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J-1 visa waiver concerns

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Submitted by Chief Editor on Nov 4th 2011

I had come to US in September 2008 for 30 days externship (as short term visiting scholar) on J1 visa. After that I went back to India in October and came again in January 2009 on F1 visa to do PhD in animal science program. My concern is do I need to apply for J1 waiver before joining a job or a post doc here in USA? If yes, how should I go about it?

ANSWER:

The 212(e) can attach to even a short program. Step one, ask *DOS* for an advisory opinion whether you are subject to the Home Residency Requirement. The details are here:

http://travel.state.gov/visa/temp/info/info_1288.html [2]

Unless the context shows otherwise, all answers here were provided by Rajiv [3] and were compiled and reported by our editorial team from comments and blog on immigration.com [4]

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Links:

[1] <https://immigration.com/faq/j-1-visa/j-1-visa-waiver-concerns>

[2] http://travel.state.gov/visa/temp/info/info_1288.html

[3] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[4] <http://www.immigration.com>

[5] <https://immigration.com/JavaScript%3Aavoid%28%29%3B>