

## COMPARATIVE CHART BETWEEN H-1B AND J-1 EXCHANGE VISITOR

| ISSUE   | H-1B   | J-1 Exchange Visitor   |
|---|--|--|
| <b>Purpose of Visa</b>                          | Employment   | International Exchange   |
| <b>Documentation of Status</b>                  | I-797 and I-94   | DS-2019 and I-94   |
| <b>Immigrant Intent</b>                         | Dual Intent (Temporary or Permanent)   | Non-Immigrant (Temporary)  |
| <b>Processing Agency</b>                        | Dept. of Labor (DOL)<br>Dept. of Homeland Security (DHS)   | Dept. of State (DOS)   |
| <b>Visa Eligibility Documents issued by</b>     | DOL & DHS  | Program Sponsor (UW-Madison, IFSS Office)  |
| <b>Processing Time</b>                          | 3-4 months (maybe longer)  | 2-3 weeks (by IFSS Office). This excludes mailing time to scholar, timing of consular appointments, and airline flights.   |
| <b>Processing Fees</b>                          | *\$325.00 for I-129<br>*\$500 for Anti-Fraud Fee for Initial Employment<br>*\$290.00 for I-539 for dependents, extension OR change of status<br>*\$1,225.00 for Premium Processing   | \$180.00 SEVIS Fee<br>\$210.00 Expedited SEVIS Fee (Exchange Visitor must pay fee).  |
| <b>Limitation of Stay</b>                       | 6 years  | Depends on J-1 Category:<br>*J-1 Professor/Research Scholar category-extendable up to a maximum of 5 years<br>*J-1 Short-term Scholar category-extendable to maximum of 6 months.  |
| <b>2-year Home Residency Requirement (212e)</b> | No   | Yes, in some cases   |
| <b>Sponsor Responsibilities</b>                 | *Must pay higher of actual or prevailing wage<br>*Must pay return trip home if employee is terminated prior to end-date authorized.<br>*Position requires a minimum of a Bachelor's degree in field of specialization.<br>*Cannot bench employee | *Must offer a non-tenure track Academic Staff position<br>*Proof of Financial Support<br>*Goals and Objectives clearly defined for position.<br>*Must meet UW-Madison SHIP Insurance requirements<br>*Position requires a minimum of a completed Bachelor's degree |
| <b>Beneficiary's Responsibilities</b>           | *Must possess a minimum of a Bachelor's degree or higher<br>*Must fulfill terms and conditions of approved H-1B petition   | *Must possess a minimum of a completed Bachelor's degree<br>*English Proficiency<br>*Meet SHIP Insurance requirements  |
| <b>Tenure Track</b>                             | Yes  | No   |

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| <b>Grace Period</b>                 | The immigration officer at the port of entry may provide a 10 grace period if he so chooses. It is discretionary by the officer and not mandatory. | 30 days from End-date of J-1 Program OR Date-of-Termination. |
| <b>Dependent Visa</b>               | H-4  | J-2  |
| <b>Dependent Work Authorization</b> | No   | Yes, with immigration approval                               |

Revised on 03/07/2011