

Disclaimer: we can provide general information on government guidance/policy changes, but cannot dispense legal advice to individuals and their immigration situations. Every situation has its own unique complexities, which are often significant, and may require seeing legal counsel.

J-1 Visa

1. How J1 will be affected with current visa/immigration rules?
 - This will depend on the individual case.
2. How long can I stay with J1 visa?
 - As long as your status allows for.
3. After J1 expires, when should I leave the country?
 - When status expires, there is a 30-day grace period, which has recently been extended to 60 days due to COVID-related flight delays
4. How soon can I renew DS-2019 before the expiration date?
 - 90 days before expiration
5. Can I renew J1 visa in the US? What are the risks of doing that?
 - There is no way of renewing J-1 stamp within the U.S.
6. How to waive 2-years home requirement?
 - Please check this link for details: <https://travel.state.gov/content/travel/en/us-visas/study/exchange/waiver-of-the-exchange-visitor/how-to-apply-waiver.html>

H-1B Visa

1. How long it takes to apply for H1B?
 - Apply as soon as possible or 6 months ahead of time.
2. Is there a minimum salary requirement for academic H1B visa?
 - It depends on the field of study.
3. Any assistance from OSU to apply for H1B?
 - OSU OIA Office works with OSU Departments to assist with H1B applications.
4. If my H1B visa expires, when do I have to leave US?
 - There is no grace period after the petition expiration date.

Green Card

1. I'm in H1B. How early should I apply for green card before H1B expiration?
 - As soon as possible is highly recommended.
2. Any assistance from OSU to apply for green card as a postdoc?
 - It depends on the eligibility category. OSU will assist with applications based on long-term or permanent employment, but not those based on Extraordinary Ability or Family ties.
3. Which types of permanent residency is better for postdoc?
 - It depends on the specifics of each case. Since postdoc is temporary position, you can do self-petition. For self-petition, you can do EB1A is for extraordinary ability and/or EB2-NIW for advanced degree holders with national interest waiver. EB1A has higher criteria.
4. Criteria for being accepted, e.g. number of publications.
 - There is no specific criteria for the number of publications. Each should be viewed holistically. You can talk further with your attorney about your situation.
5. I'm in J1. Can I apply for EB2-NIW?
 - Yes, but after you waive the 2-year home requirement. After applying for EB2-NIW, obtaining other non-immigrant visas (F/J) may not be possible because you already declare your immigration intent. This is something to keep in mind.
6. If my PI is willing to sponsor me, can I apply for green card or just H1B?
 - This depends on whether PI is willing to sponsor temporary or permanent position. H1B is best for temporary employment while Green Card is for permanent employment.