

24-Month Bar for J-1 Visitors

On January 11, 2007 the U.S. Department of State (DOS) published a final rule to implement key changes to the Exchange Visitor regulations affecting the J Professor and Research Scholar categories. The effective date of the rule is retroactive to November 18, 2006. The major changes to the rule are as follows:

- The maximum period of participation for J Professors and Research Scholars has been increased from three years to five years. The five-year period is not an aggregate of five years. It is a continuous five-year period given to a participant on a “use or lose” basis.
- A new 24-month bar on repeat participation in the J Professor or Research Scholar categories will apply to those who complete their program participation in those categories.
- This rule applies to any J Professor and Research Scholar who completes their J program on or after November 18, 2006, i.e. any Professor or Research Scholar active at the Berkeley campus or elsewhere in the U.S. after 11/18/06 would be subject to the bar. (The J-1 category can be found in section 4 of the DS-2019.)

Understanding the 24-Month Bar

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.

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. Whenever an exchange program ends and the SEVIS record becomes “inactive”, the five-year window is “closed” and the individual must wait 24 months before beginning a new program as a J Professor or Research Scholar. To take advantage of the full five years of the J Research Scholar category, a scholar would need to have an appointment of five continuous years to keep his/her SEVIS record active. Unused time from the five-year window may not be saved for use later.

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 United States as a J-1 Professor or Research Scholar at any institution until 24-months (two years) after the last program ended.

Am I Subject to the 24 Month Bar?

Any J-1 visiting scholar in the Research Scholar or Professor categories whose J-1 program ends on or after November 18, 2006 is subject to the 24 month bar. The J-1 program end date can be found in section 3 of your DS-2019. The J-1 category can be found in section 4.

J-1 visiting scholars in the Short-Term Scholar, Specialist or Student categories are not subject to the 24 month bar. The J-1 category can be found in section 4 of your DS-2019.

Your Future Options

If you are subject to the 24 month bar, you will not be able return to the U.S. as a J-1 scholar in the Research Scholar or Professor categories for a two year period. However, you may be able to return in a different J-1 category or with a different type of visa. You may also consider extending your current J-1 status for a longer period, if possible. It is important that you consult with the international scholars office at Berkeley or other institutions if you have plans to return to the U.S. in the future for research or teaching.

Two Year Home Residency Requirement

The two-year home residency requirement is different and separate from the 24-month bar. Visitors in any J category may be subject to the [two year home residency requirement](#).

From: http://ias.berkeley.edu/siss/PRS/J-1/24_month_bar.php