J-I Exchange Visitor

For visiting scholars, visiting professors and researchers and short-term visitors. Not for tenured or tenured-track positions. Employment not required.

Five year maximum for research scholar and professor category. Six-month maximum for short-term scholars.

May or may not be on payroll. Can use personal funds.

Two-year home residence requirement in some cases limits future visa options of visitor.

Usually not benefits eligible at U of I.

Can transfer to other J sponsor for similar activity within 5-year limit.

Dependents can work with USCIS permission.

J program managed by US State Department. USCIS not involved when new J-I comes from abroad or when extending.

Simple. One form needed to obtain status abroad or extend status.

No premium processing option.

Lead time: 2-3 months. More time needed if already in U.S. and applying for a change of status.

Numerous regulations for J-I s: specific insurance requirements, cross-cultural activity.

J visa applicant must have permanent address abroad, demonstrate strong ties to home country and have no plans to immigrate.

J-I sometimes not an option if individual has finished another J program within last 12 months.

Two-year bar on repeat participation as a Research Scholar or Professor after any amount of time.

Fees include $100 SEVIS fee and, in some case, $300 change of status fee.

No annual limit.

H-1B Temporary Worker

For professional employment.

Six-year maximum.

Must be on payroll and meet wage requirements. Status ends if employment ends.

No two-year requirement.

Benefits eligible if position qualifies.

Change of sponsor or position requires new H application, but portability allows new to employment to begin before new H is approved.

Dependents cannot work.

All H-1B applications must be approved by USCIS.

Time-consuming applications. Prevailing wage assessment, Labor Condition Application and 10-day posting required.

Premium (expedited) processing an option for $1000 fee.

Lead time: 4-6 months for new H-I, 2-3 months if premium (expedited) processing requested, 2-3 months if already on H-I elsewhere or if extending.

Employer must pay return transportation if employment ends early.

Dual Intent allows H-I to apply for green card. No ties to home country required.

H-1B not an option if individual has two-year home residence requirement due to previous J-I status.

One year bar on new H status after 6 years. Must be outside U.S.

Fees include $320 filing fee, $500 antifraud fee and, in some cases, $1000 for expedited processing.

Annual limit (H-I cap) not applicable to universities.