This handout is designed specifically for scholars in J-1 Exchange Visitor status sponsored by Boston University. The information is intended to provide a basic understanding of some of the most important obligations you have as a J-1 exchange visitor in the United States (U.S.) in relation to regulations of the U.S. Department of State (DOS) and U.S. Department of Homeland Security (DHS). The International Students and Scholars Office will provide additional information, counseling and assistance to help you maintain your lawful immigration status and achieve your educational goals while at Boston University (BU). As regulations and procedures do change from time to time, we recommend that you contact us and refer to the ISSO website at www.bu.edu/isso any time you have questions related to your J-1 program at BU.

**J-1 EXCHANGE VISITOR PROGRAM OVERVIEW**

The J-1 Exchange Visitor Program in the U.S. is administered by the Bureau of Educational and Cultural Affairs under the U.S. Department of State (DOS). The program implements the Fulbright-Hays Mutual Educational and Cultural Exchange Act of 1961, which promotes mutual understanding between the peoples of the United States and other countries by means of educational and cultural exchange. The Exchange Visitor Program provides eligible foreign nationals with opportunities to participate in exchange programs in the U.S. and then return home to share their experiences.

**IMMIGRATION ACRONYMS YOU SHOULD KNOW**

**ISSO**  Boston University International Students & Scholars Office

**SEVIS**  Student and Exchange Visitor Information System – a DHS database used by schools to issue immigration documents and monitor J-1 exchange visitors and their J-2 dependents in the U.S.

**DHS**  U.S. Department of Homeland Security — an agency of the U.S. government that houses, among other entities, the three immigration-related departments:

**USCIS**  U.S. Citizenship and Immigration Services — Approves immigration benefits, including employment authorization

**ICE**  Immigration and Customs Enforcement — Oversees SEVIS and is charged with enforcement of immigration-related infractions

**CBP**  Customs and Border Protection — Operates U.S. ports of entry and departure

**DOS**  U.S. Department of State — an agency of the U.S. government that oversees U.S. embassies and consulates abroad and adjudicates applications for visas to the U.S.

**THE INTERNATIONAL STUDENTS & SCHOLARS OFFICE**

The International Students & Scholars Office (ISSO) provides professional expertise on immigration and employment, and helps ensure student, scholar, and institutional compliance with federal regulations. ISSO staff members are available to guide students and scholars through the often complicated requirements for foreign nationals studying and working in the United States. We strongly advise you to contact us any time you have a question pertaining to your J-1 immigration status, your BU program or if you intend to travel and reenter the U.S.
Advisors at the ISSO are approved by U.S. Department of State (DOS) as the Responsible Officer (RO) or Alternate Responsible Officers (AROs) for our J-1 Exchange Visitor Program. Although we have extensive expertise in J-1 exchange program regulations and case advising, we do not serve as immigration attorneys. If you are facing a complex J-1 legal matter, or a matter outside of J-1 exchange visitor status, ISSO staff may refer you to well-respected immigration, criminal or tax attorneys to provide more comprehensive legal advising and represent you in legal filings and case processing.

The ISSO reports directly to the Vice President and Associate Provost for Global Programs. BU Global Programs provides strategic support and operational oversight to the ISSO, as well as to BU Study Abroad, the Center for English Language and Orientation Programs (CELOP), and to other university initiatives abroad. See: http://www.bu.edu/globalprograms/.

J-1 SPONSORSHIP TERMINOLOGY

- **Program Sponsor**: DOS grants authority to certain approved institutions to serve as designated J-1 Program Sponsors, with permission to host exchange visitors participating in activities that foster mutual understanding and enhance international cooperation. Your program sponsor is the institution listed in item #2 of your Certificate of Eligibility for Exchange Visitor (J-1) Status (Form DS-2019). The program sponsor has legal authorization to grant you certain benefits, assist you in applying to the DOS or DHS for other benefits, and assist you in fulfilling your responsibilities.

  *Note*: This handout is written with the assumption that Boston University is your program sponsor. If Boston University is not your program sponsor and another agency or organization has issued your Form DS-2019, you should substitute the name of your program sponsor each time you read “ISSO” throughout this handout and should consult with your program sponsor to report your arrival, communication any changes and in order to take full advantage of your immigration status benefits.

- **Category**: The J-1 Exchange Visitor Program currently includes 13 different exchange program categories. Your category appears in Item #4 of your Form DS-2019 and should be marked as either “Research Scholar”, “Professor”, “Short-Term Scholar”, “Specialist” or “Student Intern.”

- **Subject/Field Code** (also known as your **Program Objective**): The subject/field code, found in item #4 of the Form DS-2019, specifies the field of research, teaching or consulting in which you will be engaged while in the U.S. It is also known as your program objective because it indicates the primary purpose for which you came to the U.S. The activities you engage in while in this country must be directly related to your program objective.

IMMIGRATION DOCUMENTS

The following documents are very important and must be valid at all times in order for you to maintain lawful J-1 status:

- **Passport** – Should be valid for a minimum of 6 months into the future
- **Form DS-2019** – Certificate of Eligibility for Exchange Visitor [J-1] Status
- **U.S. Entry Stamp or Form I-94 Arrival/Departure Record** (either document can serve as proof of U.S. admission in J-1 Exchange Visitor status). Obtain an electronic record of your I-94 from: www.cbp.gov/I94

In addition, the following documents are required each time you wish to enter or re-enter the U.S. after travel abroad:

- **J-1 visa** - Must be valid for any entry or re-entry to U.S. but can expire while you remain in the U.S. Canadian citizens are exempt from the requirement to obtain a visa

Please keep your original documents in a safe place. If any of your documents are lost or stolen, you should take the steps to replace them as quickly as possible. Contact your ISSO advisor if you have any questions about your immigration documents and/or how to replace them. Please bring all of these documents with you each time you visit the ISSO and be sure to send us copies of any replaced or renewed documents so that we can have the most up-to-date information in our records.

SEVIS – ELECTRONIC REPORTING SYSTEM

The Department of Homeland Security (DHS) utilizes an electronic reporting system called the Student and Exchange Visitor Information System (SEVIS) to track international exchange visitors in the U.S. Using SEVIS, all U.S. program sponsors are required to report information on J-1 exchange visitors and J-2 dependents to SEVIS through secure, encrypted Internet transmissions.
BU reports only the information required by federal law to the SEVIS system. This includes all the information on your Form DS-2019 and information on “reportable events” that affect your immigration status.

These reportable events include but are not limited to:
- Timely arrival in the U.S. to begin J-1 program
- Physical or residential address in the U.S.
- E-mail address
- Telephone number
- Primary site of activity
- Completion or early termination of your program objective
- Change in funding
- Program extensions or amendments
- Transfer to a new program sponsor (school)
- Violations of J-1 immigration status

In addition, Boston University is required to report information related to any dependents in J-2 status:
- Email address for each dependent
- Departure from the U.S. of any J-2 dependent who leaves the U.S. permanently prior to the completion of the J-1 program.

Your name, as indicated in SEVIS and on your records at BU must match your name as it appears on your passport and must adhere to SEVIS name standards as outlined on https://studyinthestates.dhs.gov.

Since SEVIS is an electronic reporting system, it is important that your information on record at the ISSO and with other relevant Boston University offices (Payroll, Human Resources, etc). The ISSO will report information about your status to DHS through SEVIS. Failure to maintain accurate records with the University may result in technical violations of your status.

OVERVIEW OF YOUR J-1 RESPONSIBILITIES

To ensure that you maintain lawful immigration status, you must comply with the following:

- **Orientation & Check-In**
  As a J-1 scholar, you are required to attend an orientation program provided by the ISSO at the start of your J program. At this session, you must provide your original immigration documents, in order for the ISSO to validate your SEVIS record.

- **Reporting Current Address, E-mail and Telephone Number**
  When you arrive in the U.S., and within 10 days of any change, J-1 regulations require that you inform the ISSO of your current physical address, e-mail and telephone number. Please send an email to issosch@bu.edu or fill out a request form at the ISSO front desk to inform us of the changes. The ISSO will report your address change to the DHS via SEVIS. We recommend that you also inform your host department and the BU Payroll Office, where appropriate, separately as the ISSO does not have direct access to your address on record with other university offices.

- **Medical Insurance**
  You are required to maintain health insurance which covers you (and your spouse and children if they are in the U.S. in J-2 status) for illnesses and accidents during the time you are at BU or under its J-1 program sponsorship. Coverage must meet the Department of State requirements outlined at: https://j1visa.state.gov/participants/how-to-apply/eligibility-and-fees/.

  Please note that the mandated minimum requirements only cover emergency medical care. We encourage you to consider purchasing a more comprehensive insurance coverage to facilitate access to routine healthcare in the U.S.

  If you are eligible for insurance coverage based on your employment at BU, please note the following:

  - Health insurance plans offered to BU employees do not include coverage for medical evacuation and repatriation. Thus, BU employees in the J-1 classification must purchase a supplemental plan to meet the medical evacuation and
The ISSO recommends that BU employees in the J-1 classification select the Blue Cross Blue Shield PPO Plan when choosing their coverage plan. The other available coverage option for BU employees offered does not meet the J-1 requirements related to annual deductibles.

If you are not eligible for BU benefits, please insure that you obtain and maintain coverage that meets the required minimums. More information can be found on the ISSO website: http://www.bu.edu/isso/getting-started/medical/.

Please complete the following forms to insure compliance with J-1 requirements as the ISSO must verify receipt before providing any additional immigration benefits (i.e. travel signatures, program extensions, etc.):


**Changes to the terms of your appointment at Boston University**

J-1 Scholars may be sponsored by BU for paid or unpaid academic activities. The terms of your J-1 sponsorship at BU are specific to your department, position title, duties, funding amount and source, location of work and percentage effort worked (full time v. part-time). If you expect any aspect of BU appointment to change, the ISSO must be notified in advance as it may be necessary for us to amend your SEVIS record, if the changes are permitted under both J-1 regulations and BU sponsorship policy.

Employment at BU and acceptance of a salary or non-salary payment (such as stipends, honoraria, per diem, or other types of remuneration) is only permitted if your Form DS-2019 indicates payment from the “Current Program Sponsor.” If your Form DS-2019 does not list Boston University as a source of funding (under “Current Program Sponsor”), you are not eligible to receive compensation from BU until your SEVIS record is updated to reflect the appropriate funding source. Please contact your ISSO advisor to discuss any potential changes to your BU appointment.

**Transfer to Another J-1 Program Sponsor**

If you wish to cease your program activity at BU and transfer your program sponsorship to a different J-1 sponsor, you must obtain ISSO permission and follow proper immigration transfer procedures before you begin your new program. Please discuss any plans to transfer your J-1 program with your ISSO advisor as well as your new J program sponsor.

**Failure to Comply with Responsibilities**

If you fail to comply with your responsibilities under DOS and DHS regulations, you may face severe penalties based on U.S. immigration regulations. You should work closely with ISSO staff to make certain that you comply with all J-1 regulations.

**DEPENDENT FAMILY MEMBERS**

If you are married and/or have children, you may be eligible to have your spouse (husband or wife) and/or children, under the age of 21, visit you temporarily or join you for the duration of your program at BU. Dependent spouses and children who accompany or follow-to-join a J-1 scholar must each be issued an independent SEVIS Form DS-2019 in order to apply for a J-2 dependent visa.

J-2 dependents are allowed to remain in the U.S. only as long as the J-1 scholar maintains legal J-1 status in the U.S. J-2 dependents are permitted to study part-time or full-time, either as non-degree or as degree-seeking students, and are also permitted to apply for employment authorization. An ISSO advisor will be pleased to advise you on the application process for J-2 employment authorization.

The ISSO is required to report the e-mail address of each of your dependents to SEVIS. In addition, if your J-2 dependents will depart the U.S. prior to the end date listed on your Form DS-2019, you should notify the ISSO as we are required to report this information via SEVIS.
CROSS-CULTURAL COMPONENT OF EXCHANGE

Program sponsors are responsible for providing orientation programming and access to cross-cultural experiences that give participants the opportunity to learn about U.S. society and culture outside of their academic program. Exchange visitors are also encouraged to participate in activities to share their own language, culture or history with Americans.

From your arrival in Boston – a city of U.S. cultural and historical importance, and an academic, scientific and medical hub – you will receive broad exposure to U.S. culture, to the U.S. higher education experience, and to scientific and research collaborations. This exchange occurs organically in city and campus life and is enhanced by the extensive array of targeted university support services, activities and programs.

Programming and support is offered through the ISSO as well as through departmental, school-specific, and university-wide programs and offices. In addition, BU’s online Calendar of Events communicates campus-sponsored activities, lectures, seminars, sporting events, outings, community service opportunities. We encourage you to take advantage of all that the city of Boston, Boston University and the surrounding area have to offer.

EMPLOYMENT OR PAYMENT OUTSIDE OF THE TERMS OF YOUR J-1 PROGRAM

Scholars in J-1 status are not permitted to engage in employment for any employer other than BU. However, J-1 exchange visitors in the Professor, Research Scholar or Short-Term Scholar categories may engage in occasional lectures and short-term consultations for institutions other than BU, provided they receive prior approval from the ISSO. Upon approval by the ISSO, federal immigration regulations also permit J-1 scholars in the noted categories to receive payment for such activities. The activity must support, and not interfere with your original program activity, and may not delay completion of the original objective. Authorizations from the ISSO are date, salary and activity specific. Contact your ISSO advisor for information about this unique J-1 provision.

TRAVEL

We encourage you to contact the ISSO anytime you plan to travel outside of the U.S. so that we can provide you with up-to-date travel advice and information and insure you have the proper documentation to return to your program at BU.

- **Travel within the U.S.**: You (and your J-2 dependent family members) may travel within the U.S. provided you maintain your lawful J status and have a valid passport and Form DS-2019 in your possession.

- **Travel outside the U.S. during your J-1 program**: You may leave the U.S. at any time. You are permitted to return in J-1 status if you have a valid passport, valid J-1 visa stamp (except Canadian citizens) and a current Form DS-2019 that has been signed for travel by an authorized ISSO team member. A travel signature is valid for one-year or until the end date listed on your Form DS-2019.

- **Travel abroad after completion of your J-1 program**: The end date of your J-1 program is very important to your ability to travel and re-enter the U.S. You will not be allowed to return to the U.S. as a J-1 exchange visitor after your J-1 program has completed.

- **Application for a new J-1 visa during travel** – A valid J-1 visa is required for entry to the U.S. (except for Canadian citizens). You are allowed to remain in the U.S. with an expired J-1 visa, provided that you continue to maintain your lawful status and your passport and Form DS-2019 are valid. However, it will be necessary to apply for a new visa during your next trip abroad.

  If you need to apply for a new visa during a trip abroad, please contact the ISSO so that we can review your documents and provide you with current information on visa processing. Scholars from certain countries and in certain areas of specialization may be required to undergo an extensive security clearance prior to visa issuance, which can slow the process significantly.

Please refer to the ISSO website at [http://www.bu.edu/isso/travel-visas/](http://www.bu.edu/isso/travel-visas/) or the most current **ISSO Travel Advisory** for information on recent travel and visa application changes. Upon entry to the U.S., we recommend that you review your I-94 arrival/departure record and entry stamp to ensure that your entry to the U.S. was properly documented. If you are unsure as to whether or not you were properly admitted, please contact the ISSO immediately.
If you travel to Canada, Mexico or certain islands near the U.S., you may be eligible to return to the U.S. even if the J-1 visa in your passport has expired, provided your visit does not exceed 30 days and you meet other eligibility for “automatic visa validation.” You should consult with ISSO about this provision prior to travel.

- **Form I-515A issued at the Port of Entry upon entry to the U.S.** – If a Customs and Border Protection (CBP) Officer determines your documentation is incomplete when entering the U.S., you may be issued a Form I-515A and an I-94 card with a date-specific status end date. These documents will grant you temporary admission to the U.S. (generally for 30 days). You must submit the required response and documents to the Form I-515A prior to the expiration date of your I-94 card to prove that you entered the U.S. lawfully. If you receive a Form I-515A, you must contact the ISSO immediately to ensure that proper procedures are followed in a timely manner. Failure to submit the proper original documentation prior to the expiration date of your I-94 card will result in termination of both your J-1 status and your SEVIS record.

**TAKING CLASSES AT BOSTON UNIVERSITY**

You are permitted to enroll in individual classes while engaged in your J-1 program at BU as long as you continue with your original J-1 program objective. Being admitted to a full-time degree program may be contradictory to your J-1 program objectives. Please consult with your ISSO advisor if considering this option. Tuition remission may be available to J-1 scholars who are full-time BU employees. Please consult with Human Resources for more information (http://www.bu.edu/hr/).

**LEAVE OF ABSENCE AND EXTENDED STAYS OUTSIDE THE U.S.**

While in J-1 status, you must maintain your appointment at BU as per the terms of your SEVIS record until you have completed your appointment or have otherwise resigned or been terminated from your position. Interruptions to your J-1 program may have serious consequences to your immigration status and employment at BU so it is important that you contact the ISSO in advance so that we can determine how your J-1 status may be affected.

If you have been approved for a leave of absence, the ISSO will need detailed information about your specific intentions and location during that time so that we can provide accurate information regarding your immigration status during your approved leave. In addition, if you plan to be outside of the U.S. for a period of 30 days or longer, but intend to return to the U.S. to resume the same activity at BU, please speak with your ISSO advisor. We will require clarification regarding the purpose of the extended absence in order to evaluate whether or not your SEVIS record can remain active during this time.

**COMPLETION OF YOUR J-1 PROGRAM AT BOSTON UNIVERSITY**

The period indicated on your Form DS-2019 is dictated by your BU academic appointment and activity. You can continue your J-1 program at BU until you complete your activities or until the end date in Item #3 of your Form DS-2019. If you need more time to complete your program objectives, your host department must submit paperwork to request your J-1 extension prior to the end date of your current Form DS-2019. The total length J-1 eligibility that you have in the U.S. will depend on your particular J-1 Exchange Visitor Category and extensions cannot be granted beyond these limits:

- Research Scholar - five (5) years
- Professor - five (5) years
- Student Intern - one (1) year
- Specialist - one (1) year
- Short-term Scholar - six (6) months

If you complete your J-1 program objectives before the end date noted on your Form DS-2019, we are required notify SEVIS of your early completion and we can also issue an amended DS-2019 to note the earlier program completion date.

After completing your J-1 program, you (and your J-2 dependents) must depart the U.S. within 30 days of your program end date. Once you depart the U.S. after your completion date, your J-1 status and grace period end, and you can no longer enter the U.S. in the J-1 classification. The 30-day “grace period” is not available to scholars who do not complete their program objective as stated on their Form DS-2019).

If you do not intend to depart the U.S. during the allowable 30-day grace period, you should be certain to take action before the completion of your J program at BU. Possible actions include:
Transfer to another J-1 Program Sponsor – If you plan to continue your J-1 program elsewhere, we may be able to ‘transfer’ your SEVIS record to a new program sponsor.

Change to a different immigration status: To determine if you may be eligible to apply for a change of status, please consult your ISSO Scholar Advisor

ELIGIBILITY TO RETURN TO THE U.S.

Your participation in a J-1 program in the U.S. may affect your eligibility for participation in future academic activities and/or employment in the U.S. if certain factors apply. Please speak with your ISSO advisor to determine what issues may apply to your particular situation.

Two-year Home Residence Requirement – 212(e) - The J-1 Exchange Visitor Program was established to promote mutual understanding and cultural and educational exchange, with the assumption that participants would return to their home countries and share knowledge gained during the program. In certain instances, visitors in J status are required to return and reside in their home country or country of legal permanent residence for two years before they may return to the U.S. in H, L, or K classification, or as a lawful permanent resident (“green card” holder). In addition, scholars who are subject to this requirement are not eligible to apply for change to any non-immigrant classification from within the U.S.

Individuals are subject to the two-year home residence requirement – also known as 212(e) – if they:

- came to the U.S. to participate in medical residency under J-1 Alien Physical category OR
- received direct government funds for the purposes of international exchange OR
- are acquiring a skill, as a J-1 Exchange Visitor, that is in critical demand in their home country, according to the U.S. government’s “Exchange Visitor Skills List.”

A notation about whether you have been found subject to the two-year home residence requirement can be found on the bottom left side of your DS-2019 and in the notes section of your J visa. The requirement can affect exchange visitors in any J classification, including J-2 dependents.

If you are subject to the two-year home residence requirement, the ISSO advises you to factor this requirement into your long-term plans. Please contact your ISSO Advisor for more information about understanding this obligation.

12-Month Bar for Initial J-1 Research Scholar and Professor Categories - Prospective scholars who previously participated in any J exchange program (including as a J-2 dependent) are ineligible for sponsorship in the J-1 Research Scholar or Professor categories for a period of 12 months after ending the previous J program. An exception to the 12-month bar exists for scholars whose prior exchange program was less than six months in duration and for scholars whose prior exchange was under the J-1 Short-Term Scholar category.

24-Month Bar on Repeat Participation in J-1 Research Scholar and Professor Categories – Upon completion of the program objectives, J-1 scholars in the Research Scholar or Professor categories become subject to a 24-month (two-year) prohibition from returning to the U.S. to commence a new J-1 exchange visitor program in these two categories. If you anticipate that you will continue your research affiliation with BU or another program sponsor after completing your current appointment period as a J-1 Research Scholar or Professor, we would advise that you discuss your long-term plans with your ISSO advisor prior to ending your J-1 program at BU.

Note: This prohibition does not apply to scholars in other J-1 classifications, such as J-1 Short-Term Scholar, J-1 Specialist or the J-1 student categories. This bar on repeat participation is not the same as the Two-Year Home Residence Requirement – 212(e).

For further clarification on factors affecting J-1 program participation, please refer to the comparison chart at the end of this document or contact your ISSO advisor to discuss them in more detail.
WHEN TO CONTACT THE ISSO

To ensure that you maintain lawful immigration status, contact your ISSO advisor if any of the following events occur:

- If there is a change to your legal name, U.S. address, phone number, email, country of citizenship, or immigration status
- If there is a change to the biographical, immigration status, or contact information for your J-2 dependents.
- If there will be a change in ANY terms of your BU appointment/employment (appointment title, job duties, hours worked, salary, change in appointment percentage, etc.).
- If you intend to travel outside the U.S. and need a travel signature from an ISSO staff member on your Form DS-2019 or if you will apply for a new visa before re-entering the U.S.
- Any time you or your J-2 dependents re-enter the U.S. and/or have questions about your U.S. entry stamp or the Form I-94 arrival record. Scholars and dependents should both be granted J-1 or J-2 status for “D/S” or “duration of status.”
- If you receive a Form I-515A temporary admission to the U.S. (usually for 30 days) due to incomplete documentation.
- If you lose any of your immigration documents, or if they are stolen.
- If you will be leaving BU or transferring to another J-1 program sponsor in the U.S.
- If you intend to change your immigration status.
- If you intend to take a leave of absence or depart the U.S. for more than 30 days with the intent to return to your J-1 program at BU.
- If you intend to accept an invitation to engage in a lecture or research activity outside of your authorized program objectives at BU, you must obtain approval from the ISSO in advance.
- If you apply for and/or obtain an approval for a waiver of the two-year home residency requirement.
- If you want to have your dependent spouse and/or children join you in J-2 status.
- If you are contacted by a U.S. government representative about your J-1 status.
- You change of update your medical insurance coverage as required by the J-1 regulations.
- If you are facing charges for any felony or misdemeanor criminal act.

CONSEQUENCES OF VIOLATING IMMIGRATION STATUS

Immigration laws in the U.S. impose severe penalties if you fail to comply with your immigration responsibilities, or fail to obtain a required registration or employment permission in advance. Maintenance of accurate records at the ISSO and in the University Information System (UIS) is especially important since details of your status are reported automatically to DHS through SEVIS.

Any violation of your J-1 status, including termination of a SEVIS record, may result in accrual of unlawful presence time which may lead to removal from the U.S. (formerly “deportation”) and/or to a long-term bar on admissibility to the U.S. in any immigration classification from three to ten years. In some cases, a permanent bar on admissibility may apply.

You should work closely with the ISSO staff to make certain that you comply with all J-1 regulations, and take immediate action to remedy any status violations as quickly as possible after they occur. In the event of a status violation, your ISSO advisor will discuss your legal options. The ISSO may also refer you to an immigration attorney for legal advice.

As your J-1 program sponsor, Boston University ISSO is always pleased to provide you with additional information, advising and assistance regarding your immigration status so that you may achieve your program goals at BU.

A list of International Scholar Advisors (all approved J-1 Alternate Responsible Officers) can be found at: http://www.bu.edu/isso/contact/scholar-advising/.

We look forward to working with you during your time on campus!

International Students & Scholars Office
888 Commonwealth Avenue, Second Floor, Boston, MA 02215
Tel: 617/353-3565  •  Fax: 617/358-1170  •  Email isso@bu.edu  •  Website www.bu.edu/isso
## Eligibility Factors Affecting J Program Participation

### J-1 Two-Year Home Residence Requirement 212(e)

**Versus 12-Month and 24-Month Bars**

<table>
<thead>
<tr>
<th>Who it affects</th>
<th>Two-Year Home Residence Requirement - 212(e) -</th>
<th>12-Month Bar</th>
<th>24-Month Bar</th>
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<tbody>
<tr>
<td><strong>Who it affects</strong></td>
<td>May affect participants in any category of J-1 exchange visitor including J-1 Professor, Research Scholar, Short-Term Scholar, Student Intern, Specialist, Student, as well as J-2 dependents. Exchange Visitor may be subject to the two-year home residence requirement if:</td>
<td>Affects prospective scholars seeking J-1 Research Scholar or Professor classification who have previously held another J classification (including J-2 dependent). 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.</td>
<td>Applies only to J-1 Research Scholars or Professors who have completed their period of exchange. This includes:</td>
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<td>• Exchange visitor receives financial support from U.S. or foreign government</td>
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<td>• Research Scholars or Professors who have used the full five years of maximum eligibility in this classification or</td>
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<td></td>
<td>• Exchange visitor’s home country’s government has a Skills List that includes their profession or field of research/study</td>
<td></td>
<td>• Research Scholars or Professors who have ended their period of exchange prior to the end of their five years of maximum eligibility.</td>
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<td></td>
<td>• Exchange visitor has come to the U.S. to seek graduate medical training in J-1 Alien Physician category under sponsorship of the Educational Commission for Foreign Medical Graduates (ECFMG).</td>
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| What is prohibited | 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. | Prospective J-1 Research Scholar or Professor 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). | Scholar who has completed a period of exchange as a J-1 Research Scholar or Professor may not return to U.S. in J-1 Research Scholar or Professor category for 24 months (two years). |

| What is not prohibited | 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. | This bar does not prohibit entry to the U.S. in other immigration categories. | This bar does not prohibit entry to the U.S. in other immigration categories. |

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*Revised 5/2019*