

## U.S. Nonimmigrant Visa Categories

### Overview

Nonimmigrant visas are for people who wish to go to the United States on a temporary basis for tourism, business, temporary work, study, or medical treatment. For complete U.S. travel and visa information please visit <https://travel.state.gov>.

Please plan ahead. It is strongly encouraged to wait to purchase plane tickets until the traveler has received a valid visa. A ticket is not required at the time of the visa application interview.

All travelers should be aware that a visa does not guarantee admission into the United States. The Department of Homeland Security (DHS) may deny admission, and also limit the authorized period of time in the United States. Additional information concerning entry to the United States can be found at <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/all-visa-categories.html>.

### Visitor Visa Categories

#### (B) VISITOR: BUSINESS, TOURISM, MEDICAL TREATMENT

The Visitor Visa is a nonimmigrant visa for persons desiring to enter the United States temporarily for business (B1), including attending professional meetings or conference; for pleasure, including vacation or visiting family or medical treatment (B2), or a combination of both (B1/B2) purposes for up to six months.

#### (C) TRANSITING in the U.S.

Individuals traveling between two foreign countries that must make a connection in the United States as part of that trip.

- A crewperson traveling to the United States as a passenger to join a ship or aircraft would require a transit visa. Please see the information on Crew Visa.
- A traveler embarking at a foreign port on a cruise ship or other vessel that is proceeding to a foreign destination other than the United States, and during the course of the journey, the vessel makes port in the United States, a transit visa or other nonimmigrant visa is required.

### Study Visa Categories

#### (F/M) ACADEMIC OR LANGUAGE STUDENT / VOCATIONAL OR NONACADEMIC STUDENT

Generally, any visa applicant coming to the United States to attend an approved educational course of study requires a Student Visa.

Upon acceptance to a U.S. school the student plans to attend, the student will be enrolled in the Student and Exchange Visitor Information System (SEVIS). Instructions on completing the SEVIS I-901 fee and associated signatures through the SEVIS system will be provided by the U.S. school. The school will enter the principal applicant's name in the SEVIS system as well as the names of any family members who plan to travel with the principal applicant in order to generate the necessary I-20 form(s). Each family member must receive their own I-20. If the family members do not apply with the principal applicant, a copy of original I-20 issued by the principal visa holder's school will be required. Visit the U.S. Immigration and Customs Enforcement (ICE) Student and Exchange Visitor Program (SEVP) website to learn more.

Continuing students may apply for a new visa at any time, as long as they have been maintaining student status and their SEVIS (<http://www.ice.gov/sevis>) records are current. Continuing students may also enter the United States at any time before their classes start.

#### (J) EXCHANGE VISITOR

Exchange visitor (J-1) visas are nonimmigrant visas for individuals approved to participate in exchange visitor programs in the United States. Visit the Department of State J-1 Visa Exchange Visitor Program website at <http://j1visa.state.gov/programs> to learn about program requirements, regulations, and more.

Upon acceptance to the U.S. Exchange Visitor Program, the traveler will be enrolled in the Student and Exchange Visitor Information System (SEVIS). Most J-1 Exchange Visitors must pay the SEVIS I-901 Fee. (If the J-1 Exchange Visitor Program allows spouse and/or children to accompany the exchange visitor, the family members are not required to pay this fee.) The program sponsor will provide the exchange visitor with a Form DS-2019 to present at the visa interview. If your program allows spouse and children to participate, each family member will be issued their own Form DS-2019 in order to apply for J-2 visas. Visit the U.S. Immigration and Customs Enforcement (ICE) Student and Exchange Visitor Program (SEVP) website to learn more about SEVIS and the SEVIS I-901 Fee.

### Work Visa Categories

#### (D) CREW MEMBER

Crewmember (D) visas are nonimmigrant visas for persons working on board vessels (such as cruise liner or fishing ship) or international airlines in the United States; their employment is required for normal operation and services.

Travel purposes which require Crewmember (D) Visa examples:

- pilot or flight attendant on a commercial airplane
- captain, engineer, or deckhand on a sea vessel
- lifeguard, cook, waiter, beautician, or other service staff on a cruise ship
- trainee on board a training vessel

If an applicant is a passenger traveling to meet the vessel on which the applicant will work, the applicant will also need a Transit (C1) Visa and should bring a letter from their employer or the employer's agent to confirm that transit is required. The Consular section will typically issue a combination C1/D visa if the reciprocity schedule for the applicant's country of citizenship allows. View the country reciprocity schedules for more information at <https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html>

Please note: Crewmen of either sea or air vessels applying for both a B1/B2 and a C1/D should fill out one online DS-160 visa application form, pay one visa application (MRV) fee and schedule an appointment for C1/D visa.

#### (I) MEDIA and JOURNALISTS

To qualify for the media (I) visa applicants must demonstrate that they are properly qualified for a media visa. Media visas are for "representatives of the foreign media," including members of the press, radio, film or print industries, whose activities are essential to the foreign media function, such as reporters, film crews, editors and persons in similar occupations, traveling to the United States to engage in their profession. The applicant must be engaging in qualifying activities for a media organization having its home office in a foreign country. To be eligible for the media visa, the activity must be essentially providing information, and generally associated with the news gathering process, or reporting on actual current events. Reporting on sports events are usually appropriate for the media visa. Other examples include, but are not limited to, the following media related activities:

- Primary employees of foreign information media engaged in filming a news event or documentary.
- Members of the media engaged in the production or distribution of film will only qualify for a media visa if the material being filmed will be used to disseminate information or news. Additionally, the primary source and distribution of funding must be outside the United States.
- Journalists working under contract: Persons holding a credential issued by a professional journalistic organization, if working under contract on a product to be used abroad by an information or cultural medium to disseminate information or news not primarily intended for commercial entertainment or advertising.
- Employees of independent production companies when those employees hold a credential issued by a professional journalistic association.
- Foreign journalists working for an overseas branch office or subsidiary of a U.S. network, newspaper or other media outlet if the journalist is going to the United States to report on U.S. events solely for a foreign audience.
- Accredited representatives of visitor bureaus, controlled, operated, or subsidized in whole or in part by a foreign government, who engage primarily in disseminating factual visitor information about that country.

## (E1/E2) TREATY TRADER / TREATY INVESTOR

The Treaty Trader (E1) or Treaty Investor (E2) visa is for a national of a country with which the United States maintains a treaty of commerce and navigation who is coming to the United States to carry on substantial trade, including trade in services or technology, principally between the United States and the treaty country, or 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. For a list of participating countries refer to <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/fees/treaty.html> .

The E1 nonimmigrant classification allows nationals of a treaty country to be admitted to the United States solely to engage in international trade on their own behalf.

The E2 nonimmigrant classification allows a national of a treaty country to be admitted to the United States when investing a substantial amount of capital in a U.S. business.

For more information, please see: <https://travel.state.gov/content/travel/en/us-visas/employment/treaty-trader-investor-visa-e.html> .

## (E3) AUSTRALIAN PROFESSIONAL SPECIALTY

This visa classification applies to Australian nationals traveling to the United States to work temporarily in a specialty occupation. As the E3 is specific to Australian nationals, more detailed information can be found at <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/all-visa-categories.html> .

## (H, L, O, P, Q, R) TEMPORARY WORKER/EMPLOYMENT or TRAINEES

If an applicant wants to work in the United States temporarily as a nonimmigrant, under U.S. immigration law, the applicant needs a specific visa, based on the type of work the applicant will be doing. Most temporary worker categories require that the applicant's prospective employer or agent file an I-129 petition that must be approved by the U.S. Citizenship and Immigration Services (USCIS) before the applicant can apply for a visa. For more information, please see <http://www.uscis.gov/portal/site/uscis> .

Individuals may only apply for a temporary worker visa after U.S. employers have submitted an I-129 petition and USCIS has approved it. USCIS will then issue a Form I-797 which shows a confirmation receipt number. That receipt number is required in order to schedule an appointment through this service. Paper copies of the I-797 and/or I-129 are not required.

**(H1-B) Persons in Specialty Occupation** – Applicants for this visa require the theoretical and practical application of a body of highly specialized knowledge requiring completion of a specific course of higher education. This category also includes fashion models and Government-to-Government research and development, or co-production projects administered by the Department of Defense.

**(H1-B1) Free Trade Agreement (FTA) Professional** - This visa category was created by the US-Chile Free Trade Agreement and the US-Singapore Free Trade Agreement. H-1B1 temporary workers are defined as persons who will perform services in specialty occupations on a temporary basis.

Applicants applying for H-1B1 visas should present a job offer from United States employer and a Certified Department of Labor approved application. A Nonimmigrant Work petition is not required. For more information on the H-1B1 visa, please visit <https://travel.state.gov/content/travel/en/us-visas/employment.html> .

**(H2-A) Seasonal Agricultural Workers** – The H2-A visa allows United States employers to bring foreign nationals to the United States to fill temporary agricultural jobs for which U.S. workers are not available

**(H2-B) Temporary or Seasonal Nonagricultural Workers** – The H2-B non-agricultural temporary worker program allows U.S. employers to bring foreign nationals to the United States to fill temporary nonagricultural jobs.

**(H3) Trainees (other than medical or academic)** – This visa type is designed to allow foreign nationals to come to the United States to receive training in many different areas including agriculture, commerce, communications, finance, government, transportation, the professions, as well as purely industrial areas.

**(L) Intracompany Transferee** – This visa is for applicants who, within the three preceding years, have been employed abroad continuously for one year, and who will be employed by a branch, parent, affiliate, or subsidiary of that same employer in the United States in a managerial, executive, or specialized knowledge capacity. The L Visa enables a U.S. employer to transfer an executive or manager from one of its affiliated foreign offices to one of its offices in the United States. This visa also enables a foreign company that does not yet have an affiliated U.S. office to send an executive or manager to the United States with the purpose of establishing one.

A multinational corporation with an office in the United States can file for individual employees or may obtain one approval, called a blanket L petition, under which multiple managers and executives can enter the United States. For further information on blanket L eligibility, please see <http://www.uscis.gov/portal/site/uscis> .

Once the petitioner obtains the blanket L approval, individual applications must be filed on behalf of each applicant seeking to enter the United States in L status.

**(O) Persons With Extraordinary Ability** – The O Visa is for the individual who possesses extraordinary ability in the sciences, arts, education, business, or athletics, or who has a demonstrated record of extraordinary achievement in the motion picture or television industry and have been recognized nationally or internationally for those achievements. Includes persons providing essential services in support of the above individual.

**(P) Internationally Recognized Athletes, Artists, and Entertainers** – For a P Visa, the applicant must be coming to the United States either individually or as a group for the purpose of:

- performing at a specific athletic competition as an athlete or as a member of an entertainment group. Requires an internationally recognized level of sustained performance.
- performing under a reciprocal exchange program between an organization in the United States and an organization in another country.
- performing, developing, interpreting, representing, coaching, or teaching a unique or traditional ethnic, folk, cultural, musical, theatrical, or artistic performance or presentation.

Includes persons providing essential services in support of an above individual.

**(Q) International Cultural Exchange Visitor** – This visa is for the purpose of providing practical training, employment, and the sharing of the history, culture, and traditions of the applicant's home country. The Q nonimmigrant visa is for international cultural exchange programs designated by United States Citizen and Immigration Service (USCIS).

**(R) Religious Worker** – The Religious Worker (R) visa is for applicants seeking to enter the United States to work in a religious capacity on a temporary basis.

Religious workers include persons authorized, by a recognized employing entity, to conduct religious worship and perform other duties usually performed by authorized members of the clergy of that religion, and workers engaging in a religious vocation or occupation.

- The applicant must be a member of a religious denomination having a bona fide nonprofit religious organization in the United States
- The religious denomination and its affiliate, if applicable, are either exempt from taxation or qualifies for tax-exempt status
- The applicant has been a member of the denomination for two years immediately preceding applying for religious worker status. The applicant is planning to work as a minister of that denomination, or in a religious occupation or vocation for a bona fide, non-profit religious organization (or a tax-exempt affiliate of such an organization)

### (TD/TN) NAFTA PROFESSIONAL

The North American Free Trade Agreement (NAFTA) creates special economic and trade relationships for the United States, Canada and Mexico. The nonimmigrant NAFTA Professional (TN) visa allows citizens of Canada and Mexico, as NAFTA professionals, to work in the United States in a prearranged business activity for a U.S. or foreign employer. Individuals who are permanent residents - but not citizens - of Canada and Mexico do not qualify to work as a NAFTA professional. The dependents of a TN visa holder will be issued a TD visa.

Professionals of Canada or Mexico may work in the United States under the following conditions:

- Applicant is a citizen of Canada or Mexico
- Profession is on the NAFTA list
- Position in the United States requires a NAFTA professional
- Mexican or Canadian applicant is to work in a prearranged full-time or part-time job.
- The Canadian or Mexican applicant has the qualifications of the profession

## Other Nonimmigrant Visa Categories

### (T) VICTIM OF TRAFFICKING

Holders of T visas have been victims of a severe form of trafficking in persons. Human trafficking, also known as trafficking in persons, is a form of modern-day slavery in which traffickers lure individuals with false promises of employment and a better life. Traffickers often take advantage of poor, unemployed individuals who lack access to social services. The T Nonimmigrant Status (T visa) protects victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking.

Victims of trafficking are granted T status only in the United States. For more information, please see <http://www.uscis.gov/portal/site/uscis> . The role of U.S. embassies and consulates is only to process applications for family member derivatives of those already granted T status in the United States.

### (U) VICTIM OF CRIMINAL ACTIVITY

The U visa classification is available to qualified foreign victims of designated criminal activities who assist with the investigation or prosecution of the qualifying criminal activities. Individuals self-petition USCIS directly, and U nonimmigrant status is granted by USCIS through an approved petition. Both U visa principal and derivative petitioners, granted U status, may apply for U visas in Consular Sections overseas. The purpose of the U visa is to give victims of certain crimes temporary legal status and work eligibility in the United States for up to 4 years.

## Nonimmigrant Visas

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