

J-1 Exit Form

Your Name: _____ Today's Date: _____
Family (Last) Name First Middle Month - Day - Year

Fermilab's Visa Office often needs to email follow-up information to J-1 visitors we have sponsored, even after you leave the U.S. This includes emailing you access to our online tax software that you can use from anywhere in the world to file your U.S. taxes for the current calendar year. Please provide a non-FNAL email address that we can use to contact you as needed in the future:

Email: _____

Fermilab must send you paperwork relating to taxes at the end of the current calendar year. We must have an address where these items can be sent in **January of the year following your departure**. If you do not know where you are going to be living at that time, then list a parent's or family member's address.

Permanent address: _____

Permanent Telephone.: _____

Work Telephone: _____

Your hard-copy (paper) file will be destroyed after your departure. However, the Visa Office has an online visa portal at ww2.welcomeclient.com where there is an electronic copy of your entire file. Even once you leave the U.S., you may access the Visa Portal to retrieve electronic copies of your visa paperwork and related documents. If you ever apply for U.S. permanent residence or certain other nonimmigrant statuses (such as H-1B) you likely will need copies of all past J-1 visa stamps and DS-2019s. **Your online access will continue for 3 years, when your account will be closed permanently.** If you want copies of your paperwork, ensure that you print the electronic copies from the online portal before it is closed.

PROGRAM DATES The J-1 "program" is total time the person is allowed to engage in their activities at Fermilab. Program periods are listed in Box 3 of the DS-2019.

When the end date of the J-1 Program is reached, this closes your electronic record in SEVIS (the government system that track all J visa holders). There is no way to re-open a closed J-1 program. Several important things occur when a J-1 program closes:

1. Repeat participation rules, if any, take effect, and
2. Return residence rules, if applicable, take effect.

End date of your J-1 program according to Box 3 of your DS-2019: _____
Date when you physically leave the U.S. and end your program _____

RETURN RESIDENCE RULE. When a J-1 program closes, U.S. law requires some J-1 visitors to return for 2 years (730 days) to (a) their country of nationality or, (b) the country of last residence before being eligible for another J visa. This is called the "Return Residence" requirement (or "Home Residence Requirement"). It also is known as "212(e)". Whether you are subject to 212(e) is marked on your DS-2019 or J-1 visa stamp.

At Fermilab, 212(e) might be applied those J-1 and J-2 visitors who:

- ☐ who received funding for the J-1 program from a U.S. or other government, or
- ☐ whose skills or specialized knowledge have been designated (by the U.S. government on a "Skills List") as being needed by the country of nationality or last residence.

J-1 visitors who are subject to 212(e) cannot obtain H or L visa status, or permanent residence, until they have complied with the Return Residence Requirement. They MAY obtain B-1 or B-2 visas, J-1 visas, or any other visa. The requirement is to return to the country of residence at the time the J-1 program was initiated. Going to another country does not fulfill the requirement.

U.S. Department of State
CERTIFICATE OF ELIGIBILITY FOR EXCHANGE VISITOR (J-1) STATUS

1. Exchange Visitor: **RESEARCH SCHOLAR**
2. Exchange Visitor Category: **RESEARCH SCHOLAR**
3. Exchange Visitor Dates: **10-18-2010 to 09-18-2013**
4. Exchange Visitor Sponsor: **FERMILAB RESEARCH ALLIANCE, LLC**
5. Exchange Visitor Address: **FERMILAB, 300 N. ZEEB RD, BATAVIA, IL 60103**

6. Return Residence Requirement (212(e))
Is the Exchange Visitor subject to the Return Residence Requirement (212(e))?
☒ Yes
☐ No

VISA
AZ54842561A770510B12013101FLH016K542120
09-18-2013

It is possible to obtain a waiver of 212(e). It is unwise to do so unless you really *need* to waive the requirement. See http://travel.state.gov/visa/temp/info/info_1296.html or <https://j1visa waiver recommendation.state.gov/>.

I have read the above explanation of the Return Residence Requirement ☐ Yes ☐ No
I have checked my visa stamp(s) and DS-2019(s) to see whether I am subject to 212(e) ☐ Yes ☐ No
I believe I am subject to 212(e) ☐ Yes ☐ No

REPEAT PARTICIPATION RULES. U.S. law limits how often a person may participate in J-1 exchange visitor programs after closing their J-1 program. This rule bars you from having another J-1 visa. It requires you to spend time outside the U.S. but it does not require you to spend that time in a specific country. Review the rule that applies to the type of J-1 visa you are ending:

J-1 Interns

There is no limit to the number of times a person may participate in J-1 internship programs. The only requirement is that s/he is either (a) enrolled in a degree-granting program of study or, (b) begins the Internship within 12 months of graduation from a degree-granting program. If graduation was more than 12 months prior to the anticipated start of the internship, or the person is not enrolled in a degree-granting program, and

- ☐ the prior J-1 Intern program lasted 6 months or more..... s/he cannot hold J-1 Intern status for 12 months.
- ☐ the prior J-1 Intern program lasted for less than 6 months there is no repeat participation rule.

J-1 Research Scholars:

If the Research Scholar program lasted for 6 months or more, the J-1 visitor is not allowed to hold J-1 Research Scholar status for 24 months from date the prior RS program is closed. Research Scholars whose programs were for less than 6 months are not subject to any repeat participation rule.

I was a ☐ Research Scholar ☐ Intern
My program was for 6 months or longer ☐ Yes ☐ No
I believe I am subject to a repeat participation rule ☐ Yes, 24 months
..... ☐ Yes, 12 months ☐ No

FUTURE PLANS

Do you plan to find work in the U.S., or go to school in the U.S.? ☐ Yes, for work ☐ Yes, for school ☐ No
Do you anticipate returning to the U.S. relatively soon? ☐ Yes, in 6 months ☐ Yes, in 12+ months ☐ No
Will you continue your FNAL-based research even after you leave? . ☐ Yes, I will ☐ Maybe ☐ No

IF YOU ARE DEPARTING BEFORE YOUR PROGRAM END DATE:

- Your departure date is earlier than your originally scheduled program end date, AND
- You are departing the U.S. because you have completed your J-1 program (you have completed your research), AND
- You want to "claim" every day that you spend outside the U.S. to satisfy the 212(e) or repeat participation rule, ...then the Visa Office can close your J-1 program on the date you depart the U.S.

I hereby instruct the Visa Office to close my program on my departure date .. _____ (Date)

I understand that this will trigger the following rules: ☐ 212(e) ☐ Repeat Participation

I understand there is no way to re-open a program once it is closed. ☐ Yes ☐ No

Finishing your Program of Activities at Fermilab ➤ (1) J-1 Exchange visitors must depart the US within 30 days of the end date of their program. You are not authorized to engage in research during the 30-day "grace period." (2) If you are an intern, you must complete a Final Report and your supervisor must complete a Final Evaluation, before you depart the U.S.

U.S. Tax Reporting and Tax Payment ➤ In some (but not all) cases, J-1 Visitors receiving funds from Fermilab (salaries or per diems) will have U.S. taxes withheld from the funds. U.S. tax law requires you to file certain paperwork with U.S. tax authorities (called a "tax return") advising them of the funds you received. In many cases, J-1 status holders are eligible for refunds of taxes paid on their behalf. In January, the Visa Office sends out information on U.S. taxes to all J-1 status holders for whom we have current contact information.

_____ (signature) _____ (date)