

## Notre Dame Sponsored Employment-Based Visa Categories International Student & Scholar Affairs

	H-1B	TN	O-1	J-1
<b>Primary qualifications or purpose</b>	Position must be a specialty occupation and require a bachelor's or higher degree in the specific field of study.	Must be a citizen of Canada or Mexico; profession must be listed on the USMCA <a href="#">Occupation List</a>	Must possess extraordinary ability in the sciences, arts, education, or athletics	Research, teaching, lectures and consultations to benefit international exchange
<b>Maximum length of stay in the U.S.</b>	Initial filing has maximum stay of 3 years  Extension may be filed for additional 3 years	Initial authorization is up to 3 years, but renewable  No maximum number of renewals	Initial filing has maximum stay of 3 years  One year extensions can be filed indefinitely	Research/Professor category: maximum 5 consecutive years  Short-Term Scholar: maximum 6 consecutive months
<b>Intent</b>	Dual intent	Non-immigrant intent	Non-immigrant intent	Non-immigrant intent
<b>Restrictions</b>	<ul style="list-style-type: none"> <li>● position specific</li> <li>● candidate must possess required bachelor's degree in specific field of study</li> <li>● salary must meet or exceed H-1B prevailing wage</li> </ul>	<ul style="list-style-type: none"> <li>● position specific</li> <li>● profession must be listed on USMCA Occupation list</li> <li>● candidate must be citizen of Canada or Mexico</li> </ul>	<ul style="list-style-type: none"> <li>● candidate must be in top percentage in ability and achievements in their field</li> <li>● ability and achievements must be well documented</li> </ul>	<ul style="list-style-type: none"> <li>● activities should always reflect original appointment letter</li> <li>● 12 or 24 month bar</li> <li>● 212(e) Home Country Physical Presence Requirement</li> </ul>
<b>Funding and payment from U.S. source</b>	<ul style="list-style-type: none"> <li>● must be fully funded by Notre Dame (ND payroll)</li> <li>● must meet or exceed H-1B prevailing wage requirements</li> </ul>	<ul style="list-style-type: none"> <li>● must be fully funded by Notre Dame (ND payroll)</li> </ul>	<ul style="list-style-type: none"> <li>● must be fully funded by Notre Dame (ND payroll)</li> </ul>	<ul style="list-style-type: none"> <li>● must show funding for duration of program, generally funded by Notre Dame, home institution, or external organization</li> </ul>

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<b>Processing Time</b> (does not include hiring packet/ appointment letter)	<p>Once all documentation is submitted to ISSA, allow up to 3 weeks for preparation and filing of petition before following up</p> <p>With Premium Processing, 15 days to receive a response (e.g approval, RFE, denial) once petition has been received by USCIS</p> <p>If consular processing was selected on the I-129, check the current <a href="#">Visa Appointment Wait Times</a> for the U.S. embassy/consulate where the applying for the visa once petition is approved</p>	<p>Canadians: invitation letter from department, status obtained at U.S. port of entry, no visa stamp is required so no visa application at U.S. embassy/consulate is required</p> <p>Mexicans: check the current <a href="#">Visa Appointment Wait Times</a> for the U.S. embassy/consulate where the employee will be applying for the visa</p> <p>Note: if the employee is currently in the U.S. and cannot travel, a TN application can be filed with USCIS</p>	<p>Once all documentation is submitted to ISSA, allow up to 3 weeks for preparation and filing of petition before following up</p> <p>With Premium Processing, 15 days to receive a response (e.g approval, RFE, denial) once petition has been received by USCIS</p> <p>If consular processing was selected on the I-129, check the current <a href="#">Visa Appointment Wait Times</a> for the U.S. embassy/consulate where the employee will be applying for the visa</p>	<p>Once ISSA receives the J-1 application request in ISSALink, it takes up to 5 business days to process the Form DS-2019.</p> <p>Check the current <a href="#">Visa Appointment Wait Times</a> for the U.S. embassy/consulate where the employee/scholar will be applying for the visa</p>
<b>University Policy</b>	<ul style="list-style-type: none"> <li>• Department must notify ISSA of any substantial change in employment details PRIOR to the change</li> <li>• Department must complete the <a href="#">Departure Form</a> if the employee is terminated, resigns, or transfers departments</li> </ul>	<ul style="list-style-type: none"> <li>• Department must notify ISSA of any major changes in employment details.</li> <li>• Department must complete the <a href="#">Departure Form</a> if the employee is terminated, resigns, or transfers departments</li> </ul>	<ul style="list-style-type: none"> <li>• Department must notify ISSA of any substantial change in employment details PRIOR to the change</li> <li>• Department must complete the <a href="#">Departure Form</a> if the employee is terminated, resigns, or transfers departments</li> </ul>	<ul style="list-style-type: none"> <li>• Scholar must notify ISSA of their departure (and the permanent departure of any dependents) or transfer to another institution by submitting the J-1 Scholar or Dependent Departure Form on <a href="#">ISSALink</a>.</li> </ul>
<b>Dependents</b>	<p>H-4 (cannot apply for work authorization/EAD without primary H-1B having an approved I-140 petition)</p>	<p>TD (cannot work)</p>	<p>O-3 (cannot work)</p>	<p>J-2 (can work with USCIS authorization and EAD card)</p>

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	<b>H-1B</b>	<b>TN</b>	<b>O-1</b>	<b>J-1</b>
<b>Department Fees</b> (confirm most current fees here)	<ul style="list-style-type: none"> <li>● Filing Fee: \$460</li> <li>● Fraud Fee: \$500</li> <li>● Premium Processing (optional): \$2,500</li> <li>● Legal fees: \$1,250–\$1750</li> </ul>	<ul style="list-style-type: none"> <li>● Filing Fee: \$460</li> <li>● Premium Processing (optional): \$2,500</li> <li>● Legal fee: \$1,550–\$1,800</li> </ul>	<ul style="list-style-type: none"> <li>● Filing Fee: \$460</li> <li>● Premium Processing (optional): \$2,500</li> <li>● Legal fees: \$3,650–\$3,900</li> </ul>	None
<b>Beneficiary Fees</b>	<ul style="list-style-type: none"> <li>● Visa application fee: \$160</li> <li>● <a href="#">Visa Reciprocity fee</a> (varies by country)</li> </ul>	<ul style="list-style-type: none"> <li>● Fees for Canadians: \$56 immigration fee (paid at port of entry)</li> <li>● Fees for Mexicans: visa application fee: \$160</li> </ul>	<ul style="list-style-type: none"> <li>● Visa application fee: \$160</li> <li>● <a href="#">Visa Reciprocity fee</a> (varies by country)</li> </ul>	<ul style="list-style-type: none"> <li>● SEVIS fee: \$220</li> <li>● Visa application fee: \$160</li> <li>● <a href="#">Visa Reciprocity fee</a> (varies by country)</li> </ul>
<b>Dependent Fees</b>	I-539 filing fee: \$370	I-539 filing fee: \$370	I-539 filing fee: \$370	<ul style="list-style-type: none"> <li>● Visa application fee: \$160</li> <li>● <a href="#">Visa Reciprocity fee</a> (varies by country)</li> </ul>