212(e) – Home Country Physical Presence Requirement

You may be subject to the U.S. government's home country physical presence requirement (section 212(e) of the U.S. Immigration & Nationality Act). This requires participants to return to their home country for a minimum of two years before returning to the U.S. on certain types of visas. (H, K, L and legal permanent resident) though usually not another J-1 visa. If you are subject to 212(e) it is advisable to contact the embassy to confirm your eligibility for another J-1 visa program.

Participants are typically subject to the requirement because of one of the following reasons:

- ✓ Their field of training is on their country's Exchange Visitor Skills List (see below)
- ✓ The participant received government funding for their program

This requirement is applied at the sole discretion of the Consular Officer performing your visa interview. They will mark it on your J-1 Visa and DS-2019. They should also inform you of the reason why you are subject to the requirement. For more information visit http://travel.state.gov/visa/temp/info/info_1288.html.

Exchange Visitor Skills List

The Exchange Visitor Skills List is a list of fields of specialized knowledge and skills that are deemed necessary for the development of an exchange visitor's home country. When you participate in an Exchange Visitor Program, if your skill is on your country's Skills List, you are required by the program regulations to return to your home country for two years at the end of your program.

More information on the Exchange Visitor Skills List can be found at: http://travel.state.gov/visa/temp/types/types_4514.html.