

J-1 Two-Year Home Residence Requirement (212)e Verses J-1 Professor/Research Scholar 12-Month and 24-Month Bars

	Two-Year Home Residence Requirement 212(e)	12-Month Bar	24-Month Bar
Who it affects	<p>May affect participants in any category of J-1 exchange visitor including J-1 Professor, Research Scholar, Short-Term Scholar, Student, as well as J-2 dependents. Exchange Visitor may be subject to the two-year home residence requirement if:</p> <ul style="list-style-type: none"> • Exchange visitor receives financial support from U.S. or foreign government • Exchange visitor's home country's government has a Skills List that includes their profession or field of research/study • Exchange visitor has come to the U.S. to seek graduate medical training under the J-1 sponsorship of the Educational Commission for Foreign Medical Graduates (ECFMG). 	<p>Affects prospective scholars seeking J-1 Professor or Research Scholar classification who have previously held another J classification (including J-2 dependent).</p> <p>An exception exists for any time spent in the U.S. in the past 12 months in J-1 Short-Term Scholar classification or for cases where the previous J exchange program lasted less than six months.</p>	<p>Applies only to J-1 Professors/Research Scholars who have completed their period of exchange. This includes:</p> <ul style="list-style-type: none"> • Professors/Research Scholars who have used the full five years of maximum eligibility in this classification • Professors/Research Scholars who have ended their period of exchange prior to the end of their five years of maximum eligibility.
What is prohibited	<p>Exchange Visitor is not eligible for H, L, K or immigrant (permanent resident) visa and cannot apply for change of nonimmigrant status within the U.S. (except to A or G status) until the two-year home residence requirement has either been satisfied in the country of the exchange visitor's last residence, or unless the requirement has been waived by favorable recommendation of the U.S. Department of State and by approval of the U.S. Department of Homeland Security.</p>	<p>Prospective J-1 Professor or Research Scholar is not eligible to begin new period of exchange for a period of 12 months (one year) after completion of any previous J exchange program (with the exception of exchange visitors whose last exchange program falls under the Short-Term Scholars category as discussed above).</p>	<p>Scholar who has completed a period of exchange as a J-1 Professor or Research Scholar may not return to U.S. in J-1 Professor or Research Scholar category for 24 months (two years).</p>
What is not prohibited	<p>The Exchange Visitor may be permitted to depart and return to the U.S. in other nonimmigrant classification, such as F-1 student, B-1/B-2 visitor, O-1 or TN prior to satisfying or waiving 212(e). May also return in another J-1 classification, if no bar applies. Time spent in the U.S. in other classifications, however, does not count toward fulfillment of two-year home residence requirement.</p>	<p>This bar does not prohibit entry to the U.S. in other immigration categories.</p>	<p>This bar does not prohibit entry to the U.S. in other immigration categories.</p>