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Policy Alert

SUBJECT: Nonimmigrant Exchange Visitor (J) Visa Classification

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) regarding the nonimmigrant exchange visitor (J) visa classification, including USCIS' role in the adjudication of waivers of the 2-year foreign residence requirement and change of status requests under the Immigration and Nationality Act (INA).

Background

The J-1 visa classification is for exchange visitors who intend to participate in an approved program for the purpose of teaching, instructing or lecturing, studying, observing, conducting research, consulting, demonstrating special skills, receiving training, or receiving graduate medical education or training.¹

In general, the U.S. Department of State administers the J-1 exchange visitor program.² However, for J-1 exchange visitors present in the United States, USCIS adjudicates applications for change of status, certain waivers, and employment authorization filed by dependents of J-1 exchange visitors (J-2 visa classification).³

This guidance, contained in Volume 2 of the Policy Manual, consolidates, updates, and replaces Chapter 45 of the Adjudicator's Field Manual (AFM), and related policy memoranda. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance on the topic.

Policy Highlights

- Provides general information about the exchange visitor (J) visa classification and explains USCIS' role in adjudicating change of status requests and applications for employment authorization for J-2 family members.

¹ See [INA 101\(a\)\(15\)\(J\)](#) and [INA 212\(e\)](#). See [8 CFR 214.2\(j\)](#).

² See [8 CFR 214.2\(j\)](#).

³ See [8 CFR 214.2\(j\)](#). See Application to Extend/Change Nonimmigrant Status ([Form I-539](#)), Application for Waiver of the Foreign Residence Requirement (under Section 212(e) of the Immigration and Nationality Act, As Amended) ([Form I-612](#)), and Application for Employment Authorization ([Form I-765](#)).

- Explains the INA 212(e) foreign residence requirement and provides information about USCIS' adjudication of available waivers, including for foreign medical graduates.

Summary of Changes

Affected Section: Volume 2, Nonimmigrants

- Adds new Part D (Exchange Visitors (J)).

Citation

Volume 2: Nonimmigrants, Part D, Exchange Visitors (J) [[2 USCIS-PM D](#)].