

Practice Alert: DOS Updates J-1 Skills List

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Effective December 9, 2024, the Department of State (DOS) published a notice updating the J-1 Exchange Visitors Skills List, a list of countries that require the services of individuals engaged in specific fields of specialized knowledge or skills. The list determines whether a J-1 visa visitor is subject to the two-year foreign residence requirement, that requires certain J-1 exchange visitors to return to their home country for two years after their J-1 program, under Section 212(e) of the amended Immigration and Nationality Act.

Key Takeaways:

- J-1 visitors who were admitted in J status or obtained J status **before** December 9, 2024, are no longer subject to the requirement if their country is not designated in this revised Skills list.
- DOS updated the list of countries subject to the Skills List based on a methodology that considers the overall economic development (as measured by per capita Gross Domestic Product (GDP)), country size, and overall outbound migration rate of each country.
- The list removes several countries, notably China and India, subject to the two-year foreign residence requirement. The list also removes Albania, Algeria, Argentina, Armenia, Bahrain, Bangladesh, Bolivia, Brazil, Chile, China, Colombia, Congo, Costa Rica, Dominican Republic, Gabon, Georgia, Guyana, India, Indonesia, Kazakhstan, Laos, Malaysia, Mauritius, Montenegro, Namibia, Oman, Paraguay, Peru, Romania, Saudi Arabia, South Africa, South Korea, Sri Lanka, Eswatini (Swaziland), Thailand, Trinidad and Tobago, Turkey, United Arab Emirates, and Uruguay.
- DOS did not update skills in this update. For countries on this revised 2024 Skills List, the skills are the same as in the 2009 Skills List.
- However, a J-1 visitor may be subject to the requirement based on funding from the U.S. government or home country government, or from receiving graduate medical education or training in the United States. This update only affects former J-1 visa holders who were subject to the two-year home country requirement based on the Skills List.