



EXCHANGE VISITOR PROGRAM APPLICATION INSTRUCTIONS & PROGRAM REQUIREMENTS

The American Immigration Law Foundation is pleased to be designated by the U.S. government to sponsor international training and intern programs under the J-1 visa. The purpose of the J-1 Exchange Visitor Program is to further the foreign policy interest of the United States by increasing mutual understanding between people of other countries and the United States by means of mutual educational and cultural exchanges. The J-1 Exchange Visitor Trainee and Intern are non-immigrants seeking to enter the United States for the purpose of participating in a structured training program conducted by a Third Party (Host Company), sponsored by the American Immigration Law Foundation (AILF), in order to enhance the individual's career skills.

A nonimmigrant J-1 Exchange Visitor and his/her accompanying spouse and/or minor children may apply for a visa to be admitted into the United States in J-1/J-2 classifications under Immigration and Nationality Act § 101(a)(15)(J) if the Exchange Visitor Trainee/Intern and his/her accompanying spouse and/or children each present an AILF-issued SEVIS Form DS-2019 (Certificate of Eligibility for Exchange Visitor [J-1] Status) to a U.S. Consular Official abroad.

In order to obtain a SEVIS Form DS-2019 through the American Immigration Law Foundation's Exchange Visitor Program (AILF-EVP), the proposed Host Company, training or intern program and J-1 Exchange Visitor must meet the following qualifications:

- 1) The prospective Host Company is required to demonstrate that:
 - A) The proposed training is in one of the following four (4) categories:
 - i) Information Media and Communications;
 - ii) Management, Business, Commerce and Finance;
 - iii) Science, Engineering, Architecture, Mathematics and Industrial Occupations; or
 - iv) Public Administration and Law.
 - B) The host company has established a bona fide training program and submits a detailed training plan on form DS-7002, signed by both the trainee or intern and the Host Company, demonstrating that the J-1 Exchange Visitor Trainee/Intern will not be engaging in ordinary employment.
 - C) The Host Company has at least ten (10) employees and has sufficient annual revenues, physical plant, and professional staffing to support a Trainee/Intern program.
 - D) Any Host Company with fewer than 25 employees or \$3,000,000 in annual revenue, that has not previously, successfully participated in the AILF Exchange Visitor Program, must be visited by an AILF-EVP representative prior to acceptance of the application to the J-1 Exchange Visitor Program.
 - E) The Host Company currently has less than 10% of its total staff members, regardless of whether trainees, interns or in permanent staff positions, and regardless of how such staff are compensated (from stipend, grant or direct company payroll), in a J-1 Exchange Visitor Training or Intern Program.
 - F) The Host Company will enroll the trainee or intern in Workers Compensation Insurance.
 - G) The Host Company will provide its Dun & Bradstreet identification number.
 - H) The Host Company has been in business at least 24 months.
 - I) The Host Company will adequately remunerate the J-1 Exchange Visitor Trainee/intern.

- 2) The description of the Training or Intern Program must include the following:
 - A) A detailed description on form DS-7002 of the type of training and supervision to be given and the structure of the training program.
 - B) Host Company background information.
 - C) Overall program objective.
 - D) An explanation of why on-the-job training is necessary to the training.
 - E) A description of the specific skills and knowledge the J-1 Exchange Visitor Trainee/Intern will acquire during the training program, how the skills and knowledge will be taught and how they pertain to the individual's ultimate career goals.
 - F) A specific chronology of the phases during which the J-1 Exchange Visitor Trainee/Intern will participate in training activity.
 - G) A description of how the J-1 Exchange Visitor Trainee/Intern will be oriented to both the workplace and the local community in which he/she will be living.
 - H) A description of the cultural opportunities that are scheduled and the activities available in the immediate area.

- 3) A training program cannot be approved which:
 - A) Deals in generalities with no fixed schedule, objectives, or means of evaluation.
 - B) Is incompatible with the nature of the Host Company's business or enterprise.
 - C) Is on behalf of a trainee/intern applicant who already possesses substantial training and expertise in the proposed field of training.
 - D) Is in a field in which it is unlikely that the knowledge or skill will be used outside the United States.
 - E) Will result in productive employment beyond that which is incidental and necessary to the training.
 - F) Is designed to recruit and train aliens for the ultimate staffing of domestic operations in the United States.
 - G) Does not establish that the petitioner has the physical plant and sufficiently trained manpower to provide the training specified.
 - H) Exceeds the maximum length of stay allowed (18 months for most Trainees; 12 months for Interns) by the J-1 visa regulations.
 - I) Is designed to benefit an Intern who has graduated from a US college or university and has not completed a degree abroad or is not currently enrolled in a degree or certificate granting program abroad.
 - J) Is designed to benefit a Trainee who has graduated from a US college or university and has not completed five years of non-U.S. employment or not completed a degree abroad plus one year of non-US work experience related to the training.

- 4) The proposed **J-1 Exchange Visitor Trainee** must demonstrate the following (note - this category is not for currently enrolled students or recent graduates):
 - A) For applicants with a degree or professional certificate acquired at a non-U.S. institution:
 - i) His/her prior education acquired outside of the United States directly relates to the proposed training program by submitting the following:
 - a) Copy of degree/diploma/certificate and transcripts, translated into English
 - b) At least one year of directly related work experience acquired outside of the United States
 - Resume
 - Reference letters covering the required year of employment
 - ii) For applicants without a degree or professional certificate acquired at a non-U.S. institution, or who do not have a degree or certificate related to their current occupation:
 - a) At least five years of work experience related to the proposed training
 - Resume
 - Reference letters covering at least five years of directly related work experience
 - iii) If he/she has previously completed a J-1 training or internship program, evidence of residence outside of the United States covering a period of two years (24 months).
 - B) He/she has not previously completed work, internships, or training that would be duplicative of the proposed J-1 training;
 - C) He/she has at least conversational English-speaking skills so as to be able to fully benefit from the training and cultural opportunities in the United States, as verified by an interview with AILF or AILF agent.

- D) He/she can demonstrate how the training will be used upon return to the home country.
 - E) He/she can demonstrate the intent to return to the home country.
 - F) He/she will apply for the J-1 visa in the home country.
 - G) He/she and his/her spouse and/or minor children have an insurance policy which meets or exceeds the following minimum benefits:
 - i) Medical benefits of at least \$50,000 per accident or illness;
 - ii) Repatriation of remains in the amount of \$7,500;
 - iii) Medical evacuation in the amount of \$10,000; and
 - iv) A deductible not to exceed \$500 per accident or illness.
- 5) The proposed **J-1 Exchange Visitor Intern** must demonstrate the following (note - this category is for currently enrolled students or recent graduates):
- A) He/she is currently enrolled and active pursuing a degree or professional certificate in an academic institution outside of the United States, or has graduated from such an academic institution within 12 months of the actual start date of the internship. (Note: the internship in the United States must commence within 12 months of graduation. Applications nearing the 12 month period may not be able to schedule visa appointments in time to participate.) Applicants must submit the following:
 - i) Copy of transcripts
 - ii) Copy of degree or professional certificate, if graduated
 - iii) Resume
 - B) He/she has not previously completed work, internships, or training that would be duplicative of the proposed J-1 internship;
 - C) He/she has at least conversational English-speaking skills so as to be able to fully benefit from the training and cultural opportunities in the United States, as verified by an interview with AILF or one of AILF agents.
 - D) He/she can demonstrate how the training will be used upon return to the home country.
 - E) He/she can demonstrate the intent to return to the home country.
 - F) He/she will apply for the J-1 visa in the home country.
 - G) He/she and his/her spouse and/or minor children have an insurance policy which meets or exceeds the following minimum benefits:
 - i) Medical benefits of at least \$50,000 per accident or illness;
 - ii) Repatriation of remains in the amount of \$7,500;
 - iii) Medical evacuation in the amount of \$10,000; and
 - iv) A deductible not to exceed \$500 per accident or illness.

FEE POLICIES

An application fee is required for each application and additional fees are required for applicants with dependents. AILF offers a 5 business day expedite service for reviewing applications at an additional cost. Please note that the five days are counted beginning the day after the application reaches AILF. All fees must be paid by a check drawn on a U.S. bank. Please refer to our web site for current fees: www.aifl.org/exchange.

APPLICATION INSTRUCTIONS GENERAL

- 1) Applicants who fail to read these instructions before completing the Application Form will delay the processing of their petition.
- 2) Type – AILF staff must be able to read the application.
- 3) Visa Appointments should not be made before the DS-2019 form has been issued. We recommend not buying airline tickets before the J-1 visa has been issued. Do not, under any circumstance, make a visa appointment before the application has been submitted to AILF.

TRAINEE/INTERN INFORMATION

- 1) Trainee/Intern Information includes Section 1, Section 2, Section 3, a resume detailing the Trainee or Intern Applicant's employment and education history, and a complete copy of the Trainee/Intern Applicant's current passport, including all blank pages.
- 2) DS-2019 forms cannot be sent to a U.S. Address. All DS-2019 forms are sent overseas via Federal Express. Federal Express cannot deliver to a Post Office Box. Applications must have an identifiable street address in Section 1.
- 3) Educational degrees and transcripts, translated into English, must accompany the application. If the Intern Applicant is a currently enrolled student, evidence from the educational institution that the Applicant is still enrolled in the institution at the time of application must be provided, also translated into English.
- 4) Employment verification and references must be translated into English and must accompany the trainee/intern application.
- 5) If the Trainee Applicant does not possess a post-secondary degree or certificate, letters verifying the most recent five years of non-U.S. employment related to the training should also accompany the application.

HOST COMPANY INFORMATION

- 1) As part of the application process, AILF staff will call to interview the Supervisor responsible to oversee the Trainee/Intern's program. Please attach a note if the supervisor must be reached during non-standard business hours.
- 2) If the training will occur at more than one site of activity, please attach a note showing the address and dates of planned training at each site.

ENGLISH LANGUAGE PROFICIENCY

English proficiency can be asserted by the Trainee/Intern Applicant's self evaluation; however, as part of the application process, AILF staff will call to interview the Trainee/Intern Applicant. If the English language proficiency appears to have been over-rated, or if AILF staff are effectively unable to communicate with the Trainee/Intern Applicant, the application may be deemed unacceptable.

DEPENDENT INFORMATION

This section should be completed only for dependents accompanying or separately following the Trainee/Intern to the United States during the J-1 program.

TRAINEE/INTERN FINANCIAL SUPPORT AND BUDGET

- 1) This information should be prepared by the Host Company in consultation with the Trainee/Intern Applicant.
- 2) In compliance with J-1 visa regulations, this information will be shared with the Trainee/Intern Applicant. While expense information should be considered to be only an estimate, please be as realistic as possible.
- 3) Income and Trainee/Intern personal resources will be shown on the DS-2019. The Trainee/Intern Applicant may be required to show evidence of these funds during the Visa Interview at the U.S. Consulate.
- 4) Cost of living information is often available through local real estate agents, community web-sites, and local chambers of commerce.

TRAINING/PLACEMENT PLAN

The Training/Placement Plan must explain what the Trainee/Intern will learn; how the material will be taught; and how the knowledge will be evaluated. It is a detailed description of what the Host Company will do to ensure the Trainee/Intern's growth in skills and competencies. The Training Plan allows the Host Company, the Trainee/Intern, and the Program Sponsor (AILF) to know at any given time what the Trainee/Intern should be learning.

- 1) General overview:
 - A) The training planned must fall into one of the career fields listed. AILF is unable to sponsor training in other career fields.
 - B) The business activities and organization history must establish it as having the expertise to provide the training.

- C) The overall objectives of the Training Plan must match the career field chosen. They must also provide a logical step in the Trainee/Intern's career development.
 - D) Note: the J-1 visa cannot be used to prepare the Trainee/Intern for future employment in the United States, nor can it be used to fill staff shortages or displace American residents from employment-related opportunities.
 - E) We urge Host Companies to consider the difference between training provided to permanent American employees and that provided to a temporary resident from another culture.
 - F) The training must advance the Trainee/Intern's career objectives in the home country. We urge Host Companies to consult with the Trainee/Intern in responding to this question.
- 2) Phases:
- A) A separate form DS-7002 must be completed for each phase of the training. The maximum length of time for each should not exceed five months. Any department rotation should be considered a separate phase. On-the-job training will only rarely be accepted as the sole training activity in a phase, and any on-the-job training must be shown in the training plan as particularly organized, with specific goals and supervision.
 - i) The supervisor listed for the phase may be different from the supervisor for the overall training indicated on the Host Company information page.
 - ii) Knowing how to do a job does not necessarily mean an individual can teach the job to another. Please indicate the qualifications of the supervisor to provide training during this phase.
 - iii) The specific skills or competencies to be developed during the phase must relate to the overall objective of the Training Program.
 - iv) Training methods must include a combination of training activities. Methods may include: Guided research, shadowing experts, interviewing experts, discussions with colleagues/clients, participating in seminars/workshops/conferences, interpreting surveys, guided special projects, maintaining learning journals, rotation through departments, on-the-job training and specific other activities.
 - v) The duration of the training activity should include dates, and in the case of classroom or seminar indicate class hours.
 - vi) For each skill or competency listed, indicate how progress or acquisition of skill will be evaluated.
 - vii) Each phase of the Training Plan needs to be signed on the DS-7002 by both the Trainee/Intern and the Supervisor for the phase.
 - B) Additional information is needed to supplement form DS-7002.
 - i) Each phase of training should build on skills or competencies the Trainee/Intern has previously mastered.
 - ii) The J-1 Exchange Visitor visa is issued with the understanding that opportunities will be provided for an exchange of cultural knowledge and experience. Please explain plans for the Trainee/Intern to share his/her culture with colleagues and/or community members during the phase.
 - iii) To satisfy the intent of the J-1 visa, time should be planned to allow the Trainee/Intern to experience American cultural activities during the training program. Please indicate what American cultural activities will be available to the trainee/intern during the phase.

DECLARATIONS

- 1) The Host Company Declaration should be signed by an employee or officer of the company authorized to approve such agreements.
- 2) AILF will accept a faxed copy of the Exchange Visitor Declaration provided the original copy is sent to AILF prior to or within seven days of arrival of the Trainee/Intern's arrival in the United States.
- 3) Trainee/interns must be covered by sickness and accident insurance during their entire stay in the United States. Although coverage need not be purchased at the time of application, a plan must be identified before the program start so that AILF may confirm that it meets the U.S. government regulations for J-1 visa participants.
- 4) The AILF Declaration will be signed upon acceptance of the Exchange Visitor program application.



EXCHANGE VISITOR PROGRAM APPLICATION CHECKLIST

Name of Trainee Applicant:

Name of Training Host Company:

Trainee Information completed (3 sections)

Trainee resume with Employment & Education History included

Copies of Trainee Educational Transcripts & English Translations included

Copies of Trainee Diplomas or Certificates and English Translations included

Copies of Trainee Passport, all pages, included

Host Company Information completed

Trainee English Language Proficiency and Dependent Information completed

Trainee Financial Support and Budget completed, 2 copies

Training Plan with Trainee & Supervisors Initials on each Phase completed, 3 copies

Host Company Declaration signed, 2 copies

Exchange Visitor Declaration signed, 2 copies

Insurance Declaration completed and signed, 2 copies

Insurance Confirmation if insurance is not provided by AILF identified plan

Participant insurance	# months x \$40/month	\$
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Dependent insurance	# months x \$45/month x	# dependents	\$
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Individual program sponsorship fee:	\$1,350
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SEVIS Fee	\$ 180
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Fee for dependents	\$ 300
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Expedite service (3 day)	\$ 550
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AILA member benefit	\$
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Total payment to AILF	\$ _____
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