

The 12 and 24 Month Bar for J Research Scholars and Professors

► The 12-Month Bar

Individuals who have been in the United States for more than six months in the previous year (12 months) in J visa status are not eligible to enter the United States 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 United States in any other visa status, such as B-2 tourist, B-1 business visitor, F-1 student, H-1B or in the J-1 student or short term scholar categories.

► The 24-Month Bar

On November 17, 2006 changes for the exchange visitor program were incorporated into the online Student Exchange Visitor Information System (SEVIS). These changes have implications for the Research Scholar and Professor category. The Final Rule was published on January 11, 2007 with a retroactive effective date of November 18, 2006. For further information please go to <http://www.brown.edu/Administration/OISSS/scholars/docs/Federal%20Register%20Regarding%20Changes%20to%20the%20J-%20Researcher%20Category.pdf>

Any individual who participates in an Exchange Visitor program in the Researcher Scholar or Professor category on or after November 18, 2006 is subject to a 24-month repeat participation bar. Scholars subject to the 24-month bar may not return to the United States as a J-1 Research Scholar or Professor for the 24-month period. This bar also applies to J-2 dependents.

Impact of the 24-Month Bar

When a Research Scholar or Professor either concludes or leaves a 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. Therefore, it is extremely important for OISSS to be informed of a scholar's departure from Brown 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.

Please note: The 24-month bar is not the same as the Two Year Home Residence Requirement. The 24-month bar does not prevent individuals from returning to the United States in any other visa status, such as B-2 tourist, B-1 business visitor, F-1 student, H-1B or in the J-1 student or short term scholar categories.