



CHANGE OF STATUS TO J-1 EXCHANGE VISITOR

If you are currently on a non-immigrant status, you may have the ability to change your status to J-1. If you hold J-2 status and are subject to the two year home residency requirement, or have been present in the U.S. for more than 6 months, you are ineligible to change status to J-1. In addition, if you hold C, D, or K visa status you are ineligible to change status to J-1. Finally, to be eligible to change to J-1 status in the U.S., your current status must not expire any earlier than 30 days prior to the start date of your proposed J-1 exchange visitor program.

U.S. Citizenship and Immigration Services (USCIS) grants change of status to thousands of applicants each year. However, the USCIS also says "no" to thousands of applicants each year. This packet will help you understand what is necessary to change status and what the chances of success might be for your particular application.

In order to process a change of status to J-1, you will need to complete the following steps:

Step 1

Obtain Form DS-2019 from the University of Cincinnati. Your sponsoring department at the University of Cincinnati will need to request the DS-2019 on your behalf.

Step 2

Submit proof that you have paid the \$180 SEVIS Fee. Please read the "Important SEVIS Fee Information For Students" section below. Once your DS-2019 is issued, you will have to follow these instructions to pay the SEVIS fee.

Step 3

Print and complete the I-539 Form found on the USCIS website at www.uscis.gov. There is a \$290 application fee associated with the I-539 form. You will need to bring a check made out to the Department of Homeland Security in that amount to your appointment with us.

Step 4

Submit a copy of your current I-94 Card (front and back or the electronic version); your visa stamp; your passport biographical page and extension page if applicable; and any previous certificates of eligibility (I-20, DS-2019) or USCIS approval notices (I-797) you have. If you are a dependent spouse or child you will need to provide copies of these documents for the spouse or parent your immigration status is dependent upon. Depending on your status, you may also be required to provide additional supporting documents. Please read the "Additional Documents Required for Certain Statuses" section below to ensure you have obtained the appropriate supporting documents necessary for approval.

Step 5

You must submit these documents to UC International Services. If you reside in Cincinnati, call 513-556-4278 to schedule an appointment with us for review and I-20 issuance. If you don't live in Cincinnati, mail all documents to us at: 47 W. Corry St., 3134 Edwards Center One, University of Cincinnati, Cincinnati, OH 45221-0640.

Step 6

You will mail the I-539 change of status application and all supporting documents to the USCIS for adjudication along with the \$290.00 USCIS application fee.

FINAL NOTES: Once your application to change status to J-1 is approved you will receive an I-797 approval notice from the USCIS. You must provide UC International Services with a copy of the approval notice when you get it. Use the "Notification of Change of Immigration Status" eForm found in the Biographical Information section of your iStart record to notify us.

IMPORTANT SEVIS FEE INFORMATION

Prior to applying for your Change of Status to J-1, you must pay a \$180 SEVIS fee to the U.S. Department of Homeland Security (DHS). There are two ways you can pay the SEVIS fee, by credit card over the internet, or check or money order. Please read these instructions fully before attempting to pay the fee.

To pay the SEVIS fee, you will need to know your SEVIS ID Number. We recommend that you use payment option #1 and pay by credit card (unless you are from a country that is ineligible to use a credit card). Students from the following countries are not able to use the credit card option and must use option #2 or #3 below: Cameroon; Ghana; Kenya; Nigeria.

OPTION #1: PAYMENT BY CREDIT CARD

DHS has set up a website on the Internet to accept electronic submission of Form I-901 and payment of the SEVIS fee using a credit card. Go to www.fmjfee.com. **We strongly recommend that you use this option if possible.** Follow the on-line instructions. Print out the payment screen to verify your payment and send it to us as part of your supporting documentation. Do not leave that screen until you have printed the payment receipt. You will not be able to return to that screen.

OPTION #2: PAYMENT BY CHECK OR MONEY ORDER

When paying by check or money order there are two options:

- a. **Internet-generated coupon.** You can go to the fee payment website (<http://www.fmjfee.com>), enter basic information, print out a coupon, and then mail a check or money order with the coupon to a lock-box address in Missouri. Once the information and fee are processed, SEVIS will then be updated with the fee payment information.
- b. **Paper option.** You can download or otherwise obtain Form I-901, fill it in, and mail it, with a check or money order, to the specified address in Missouri. Once the information and fee are processed, SEVIS will then be updated with the fee payment information.

In both cases, a receipt notice will be issued when the fee is processed. The mailing addresses for paying by check or money order, using the coupon or the paper Form I-901, are:

P.O. Box Address:

I-901 Student/Exchange Visitor Processing Fee
P.O. Box 970020
St. Louis, MO 63197-0020

Street Address for Courier/Express Delivery:

I-901 Student/Exchange Visitor Processing Fee
1005 Convention Plaza
St. Louis, MO 63101

Check Specifics:

All checks and money orders must be:

- Payable to the "I-901 Student/Exchange Visitor Processing Fee".
- Only checks and money orders may be used when paying by mail.

- The check or money order must be made in U.S. dollars and drawn on a bank located in the United States.

Payment of the SEVIS fee is not limited to you. DHS will accept fee payment from a third party individual or institution, either in the United States or abroad, using either option one or two above.

PLEASE READ THE SECTION BELOW FOR THE STATUS YOU ARE NOW IN

A (A-1, A-2, or A-3): Before you submit an application for change of status to the Immigration Service, you must complete Form I-566 and send it to the Department of State for a recommendation. The recommendation must be enclosed with your change of status application when it is sent to USCIS. If the State Department does not recommend approval, USCIS is not going to say "yes." Form I-566 must be signed by an official of the diplomatic mission employing you or your parent or spouse and submitted to: Office of Protocol, U.S. Department of State, Washington, D.C. 20520. As long as you are accredited or listed by the Department of State as entitled to diplomatic status, you may not change to J-1 status.

B (B-1, B-2, and B-1/B-2): Applicants changing from the B status must take special care to show that they did not intentionally apply for the wrong visa or intentionally enter the U.S. in the wrong status. If you knew you were going to apply for exchange visitor status when you applied for entry into the U.S., you cannot change your status within the U.S. You will have to take a Form DS-2019 to apply for a J-1 visa at a U.S./Consulate Embassy overseas.

C (C-1, C-2, or C-3): Persons in C status are not permitted to change to any other status.

D (D-1 or D-2): Persons in D status are not permitted to change to any other status.

E (E-1 or E-2): Changes from E status to J-1 are usually granted as long as the principal is still employed as a treaty trader or investor at the time the application is submitted and will maintain that status until at least 30 days prior to the start of the J-1 program. Proof of this employment should be included with the application.

F-1/F-2: If an F-1 student (or F-2 spouse or child wishes) to begin an exchange visitor program, he/she must submit proof that he/she continues to be in status at the time of the application and will maintain that status until at least 30 days prior to the start of the J-1 program.

G (G-1, G-2, G-3, G-4 or G-5): Before applying for a change of status, you must complete Form I-566 and submit it to the Department of State for a recommendation. When the State Department returns the form to you, it must be enclosed with your change of status application. If the State Department recommends against approval, the USCIS will not approve your change of status. You may not change from any G status as long as you or your principal spouse or parent is accredited as a diplomat. The I-566 must be signed by an official of the diplomatic mission employing you or your parent or spouse. If the employer is the United Nations or a mission to the UN, the I-566 is submitted to the United States Mission to the UN, 799 UN Plaza, New York, NY 10017. Otherwise, the application should go to the Office of Protocol, U.S. Department of State Washington, D.C. 20520. All applicants in G status must take care to show the Immigration Service that they intend to return to the home country after completion of their J-1 program.

H (H-1, H-2, H-3, and H-4): Changes from H-1B/H-4 status to J-1 are easily made when the application includes proof that the principal is still employed by a sponsoring employer. Principle H-1, H-2 and H-3 visa holders may apply for changes while in status provided he/she will maintain that status until at least 30 days prior to the start of the J-1 program. All H-1B applicants should be careful to show that they intend to return to the home country when the J-1

program is completed.

I. Changes from I status to J-1 status are not difficult when it is shown that the principal is still employed by the media sponsor. It is very important to convince the USCIS that the applicant intends to return to the home country when the program is completed.

J-2: J-2 dependents who wish to apply for J-1 status must have been in the U.S. on J-2 status for less than six months at the time the application is submitted. In addition, they must obtain waivers of the two-year home residency requirement, if subject, before applying for a change. When there is no need for a waiver, applicants do not need permission or approval of the Department of State or program sponsors to change to J-1.

K (K-1 or K-2): Persons in K-status may not change to any other nonimmigrant status.

L (L-1 or L-2): Changes from L-2 to J-1 are easily made as long as there is evidence that the L-1 principal continues to work for the sponsoring company until at least 30 days prior to the start of the J-1 program. An L-1 may change to J status if the application is submitted while he/she is still working for the sponsoring company and when it is shown that there is a valid academic or professional objective. All L applicants should be careful to show that they intend to return to the home country when the J-1 program is completed.

M (M-1 or M-2): If an M-1 student (or M-2 spouse or child wishes) to begin an exchange visitor program, he/she must submit proof that he/she continues to be in status at the time of the application, and will maintain that status until at least 30 days prior to the start of the J-1 program. M status is valid until the expiration date on the Form I-94, plus 30 days. M-1's and M-2's are also in status while awaiting a USCIS decision on an application for practical training which was submitted before the end of 30 days after completion of studies, during any authorized practical training, and for 30 days after the completion date on the Form I-20 submitted with the application for practical training approval.

NATO statuses: Though both principals and dependents in the seven NATO statuses are often eligible for changes of status to J-1, there are many exceptions and special rules.

N (N-8 and N-9): Persons in N-8 and N-9 status are special immigrants to the United States and are not eligible to change to J-1, or any other temporary nonimmigrant status. After certain time requirements have been met, persons in N statuses are expected to adjust to permanent resident status.

O (O-1, O-2, or O-3): Though there is no rule preventing a change to J-1 status by an O-1, it may be difficult to convince the USCIS of the need for additional education. Persons in O-2 status should show that they engaged in the activities for which the status was granted. Students in O-3 status should have no difficulty in making the change to J-1 as long as the O-1 or O-2 principal is still in lawful status at the time the change of status application is filed. A person in O status is considered to be in valid status for 10 days after the authorized stay has expired and must begin J-1 status within 30 days of that expiration date.

P (P-1, P-2, P-3, or P-4): Same as O, above. Principals in P-1 status may also find it difficult to convince the USCIS of the need for an academic program. Changes from P-4 to J-1 should be easily made, as long as the principal is still in status. Persons in P status are also in valid status for 10 days after the expiration of authorized stay and must begin J-1 status within 30 days of that expiration date.

Q: When there is evidence that a person in Q status has engaged in the activities for which he/she was admitted to the U.S., a change of status to J-1 should not be difficult. Q status is valid for 30 days past the authorized stay and must begin J-1 status within 30 days of that date.

R (R-1 or R-2): There should be no obstacle to a change to J-1 status for a person in one of the R statuses, but he/she must begin J-1 status within 30 days of the R expiration date.

S (S-1 or S-2): Persons in the S statuses may not change to other nonimmigrant statuses.

TN or TD status: Persons in these statuses, when the principal is employed or doing business required under the terms of the North American Free Trade Agreement, should encounter little difficulty in changing to J-1 status, though returning to Canada and reentering with a Form DS-2019 may be faster, easier, and simpler than applying for a change through the USCIS.

WB or WT status: Persons admitted under the Visa Waiver Program may not extend or change status under any circumstances.

NOTE: A change of status is not a change of visa. J-1 visas are not issued in the U.S. If U.S. Citizenship and Immigration Services grants your change of status application, you may stay in the U.S. to complete your program for as long as you follow the rules. Your visa type does not matter. However, if you travel to your home country or most other countries, you must apply for a J-1 visa in order to return to the U.S.