



## J-1 Exchange Visitor: Research Scholar & Professor Category

U.S. Department of State allows J exchange visitors in the "Research Scholar" or "Professor" category a maximum participation time period of 5 years for a continuous J program.

### 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 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.

The 12-month bar applies to both the J-1 principal and any J-2 dependents.

### 24-Month Bar on Repeat Participation as J-1 Research Scholar or Professor

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.

The current guidelines from the Department of State indicate that the 24-month bar applies in the following situations:

1. Exchange visitor in Professor or Research scholar category uses up all 5 years available.
2. Exchange visitor in Professor or Research Scholar category completes their J program, and their SEVIS record is completed or terminated, even if their J program was for less than 5 years.

### 212 (e): Two-Year Home-Country Physical Presence Requirement

An exchange visitor is subject to the two-year home-country physical presence requirement if the following conditions exist:

- Government funded exchange program;
- Graduate medical education or training
- Specialized knowledge or skill on the [Exchange Visitor Skills List](#)

### Frequently Asked Questions:

1. What does it mean if I am subject to the 24-month bar on repeat participation?

If you are subject to the two-year bar on repeat participation, it only means that for the two years following the end of your J program, you cannot start another J program as a *Professor or Research Scholar* until two years have passed from your last J program if you were in the category of a Research Scholar or Professor. It is possible for you to return during this period in other J categories. For example, you could still return as a Short Term Scholar (6 month maximum period of participation) or a Specialist (1 year maximum period of participation) or even some other visa status (H1b, TN, O-1, etc.)



2. Am I barred from entering the U.S. for the next two years after completion of my J program?  
No. The bar is only on repeat participation as a J1 “*Research Scholar*” or “*Professor*”. You can enter the U.S. after completion of your J program in any status that you are eligible for: H1-B, Tourist, Visa Waiver Program, or some other category, depending on the purpose of your visit to the U.S.
3. Do I have to be physically outside of the U.S. during these 2 years before participating in another J program as a “*Research Scholar*” or “*Professor*”?  
No. The regulations say you are prohibited from repeat participation for the two years following your J program ending, but it does not say that you have to be physically outside the U.S. during this time. If you are able to maintain another status during this time because you are eligible for it (e.g. F-1, H1-1B, etc.), you can remain in the U.S.  
Once two years have passed from the time you completed your J “*Research Scholar*” or “*Professor*” program, you will be eligible for another five year period in either one of these J categories.
4. How is the 24-month bar on repeat participation different from the [two-year home residency requirement](#)?

A quick summary of the major differences follows:

	<b>24-Month Bar on Repeat Participation</b>	<b>Two-Year Home Residency Requirement</b>
<b>Who is subject?</b>	Anyone who completes a program as a J Professor or Research Scholar is subject.	Only subject if any one of the following applies: 1. you obtained government funding for your J program 2. your home country government has designated you subject based on a pre-determined Skills List 3. you are participating in a J program for graduate medical training
<b>What does it mean to be subject?</b>	You cannot participate in another J program in the Research Scholar or Professor category until 2 years have passed from the completion of your current J program.	You are not eligible for either an H1b, L visa or a green card until you either get a waiver of this requirement or fulfill it by residing in your country of permanent residence for a total of 2 years.
<b>Can you enter the U.S. during the time that you are subject?</b>	Yes, but not as a J Professor or Research Scholar. You can enter the U.S. in any other visa category or J category, as long as you are eligible for it.	Yes, but you are not eligible for either the H1b visa, L visa or green card if you are subject. You can enter the U.S. in any other visa category, as long as you are eligible for it.
<b>Does it matter where you are during the 2 years that you are subject?</b>	No. You can either be outside the U.S. or within the U.S. in another visa status during this time.	Yes. If you are trying to fulfill this requirement, you will have to physically reside in your country of last permanent residence or get a waiver of this requirement.



5. I am a PostDoc at CU Boulder and I anticipate that this will last 2-3 years. Does this mean that when I'm done with my PostDoc training, I will be subject to the 24-month bar on repeat participation as a "Research Scholar" or "Professor"?

Yes. If you are done with your J program and you are currently here in a Professor or Research Scholar category, you will then be subject to the 2 year bar to repeat participation, even if you don't use up all 5 years of the program. But remember, you are not barred from participating as a J Short Term Scholar or Specialist, or any other visa category, assuming you are eligible for that visa status.

6. What if I complete my Postdoc and I get another position at University B? Can I transfer to that University's J program?

If you let us know that you will be transferring and we have not yet completed your J program in the SEVIS system, we will be able to transfer you to University B's J program. Make sure you let us know about this before your J program end date. You will be able to work at University B up to your eligible maximum program limit of 5 years. Once you reach the 5 year limit, your 2 year bar to repeat participation will begin.

Note: It is not possible to use the J Professor/Research Scholar category for a tenure track position, so if you have a tenure track appointment at University B, we cannot transfer you to their J program. Talk to them about other visa options in that case.

7. I come to campus every year for a few months each time to do collaborative research. How can I avoid the 24-month bar on repeat participation?

If you need to return to campus each year for a few months and you do not wish to be subject to the 2 year bar to repeat participation, it is possible for ISSS to bring you in as a J Short Term Scholar or Specialist, depending on what you qualify for.

The Short Term Scholar category is available for you if you are here to do research or teach for a period not lasting more than 6 months. No extensions are available for this category.

If you qualify as Specialist (i.e. you are an expert in a specialized field, coming to observe, consult, or demonstrate special skills), you can come in that category but your maximum program duration is 1 year and no extensions are available.

There is no bar to repeat participation in these two categories, unlike the category of "Research Scholar" or "Professor" so you could enter in one of these categories each year that you have to visit the campus.

8. If I come in as a J Short Term Scholar or J Specialist each year, does this mean I have to have new DS-2019 and a new visa each time?

Yes. If you come in either of these two categories, it means that we will have to issue you a new DS-2019 each time for each visit, and you will have to pay the [SEVIS I-901 fee](#) each time as well. Each visit with a new DS-2019 document means that you are beginning a new J program and will have a different SEVIS ID number each time.

With regard to the visa, if your visa expires the same time as the DS-2019 expires, you will need a new visa to re-enter the following year. It may be possible for the Department of State to issue you a visa for a longer length of time, but that depends on visa reciprocity agreements between your government and the U.S. government. Our experience is that it is more common for the State Department to issue a J visa that is valid for the length of time of your DS-2019 document.