

OIS Nonimmigrant Classification Reference Guide

Type Of Visa (Immigration Status)	Possible Income From Us Sources`	Eligibility Criteria	Max Length Stay In Us	Advantages	Disadvantages	Supporting Documentation Needed	OIS Role	Preferred Notice to OIS	Minimum Notice to OIS
J-1 EXCHANGE VISITOR (PROFESSORS AND RESEARCHERS)	Unlimited income from university; allowed financial support from foreign and personal sources;	Invitation to teach, lecture or conduct research; indication of adequate financial support for length of program	Up to 5 calendar years on a use or lose basis.	Relatively easy and quick to obtain; may be self-funded; spouse may apply for work authorization	May be subject to two- year home residence requirement; cannot change program objective; 2-year bar applies at end of program participation.	Certificate of Eligibility from program sponsor with details of program objectives and evidence of financial support	Advise Process for issuance of DS-2019	6 mos.	90 days
H-1B NONIMMIGRANT WORKER	Unlimited income from university; no other income unless holds concurrent H-1B with other employer	Possession of professional degree and skills; indication that position to be filled requires professional skills and is temporary	First period up to 3 years, renewable to total of 6 years	Allowed to have dual intent to immigrate; not subject to two-year home country residence requirement	Extensive supporting documentation needed; must pay a prevailing wage.	Highest US degree or evidence of US equivalent; employer letter, certified Labor Condition Application and more.	Advise Prepare and submit petition to USCIS	6 mos.	90 days
O-1 NONIMMIGRANT WORKER	Unlimited income from University, no other income unless holds concurrent O-1 with other employer	Possession of professional degree and skills; demonstration of extraordinary ability; indication that position to be filled is an event that is temporary in nature	First period up to 3 years, renewable annually; no specified time limit; based on duration of valid event	Not restricted by being subject to 212(e); no prevailing wage requirement	Extensive supporting documentation needed to demonstrate that the beneficiary is outstanding	Letter of consultation from peer group; letter of recommendation; same degree requirements as above, and more	Advise Prepare and submit petition to USCIS for extension of stay	6 mos.	90 days
TN / NAFTA NONIMMIGRANT WORKER	Unlimited income from University; no other income without approval for new employer	Possession of qualifying professional degree or licensure; indication that position to be filled is temporary in nature	One year; renewable annually	No prevailing wage requirement; Canadian TN is quick and easy to obtain through border entry	Limited to Canadian and Mexican citizens (Mexican TN process similar to H-1B); cannot adjust to permanent status	Proof of qualifying citizenship; original degree diploma; letter of support from hiring department; other proof for Mexican TN	Advise Prepare and submit petition for extension of stay	6 ms.	90 days
B-1/B-2 VISITOR FOR BUSINESS/ PLEASURE	Honorarium and/or reimbursement for travel and subsistence, possible, but no salary	Proof of academic or business purpose for visit to United States	No more than 1 year - renewable in excrements of 6 months (exceptions may apply)	Quick and relatively easy to obtain and use many times; no government form or petition required	Limited stay in US; may not be paid a salary. Cannot stay for more than 9 days at any one university if being paid.	Invitation letter with dates and purpose of visit; proof of adequate funds; evidence of permanent residence in the home country	Advise and counsel	n/a	n/a
WB (WAIVER OF BUSINESS) or WT (WAIVER OF TOURIST)	Honorarium and/or reimbursement for travel & subsistence, possible, but no salary	WB: See B-1 WT: See B-2 Only applicable if from designated visa waiver country	90 days	No need to visit US Consulate	WB: see B-1 WT: see B-2 No extensions or change of immigration status possible	WB: see B-1 WT: see B-2	Advise and counsel	n/a	n/a
PERM for LABOR CERTIFICATION (GREEN CARD)	Minimum income requirement to be paid by university; no maximum limit	Demonstration of no minimally qualified U.S. workers available for hire; proof of qualifying education and skills	n/a	Obtains permanent resident status; no more need to extend visa status	Complex and lengthy process	Recruitment efforts; degree, certificates and/or license, etc.	Advise Prepare and submit to regulatory agencies.	* 9 mos	*6 mos.
EB-1 OUTSTANDING PROFESSOR or RESEARCHER (GREEN CARD)	Income must be equitable for occupation; no maximum limit from university.	Evidence of outstanding merit and proof of international recognition in the academic field; permanent job offer	n/a	Bypasses the PERM process; Obtains permanent resident status; no more need to extend visa status	Detailed oriented process; compiling evidence can be burdensome	Offer letter; awards, memberships, citations, publications, and more; minimum 3 years experience	Advise Prepare and submit to USCIS	* 6 mos	*6 mos.

*Candidates for permanent resident sponsorship must have a minimum of 18 months validity remaining as a nonimmigrant worker.