

RULE CHANGE: 2-year bar explanation—Visiting Research Scholars, Professors

Effective November 17, 2006, the maximum length of program for J-1 exchange visitors in the Research Scholar and Professor category increased to 5 years. However, the 5-year length of program does not allow an exchange visitor to complete one project, leave the country, and return a month later to begin a new program, even if the total time is less than 5 years. Rather, once an exchange visitor arrives in the U.S. in J-1 status, the 5-year clock begins, **AND** if the program ends without the stay being extended, even if only 7 months later, the exchange visitor becomes subject to a 2-year bar on repeat participation as a Research Scholar or Professor. S/he will not be eligible for a J-1 exchange visa for 2 years.

Following are some guidelines we will adopt for implementation of this rule change.

- If (1) funding is available for 5 years, (2) the sponsoring department requests it, and (3) the scholar is anticipated to need or use a full 5 year period, a DS-2019 (Exchange Visitor eligibility form) may be issued for that 5-year period.
- If only partial funding is available, the DS-2019 form will be issued for the specific length of time determined by the funding amount and requested by the sponsoring department. Extensions up to a total of 5 years are possible when additional funding becomes available and upon the sponsoring department's request for extension PROVIDED THAT the extension is requested prior to the expiration of the current DS-2019.
- **For programs scheduled to last 6 months or less, we will issue DS-2019 forms for the Short-Term Scholar category.** An exchange visitor in this J category does not become subject to the 2-year bar.
- The Short-Term Scholar category allows a maximum stay of 6 months and cannot be extended beyond the 6 months. **If the researcher needs to stay longer to complete the research project, travel abroad and re-entry to the U.S. with a new DS-2019 is possible.** This new DS-2019 may either be issued for another Short-Term Scholar program or for the Research Scholar category if it is determined that the program will last more than an additional 6 months.
- With a new DS-2019 form, a new SEVIS fee must be paid. In most circumstances, a new J-1 visa application must also be made at a U.S. consulate abroad.
- Health Insurance: Health insurance coverage remains mandatory for J-1 exchange visitors and their J-2 dependents during their entire stay in the U.S. in J status.
- ARRIVAL DATE: Exchange visitors should arrive in the United States on or before, but no more than 30 days before, the program begin date listed in SEVIS and on Form DS-2019.

