expiration date of the DS-2019 are no longer considered to be "out of status," and no longer have apply to the U.S. Department of State to be reinstated to J-1 status in order to continue their participation in the exchange visitor program. Please note that while extensions of stay may be filed with the U.S. State Department up to 120 days after the expiration of the DS-2019, scholars may not research or teach during this time nor may they receive any payment from the University while the extension is pending. To avoid any such interruption in the scholars’ activity at the University, it is imperative that the scholar begin the process to apply for an extension of program in a timely manner. Below is an explanation of the necessary steps the scholar should take.

At least three months before the expiration date of Form DS-2019, the scholar should meet with his/her mentor to determine whether an extension of program is needed to continue research or teaching. If the scholar is being funded by an out-of-country sponsoring agency, he/she will need to obtain a letter specifying the dates and funding for completion of the program. The academic department's facilitator should start the renewal process, which entails the completion and submission of the electronic [Form DS-2019 Request for Scholars in J-1 Status](#), with required attachments and signatures to ISSS. Please find a list of the required attachments on the [ISSS website](#) as well as on the electronic [Form DS-2019 Request for Scholars in J-1 Status](#).

The completed Request for Form DS-2019, accurate and complete information and all required attachments and signatures, must be provided to ISSS at least two months before the expiration date of the Form DS-2019 to allow for timely processing. ISSS will arrange to meet with the scholar to process his/her extension. ISSS will arrange to meet with the scholar to process his/her extension. After meeting with ISSS, scholars who receive University of Miami funds through Payroll need complete Form I-9 document re-verification through Workday and to take their documents to Medical Faculty and

Professional Affairs (exchange visitors in faculty positions) or Medical Human Resources (exchange visitors in non-faculty, researcher/scientist) to complete a new Form I-9.

Extensions that involve a request for employment authorization of the J-2 spouse should commence at least four to five months before the expiration date of the Form DS-2019.

After the scholar has extended his or her stay inside the country, he or she should avoid a common mistake if traveling abroad. The scholar should not assume that with an approved extension of stay he or she can reenter this country from another country with an expired J-1 visa stamp in the passport (unless Canadian). If the J-1 visa stamp has expired, the scholar may travel to Canada, Mexico or adjacent islands other than Cuba, if the visit is less than 30 days in length, under a procedure referred to as “automatic revalidation of visa” (procedure does not apply if the scholar has a canceled or voided J-1 visa or is a citizen of a “state sponsor of terrorism.”). In all other cases, the scholar will have to apply at a U.S. consular office, preferably in the scholar’s home country or country of residency, for a new J-1 visa in order to reenter the United States in J-1 status.

### **Transfer of Program**

An exchange visitor in any category may transfer from one program sponsor to another if the purpose of the transfer is to complete the objective for which he or she was admitted to exchange visitor status and if the exchange visitor remains within the same category. If done within the United States, the transfer is accomplished through correspondence between the Responsible Officers (RO) of the two institutions and U.S. Department of State notification through the Student and Exchange Visitor Information System (SEVIS).

As of August 1, 2003, all current exchange visitors in the U.S. are required to have a SEVIS record. The RO of the program to which the exchange visitor is transferring will verify the exchange visitor’s status and program eligibility, and request that the RO of the program from which the exchange visitor is transferring release the exchange visitor to the University of Miami Exchange Visitor program through SEVIS. If the RO agrees to do so, he/she will release the exchange visitor to the University of Miami’s Exchange Visitor Program at an agreed upon date, which must be prior to the current program expiration date of the exchange visitor. On that date, the RO at the University of Miami will gain access to the exchange visitor’s SEVIS record and be able to print his/her new Form DS-2019. After the scholar arrives at the program to which he/she is transferring, the new institution will submit electronic verification of the transfer to the U.S. State Department.

A transfer to new sponsorship should not be construed as the beginning of a new program of activity with a new allotment of time. The exchange visitor remains subject to the time limitations set for the particular category and will not be eligible for a transfer DS-2019 if the time limit has been reached.

### **Departmental Notification of Early Completion**

The Sponsoring Department must notify ISSS if the scholar completes his or her program activity more than 30 days before the end of the program, or leaves the program for any other reason more than 30 days before the end of the program.

### **U.S. Department of State Policy Regarding Extensions**

The U.S. Department of State regulations governing maintenance of immigration status for the J-1 scholar require that extensions of stay may not be done any later than 120 days after the expiration of the previous

Form DS-2019. A scholar may stay in the U.S. during the time an extension is pending, but may not work during this time. It is therefore in the best interest of the respective University department as well as the scholar to apply for extensions in a timely manner in order to prevent the scholar from having to stop his/her research or teaching at the University.

## **The Two-Year Home-Country Physical-Presence Requirement**

### **Intent of the Requirement**

The intent of the requirement is to have the home country benefit from the exchange visitor's experience in the United States. Exchange visitors come to this country for a specific objective such as a program of study or a research project. The requirement is intended to prevent a participant who is subject to the requirement from staying longer than necessary for the objective, and to ensure that he or she will spend at least two years in the home country before coming back to the United States for a long-term stay.

If the scholar is subject to this requirement, it is generally noted on the visa page and/or in the lower left-hand corner of the Form DS-2019, with the notation "212(e) does apply."

### **Terms of the Requirement**

If the scholar is subject to the requirement, then, until he or she has "resided and been physically present" for a total of two years in either the country of nationality or the country of legal permanent residence," he or she is not eligible for:

- An H, L, or immigrant visa, or for H, L, or immigrant status in the United States. H includes temporary workers, trainees, and their dependents. L includes intracompany transferees and their dependents. An immigrant is the same as a permanent resident, or holder of a "green card."
- A change of status, inside the United States, from J to any other nonimmigrant classification except A or G. The A classification includes the home government's diplomats and representatives to the United States government, and their dependents. The G classification includes the home government's representatives to international organizations, such as the United Nations, and their dependents.

The scholar is subject to the requirement

1. If the scholar's J-1 participation is or was funded in whole or in part, directly or indirectly, for the purpose of exchange, by the home government or the United States government;
2. If, as a J-1 exchange visitor, the scholar is acquiring a skill that is in short supply in the home country, according to the United States government's "Exchange Visitor Skills List;"
3. If the scholar has participated as a J-1 in a graduate medical education or training program, i.e. a residency, internship, or fellowship, sponsored by the Educational Commission for Foreign Medical Graduates (ECFMG).

If the scholar is subject, his or her J-2 dependents are also subject to the requirement.

If the scholar has ever been subject to the requirement in the past, and has neither obtained a waiver nor fulfilled it by spending two years in the home country, the requirement still applies - even if a more current Form DS-2019 reflects no basis for such a requirement.

## Waivers of the Requirement

Waivers of the two-year home country physical presence requirement are difficult to obtain, and normally require the services of an immigration attorney.

There are four grounds for waiver of the requirement:

1. Exceptional hardship to the spouse or an unmarried minor child who is a citizen or permanent resident of the United States.
2. Fear of persecution. If the scholar can demonstrate that, because of race, religion, political opinions, or nationality, he or she would face persecution by the home government if he or she went back to the home country, the scholar might qualify for a waiver.
3. Interest of a United States government agency. If the scholar's participation in research or a project sponsored by a United States government agency is of sufficient importance to that agency, it can apply to the U.S. Department of State for a waiver for the scholar—in its interest, not the scholar's.
4. A "no-objection" statement. The home country's embassy in Washington can indicate in a direct letter to the U.S. Department of State that it has no objection to the scholar's receiving a waiver, or the foreign ministry in the capital in the home country can write to the United States embassy there. A "no-objection" statement will usually not lead to a waiver if the Exchange Visitor has received more than \$2,000 in funding from the United States government.

## Change of Status

An exchange visitor's eligibility to change from J-1 to another nonimmigrant status may be limited. If the exchange visitor did not come to the United States to receive graduate medical education or training and is not subject to the two-year home country physical presence requirement or has had that requirement waived, he or she may apply for change to any other nonimmigrant status for which he or she is qualified. Exchange visitors subject to the two-year home-country physical presence requirement are eligible to change only to A (diplomatic or government official) or G (international organization) status (provided they are accredited by the foreign government or international organization to the U.S. Department of State).

An alien outside the United States who previously had been in the United States as an exchange visitor may apply for a different nonimmigrant visa at a U.S. embassy or consulate. Authority to grant such a visa lies within the discretionary power of the consular officer. No minimum time abroad is required to obtain a different visa unless the former exchange visitor is subject to the two-year home country physical presence requirement, in which case he or she must satisfy that requirement or have it waived before being eligible for an immigrant, H, or L visa. **Note:** Returning to the United States in another status does not absolve the alien from a previously incurred two-year home country physical presence requirement.

An exchange visitor who is eligible to apply for change of status does so by submitting to U.S. Citizenship and Immigration Services (CIS) Forms I-539 and G-1145, Form I-94, the required fee (currently \$370.00 plus \$85.00 biometric services fee), a copy of the SEVIS fee payment receipt, and



other documentation sufficient to demonstrate eligibility for the new status. For certain visa classes such as H or O, Form I-129 with appropriate fee may be required in place of or in addition to Form I-539.

### **Change of Status from J-1 to J-2 or from J-2 to J-1**

**J-1 to J-2:** If the two-year home country physical presence requirement applies, a J-1 exchange visitor will no longer be able to change to a J-2 dependent by applying to CIS for a change of status. This has always been viewed as a problematic application, because the J-1 exchange visitor is expected to return home immediately upon completion of the program in the United States. The change was frequently approved in the past, however, because CIS interpreted J-1 and J-2 as *subcategories* of the larger J classification and allowed for the possibility of a change within the classification even if the two-year rule applied. Under current CIS interpretation, J-1 and J-2 are treated as separate classifications, and those with a home-country residence requirement will not be permitted to make this status change in the United States unless they have obtained a waiver. If the two-year home physical presence requirement does not apply, it may be possible to obtain a change to J-2. The four CIS Service Centers have varied in their interpretations, and a change of status may still sometimes receive approval. To apply for change of status, the alien must submit to the appropriate CIS Lockbox properly completed Forms I-94, I-539 and G-1145, and copies of Form DS-2019, passport biographical data page, passport expiration date page, current visa page, and page bearing stamped evidence of last entry into the U.S., along with the required fee (currently \$370.00 plus \$85.00 biometric services fee), as well as a letter stating a request and rationale for a change of status. Applications for change of status J-2 to J-1 also must include a copy of the SEVIS fee payment receipt.

The foreign national must be in good standing in their present status to be eligible to apply for a change of status. If the change of status is approved, a new Form I-94 will be generated, stating that the new status has been granted for D/S (duration of status), and Forms I-94 and DS-2019 will returned to the scholar. Dependents may be included in the principal's request for change of status, and new Forms I-94 will be issued to them as well.

**J-2 to J-1:** As in the case of the J-1 exchange visitor, the J-2 dependent may change from J-2 status to the following other non-immigrant classifications: A, G, and, if not subject to the two-year home country physical presence requirement, any other nonimmigrant status. Procedures are the same as for a J-1 exchange visitor.

**Note:** J-2 presence also affects eligibility for the category of research scholar or professor because of the 12-month bar. If the J-2 has been in the United States in J status on a program of more than six months within the previous 12-month period, he or she is not eligible for professor or researcher J-1 documentation. This bar does not affect eligibility for other J categories such as short-term scholar or student. The time that the J-2 is in the United States is counted from the date that the J-2 enters the country, and not from the date on which the J-1 entered. J-2s entering on dates after the entry of the primary visa holder would be able to change to J-1 professor or researcher up to six months after their own initial entry. A J-2 dependent of a J-1 research scholar or professor is not eligible to begin a J-1 research scholar or professor program for 24 months beyond the end date of the J-1 principal's program.

### **Dependents of Exchange Visitors**

The spouse and dependent (under 21 years of age) children of the J-1 exchange visitor are eligible to apply for a J-2 visa. Parents or other relatives of the J-1 exchange visitor who wish to come to the U.S. to visit should apply for a B-2 (tourist) visa or seek entry to the U.S. on a visa waiver, if applicable.

## **Entering the United States**

The J-2 dependents of the J-1 exchange visitor may enter the United States at the same time as the scholar, or may enter separately at a later time. In the case of the latter, they should apply at ISSS for a Form DS-2019 for family members entering alone. The scholar will have to demonstrate proof that he or she has sufficient funding to support family members while in the U.S. if current funding is not enough.

## **Medical Insurance**

J-2 dependents are required by law to have the same medical insurance coverage as the J-1 principal (see details above).

## **Employment for J-2 Dependents**

CIS allows J-2 dependents to apply for work permission. CIS adjudication of the application takes approximately four to five months. CIS issues an Employment Authorization Document (EAD) for dates specified on the DS-2019. There are no restrictions on the type of work the J-2 may perform (except they may not practice medicine, even if they have a license). Please see Appendix VIII for details.

## **Change of Category**

The J-2 dependents are regulated by the same restrictions as the J-1 principal in the area of change of category, including the 12-month bar for professor and research scholar categories discussed above.

## **Time Limitations**

The validity of J-2 status is dependent on the validity of the J-1 status. When dependents enter the U.S., they are classified on the Form I-94 as “J-2” and “D/S” (Duration of status), which means that they are allowed to be in the United States for the same period of time as the J-1. If the J-1 extends his or her program, the J-2 duration of stay will also be extended. If the J-1 terminates his or her program, the J-2's duration of stay also ends no matter what the dates are on the DS-2019.

## **Two-Year Home Country Physical-Presence Requirement**

If the J-1 is subject, then the J-2 dependents are also subject to this requirement.

## **United States Income Tax and Social Security Withholding**

*Please note that the University of Miami does not give tax advice, does not guarantee, and is not responsible for any final tax results. It is the responsibility of each international, scholar and dependent to comply with U.S. tax regulations. While we offer tax information in the form of resources, ISSS is not trained to provide tax advice and disclaims all liability stemming from the misinterpretation or misuse of the resources offered.*

## **Persons who must comply with U.S. Internal Revenue Service (IRS) Filing Requirements**

All J-1 scholars and their J-2 dependents that were present in the U.S. during the previous calendar year have to comply with certain filing requirements with the IRS:

- J-1 scholars and their J-2 dependents with any U.S. source income during the previous calendar year are required to file a U.S. income tax return (usually Form 1040NR or Form 1040NR-EZ) and Form 8843 with the IRS by April 15 of the current year.
- J-1 scholars and their J-2 dependents that spent time in the U.S. in J status during the previous calendar year but did not earn any U.S. source income during the previous calendar year are required to file a Form 8843 with the IRS by June 15 of the current year.

### Service offered by ISSS to assist with IRS Filing Requirements

1. **GLACIER Tax Prep Online Tax Return Preparation System:** ISSS has purchased a license to allow all UM J-1 scholars and their J-2 dependents to access a very user-friendly online tax filing preparation software called **GLACIER Tax Prep**. The program guides J-1 scholars and J-2 dependents through a series of questions and determines if they are nonresidents for tax purposes. If so, then the J-1 scholar or J-2 dependent will be able to use **GLACIER Tax Prep** to complete and print the required forms and send them to the IRS. This applies regardless of whether or not the J-1 scholar or J-2 dependent earned any U.S. source income during the previous calendar year. Residents for tax purposes cannot use **GLACIER Tax Prep** to complete the required forms but may file an income tax return through any number of online tax filing programs or use the services of a tax accountant.

In order to use **GLACIER Tax Prep**, a J-1 scholar or J-2 dependent needs to use an assigned access code. The assigned access code, **GLACIER Tax Prep** Welcome Info Sheet, and **GLACIER Tax Prep** instructions regarding the completion and filing of Form 8843 were e-mailed to all current J-1 scholars in February 2018. J-1 scholars are not allowed to share their **GLACIER Tax Prep** access code with anyone other than their J-2 dependents. Sharing the **GLACIER Tax Prep** access code with anyone else is a serious violation of the **GLACIER Tax Prep**-UM licensing agreement and is therefore strictly forbidden as it will jeopardize our ability to offer this system to UM J-1 scholars in the future. ISSS is not responsible for the information included in **GLACIER Tax Prep** or the information international scholars and dependents provide to the IRS through the use of **GLACIER Tax Prep**. ISSS disclaims all liability from the misinterpretation or misuse of **GLACIER Tax Prep**.

### Tax Forms and Publications

Tax forms and publication for tax year 2020 will be available:

- Through **GLACIER Tax Prep**.
- Through the IRS website at [www.irs.gov](http://www.irs.gov)

### Tax Deductions

Any person who earns money in the United States may be required to pay income tax. This tax is normally withheld from the salary the employee receives, and an income tax return is filed by April 15, covering the previous year in which the money was earned.

Due to tax withholdings, a J-1 scholar's University of Miami paycheck may be lower than expected. How much money is withheld from your paycheck depends on the person's tax status which, in turn, is determined by the visa classification and the amount of time the person has spent in the United States. Although income tax may be legitimately withheld from a J-1 scholar's paycheck, the employer should

not withhold F.I.C.A. or Medicare (Social Security taxes) if the scholar has been in J-1 status for less than two tax years. Dependents in J-2 status who earn money in the U.S. are subject to Social Security taxes from the start of their employment in the U.S.

The University of Miami Payroll Office determines Income Tax and Social Security tax withholding for J-1 scholars who receive funding from the University of Miami. If a J-1 scholar is being paid by UM, it is critical that he or she complete the online Foreign National Information Form. Based on the information, the Payroll Office will take into consideration immigration status, any tax treaty that the scholar's home country may have with the U.S., and length of time the scholar has been in the U.S., in order to determine the amount of withholding, if any. Questions regarding tax withholdings should be directed to the University of Miami's Payroll Office, 760 Gables One Tower, (305) 284-3004, ext. 2

## **IRS Resources**

The IRS website offers valuable information and resources for tax filing:

- [IRS Home Page: http://www.irs.gov/](http://www.irs.gov/)
- [Contact the IRS: http://www.irs.gov/contact/index.html](http://www.irs.gov/contact/index.html)
- [IRS Telephone Assistance: http://www.irs.gov/help/article/0,,id=96730,00.html](http://www.irs.gov/help/article/0,,id=96730,00.html)
- IRS Forms and Publications Search: <http://www.irs.gov/formspubs/index.html?portlet=3>

Miami IRS Office:  
51 S.W. 1st Avenue, Federal Building, Miami, FL 33130  
(Accessible by Metrorail; exit at the Government Center station)  
Hours: Monday-Friday, 8:00 A.M. to 4:30 P.M.  
Phone: (305) 982-5077

**Appendices**

- Appendix I: Scholar Form DS-2019 Request Form
- Appendix II: Certification of English Language Proficiency
- Appendix III: Template for J-1 Paid Appointment Intent Letter
- Appendix IV: Template for J-1 Courtesy (Unpaid) Appointment Invitation Letter
- Appendix V: Pre-Arrival Information
- Appendix VI: Form I-9 Completion Reminders
- Medical School Exchange Visitors (faculty and non-faculty, researcher/scientist positions)
- Appendix VII: Exchange Visitor Program P-1-00212 Health Insurance Requirement Certification
- Appendix VIII: J-2 Employment Information
- Appendix IX: Nonimmigrant Classifications

## Appendix I

Link to electronic [Form DS-2019 Request for Scholars in J-1 Status](#)

## **Appendix II**

### **Certification of English Language Proficiency**



**Certification of English Language Proficiency for Prospective UM J-1 Scholars**  
Exchange Visitor Program P-1-00212

Scholar's Name: \_\_\_\_\_  
(last name) (first name)

Scholar's date of birth: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(month) (day) (year)

**The U.S Department of State requires each J-1 scholar to have "sufficient proficiency in the English language, as determined by an objective measurement of English language proficiency, to successfully participate in his or her program and to function on a day-to-day basis." [22 U.S. Code of Federal Regulations 62.10 (a)(2), as amended by Federal Register 60294]**

I certify that objective measurement of English Proficiency for the prospective J-1 scholar listed above was provided to me through one of the following options (please check the option that applies):

**Option 1: (\_\_\_\_) Results of a recognized English language test (copy of test results, no more than two-years old, including name of prospective scholar and date test was taken, attached to this certification). Please check one of the following:**

- (\_\_\_\_) TOEFL iBT (internet-based test taken at a TOEFL Testing Center): Minimum required score is 80.
- (\_\_\_\_) TOEFL paper-based, international (paper-based test taken at an international TOEFL Testing Center): Minimum required score is 550.
- (\_\_\_\_) IELTS (internet-based test taken at an IELTS Testing Center): Minimum required score is 6.5.

**Option 2: (\_\_\_\_) Signed documentation from an academic institution or English language school (signed documentation, no more than two-years old, including name of the prospective scholar, attached to this certification).**

If Option 1 or 2 is used to certify objective measurement of English Proficiency, I am aware that should it become apparent after the scholar's arrival at UM that s/he is not proficient in the English language, it will be the scholar's responsibility to pay for English language training, and to provide proof of his/her enrollment in English language training to International Student and Scholar Services (ISSS). Failure by the scholar to pay for English language training and to provide proof to ISSS that s/he is enrolled in English language training will result in the scholar's termination from UM's J-1 program.



**Option 3: ( ) A documented interview, conducted by UM Faculty Member:**

Date of Interview: \_\_\_\_/\_\_\_\_/\_\_\_\_  
(month) (day) (year)

Mode of Interview:

- ( ) #1: Interview conducted in person; or  
( ) #2: Interview conducted via videoconferencing.

Guidelines for interviews conducted in person or via videoconferencing:

1. During the interview, in addition to questions that pertain to the scholar's field of expertise, pose open-ended questions that pertain to other realms of the scholar's life such as travels, hobbies, etc.
2. Following the interview, document the interview and keep this documentation for three years beyond the end of the prospective scholar's program at UM.

Guidelines for interviews conducted via videoconferencing to make sure that you are in fact interviewing the prospective scholar:

1. Prior to conducting the interview, obtain a copy of the prospective scholar's passport's biographic data page and compare the passport picture to the person you are about to interview.
2. Make sure that you can clearly see the person you are interviewing on the screen.

If Option 3 is used to certify objective measurement of English Proficiency, I am aware that should it become apparent after the scholar's arrival at UM that the scholar is not proficient in the English language, it will be my department's responsibility to pay for English language training for the scholar, and to provide proof of the scholar's enrollment in English language training to International Student and Scholar Services (ISSS). Failure by my department to pay for English language training for the scholar and to provide proof to ISSS that the scholar is enrolled in English language training will result in the scholar's termination from UM's J-1 program.

---

Name of UM Faculty Member

Title

Name of UM Department

---

Signature of UM Faculty Member

Month Day Year

## **Appendix III**

### **Template for J-1 Paid Appointment Intent Letter**

**University of Miami**  
**TEMPLATE FOR J-1 PAID APPOINTMENT INTENT LETTER**  
**(Please print on departmental letterhead)**

[Date]

[Name]

[Address]

Dear \_\_\_\_\_,

This letter is to confirm your invitation to join us as an International Scholar in J-1 status in the category of [J-1 professor, J-1 research scholar, J-1 short-term scholar or J-1 specialist] in the Department of \_\_\_\_\_. This appointment is anticipated to begin on \_\_\_\_\_ and to end on \_\_\_\_\_.

As a J-1 Scholar, the specific details of your program are as follows:

- Program Duties: [same wording used for J-1 activity description on the electronic DS-2019 request form].
- Program Hours: \_\_\_\_\_ per week.
- Program Location: [complete street address of location where scholar will engage in J-1 activity at the University of Miami].

For those in need of assistance during your transition to South Florida, please refer to the University's Office of Faculty and Staff Housing website: <https://faculty-staffhousing.miami.edu>. The site contains guidance on relocation management, information on the various communities in South Florida, and access to UM-owned rental properties.

Please also be aware that during your stay on campus, you will be subject to the same rules of conduct and applicable University of Miami policies and procedures as pertain to all employees at the University, and you will be expected to abide by and conform to the same. These policies are available on-line through the University's home page or directly at [miami.edu/hr](http://miami.edu/hr).

Included in this invitation letter is your Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, which you will use in obtaining your J-1 visa. Also included is information prepared by the Department of International Student and Scholar Services that will be helpful to you prior to your arrival on campus. Your University sponsorship is contingent upon your obtaining and maintaining J-1 status, which allows you to legally engage in your J-1 activity at the University of Miami.

Should you decide not to accept this appointment, you must immediately return Form DS-2019 to International Student and Scholar Services. The Form DS-2019 is a controlled legal document and is non-transferable.

We are very pleased to have this opportunity to collaborate with you and look forward to your arrival.

Sincerely,

Professor  
Department of ....

## **Appendix IV**

### **Template for J-1 Courtesy (Unpaid) Appointment Invitation Letter**

# University of Miami

## TEMPLATE FOR J-1 COURTESY (UNPAID) APPOINTMENT INVITATION LETTER

(Please print on departmental letterhead)

[Date]

[Name]

[Address]

Dear \_\_\_\_\_,

We would like to offer you a courtesy appointment as visiting [J-1 professor, J-1 research scholar, J-1 short-term scholar or J-1 specialist] in the Department of \_\_\_\_\_. This appointment is anticipated to begin on \_\_\_\_\_ and to end on \_\_\_\_\_.

As a J-1 Scholar, the specific details of your program are as follows:

- Program Duties: [same wording used for J-1 activity description on the electronic DS-2019 Request form].
- Program Hours: \_\_\_\_\_ per week.
- Program Location: [complete street address of location where scholar will engage in J-1 activity at the University of Miami].

**ONLY INCLUDE THIS SENTENCE IF APPLICABLE:** You will be required to pay the following departmental fees to the Department of \_\_\_\_\_: [list fee descriptions and amounts here].

You will be afforded library privileges and in-library use of licensed resources. Additional privileges may be extended if the sponsoring department can demonstrate that the appointee is doing research that directly benefits the University. This appointment does not carry any employment status at the University.

J-1 visitors who are not employed by the University of Miami but who have a working relationship with the University, such as you, may only note this affiliation with the University in publications or an acknowledgement of work that was done in collaboration with the University. Any further use of the University's name or resources must be approved by the University in advance.

Please also be aware that during your stay on campus, you will be subject to the same rules of conduct and applicable University of Miami policies and procedures as pertain to all employees at the University, and you will be expected to abide by and conform to the same. These policies are available on-line through the University's home page or directly at [miami.edu/hr](http://miami.edu/hr).

Included in this invitation letter is your Form DS-2019, Certificate of Eligibility for Exchange Visitor (J-1) Status, which you will use in obtaining your J-1 visa. Also included is information prepared by the Department of International Student and Scholar Services that will be helpful to you prior to your arrival on campus. Your University sponsorship is contingent upon your obtaining and maintaining J-1 status, which allows you to legally engage in your J-1 activity at the University of Miami.

Please respond to this courtesy appointment offer as soon as possible by e-mail to [Department Contact Name/Email Address] in which you formally accept this appointment. Should you decide not to accept this appointment, you must immediately return Form DS-2019 to International Student and Scholar Services. The Form DS-2019 is a controlled legal document and is non-transferable.

We are very pleased to have this opportunity to collaborate with you and look forward to your arrival.

Sincerely,

Professor  
Department of ....

I accept this invitation on the terms stated above.

Signature: \_\_\_\_\_  
[Name]

Date: \_\_\_\_\_

## **Appendix V**

### **Pre-Arrival Information**



Dear International Scholar:

Welcome to the University of Miami. This University was established in 1926 and is one of the premier research institutions in the United States. With approximately 3,900 international students (undergraduate and graduate) and scholars (professors and researchers) from 120 countries representing every region of the world, you are joining a truly global community.

Included in this communication is your Certificate of Eligibility for Exchange Visitor (J-1) Status, commonly referred to as "Form DS-2019," which you will use in obtaining your J-1 visa, and information that will be helpful to you prior to your arrival on campus. If you are delayed in your country beyond the entry time on your Form DS-2019, please notify your University academic department and the Department of International Student and Scholar Services. Your Form DS-2019 will deactivate automatically if you do not enter the U.S. in J-1 status and do not complete the required J-1 Scholar Arrival to UM Confirmation with International Student and Scholar Services within 30 days after your expected program start date. Please note that you may enter the U.S. in J-1 status up to 30 days before the expected program start date on your Form DS-2019, assuming that you have secured a J-1 visa. Should you decide not to join the University of Miami's J-1 program, you must notify your host department in writing and return the Form DS-2019 immediately to International Student and Scholar Services (ISSS). The Form DS-2019 is a controlled, legal document and is non-transferable.

Upon your arrival at the University of Miami, you are required to:

1. **Complete the [International Scholar Orientation Online Session](http://www.issm.miami.edu).** We recommend, however, that you complete the online session prior to your arrival in the U.S. The link to the online session is posted on the ISSS website ([www.issm.miami.edu](http://www.issm.miami.edu)) under Important Links for International Scholars;
2. **Complete the [J-1 Scholar Arrival to UM Confirmation](http://www.issm.miami.edu)** and submit it online to ISSS with required document copies. The link to the J-1 Scholar Arrival to UM Confirmation is posted on the ISSS website ([www.issm.miami.edu](http://www.issm.miami.edu)) under Important Links for International Scholars; and
3. **Attend the scholar online orientation follow-up appointment**, to be scheduled for you by ISSS once you have completed the [International Scholar Orientation Online Session](http://www.issm.miami.edu) **and** the J-1 Scholar Arrival to UM Confirmation.

If you will receive employee funding from your UM academic department, you also need to contact Coral Gables Faculty Affairs, Coral Gables Human Resources, the Dean's Office at RSMAS, or Medical Human Resources to schedule an appointment to complete Form I-9. Please look at the enclosed Form I-9 Completion Reminder for information on which office you must contact for your Form I-9 completion appointment. If you will not receive employee funding from your UM academic department, then you do not need to complete a Form I-9 and therefore do not receive a Form I-9 Completion Reminder with this prearrival information.

ISSS is dedicated to serving your immigration, professional, and personal needs. We encourage you to take advantage of all our services and programs. Our goals are to support your professional efforts and to enrich your personal experiences at the University of Miami and in the Miami community. We are open Monday through Friday, 8:30 a.m. to 5:00 p.m., and advise scholars by appointment. Please do not hesitate to contact us should you have any further questions. Our address, telephone, fax number, and e-mail address are printed on the top of this page. We look forward to meeting you soon.

Sincerely,  
Claudia Zitzmann  
Director, Scholar Services

Enclosed: Form(s) DS-2019

Form I-9 Completion Reminder (only included for scholars with UM funding)

Exchange Visitor Program P-1-00212 Health Insurance Requirement Certification

Exchange Visitor Immunization Record for Coral Gables and RSMAS Scholars (only included for scholars at Coral Gables and RSMAS campuses)

Form I-901

## **IMPORTANT INFORMATION FOR UNIVERSITY OF MIAMI INTERNATIONAL SCHOLARS / EXCHANGE VISITORS**

Welcome to the University of Miami. We are pleased to receive you as an exchange visitor. This information is designed to help you to understand the purpose and operation of the Exchange Visitor Program and to introduce you to the major requirements of the Exchange Visitor Program regulations that are most relevant to you.

### **THE EXCHANGE VISITOR PROGRAM**

The U.S. State Department administers the overall Exchange Visitor Program which implements the Mutual Educational and Cultural Exchange Act of 1961, as amended. The Act promotes mutual understanding between the people of the United States and other countries by means of educational and cultural exchange. The Exchange Visitor Program provides foreign nationals with opportunities to participate in exchange programs in the United States and then return home to share their experiences. You can find the Exchange Visitor Program Welcome Brochure online at [miami.edu/exchangevisitor](http://miami.edu/exchangevisitor). The Wilberforce Pamphlet on the Rights and Responsibilities for Temporary Workers is also available online at <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/temporary-workers.html>

**Sponsors:** The State Department designates sponsors to administer individual exchange visitor programs. Sponsors are U.S. organizations such as government agencies, educational and cultural organizations, and corporations. Sponsors provide exchange visitors with pre-arrival information, offer orientation, and monitor the activities of their program participants.

Sponsors offer exchange visitors cross-cultural activities to expose them to American society, culture, and institutions. Exchange visitors are encouraged to participate voluntarily in such activities to share with Americans the language, culture, and history of their home country.

**Responsible Officers:** Sponsors appoint Responsible Officers and Alternate Responsible Officers to advise and assist exchange visitors, issue Certificates of Eligibility (Forms DS-2019) and conduct official communications with the U.S. State Department. When questions arise on the regulations, the initial and primary contact for exchange visitors should be with the Responsible Officer.

**Exchange Visitors:** An exchange visitor is a foreign national who has been selected by a sponsor to participate in an exchange visitor program. The exchange visitor enters the United States on a J-1 visa. Any accompanying spouse and unmarried children under 21 years of age may apply for J-2 visas.

The term "sponsor" refers to the University of Miami, the "Responsible Officer" and "Alternate Responsible Officers" are administrators in the Department of International Student and Scholar Services. The Executive Director, Teresa de la Guardia, is the Responsible Officer. The Director of Scholar, Claudia Zitzmann, the Associate Directors, Kristin Pongé and Sevgi Ural, and the Assistant Director, Ana Sippin, are the Alternate Responsible Officers. We are also referred to as "International Student and Scholar Advisors." You are the "exchange visitor." The University of Miami will refer to you as an exchange visitor for State Department purposes and as an "international scholar" for university purposes. If your spouse or children accompany you, they would be considered your dependents and must enter the United States on a J-2 visa.

### **Federal Regulations**

As an exchange visitor, it is important that you know your obligations under the Exchange Visitor Program regulations and, through contact with the Responsible Officer, keep abreast of any changes in the regulations. Listed below are brief descriptions of major requirements of these regulations and how you can locate them.

**Activities and Program Provisions:** Exchange visitors come to the United States to participate in a particular program category such as a college or university student, professor, research scholar, short-term scholar or specialist. Exchange visitors are required to engage in the category and subject or field of activity listed on their Form DS-2019 (e.g., professor, mathematics). Compensation for such activities may be accepted only when permitted by the regulations. Exchange visitors also must comply with the specific program provisions of the regulations that deal with their particular program category.

**English Language Proficiency Requirement:** J-1 regulations require exchange visitors to possess sufficient proficiency in the English language to successfully participate in their program and to function on a day-to-day basis.

Please note that if becomes apparent upon your arrival at UM that you do not in fact have English language proficiency, you will be required to enroll in English language training and to provide proof of your enrollment in English language training to International Student and Scholar Services (ISSS). Failure to enroll in English language training and to provide proof to ISSS that you are enrolled in English language training will result in your termination from UM's J-1 program.



**Medical Insurance Requirements:** As soon as you arrive in the US, you and your dependents are required by law to have medical insurance with the provisions outlined below. This insurance must be paid in full to cover you and your dependents for the duration of your Form DS-2019. Within two weeks of your arrival, you must sign and provide to ISSS the Exchange Visitor Program P-1-00212 Health Insurance Requirement Certification (HIRC), thereby certifying that you have obtained health insurance coverage for yourself and your dependents during your stay in Exchange Visitor Program P-1-00212, and that your health insurance meets the minimum requirements outlined below. By signing the HIRC, you also certify that you understand and accept that your participation in this Exchange Visitor Program will be terminated if ISSS determines that you or any accompanying J-2 dependent willfully fails to remain in compliance with the U.S. State Department's regulations governing required health insurance coverage for Exchange Visitor Program participants.

**(a) Required Coverage** - At minimum, insurance coverage shall include the following basic benefits:

1. Coverage period: the complete time the insured person will be affiliated with the University of Miami as an exchange visitor or dependent of an exchange visitor;
2. Medical benefits: at least \$100,000 per accident or illness;
3. Deductible: should not exceed \$500 per illness or injury;
4. Repatriation: \$25,000 (coverage to return remains to home country);
5. Medical evacuation: \$50,000 (expenses associated with the medical evacuation of the exchange visitor or dependent thereof to the home country-)

**(b) Maintenance of Insurance** - Exchange visitors must maintain the required insurance during the duration of the program. *Due to the high costs of medical care in this country, we also encourage the exchange visitor to purchase insurance that will cover him or her and dependents for the trip to the U.S.*

1. Exchange visitors who need to purchase insurance in the U.S. may purchase the required coverage designed for University of Miami visitors from *United Healthcare* (UHC) or other insurance company (To purchase UHC coverage, complete the *J-1 Visiting Scholar Insurance Enrollment Form*, available at [miami.edu/scholarinsurance](http://miami.edu/scholarinsurance), and submit it online).
2. If the exchange visitor will be insured through one of the University's employee insurance plans, it is important to keep in mind the following:
  - The University's employee health insurance plans do not cover the required repatriation and medical evacuation coverage. The exchange visitor will need to purchase the required coverage to supplement the University's employee health insurance plans. The exchange visitor may purchase this coverage from Europ Assistance USA or other insurance company ((To purchase coverage for medical evacuation and repatriation, google "medical evacuation and repatriation insurance J1" to find links to insurance companies that provide this coverage).
  - The University's employee health insurance plans do not go into effect until the date of hire and until the exchange visitor has obtained a Social Security Number. Between the date of arrival and the date the insurance goes into effect, the exchange visitor must have or obtain the required health insurance for exchange visitors and dependents. The exchange visitor may purchase this coverage from UHC or other insurance company.

It is recommended that you have any necessary dental work completed prior to coming, as this tends to be expensive in the United States. It is also recommended that you bring an extra pair of eyeglasses or contact lenses and your prescription. If you take regular medications, it is advised that you bring a large enough supply to cover your intended stay while in the United States. Sometimes these medications are not available and therefore this may affect your health status.

Please note that J-1 exchange visitors and any accompanying spouse and/or children in J-2 status may be subject to the requirements of the Affordable Care Act.

**Immunization:** It is recommended that international scholars hosted by departments on the Coral Gables and Rosenstiel School of Marine and Atmospheric Science campuses have the required immunizations as listed on the enclosed University of Miami Exchange Visitor Immunization Record. Please complete the form prior to your arrival at the University of Miami and return the completed form to the Student Health Service by mail (5555 Ponce de Leon Blvd., Coral Gables, FL 33146, U.S.A.), fax (305-284-4098) or e-mail ([studenthealth@miami.edu](mailto:studenthealth@miami.edu)). If you have any questions regarding immunization requirements or the immunization form, please contact the Student Health Center by phone (305-284-9100) or e-mail ([studenthealth@miami.edu](mailto:studenthealth@miami.edu)).

**UM'S Drug and Alcohol Policy:** As a new member of the UM community, please familiarize yourself with UM's Drug and Alcohol Policy: <https://my.hr.miami.edu/assets/pdf/hr-content/hr-policies/drugalcoholpolicy.pdf>. Employees, including paid J-1 scholars as well as J-1 courtesy appointments, who are determined to have violated this policy shall be subject to disciplinary action up to and including termination of employment/appointment at UM and their J-1 program.

**Two-Year Home-Country Physical Presence Requirement:** Certain Exchange Visitor Program participants and family members must return home for at least two years after completing their educational or cultural program before they can change or adjust to certain nonimmigrant or immigrant statuses. This requirement applies to those exchange visitors and their dependents (1) whose exchange visitor program has been financed to some extent by the U.S. Government or their home country, (2) whose skills are needed by their home country as indicated in the Exchange Visitor Skills List, or (3) whose purpose in coming to the United States is to receive graduate medical education or training. Grounds for applying for a waiver of this requirement are limited. For the terms of the requirement please see item 1(a) on page 2 of the enclosed Form DS-2019. If you have questions about the requirement, including whether or not you will be subject to it, please raise them with the consular officer when you apply for your visa, or direct them to your Responsible Officer.

**Twelve-month Bar after Previous J Participation:** Under the terms of the 12-month bar, an exchange visitor is not eligible for program participation as a research scholar or professor if he or she has been physically present in the United States in J status for any part of the 12-month period immediately preceding the date of program commencement on the Form DS-2019, unless (1) the participant is transferring to the sponsor's program within the time limits allowed, or (2) the participant's presence in the U.S. was of less than six months duration, or (3) the participant's presence in the U.S. was pursuant to a short-term scholar exchange activity.

The U.S. State Department has always had a strong interest in encouraging exchange visitors to return to their home countries in order to preserve the objective of the Exchange Visitor Program. The 12-month bar was introduced to end the movement of students in J visa status into the professor and research scholar category. This 12-month bar to J professor or researcher status affects all J-1 status participants, *including J-2 dependents*.

**Two-year (24-month) Bar on Repeat Participation in the Research Scholar and Professor Categories:** Under the terms of the two-year bar on repeat participation in the research scholar and professor categories, an individual who has participated in the Exchange Visitor Program as a research scholar or professor becomes subject to a two-year bar on repeat participation in these categories if the exchange visitor completes a full five years of program participation with one or more program sponsors or if the exchange visitor completes a particular exchange visitor program, and the Student and Exchange Visitor Information System (SEVIS) record becomes Inactive before the full five-year period is over. In either case, the individual is not eligible to begin a new program as a J research scholar or professor for a period of two years. This rule applies to individuals in the J research scholar or professor categories (*including their J-2 dependents*) whose programs ended on November 18, 2006 or thereafter.

The purpose of the two-year bar on repeat participation in the research scholar and professor categories is to prevent research scholars and professors who have completed a program in J status from exiting the United States and immediately re-entering for a new J program in these two categories.

**Transfers and Extensions:** Exchange visitors may transfer from one sponsor to another only if they are released by the first sponsor as required by the regulations. Also, an exchange visitor's program may be extended at the sponsor's discretion to the extent permitted by the regulations. Sufficient funds must be available for support of the exchange visitor and family members if a new Form DS-2019 is to be issued.

**Maintenance of Status:** Exchange visitors are required to have a valid, unexpired Form DS-2019. Exchange visitors may have their exchange program terminated for violating these regulations or the sponsor's rules governing their particular program.

For example, an exchange visitor is subject to termination as a participant in the exchange visitor program if he or she willfully fails to maintain the insurance required under the regulations, engages in unauthorized employment, or fails to pursue the activities permitted under his or her program and category.

**Notification:** Exchange visitors must inform the Responsible Officer within 10 calendar days of any changes in their telephone number, e-mail address, and actual and current U.S. address (i.e., physical residence). They must also provide the Responsible Officer with the e-mail address of each accompanying spouse and/or dependent child in J-2 status, and they must inform the Responsible Officer if and when an accompanying spouse and/or dependent child in J-2 status dependent in J-2 status departs from the U.S. prior to the exchange visitor's departure date. Furthermore, they are also required to report to the Responsible Officer when they are withdrawing from or completing the program early, to assist the sponsor in complying with their notification and reporting requirements.

**Current Regulations:** The Exchange Visitor Program regulations are located in the Code of Federal Regulations, 22 C.F.R. Part 62. Major revisions were published in the Federal Register on March 19, 1993 (58 FR 15180), and interim final Student and Exchange Visitor Program regulations were published in the Federal Register on December 12, 2002 (67 FR 76307). A final rule amending the research scholar and professor regulations was published in the Federal Register on May, 19, 2005 (70 FR 28815, as amended by 70 FR 36344). A final rule published by the U.S. Department of State on January 11, 2007 set the effective date of the May 19, 2005 final rule at November 18, 2006 (72 FR 1283). The 2009 Revised Exchange Visitor Skills List was published in the Federal Register on April 30, 2009 and applies to all exchange visitors who acquired J-1 status on June 28, 2009 or thereafter. On September 22, 2009, the DoS published a proposed rule that would amend Subpart A of the J exchange visitor regulations. On October 5, 2014, The J Subpart A rule was published in the Federal Register as a final rule. The new rule went into effect on January 5, 2015, with the exception of the new insurance levels set forth at 22 CFR 62.14(b)(1)-(4) and 22 CFR 62.14(h), which went into effect on May 15, 2015. These regulations are generally available for review at the offices of Responsible Officers and at university, law school, or large public libraries.

**For Further Information:** There are additional requirements set forth in the Exchange Visitor Program regulations that apply to you. Please review a copy of the current regulations and consult with your Responsible Officer for advice on any questions you have regarding the regulations, your status and the Exchange Visitor Program.

The Exchange Visitor Program is administered through the U.S. Department of State's Office of Exchange Coordination and Designation. The following is the contact information for this office:

United States Department of State  
Office of Designation  
ECA/EC/ECC – SA, 44, Room 668  
301 4<sup>th</sup> Street SW  
Washington, D.C. 20547-4406

Phone: (202) 203-7131  
FAX: (202) 203-7779  
E-mail: [jvisas@state.gov](mailto:jvisas@state.gov)

### **Obtaining Your Exchange Visitor (J-1) Visa**

Unless you are a citizen of Canada or Bermuda, you must obtain an exchange visitor (J-1) visa in order to seek admission to the U.S. as a participant in the Exchange Visitor Program (citizens of Canada or Bermuda do not require J-1 visas but must present appropriate means of documentation at the U.S. port-of-entry to seek admission as a participant in the Exchange Visitor Program).

Attached is your Certificate of Eligibility for Exchange Visitor (J-1) Status, commonly referred to as "Form DS-2019," which you will use in obtaining your J-1 visa or, in the case of Canadian and Bermudan citizens, to seek admission to the U.S. in J-1 status at a U.S. port-of-entry without a J-1 visa. Please read page 2 of your Form DS-2019, examine the information on page 1 for accuracy and sign the exchange visitor certification block on the bottom of page 1 prior to presentation to a U.S. consular official or immigration official. If you are required to obtain a J-1 visa, please contact the nearest U.S. Embassy or Consulate and inquire about how to apply for an exchange visitor visa. Contact information and information on visa application procedures for U.S. Embassies and Consulates worldwide is available through the U.S. State Department website: [www.travel.state.gov](http://www.travel.state.gov). To apply for an exchange visitor visa, you must provide the U.S. Embassy or Consulate with Form DS-2019, passport, statement of funds, and other documents as required by the U.S. Embassy or Consulate.

All J-1 exchange visitors whose initial Form DS-2019 was issued on or after September 1, 2004 must pay a required Student and Exchange Visitor Information System (SEVIS) Form I-901 fee of \$180.00 to the U.S. Department of Homeland Security prior to applying for a J-1 visa at a U.S. consular office or, in the case of Canadian and Bermudan citizens, prior to requesting admission to the U.S. in J-1 status at a U.S. port-of-entry. Please note that prospective J-2 dependents of J-1 exchange visitors are not required to pay the SEVIS Form I-901 fee. The SEVIS fee must be paid online through use of a credit card, locally using the Western Union Quick Pay service, or by mail through use of a check or money order. We highly recommend that you file and pay the required SEVIS fee online with a credit card or in person through the Western Union Quick Pay service instead of by mail with a check or money order since the online option and the Western Service Quick Pay service option result in much speedier processing of your required fee payment.

On-line payment option: To pay the SEVIS fee online and obtain the required receipt for payment, you must do the following:

- (1) complete and submit the Form I-901 online at [www.fmjfee.com](http://www.fmjfee.com) with the required Visa, MasterCard or American Express information for payment of the \$180.00 SEVIS fee (please make sure to write your name and other required information exactly as it appears on your Form DS-2019); and

- (2) print the Form I-901 payment confirmation for your records and for submission to the U.S. consular official for your J-1 visa application and/or the U.S. Customs and Border Protection official at the U.S. port-of-entry.

Western Union Quick Pay Option: To pay the SEVIS fee through Western Union Quick Pay and obtain the required receipt for payment, you must do the following:

- (1) fill out the Form I-901 online at [www.fmjfee.com](http://www.fmjfee.com). A payment coupon will be generated upon completion of the form. Completing the form online will generate a unique coupon number that you will need to validate your I-901 SEVIS fee payment at Western Union. You cannot submit a payment via Western Union without the coupon number;
- (2) print a copy of the SEVIS Form I-901 fee payment coupon and take it to your local Western Union; the nearest Western Union Agent location can be found online: <http://www.payment-solutions.com/agent.asp>;
- (3) fill out the Quick Collect/Quick Pay Form according to the information found at the bottom of the printed coupon and make your payment if the \$180.00 SEVIS fee. Payment will be linked to your Form I-901, and your online payment will be available immediately at [www.fmjfee.com](http://www.fmjfee.com). Once you see confirmation of payment, print the Form I-901 payment confirmation for your records and for submission to the U.S. consular official for your J-1 visa application and/or the U.S. Customs and Border Protection official at the U.S. port-of-entry.

Mail payment option: To pay the SEVIS fee by mail and to obtain the required receipt for payment, you must do the following:

- (1) use the attached Form I-901 or download and print Form I-901, available at [www.fmjfee.com](http://www.fmjfee.com);
- (2) complete Form I-901 (please make sure to write your name and other required information exactly as it appears on your Form DS-2019) and prepare a check drawn on a financial institution in the U.S. or international money order in the amount of \$180.00, payable to the "I-901 Student/Exchange Visitor Processing Fee;"
- (3) write your SEVIS ID number (number starts with letter "N," followed by 10 digits, found on the upper right of your Form DS-2019) and name on your check or money order and attach it to Form I-901 before mailing it;
- (4) mail the completed Form I-901 and payment to I-901 Student/Exchange Visitor Processing Fee, P.O. Box 970020, St. Louis, MO 63197-0020, or, for expedited delivery of your payment, mail the completed Form I-901 and payment to I-901 Student/Exchange Visitor Processing Fee, 1005 Convention Plaza, St. Louis, MO 63101, United States, Phone number: 1-314-418-8833 (U.S. country code: 011); and
- (5) after allowing sufficient time for your Form I-901 and SEVIS fee payment to reach its destination and be processed, check on [www.fmjfee.com](http://www.fmjfee.com) to view your payment status. Once you see confirmation of payment, print the Form I-901 payment confirmation for your records and for submission to the U.S. consular official for your J-1 visa application and/or the U.S. Customs and Border Protection official at the U.S. port-of-entry.

Whether you pay online with a credit card, in person through the Western Union Quick Pay service, or by mail through of check or money order, please note that the website dedicated to the I-901 fee ([www.fmjfee.com](http://www.fmjfee.com)) allows you to verify online that your SEVIS I-901 fee payment has been received. Please also note that [www.fmjfee.com](http://www.fmjfee.com) is now accessible on mobile devices; however, showing a copy of the I-901 SEVIS fee payment on a mobile device when you apply for a J-1 visa is not acceptable. Once you have made the I-901 SEVIS fee payment, you must print a copy of the I-901 SEVIS fee payment confirmation and take it with you when you apply for your J-1 visa.

For detailed and helpful information on the SEVIS fee, required Form I-901 information, payment options, processing times and other related issues, please read the information provided through the SEVP website: <http://www.ice.gov/sevis/i901/faq.htm>.

Certain Exchange Visitor Program participants may be subject to the two-year home country physical presence requirement and will be notified of such at the time of the consular interview or upon receipt of the exchange visitor visa. The consular official will return Form DS-2019 to you, and you should present it again to a U.S. Bureau of Customs and Border Protection (BCBP) officer at your port-of-entry to the U.S.

*You cannot enter the U.S. on a B-2 (tourist) visa and expect to change to J-1 (exchange visitor) visa status after you arrive. U.S. Citizenship and Immigration Services will likely deny this request and you will have to leave the U.S. to obtain a proper visa. Also, you cannot enter the U.S. on a visa waiver and change status to J-1 after your arrival. Persons who enter the U.S. on a visa waiver are not eligible for change of status in the U.S.*

## TRAVEL AND ENTRY INTO THE UNITED STATES

At the port of entry (for example, Miami International Airport), present your passport with a valid J-1 visa stamp, and your SEVIS Form DS-2019 from the University of Miami to the immigration inspector. The inspector will return to you the original SEVIS Form DS-2019, which you should keep for exit and re-entry. Keep Forms DS-2019 with your passport. They are the only proof of your J-1 status, and you will need them for such purposes as extending your program, work eligibility verification, and reentry to the U.S. after temporary trips abroad during the period of validity of your Form DS-2019. Please keep all your Forms DS-2019 permanently. Any questions regarding Form DS-2019 should be directed to International Student and Scholar Services. Do not bring food or plants with you. A customs official will take them from you and may charge you a fine.

Once you are admitted to the U.S. in J-1 status, you must meet certain obligations in order to maintain your exchange visitor status. These federal regulation requirements will be explained in detail at our first meeting as well as rules you are required to follow under the University of Miami's program. International Student and Scholar Services will assist you in maintaining your status throughout your stay; however, the responsibility to do so is yours.

## HOUSING AND RESIDENTIAL LIFE

The [Department of Housing and Residential Life](#) provides assistance to students, scholars, staff, and faculty with identifying off-campus housing options. A web-based search engine of community listings and information about off-campus apartment complex listings is available along with other resources such as:

- Individual consultations and appointments
- Over-the-phone guidance
- Knowledge of the greater Miami area and specific neighborhoods where students typically reside
- Roommate search assistance

For more information about assistance with off-campus housing, call (305) 284-4505, email [housing@miami.edu](mailto:housing@miami.edu) or visit 1211 Dickinson Drive, Coral Gables.

There are two types of housing available in Miami: a) rooms in private residences costing approximately \$850 to \$950 per month for room only, with bath (private or non-private). This amount usually includes utilities, but not meals. Occasionally, however, kitchen privileges are granted; (b) apartments of complete living units, usually including living room, bedroom, kitchen and bathroom costing approximately \$1,500 to \$1,700 per month (utilities not included), depending on size and number of bedrooms.

## LIVING EXPENSES

**Type of Funding Needed:** The Scholar's funding may be from the University of Miami, the scholar's home institution, the scholar's government, or another organization, such as fellowship awards, or personal sources.

**Amount of Funding Needed For Exchange Visitors:** Estimated funding for 12 months is currently the following:

Single scholar	\$31,332 + cost of health insurance (\$3,972/year)*
Spouse	\$13,124 + cost of spouse's health insurance (\$3,972/year)*
Each child	\$4,973 + cost of child's health insurance (\$3,972/year)*

\*Please note that these insurance fees are subject to change. The insurance fees quoted here refer to *United Healthcare* rates for the insurance year 2018-2019 and are valid from July 15, 2018 to August 14, 2019.

The average expenses in U.S. dollars (not including medical insurance), estimated for the single international scholar, are as follows:

EXPENSE ITEM	MONTHLY CHARGES \$	FULL YEAR \$
Rent including utilities	1,700	20,400
Food & Household supplies	675	8,100
Personal Expenses	236	2,832
Total Expenses	2,611	31,332

The average expenses in U.S. dollars (not including medical insurance), estimated for the married international scholar, are as follows:

EXPENSE ITEM	MONTHLY CHARGES \$	FULL YEAR \$
Rent including utilities	1,950	23,400
Food & Household supplies	1,000	12,000
Personal Expenses	754	9,056
Total Expenses	3,704	44,456

The above estimate is based on the average cost of a one-bedroom apartment, including utilities and furniture rental. A two-bedroom apartment would cost approximately \$300 more per month. These costs do not reflect the additional expenses for each dependent child.

#### TAXES AND EMPLOYMENT ELIGIBILITY VERIFICATION

**Income Taxes:** Although International Student and Scholar Services cannot advise you on income taxes, we can provide you with the following information. Earnings from J-1 employment, including income from assistantships, are usually subject to federal, state, and local income taxes. Additional information on J-1 federal income tax obligations may be found in Internal Revenue Service (IRS) publications 515, *Withholding on Nonresident Aliens and Foreign Corporations*, and 519, *U.S. Tax Guide for Aliens*. All J-1 and J-2 nonimmigrants must each file an IRS Form 8843 regardless of age or income earned in the United States. For J-1 status individuals and their dependents with no income from U.S. sources, Form 8843 is due on or before June 15 for the prior calendar year.

Also, the 2018 Tax Cuts and Jobs Act (TCJA) includes changes to the federal income tax law that may affect some exchange visitors. The new federal income tax law, implemented in 2019, eliminates the personal exemption of \$4,050 when filing Form 1040-NR for nonresident aliens. This may affect exchange visitors' refund of wages withheld for federal tax and may consequently increase the cost of Exchange Visitor Program participation. For more information on the TCJA, visit [irs.gov/tax-reform](https://www.irs.gov/tax-reform) and look for IRS Publication 5307.

**Social Security Tax:** J-1 aliens are subject to Social Security (FICA tax) withholding if they are "residents for tax purposes." J-1 professors and researchers become residents for tax purposes after two years.

If you will receive payment from the University of Miami in exchange for your services, you must apply for and obtain a Social Security Number (SSN). In order to apply for a SSN, you will need to take your passport, Forms I-94 and DS-2019, and other documents to a local office of the Social Security Administration. Instructions on how and where to apply for your SSN are provided to you through the online scholar orientation session. Please keep in mind that you cannot apply for your SSN any earlier than one day after your SEVIS record has been validated by your J-1 program sponsor and no sooner than 10 days after your date of entry to the U.S.

Due to Social Security Administration policies and procedures, it may take up to two months for an eligible scholar to receive a Social Security Number. At the request of your host department, the University of Miami Payroll Office will issue manual checks for a maximum of four months to those exchange visitors that have applied for, but not yet received their Social Security Number, and who have an offer to work for the University with payment for longer than six months. Please be mindful that it can take several weeks for you to receive your first University of Miami payment, which is normally provided on the last business day of the month. If you enter the U.S. and apply for a SSN in the second half of any given month, processing of your first University of Miami check may take until the end of the following month. You should bring with you sufficient funding to cover anticipated expenses until you receive your first University of Miami check.

All other scholars cannot receive payment from the University until they have received a Social Security Number and have provided the number to the University for Payroll purposes. It is therefore critical that scholars who will receive UM payment but do not have an offer to work at UM for longer than six months, bring with them sufficient funding to cover anticipated expenses for at least the first two months of their stay as there may be delays in processing their Social Security Number applications. Some banks will allow you to open an account before you receive your SSN if you complete a Form W-8, available at the bank, while other banks do not require any SSN to open an account for you.

**Employment Eligibility Verification (Form I-9):** Only J-1 exchange visitors who will receive funding from their UM department must complete Form I-9. J-1 exchange visitors who will not receive funding from their UM department do not need to complete Form I-9.

If you will receive funding from your UM department, upon your arrival in Miami, please contact Coral Gables Faculty Affairs (Coral Gables exchange visitors in faculty positions with UM funding), Coral Gables Human Resources (Coral Gables exchange visitors in non-faculty, researcher/scientist positions), the Dean's Office at RSMAS (RSMAS exchange visitors with UM funding), or Medical Human Resources (exchange visitors with UM funding in faculty as well as non-faculty, researcher/scientist positions at the Miller

School of Medicine) immediately to schedule an appointment to complete Form I-9. You will find contact information on the Form I-9 Completion Reminder included with this prearrival information.

## **J-2 EMPLOYMENT**

Although dependents of nonimmigrants generally are not allowed to work, the regulations of the U.S. Citizenship and Immigration Services (CIS) permit the J-2 spouse and/or children of the exchange visitor to apply for employment authorization.

An application for J-2 employment authorization cannot be filed until the J-2 dependent has entered the U.S. in J-2 status. For information on application procedures for J-2 employment authorization, please visit the ISSS website or contact your ISSS advisor. Please be aware that an application for J-2 employment authorization may take approximately four months to be processed by CIS.

## **DIRECTIONS TO INTERNATIONAL STUDENT AND SCHOLAR SERVICES**

International Student and Scholar Services is located on the Coral Gables campus, 1306 Stanford Drive, Whitten University Center, Suite 2275, 2<sup>nd</sup> floor.

**By Car:** The University is right off Ponce de Leon Boulevard, which runs parallel to US-1 (South Dixie Highway).

From US-1, head west on Stanford Drive. (You will pass Ponce de Leon Boulevard.) The University main entrance and information booth is on Stanford Drive. Let the guard at the information booth know that you are here for an appointment with ISSS and would like to park in visitor parking in the Pavia Parking Garage.

After passing the Information Booth, make a left on Levante Avenue and then a right on Pavia Street. The Pavia Parking Garage will be the multi-level building on your left side. The entrance to the Pavia Parking Garage can be found toward the end of the block. Inform the guard in the parking garage that you need visitor parking and ask him to direct you the Whitten University Center.

**By Metrorail:** After exiting the Metrorail/University Station, take the University of Miami Shuttle to Stanford Circle. The Whitten University will be right in front of you.

## **TRAVEL TO MIAMI**

The University of Miami has three campuses: Coral Gables, Miller School of Medicine, and Rosenstiel School of Marine and Atmospheric Science (RSMAS). International Student and Scholar Services is located at the Coral Gables Campus. Miami International Airport (MIA) is approximately five and a half miles or 15 minutes north of the Coral Gables Campus and five miles or 10 minutes west of the Medical Campus. Be aware, though, that the time it takes to get to the University may vary depending on traffic conditions. Although most visitors arrive in Miami by plane, the city is also accessible by bus, train or automobile.

You can take a taxi or the MIA Super Shuttle from the airport to your temporary accommodations. In case you need to rent a car, we recommend that you do so from your hotel or from campus. Super Shuttle representatives are located outside of all the baggage claim areas at the airport and can easily be identified by their bright yellow shirts with the company name "Super Shuttle" written on them in big, blue letters. We recommend that you keep a few dollars handy to tip the "Sky Caps" who assist MIA passengers with their luggage. It is customary to tip \$1.00 per bag.

Services such as [Uber](#) and Lyft have also become an increasingly popular way for scholars to get around Miami. Please note, you will need access to the internet on your cell phone and will need to register accounts with these companies to request a driver. [Note: The University does not endorse any ridesharing service or otherwise have an affiliation with these companies. Your decision to use a ridesharing service should carefully consider factors including your personal safety.]

## **OBTAINING A DRIVER LICENSE**

For information on who needs a Florida Driver License and how to obtain it, please check the Department of Highway Safety and Motor Vehicles website at <http://www.flhsmv.gov/>

## **SHIPPING BELONGINGS**

You will most likely use a shipping company to bring your belongings to the U.S. Make sure that your belongings will arrive after you do since there is nowhere to store your belongings in case your belongings arrive before you do. It is wise to carry enough clothing and supplies to last you through the first few weeks in case your belongings do not arrive on time.

## **LOCAL BANKING**

You should open a bank account when you arrive in Miami so that you can keep your money in a safe place. Certain banks allow you to open a bank account even if you do not have a Social Security Number. These include Bank of America, Chase, Citibank, and Wells Fargo Bank. All you need to do to open an account with them is to take your passport, Forms DS-2019 and I-94, and your money to whichever bank you choose, and inform them that you would like to open an account with them.

When opening an account, we suggest you deposit cash, traveler's checks, or a money order. Most banks will not allow you to draw upon a personal check until it clears. Miami banks will clear checks drawn on local banks in three business days. Out-of-state and non-local checks will generally take seven business days to clear. Scholars may also join the University Credit Union which handles both checking and savings accounts and has an Automatic Teller Machine (ATM) located in the University Center on the Coral Gables campus. There are ATM's for other banks as well. The ATM enables scholars to receive funds from the Super Teller System (HONOR, PLUS, OR CIRRUS) 24 hours a day.

### **CLOTHING SUGGESTIONS**

Miami's climate is warm year round. The coldest month averages 68F and the warmest month averages 93F. However, there are a few "winter" days where temperatures drop to 40F at night and many summer days with temperatures in the high 90's F. The climate is quite humid, especially in the summer, and there are occasional heavy rains.

-----  
*For further information, visit the International Student and Scholar Services (ISSS) website at [www.issmiami.edu](http://www.issmiami.edu) and/or contact your ISSS Advisor at [issmiami@miami.edu](mailto:issmiami@miami.edu)*

*Although your International Student and Scholar Advisor is here to assist you, it is your responsibility to maintain your immigration status. It is imperative that you familiarize yourself with the regulations that govern your status. Failure to comply with these regulations will result in the loss of your exchange visitor status and may subject you to deportation.*

Doc 45 (12/17/20) CZ



**Appendix VI**

**Form I-9 Completion Reminder for University of Miami Exchange Visitors (Miller School of Medicine)**

**Form I-9 Completion Reminders for Medical School Exchange Visitors (faculty as well as non-faculty, researcher/scientist positions)**

# MILLER

---

## SCHOOL OF MEDICINE

**Once you have arrived in Miami, please contact the Office of Human Resources on the Medical Campus to complete additional paperwork. This paperwork must be completed BEFORE you begin your J-1 activities at the University of Miami.**

To schedule an appointment contact:

Amanda Chavez

Telephone: (305) 243-9841

E-mail: [amc578@miami.edu](mailto:amc578@miami.edu)

or

Leanette Acanda

Telephone: (305) 243-8160

E-mail: [lsuarez2@miami.edu](mailto:lsuarez2@miami.edu)

**Appendix VII**

**Exchange Visitor Program P-1-00212 Health Insurance Requirement Certification**



|

**EXCHANGE VISITOR PROGRAM P-1-00212  
HEALTH INSURANCE REQUIREMENT CERTIFICATION  
FOR J-1 SCHOLARS AND J-2 DEPENDENTS**

Today's Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Date of Arrival in U.S.: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Exchange Visitor:

\_\_\_\_\_  
(Last Name) (First Name) (Middle Initial)

Telephone #: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
(Area Code) (Number)

I (the exchange visitor) certify that I have obtained health insurance for myself (and for all of my J-2 dependents, if applicable) during my stay in Exchange Visitor Program P-1-00212, and that my health insurance meets the minimum requirements outlined below:

(a) Insurance which covers the exchange visitor for sickness or accident during the period of time that an exchange visitor participates in the sponsor's exchange visitor program. Minimum coverage shall provide:

- (1) Medical benefits of at least \$100,000 per accident or illness;
- (2) Repatriation of remains in the amount of \$25,000;
- (3) Expenses associated with the medical evacuation of the exchange visitor to his or her home country in the amount of \$50,000; and
- (4) A deductible not to exceed \$500 per accident or illness.

(b) An insurance policy secured to fulfill the requirements of this section:

- (1) May require a waiting period for pre-existing conditions which is reasonable as determined by current industry standards;
- (2) May include provision for co-insurance under the terms of which the exchange visitor may be required to pay up to 25% of the covered benefits per accident or illness; and
- (3) Shall not unreasonably exclude coverage for perils inherent to the activities of the exchange program in which the exchange visitor participates.

(c) Any policy, plan, or contract secured to fill the above requirements must, at a minimum, be:

- (1) Underwritten by an insurance corporation having an A.M. Best rating of "A-" or above; a MacGraw Hill Financial/Standard & Poor's Claims-paying Ability rating of "A-" or above; a Weiss Research, Inc. rating of "B+" or above; a Moody's Investor Services rating of "A3" or above; or such other rating as the Department of State may from time to time specify; or
- (2) Backed by the full faith and credit of the government of the exchange visitor's home country; or

(over)

(3) Part of a health benefits program offered on a group basis to employees or enrolled students by a designated sponsor; or

(4) Offered through or underwritten by a federally qualified Health Maintenance Organization (HMO) or eligible Competitive Medical Plan (CMP) as determined by the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services.

(d) Federal, state or local government agencies, state colleges and universities, and public community colleges may, if permitted by law, self-insure any or all of the above-required insurance coverage.

(e) At the request of a non-governmental sponsor of an exchange visitor program, and upon a showing that such sponsor has funds readily available and under its control sufficient to meet the requirements of this section, the Department of State may permit the sponsor to self-insure or to accept full financial responsibility for such requirements.

(f) The Department of State, in its sole discretion, may condition its approval of self-insurance or the acceptance of full financial responsibility by the non-governmental sponsor by requiring such sponsor to secure a payment bond in favor of the Department of State guaranteeing the sponsor's obligations hereunder.

(g) An accompanying spouse or dependent of an exchange visitor is required to be covered by insurance in the amounts set forth in Sec. 62.14(a) above. Sponsors shall inform exchange visitors of this requirement, in writing, in advance of the exchange visitor's arrival in the United States.

(h) An exchange visitor who willfully fails to maintain the insurance coverage set forth above while a participant in an exchange visitor program or who makes a material misrepresentation to the sponsor concerning such coverage shall be deemed to be in violation of these regulations and shall be subject to termination as a participant.

(i) A sponsor shall terminate an exchange visitor's participation in its program if the sponsor determines that the exchange visitor or any accompanying spouse or dependent willfully fails to remain in compliance with this section.

[58 FR 15196, Mar. 19, 1993, as amended at 59 FR 34761, July 7, 1994.

Redesignated at 64 FR 54539, Oct. 7, 1999. Amended at 79 FR 60293, October 6, 2014]

I also hereby certify that I understand and accept that my participation in Exchange Visitor Program P-1-00212 will be terminated if International Student and Scholar Services (ISSS) determines that I or any accompanying spouse or child of mine in J-2 status willfully fails to remain in compliance with the U.S. Department of State regulations governing required health insurance coverage for Exchange Visitor Program participants.

---

*Exchange Visitor Signature*

*Today's Date*

This Health Insurance Requirement Certification must be scanned and e-mailed to ISSS ([iss@miami.edu](mailto:iss@miami.edu)) to ISSS (305-284-3409) no later than two weeks after the Exchange Visitor's arrival in the U.S.

-----  
*For further information, visit the International Student and Scholar Services (ISSS) website at [www.iss.miami.edu](http://www.iss.miami.edu) and/or contact your ISSS Advisor at [iss@miami.edu](mailto:iss@miami.edu)*

***Although your International Scholar Advisor is here to assist you, it is your responsibility to maintain your immigration status. It is imperative that you familiarize yourself with the regulations that govern your status. Failure to comply with these regulations will result in the loss of your exchange visitor status and may subject you to deportation.***

## Appendix VIII

### J-2 Employment Information

Although dependents of nonimmigrants generally are not allowed to work, the regulations of the U.S. Citizenship and Immigration Services (CIS) permit the J-2 spouse and/or children of the exchange visitor to apply for employment permission.

The J-2 dependent should make an appointment with ISSS to discuss the necessary procedures. One factor to consider is the length of time the J-1 scholar will be at UM, because processing of the J-2 employment permission application currently takes CIS approximately three to four months.

### How to Apply

The following items are needed in order for the J-2 dependent to apply for work permission:

1. Form G-1145, "E-Notification of Application/Petition Acceptance." (Available online at ISSS website as well as at [www.uscis.gov](http://www.uscis.gov)).
2. Form I-765, "Application for Employment Authorization." (Available online at ISSS website as well as at [www.uscis.gov](http://www.uscis.gov); enter eligibility code (c)(5) in item #27).
3. Two photos as specified in the Form I-765 instructions effective August 2, 2004.
4. Previous employment authorization documents (EAD) (if applicable)
5. CIS mailer in which previous EAD was received (if applicable)
6. Copies of the J-1 exchange visitor's and J-2 dependent's biographical passport pages, passport expiration date pages, J-1 and J-2 visa pages, passport pages bearing entry stamp from last entry to U.S.
7. Copy of the J-1 exchange visitor's [Most Recent Form I-94](#).
8. Copy of the J-2 dependent's [Most Recent Form I-94](#).
9. Copies of the J-1 exchange visitor's Form DS-2019 and the J-2 dependent's Form DS-2019.
10. Evidence of the J-2 dependent's relationship to the J-1 exchange visitor (i.e., J-2 spouse of a J-1 exchange visitor must include a copy of the marriage certificate and English translation).
11. Money order for \$410.00 made payable to "U.S. Department of Homeland Security."
12. A letter (see the attached sample) from the J-2 dependent, to CIS requesting work permission.

The point of the letter is not to demonstrate need; it is to show CIS that the J-1 exchange visitor has sufficient resources for their own expenses, and will not depend on the earnings of the J-2 dependent. In the letter the J-2 dependent should indicate the sources and amount of the J-1 exchange visitor's support and include a short budget or statement of family expenses to show that his or her resources are adequate without any income from your employment. The J-2 dependent should give a reason for wanting to work, some worthwhile interest or activity that might include family travel or recreational or cultural activities. In the J-2 dependent's letter he or she must say specifically that income from his or her earnings will not be used for the J-1 exchange visitor's support.

Applications for J-2 employment authorization must be sent to the CIS Dallas Lockbox, Texas, after review by ISSS. As stated above, it is estimated that it will take CIS at least **90 to 120 days** to process these applications.

Employment may not begin until receipt of the EAD also referred to as Form I-766.

### Related Information

**Form I-9:** The employer will need to complete Form I-9, which requires documentation of work authorization. For Form I-9, the EAD card (Form I-766) is acceptable proof both of identity and permission to work.

**Time limitation for work:** The EAD will be issued for the time indicated in item #3 on the J-1's Form DS-2019. If the J-1 receives an extension of stay, the J-2 dependent must apply for a new EAD, following the procedures outlined above, and keeping in mind that this procedure will again take approximately three to four months for CIS to process.

**Social Security Number:** The employer will need a Social Security number. The J-2 dependent can apply for a Social Security Number at the same time as applying for the EAD by completing Form I-765.

**J-2 Employment and Taxes:** The earnings of J-2 dependents are subject to applicable federal, state and local taxes, and, unlike those of the J-1, Social Security taxes, and employers are required by law to withhold those taxes from paychecks. By April 15 the J-2 dependent must file an income tax return, Form 1040NR(EZ), with the Internal Revenue Service (IRS), covering the prior calendar year. The return determines whether more taxes are owed or if a refund is due. With Form 1040NR(EZ), the J-2 dependent must also file Form 8843. See IRS Publication 519, "U.S. Tax Guide for Aliens."

### **Sample Letter of Application for J-2 Work Permission**

December 17, 2020

U.S. Citizenship and Immigration Services

Dear Sir or Madam:

I would like to apply for J-2 work permission.

My husband's/wife's Form DS-2019 shows \$50,000 in support, including \$36,000 from the University of Miami, and \$14,000 in personal funds. Of this, we pay \$6,380 each year for required health insurance. That leaves \$43,620, or just over \$3,635 per month, for living expenses. Our monthly budget is as follows:

\$ 2,000.00	Rent and utilities
800.00	Food
<u>835.00</u>	Miscellaneous (clothing, transportation, recreation)
\$ 3,635.00	Total

As this budget shows, we have enough to live modestly, but there are no funds left for expenses that are not essential. While in the United States I would like to take a course in English for foreigners, and take advantage of the various cultural opportunities available, and we can afford the expense only if I work. I therefore hope that you will approve my request.

I understand that none of my earnings may be used for the support of my J-1 spouse.

Sincerely,

[Your signature]

[Your name]

## Appendix IX

### Nonimmigrant Classifications

A-1	Ambassador, Public Minister, Career Diplomat or Consular Officer, or Immediate Family*
A-2	Other Foreign Official or Employee, or Immediate Family*
A-3	Attendant, Servant, or Personal Employee of A-1 or A-2, or Immediate Family
<b>*B-1</b>	<b>Temporary Visitor for Business</b>
<b>*B-2</b>	<b>Temporary Visitor for Pleasure*</b>
B-1/B-2	Temporary Visitor for Business or Pleasure
C-1/2/3	Aliens in Transit
D	Crewmember (Sea or Air)
E-1	Treaty Trader, Spouse or Child
E-2	Treaty Investor, Spouse or Child
*F-1	Student (Engaged in "Practical Training")
F-2	Spouse or child of F-1
G-1/2/3/4/5	Representative of Foreign Government, Immediate Family, or Personal Employee*
H-1A	Registered Nurse
<b>*H-1B</b>	<b>Alien in a Specialty Occupation (Professional)*</b>
H-2A	Temporary Worker performing Agricultural Services
H-2B	Temporary Worker Performing Other Non-Professional Services
H-3	Trainee
H-4	Spouse or Child of H-1A/B, H-2A/B, or H-3
I	Representative of Foreign Information Media, Spouse or Child
<b>**J-1</b>	<b>Exchange Visitor</b> (Includes scholars in the student category engaged in "Academic Training.")
<b>**J-2</b>	Spouse or Child of J-1
K-1	Fiancé (e) of U.S. Citizen
L-1	Intracompany Transferee*
L-2	Spouse or Child of L-1
M-1	Vocational School Student or Other Nonacademic Student
M-2	Spouse or Child of M-1
N-8	Parent of an Alien Classified SK-3 Special Immigrant
N-9	Child of N-8
NATO	Representative of Member State to NATO or Other NATO Official, Immediate Family, and Staff
<b>*O-1</b>	<b>Alien with Extraordinary Ability in Sciences, Arts, Education, Business or Athletics</b>
O-2	Accompanying Alien of O-1
O-3	Spouse or Child of O-1 or O-2
<b>*P-1</b>	<b>Internationally Recognized Athlete or Member of Internationally Recognized Entertainment Group</b>
P-2	Artist or Entertainer in a Reciprocal Exchange Program
P-3	Artist or Entertainer in a Culturally Unique Program
P-4	Spouse or Child of P-1/P-2/or P-3
<b>*Q-1</b>	<b>Participant in an International Cultural Exchange Program</b>
R-1	Alien in a Religious Occupation
R-2	Spouse or Child of R-1
S-1	Certain Aliens Supplying Critical Information Relating to a Criminal Organization or Enterprise
S-2	Certain Aliens Supplying Critical Information Relating to Terrorism
<b>*TN</b>	<b>NAFTA Professional (Canada or Mexico)</b>
TD	Spouse or child of TN
<b>*WB</b>	<b>Waiver Business</b>
<b>*WT</b>	<b>Waiver Tourist</b>

\*Other non-immigrant statuses appropriate to academic setting.

\*\*Mentioned in text