



OFFICE OF INTERNATIONAL SERVICES

University Center for International Studies
University of Pittsburgh

Two Year Home Residence Requirement (212[e])

Under specific circumstances, a J-1 exchange visitor may be subject to the INA 212(e) Two-Year Foreign Residence Requirement. If the J-1 visa holder is subject to the requirement, their J-2 dependents are also subject to this requirement. Those who are subject to the two-year foreign residence requirement must "reside and be physically present" in their "home" country for an aggregate of two years before being eligible for certain immigration benefits. While they are subject to 212(e), aliens are ineligible for the following benefits:

1. They are not eligible for an immigrant visa or for adjustment of status to lawful permanent resident (immigrant/green card) status;
2. They are not eligible for an H visa (temporary workers and dependents), an L visa (intracompany transferees and dependents), or a K visa (fiancé and dependents);
3. They are not eligible to change their nonimmigrant status within the United States from J to any other nonimmigrant category except A (diplomatic), G (international organization), or U (victims of qualifying criminal activity) statuses.

If the individual is subject to this requirement, the J-1 visa stamp and DS-2019 form should indicate that the bearer is subject to "212(e)". If these two documents do not match, please inform OIS immediately.

For more information about 212(e), refer to the [U.S. Department of State](https://www.dhs.gov/immigration-services) website.

Please note that if you intend to apply for a waiver of 212(e), you should discuss your plans with OIS and your host department, as this can impact your eligibility for an extension of your J-1 status or a transfer of your J-1 record to a new institution.

The [J-1 Exchange Visitor Restrictions](#) document contains additional information on the Two-Year Foreign Residency requirement as well as further restrictions that may impact those who have been in or are seeking to obtain J-1 Research Scholar or Professor status.