

Am I Subject to 212(e)?

Look at the DS-2019 forms for your program(s). A program is the entire duration of your J status in a particular category as shown on your DS-2019 forms. The first form will show the purpose as “Begin a New Program.” A single program continues until the end date listed on your last DS-2019 form with the “Begin a New Program” form’s start date. This may include several extension, etc. You may have traveled and re-entered the U.S. multiple times during the same program. Check any of the following that apply:

- Government funding indicated on DS-2019
You ARE likely subject.
- No Government funding indicated on DS-2019
May not be subject
- Graduate Medical Education (Alien Physician)
You ARE subject.
- NO Graduate Medical Education
May not be subject

Even if you may not be subject based on the above, you may still be subject if your country(ies) of citizenship or last permanent residence, as shown on the DS-2019, is on the skills list. The date you were admitted to the U.S. as a J status holder (stamped on the I-94/passport, DS-2019), or the effective date you changed status (effective date on I-797 Approval Notice) to J is the date that should be used when deciding which skills list applies to you. This is not always the same as the program start date listed on the DS-2019.

- J-1 status granted on or after December 9, 2024
 - Check [2024 Skills List](#)
 - PR country on DS-2019 listed on 2024 list
 - Home country on DS-2019 listed on 2024 list
- J-1 status granted before December 9, 2024
 - [2009 List](#) for J status obtained on or after 06/28/2009
 - [1997 List](#) for J status obtained on or after 03/17/1997
 - [1984 List](#) for J status obtained on or after 7/12/1984
 - [1972 List](#) for J status obtained before 7/12/1984
- PR country on DS-2019 listed on _____ list
 - Country removed from [2024 list](#) (If removed from list, requirement is retroactively removed.)
- Home country on DS-2019 listed _____ list
 - Country removed from [2024 list](#) (If removed from list, requirement is retroactively removed.)
- Country NOT on Skills List for country(ies) listed on DS-2019 or was removed.
You are likely NOT subject!

Country(ies) listed on DS-2019 on Applicable Skills List

If your country is listed on the Skills List that applies to you, check to see if your subject area is on the skills list.

Subject Area code(s) listed on DS-2019 on Country List (May be more than one code on DS-2019 forms for the same program. If any listed, check box. For example, if the subject code on your DS-2019 is 26.0502 Microbiology, and the subject area 26.05 Microbiological Sciences and Immunology is listed for your country, you are subject.)

You are likely subject!

Subject Area code(s) NOT listed on DS-2019 on Country List

ALL DS-2019 forms and entry visas indicate not subject.

You are likely NOT subject!

At least one DS-2019 or J entry visa indicates subject.

You MAY be subject! (212(e) assessments made by consular officers/ CBP agents are sometimes incorrect.)

If you are still unsure:

Get an [Advisory opinion](#) (highly recommended if ANY DS-2019 or entry visa states subject or if there is ANY doubt!!) but be aware the opinion may not be in your favor!!