

Bars from returning to USA in J-1 research scholar category that you could be subject to.

12-Month Bar

Individuals who have been in the U.S. for more than six months in the previous year (12 months) in any J visa status are not eligible to enter the U.S. as a J-1 Research Scholar or Professor for a 12-month period. Time spent in the J-1 Short-term Scholar category does not count towards the 12-month bar. The 12-month bar applies to both the J-1 principal and any J-2 dependents. The 12-month bar does not prevent individuals from returning to the U.S. in any other visa status or in some other J categories such as Short-Term Scholar or Student.

24-Month Bar on Repeat Participation

Any individual who participates in an Exchange Visitor program in the Professor or Research Scholar categories on or after 11/18/06 is subject to a 24-month bar on “repeat participation” in those categories. Scholars subject to the bar may not return to the U.S. as a J-1 scholar in the Professor or Research Scholar categories for the 24-month period. This bar also applies to J-2 dependents.

When a scholar either concludes or leaves a Research Scholar or Professor J-1 program, whichever happens earlier, the scholar's record becomes inactive in SEVIS. At that point, the 24-month bar time starts to accrue. The 24-month bar will be in effect regardless of whether status in the program is a few months in duration or the full five years allowed.

For example, a J Professor who comes for a single academic year, or a Research Scholar that comes for four months, and then goes home without having his/her SEVIS record kept open and active in his/her absence, would not be able to access the remainder of the five year period of eligibility, would be subject to the 24-month bar, and would not be eligible to return to the U.S. as a J-1 Professor or Research Scholar at any U.S. institution until 24 months (two years) after the program ended.

Therefore, it is extremely important for International Student & Scholar Services be informed of a scholar's departure and his/her future plans, so that the scholar's SEVIS record can be properly maintained to facilitate his/her possible return to the U.S. In some cases, it might be possible to keep a scholar's SEVIS record active if he/she will be out of the country yet continuing the program. The 24-month bar does not prevent individuals from returning to the U.S. in any other visa status.

24-Month Bar vs. the Two-Year Rule (212e)

The 24-month bar should not be confused with the two-year home residence requirement (212e). These are two completely different regulations.

The two year rule (212e) may apply to visitors in any J category. The 24-month bar only applies to J visa holders who enter the U.S. on the Research Scholar or Professor categories or as a J-2 dependent of a J-1 Professor or Research Scholar.