

# J-1 EXCHANGE VISITOR PROGRAM GUIDELINES



Participation in the FACC-NY Exchange Visitor Intern/Trainee Programs assumes acceptance of, and adherence to, these guidelines by both the host company and the exchange visitor. In addition, host companies and exchange visitor participants must adhere to all federal, state, and local occupational health and safety laws.

## I - Candidate Eligibility Requirements

1. An **intern** candidate must be a full-time student in a foreign post-secondary ministerially recognized institution or a graduate of such an institution in not more than 12 months preceding the internship start date.
2. A **trainee** candidate must have a post-secondary foreign diploma or certificate and one year of related work experience in the same field as the proposed training or have five years of related work experience outside the U.S. if he or she has no post-secondary degree.
3. The content of the Exchange Visitor Program must correspond to the candidate's academic course of study, as well as his or her previous work experience, if any. The candidate's work experience and education must have taken place outside of the United States in order to qualify for trainee or intern status.
4. The candidate must be proficient enough in English to function in an English-speaking professional environment. English language ability will be screened with an orientation interview conducted by the FACC-NY.
5. All exchange visitors and dependents must have valid health insurance for the entire duration of their stay in the United States. All VIE program participants will automatically have qualifying coverage through Business France. All other participants must purchase the FACC-NY's approved [Envisage Global Insurance Plan](#) which meets all U.S. Department of State requirements.
6. Exchange visitors must have a foreign passport valid for the entire length of the training, plus an additional six months.
7. The maximum duration of an intern program is 12 months; the maximum duration for a trainee program is 18 months.
8. If a candidate maintains active full-time student status outside the United States, they may be eligible for repeat intern visas with a minimum of 90 days between internships. U.S. federal regulations call for a minimum two-year interval between an intern and trainee visa, or between two trainee visas.
9. The exchange visitor's spouse and/or children are eligible for J-2 visa status over the same period of time as the J-1 visa holder. Additional application materials and fees are required for a J-2 request.

## II – Host Company Eligibility Requirements

1. The host company must have at least:
  - Three full-time permanent employees to host an intern
  - Five full-time permanent employees to host a traineeTwo of whom must be American citizens/ permanent residents to ensure a true cultural experience.
2. The company must expose the exchange visitor to cross-cultural activities.
3. The program must be on a full-time basis (32-40 hours per week).
4. The exchange visitor must be paid at least minimum wage. The amount paid to the participant should be comparable to the amount paid to other individuals having similar education and experience. Additional benefits such as housing, transportation, meals, etc. may be used to supplement this stipend, but may not be used in lieu of the stipend. All VIE program participants will automatically receive a qualifying stipend from the French parent company.
5. The host company must be a member of one of the FACC chapters for the entire training period.
6. All host companies must agree not to hire the participant at any point during or immediately following the Exchange Visitor Program for a period of at least one year.
7. All host companies must submit a final program evaluation signed by the supervisor. For programs of more than 6 months, a midpoint and a final evaluation is required.
8. Host companies must assign a designated supervisor that will help the exchange visitor carry out the training described on the DS-7002. Supervisors must have expertise in the field of training and must have daily contact with their exchange visitor.

## III - Candidate Documentation

### 1. **Certificate of Eligibility (Form DS-2019)**

This official document from the U.S. State Department is issued by the French-American Chamber of Commerce in New York. The Certificate allows the candidate to apply for a J-1 visa at a U.S. embassy or consulate in his or her home country. The DS-2019 Certificate of Eligibility determines the exact duration and category of the program.

### 2. **DS-7002 – Training/Internship Placement Plan (T/IPP)**

Form DS-7002 is a U.S. Department of State form that must be completed by the host company to prove that the exchange visitor will participate in a bona fide, structured training program. It should be as detailed as possible and include specific information about what the exchange visitor will be doing at the host organization. The consular officer will review the DS-7002 when deciding to issue the J-1 visa. Any changes to the DS-7002 must be immediately reported to the FACC-NY.

### **3. J-1 Visa**

A candidate must apply for their J-1 visa at a U.S. embassy with a valid passport and a DS-2019 Certificate of Eligibility. All candidates must fill out the Form DS-160.

Please note that the visa is an entry document only and does not always determine duration of stay.

### **4. Record of Admission (I-94)**

Upon entry to the United States, Department of Homeland Security (DHS) Customs & Border Protection (CBP) officials will provide exchange visitors with a CBP admission stamp in their passport. This annotated stamp will indicate the Exchange Visitors Date of Entry, Class of Admission, and Duration of Status (D/S).

Exchange visitors will be able to access their Record of Admission (I-94) at [www.CBP.gov/I94](http://www.CBP.gov/I94)

We urge all participants and host companies to pay careful attention to the validity of these three documents because they are not always granted for the same time period.

## **IV - Specific Exchange Visitor Program Regulations**

### **1. DURATION OF STAY:**

The length of the training or internship program is defined by the dates on the DS-2019 in box 3 and/or the dates on the admission stamp. The participant may stay until the end of this period, plus an additional 30 days for travel, tourism, and preparation to leave. Extensions may be granted upon written request of the host company to the FACC-NY, not to exceed the maximum duration of 18 months for trainees and 12 months for interns.

### **2. RE-ENTRY INTO THE UNITED STATES:**

Participants must notify the FACC-NY at least 3 weeks prior to their travel plans to ensure that they receive their signed Form DS-2019 before they leave the United States. The travel validation signature is valid for 12 months.

Participants should send their original Forms DS-2019 along with their travel validation cover sheets by UPS to the FACC-NY. Participants must include a prepaid UPS return envelope from the FACC-NY to their U.S. mailing address.

Upon re-entry, the exchange visitor must show a valid J-1 visa and the DS-2019 to immigration officials. The exchange visitor must not, under any circumstances, re-enter the U.S. without having the DS-2019 signed, or they risk being denied entry or falling out of status.

### **3. CHANGES/ADJUSTMENTS IN STATUS:**

Changing or adjusting your J-1 status to a work visa or immigrant visa violates the non-immigrant, non-work intent of the J-1 Exchange Visitor Program and is a direct violation of the FACC-NY's exchange visitor program regulations. If you apply for a change of status during your J-1 mission, the FACC-NY reserves the right to terminate your J-1 record in the government system.

### **4. EXCHANGE VISITORS & THE PUBLIC:**

With respect to the federal regulations that govern this program, we strongly recommend that the participants identify themselves as trainees or interns in any dealings with the public. As an exchange visitor, the trainee or intern does not have work authorization in the United States and therefore business cards should not be issued to the participant. If cards are necessary, then his or her name only should appear on the card without title or position.

### **5. PROGRAM TRANSFERS:**

Participants may not transfer from one company to another. The J-1 status is dependent on the exchange visitor remaining with the same host company for the entire duration of the program.

## **V - Program Changes and Incidents**

Any changes to or problems with an Exchange Visitor Program must be reported to the FACC-NY immediately.

[Click here to report a program change or problem](#)

Below are some examples of changes/incidents that must be reported.

### **1. INCIDENT REPORTING :**

Exchange visitors and host companies should report all incidents or issues to the FACC-NY as soon as possible.

Examples of incidents that should be reported are:

- Incidents involving hospitalization, serious injury, or death of an exchange visitor
- Dangerous living conditions
- Harassment, violent behavior, bullying
- Incidents involving the criminal justice system
- Lost or stolen immigration documents
- Inappropriate training activities

**2. EXTENSIONS:**

Extension requests must be submitted at least one month prior to the end of the original scheduled period. In addition, the host company must submit the processing fee to cover administrative costs, as well as a new Form DS-7002 that provides justification for an extended program. Documented proof of medical insurance coverage during the period of the extension must also be submitted. To launch an extension request, please submit the [Extension Start Form](#).

**3. CHANGES IN PROGRAM LOCATION & ACTIVITIES:**

Should the company want to transfer the participant to another location, a request must be submitted to the FACC-NY prior to the date of transfer. The FACC-NY will determine whether the request complies with program regulations.

Beyond location, any training program changes not previously discussed with the FACC-NY must be immediately reported. In addition, any change in the exchange visitor's home address while in the U.S. must be reported to the FACC-NY in writing for SEVIS updates using the form linked above.

**4. EARLY END OF ASSIGNMENT:**

The FACC-NY is required to report to DOS the date of training completion through the SEVIS tracking system. If the training or internship ends prior to the date indicated on the Form DS-2019, the host company must write to the FACC-NY a brief statement indicating the intern or trainee's full name, date of termination, and reason for early departure.

**If you have any questions concerning program regulations or specific arrangements for your trainee or intern, please contact the ICDP Department by e-mail at [coordinator@faccnyc.org](mailto:coordinator@faccnyc.org).**

**About the French-American Chamber of Commerce – New York**

The French-American Chamber of Commerce – New York (FACC-NY) has been granted authority by the U.S. Department of State (DOS) to sponsor practical training and internship programs for foreign exchange visitors on assignments at FACC member companies in the United States.

The FACC-NY reserves the right to withdraw J-1 visa sponsorship if any of the conditions of the program are altered without permission, or if it is discovered that the program violates the federal regulations governing the J-1 visa. If the FACC-NY withdraws sponsorship, the exchange visitor must stop his or her program immediately and leave the United States.