

## **MOST COMMONLY USED NONIMMIGRANT VISA CATEGORIES**

### **B-1 BUSINESS VISITOR VISA CATEGORY**

This classification is granted to aliens only for a period of time necessary to conduct his or her business in the United States on behalf of a foreign employer. Most such visits are approved for no more than six months. These trips are temporary and cannot involve employment in the United States or the undertaking of an academic study program.

### **B-2 TOURIST VISA**

This category is designed for aliens who are coming to the United States for such activities as touring, visiting family members or obtaining healthcare. These visas qualify an individual to remain in the United States for a six-month period. No employment of any kind is permitted.

### **H-1B SPECIALTY OCCUPATION VISA CATEGORY**

This category is used by universities, companies and other organizations to employ “professional” foreign nationals temporarily in a “professional” capacity. To qualify, the position must be professional in nature and require a specific baccalaureate or higher degree or its equivalent, and the foreign national must meet this requirement.

### **H-2B TEMPORARY NEED VISA CATEGORY**

This category is used by U.S. companies to temporarily employ skilled or unskilled foreign nationals in nonagricultural positions for which the employer has a temporary need and for which qualified U.S. workers are unavailable. The company must establish that it has attempted to recruit U.S. workers and it must be the company’s intention to employ the foreign nationals for a temporary period.

### **H-2A AGRICULTURAL WORKERS**

This category allows aliens to be admitted to the United States as nonimmigrants to perform agricultural labor of a temporary or seasonal nature. To qualify, an employer must prove that (1) there are not sufficient qualified U.S. workers to perform the services, and (2) there will not be an adverse effect on the wages and working conditions of workers in the United States similarly employed.

### **H-3 TRAINING VISA CATEGORY**

This category is used by U.S. companies and institutions to bring foreign employees to the United States for a temporary period in order to participate in an established company training program. The training program may provide classroom training, or a combination of classroom and on-the-job training, which is unavailable in the alien trainee’s home country. No U.S. workers can be displaced as a result of the training.

### **E VISA CATEGORY**

This category is for nationals of a country with which the United States maintains a treaty of commerce and navigation and who are coming to the United States to develop and direct the operations of an enterprise in which the national has invested, or is in the process of investing a substantial amount of capital; or the entrepreneur is engaged in substantial trade with the visitor’s country of nationality. Managerial or executive employees or individuals from the same country who have critical technical skills would also qualify. Ordinary skilled or unskilled workers do not qualify.

### **L-1 VISA CATEGORY**

Intracompany transferees who within the preceding three years have been employed abroad for one continuous year by a qualifying organization can be admitted temporarily to the United States to be employed by a parent, branch, affiliate, or subsidiary of that employer in a managerial or executive capacity, or in a position requiring specialized knowledge.

### **F-1 STUDENT VISA**

This visa category includes foreign nationals entering the United States as nonimmigrants in order to engage in academic studies. The students range from elementary school students (private schools only) to doctoral candidates, as well as persons engaged in post-doctoral studies.

### **J-1 EXCHANGE VISITOR VISA**

This category is used by foreign students, scholars, experts, medical interns and residents to enter the U.S. as exchange visitors in order to participate in a U.S. government approved Exchange-Visitor Program. The purpose is to gain experience, study, or do research in their respective fields.

### **O-1 EXTRAORDINARY ABILITY VISA**

This category is designed for the principal alien who has extraordinary ability in the sciences, education, business or athletics. A less rigorous standard applies to individuals in the arts and an intermediate standard applies to aliens of extraordinary achievement in the motion picture or TV industries. The initial period of stay is granted for the time necessary to complete the events or activities for which the nonimmigrant is admitted, up to a maximum of three years.

### **P VISAS**

The P-1 category is set aside for alien athletes who compete individually or as part of a team at an internationally recognized level, and aliens who perform with, or are an integral part of the performance of, an entertainment group that has received international recognition.

The P-2 category covers artists and entertainers who seek to be admitted to the U.S. through a reciprocal exchange program between a foreign-based and a U.S.-based organization which are engaged in the temporary exchange of artists and entertainers.

The P-3 category covers artists and entertainers, including groups, who will perform under a program that is “culturally unique.”