<table>
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<tr>
<th>J-1 EXCHANGE VISITOR</th>
<th>H-1B TEMPORARY PROFESSIONAL WORKER</th>
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</table>
| **Purpose and Eligibility** | • Temporary employment in a specialty occupation which requires theoretical and practical application of a body of highly specialized knowledge in a field of human endeavor  
• Position requires B.A/B.S. or higher degree in a related area  
• Mostly for academic titles (e.g. tenure track teaching and research appointments)  
| **Duration** | • Up to five years for J-1 “Research Scholar” category  
• Duration varies depending on J-1 category  
| **Requirements** | • I-797 approval notice issued by USCIS  
• Requires certification from Department of Labor and evidence of:  
  - employer-employee relationship  
  - position qualifies as specialty occupation  
  - B.A./B.S. at minimum (Ph.D. for postdoctoral positions)  
  - salary meets the prevailing wage  
  - benefits commensurate to those offered to U.S. workers  
• Material changes in employment (e.g. change in location, job duties, or salary) require a new or amended petition  
| **Unique Features** | • Dual intent is allowed, such as intent to be employed temporarily in the U.S. and intent to file an immigrant visa petition  
• Universities are “cap exempt” from the annual quota, which applies to private employers  
• Employer cannot place employees on unpaid leave for lack of work  
• Employer must pay for return transportation if the employment is terminated prematurely  
| **Transfers** | • Change of employer requires filing of a new petition  
• Employee can begin work and get paid after the change of employer petition is received by USCIS  
| **Cost (if applicable)** | • $2000 BIO recharge fee for preparing the petition  
• Department of Homeland Security (DHS) fees*:  
  - $325 = I-129 Petition  
  - $500 = Fraud Prevention and Detection  
  - $1225 = Optional Premium Processing  
  - $290 = H-4 Dependents  
*Employer must pay the DHS fees except for dependents  
| **Processing Times** | • Estimated 2-4 months  
  - BIO processing is 10 business days after receipt of completed request  
| **Outside Employment** | • Estimated 4 to 6 months (8 weeks if premium processing is used)  
  - BIO processing is one month after receipt of completed request  
| **Dependents** | • J-2 status for spouse and children under 21  
| | • H-4 for spouse and children under 21  
| | • USCIS accepts applications for H-4 work permission in limited situations in cases where the H-1B primary beneficiary is in the process of obtaining permanent residency  

*Fees may be paid by the department, professor, or J-1 visitor  

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Scholars,Mixed\U vs HU-1 vs. H-1B Comparison Table 8.2015