

INFORMATION & RESPONSIBILITIES OF AN EWC J-1 SCHOLAR/SPECIALIST

Scholars in J-1 status are here in the U.S. to engage in a temporary exchange program. The broad purpose of the Exchange Visitor Program (EVP) is to promote international educational and cultural exchange in order to develop mutual understanding and strengthen relations between the people of the United States and other countries. Exchange programs permit an Exchange Visitor (EV) to come to the U.S. for a wide range of educational activities. The East-West Center's EVP provides opportunities for study, research and participation in educational and professional activities for foreign students, research scholars, short-term scholars, and specialists under the Center's sponsorship.

I. Responsibilities of J-1 Exchange Visitor

EVs are responsible for understanding and complying with all U.S. federal laws and regulations governing their J visa. Failure to do so will violate the scholar's legal status in the U.S. An EV's responsibilities include but may not be limited to the following:

a) Performing Exchange Activities as Authorized on Form DS-2019 and EWC Invitation Letter and Making Progress toward Program Objectives in a Timely and Sustained Manner

Scholars must communicate with their Program Coordinator/Officer and notify the EWC Visa Office whenever there is a change in their program, such as changes in program dates, additional activity sites (e.g., conferences/workshops), etc. If a scholar is unable to continue her/his program or pursue all its required activities, the DS-2019 may be shortened or terminated. If terminated, the scholar is required to depart the U.S. immediately.

b) Reporting Early Departure Date and Reason to the East-West Center Visa Office

Periodically, scholars leave the EWC early or unexpectedly for a variety of reasons. When this happens, U.S. federal regulations require J-1 scholars to notify the East-West Center Visa Office if they plan to leave the EWC before the expiration date listed on their DS-2019 form as well as provide their reason(s) for leaving.

c) Reporting Changes of Physical Address, Phone Number or Email Address to the East-West Center Visa Office

U.S. federal regulations require all J-1 scholars to report the above mentioned change *within 10 days* to the EWC Visa Office at smallm@eastwestcenter.org. The EWC Visa Office is required to provide this and other scholar data to the federal government electronically. Scholars who are subject to the Department of Homeland Security (DHS) Special Registration Procedures must also report their address change within 10 days to DHS as per instructions received at the Port of Entry.

d) Abiding by Employment Regulations

J-1 scholars may conduct research or engage in teaching only at the East-West Center unless specifically authorized ahead of time by the East-West Center Visa Office (e.g., to give a lecture, to consult at another institution). EVs must contact the East-West Center Visa Office if invited to speak or consult at another institution.

e) Maintaining Adequate Health/Repatriation-Medical Evacuation Insurance

J-1 scholars must maintain adequate health insurance (including required levels of repatriation and medical evacuation coverage) for themselves and all dependents in J-2 status throughout their stay in the U.S. Failure to do so is a violation of J-1 EVP regulations.

f) Applying for an Extension Prior to the DS-2019 Expiration

Scholars must apply for an extension before their DS-2019 form expires if they intend to stay longer at the Center. (NOTE: In general Department of State provides those in Research Scholar category up to five years to complete their J-1 program. Short-term scholars have up to 6 months and Specialists have up to one year to complete their J-1 programs.)

g) Maintaining J-1 and J-2 Documents

Scholars and J-2 dependents must maintain valid passports and DS-2019s. If your passport is lost, stolen or expiring, please contact your country's embassy or consulate for renewal or replacement. If your DS-2019 is lost, stolen or damaged, please inform your Program Coordinator/Officer and notify the EWC Visa Office immediately.

h) Receiving Transfer Authorization Prior to Leaving the East-West Center

Scholars must receive authorization from the EWC Visa Office before leaving the EWC in order to transfer to another institution.

i) Departing the U.S. within 30 Day Grace Period

Scholars must depart the U.S. within 30 days of their DS-2019 expiration date or program end date,

whichever is earlier. However, if the scholar's program is terminated, s/he is required to depart the U.S. immediately.

j) Obtaining Travel Signature Prior to Departing the U.S.

Scholars continuing in their J-1 program must obtain the EWC Visa Officer's signature on their DS-2019 form prior to traveling outside the U.S.

k) Reporting Serious Incidents or Controversies

Scholars must report all serious problems or controversies that occur during the period of their J-1 participation to their Program Coordinator/Officer and the EWC Visa Office. EWC is required to report all incidents or allegations to the U.S. Department of State.

l) Complying with General EWC Policies and EWC Participant & Program Policies & Procedures including EWC's Participant's Code of Conduct (see: <http://www.eastwestcenter.org/ZcU>)

II. The Home-Country Physical Presence Requirement

This requirement is different from the 24-month bar mentioned below. The 2-year (24 months) home country physical presence requirement is found under section 212(e) of the U.S. Immigration and Nationality Act. The intent of the EVP is to have participants return to their home countries (country of citizenship or legal permanent residence) upon program completion to share and apply the knowledge and experience gained during their programs. Those who are subject to this requirement are not eligible for H, L, K or immigrant (permanent residence) visas until this requirement is completed. They are unable to change this visa eligibility status within the U.S. until completion of their home country physical presence requirement. The only exceptions are for a change of status to an A (diplomatic) visa or a G (international organization) visa.

Who is subject to 212(e)?

- Government Funded: Those who are funded in whole or in part, directly or indirectly by the U.S. Government, their home country government, or international organizations for exchange purposes.
- Skills List: Those whose field of study is on the Exchange Visitors Skills List (This list contains fields of specialized knowledge and skills and the names of those countries which require the services of persons engaged in one or more of those fields). For the Skills List go to <https://travel.state.gov/content/travel/en/us-visas/study/exchange/waiver-of-the-exchange-visitor/exchange-visitor-skills-list.html>
- Graduate Medical Education or Training: Those who participate in a graduate medical education or training.

Please note that the 2-year home country physical presence requirement does not affect travel to other countries nor re-entering the U.S. on a temporary visitor (B-1/B-2) or a student (F-1) visa.

III. 12-month and 24-month Bars on Repeat Participation for Research Scholar & Professor

Both J-1 Research Scholars and Professors who participate in the J-1 EVPs are subject to a 24-month bar on repeat participation. That means they cannot participate in another J-1 EVP in the category of Professor and Research Scholar for 24 months from the end date of their current/previous J-1 EVP. A J-1 in other categories, such as Specialists or Non-Degree Students are subject to a 12-month bar on repeat participation if the previous participation lasted more than 6 months. Only J-1 Short-Term Scholars are NOT subject to a bar on repeat participation. NB: These bars also apply to J-2 dependents.

The Visa Office is responsible for all EWC participant exchange visitor visa matters. If you have any questions, please EMAIL: smallm@eastwestcenter.org

I have read and understand the above information regarding the terms and conditions of the J-1 Exchange Visitor Program and the East-West Center's policies and procedures regarding the Exchange Visitor Program. I understand that I must comply fully with these regulations in order to remain in the U.S. in legal status.

Sign: _____ Print Name: _____ Date: _____

EWC On-Campus Room No. _____ and Building: Hale Manoa Hale Kuahine Lincoln Hall

Residential Address (off-campus): _____

Email: _____ Telephone No.: _____