Does the J-1 Section 212(e) Home Residency Requirement Apply?

If No

Is the applicant’s home country or country of last residence on the State Department Skills List?

If Yes

Is the J-1’s actual area of study, research, or work included on skills list?

If Yes

Is the J-1’s actual field of work, study, or training actually on the Skills List?

If Yes

Was the applicant’s program wholly or partially directly funded by government sources (check IAP-66/DS-2019 form and consult with sponsor)?

If Yes

Did any government entities indirectly fund the applicant’s J-1 stay in the US?

If Yes

Does the IAP-66/DS-2019 form indicate that government sources funded the J-1 program?

If Yes

Was the physician’s waiver program sponsored ECFMG?

If Yes

Was the ECFMG program a graduate clinical medical training program?

If No

Applicant is NOT subject to home residency requirement

If Yes

Applicant is subject to home residency requirement

Seek State Department advisory opinion on whether home residency requirement does or does not apply

Presented by Siskind Susser - www.visalaw.com