



Benefits of J-1 Exchange Visitor Status	Benefits of H-1B temporary Specialty Worker
<p>There are no processing costs. Free processing includes starting of J-1 status, transfers, extensions, and support of any and all dependents.</p>	<p>Department costs include the following (U.S. regulations require that these fees be paid by the department—not the employee):</p> <ul style="list-style-type: none"> ▪ U.S. Department of Homeland Security Fees: <ul style="list-style-type: none"> \$320 I-129 Petition \$500 Anti-fraud \$1,000 Premium Processing (rush service if work authorization needed in fewer than 6 Months) ▪ \$200 required for one or multiple dependents ▪ International Center Fee: <ul style="list-style-type: none"> \$1,200 <p>Total fees that the department must pay: \$2,000 - \$3,320</p> <p>Please note: Federal fund sources cannot be used to pay these fees.</p>
<p>Amount of time and work required for the academic department is minimal.</p>	<p>Amount of time and work required by the academic department is significant and burdensome.</p>
<p>Scholar is responsible to pay all fees charged by the U.S. Embassy/Consulate and the \$100 SEVIS Fee</p>	<p>Scholar is responsible to pay all fees charged by the U.S. Embassy/Consulate</p>
<p>J-1 Requests take 15 business days to process at the International Center, plus the time needed to obtain visa and/or change of status in the U.S. approximate time is 60-90 days.</p>	<p>H-1B requests take 6 or more months to process. With the \$1,00 Premium Processing fee, it can be up to 3 months.</p>
<p>J-1 scholars must pay for all costs of travel for themselves, dependents, and belongings (unless their academic departments put in writing that these costs will be covered).</p>	<p>H-1B scholars must pay for all costs of travel for themselves, dependents, and belongings (unless their academic departments put in writing that these costs will be covered).</p> <p>May request that the department pay for return airfare to home country if the appointment is ended prematurely. H-1B scholars must pay the costs of repatriating their dependents and belongings.</p>
<p>J-1 scholars may qualify for incidental and short-term consultations, lectures, honoraria, with <i>prior approval from the International Center.</i></p>	<p>H-1B work authorization is employer and position specific. If the appointment changes, scholar wants a second job, or scholar simply wants to accept an honorarium, a new "concurrent" H-1B with all the expenses borne by the employer must be filed.</p>
<p>J-2 dependents can apply for work authorization.</p>	<p>H-4 dependents cannot receive work authorization.</p>
<p>J-1 scholars may be able to take advantage of significant tax benefits and tax treaties.</p>	<p>H-1B scholars are usually taxed fully on worldwide income, much like U.S. citizens.</p>

<p>Funding sources that departments use for J-1 scholars may be combined. --e.g. from UCI, grants, and other organizations, etc.</p>	<p>H-1B scholars must be paid from UCI sources ONLY.</p>
<p>J-1 scholars accept whatever pay is offered by their academic departments. If not enough to cover living expenses, then they may also show other sources of funding to cover all expenses they are expected to incur while working here at UCI.</p>	<p>H-1B scholars must be paid the “prevailing wage” as determined by the U.S. Department of Labor in collusion with the California Employment Development Department.</p>
<p>When applying for a J-1 Exchange Visitor Visa, scholars must show ties to their home countries that are likely to cause them to return once their appointment at UCI is completed.</p>	<p>When applying for an H-1B visa, scholars are not required to show ties to their home countries.</p>
<p>Some J-1 scholars (dependens on funding and U.S. government agreements with scholar’s home government) may get 212(e), the two-year home residency rule, applied. This means that once the J-1 appointment is completed, scholars must go back to their home country for at least two years to share what they have learned.</p> <p>Although the two-year home residency rule prevents individuals from qualifying for H, L, or Permanent Residency Statuses (until satisfying the two-year rule), it does not prohibit entry to the U.S. in other statuses for short-term visits.</p> <p>J-1 scholars who find that they are subject to the two-year rule (see an International Scholar Advisor about this when you first come to UCI) may apply to have the two-year rule waived. Scholars from most countries (including China and India) are able to get waiver applications approved in about 6 months. Almost all waiver applications are successful.</p>	<p>The two-year home residency rule can be applied ONLY to those in J-1 status—not H-1B status.</p>
<p>Scholars may hold J-1 status for up to five years. Except for tenure-track or tenured faculty positions, which are not permitted to be in J-1 status, scholars with long-term plans to apply for Permanent Residency of the find J-1 status extremely valuable. Starting in J-1 status and then changing to H-1B offers scholars an extra five years to achieve accomplishments, establish extensive documentation in support of academic excellence, and to be offered a position at UCI that the policy might support for Permanent Residency services.</p>	<p>Scholars may hold H-1B status for up to 6 years (initial status for 3 years with a 3 year extension). Except for tenure-track or tenured faculty position, scholars with long-term plans to apply for Permanent Residency often find that bypassing J-1 status and going directly to H-1B does NOT allow them enough time to accumulate achievements, recognition, or the right job offers. Thus, they do NOT receive UCI support when trying to apply for Permanent Residency. They may end up paying \$5,000 to \$10,000 to a private attorney to help with Permanent Residency application, and in the end, a very high percentage end up being forced to return home.</p>