

H-1B and J-1 Status Comparison Chart

Visa Type	H-1B Employment	J-1 Scholar Exchange
Purpose	Temporary Worker in a Specialty Occupation i.e. Tenure track faculty, Researcher, Programmer Analyst	Exchange Visitor-Research or Professor i.e. Non tenure track positions
Funding	Must come from U.S. employer	U.S. employer; Personal funds; Home or U.S. Government funds
Wage minimum	Yes, minimum prevailing wage that must be determined by Dept of Labor	No
Degree Requirement	Position requires minimum Bachelor's degree	Requirements vary per J Category
Maximum stay	6 years	5 years 6 months-Short Term Scholar
Can have intent to immigrate to the U.S.	Yes	No
Advantages	Can have intent to become a permanent resident; no 212(e); Can take the step of applying for permanent residency	DS-2019 issued by TTU; no USCIS approval needed; J-2 spouse can obtain work authorization
Disadvantages	Petition must be approved by USCIS; H-4 spouse cannot work; employer liable for return transportation home if position is terminated by employer	2 year home residence requirement 212(e) if government funded or on skills list (might be able to obtain waiver of 212(e)) Can not apply to become a permanent resident
Required fees by department	\$460 + \$500 \$2,500 Premium processing fee	None
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