

NON-IMMIGRANT VISA CHART



SUMNER IMMIGRATION LAW
 1700 BAYBERRY COURT SUITE 100A RICHMOND, VA 23226
www.sumnerimmigration.com

Type	Purpose	Duration	Requirements	Restrictions	Dependents
B-1	Temporary visa for professional activities related to business abroad	"Reasonable" period of time for completion (up to one year with 6 month extensions)	Must also provide evidence of intent to return to home country. Must show a permissible business activity, as well as financial means to ensure no need for employment while in the U.S.	Cannot undertake employment in the U.S.	
B-2	Temporary visa for personal reasons	Varies depending on reason for entering	Must also provide evidence on intent to return to home country.	Cannot undertake employment in the U.S.	
E-1/E-2	Used to carry on international trade (E-1) or investment (E-2) between U.S. and a foreign state	2 years with 2 year extensions	Investment must be substantial (for E-2). Trade must be principally between the U.S. and the treaty country.		Spouse or child of E-1 can enter on E-1 status.
F-1	Academic Student	Duration of program	Must have foreign residence with intent to return. Must seek to enter U.S. temporarily and solely for the purpose of pursuing such a course of study. Must also prove sufficient financial support and be proficient in English.	Can only work pursuant to F-1 status in certain circumstances.	Family members may enter under F-2 status. They may not attend school; child may attend elementary through 12 th grade.

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H-1B	Temporary employment in specialty occupations	3 years, extension to maximum of 6 years; may extend past 6 th yr. under certain circumstances.	Occupation must require theoretical and practical application of highly specialized knowledge. Also requires a bachelor's degree or equivalent in the specific specialty.	Annual numerical cap on certain H-1B applications. H-1B must remain employed to maintain lawful status.	Spouse and minor children classified as H-4. However the dependents cannot work in the U.S. on H-4 status.
H-2B	Temporary workers performing labor or services for seasonal work/peak load or intermittent need	No more than 1 year, extensions not more than 1 year to a 3 year maximum.	Applicant must be performing only temporary services. Employer must demonstrate that no U.S. workers are capable of performing such services.	Employment of aliens must not adversely affect wage rate and working conditions of similarly employed workers in U.S.	
H-3	Temporary worker invited for the purpose of receiving instruction/training	Length of training, not to exceed 2 years	Cannot engage in productive employment unless it is incidental and necessary to the training and pursuing a career outside of the U.S.		
J-1	Exchange visitor	Duration of program	Requirements vary by program: researcher, trainee/intern, etc. Home country residency requirement may apply (§212e).	They may be subject to 2 year home residency requirement that requires a J-1 visitor to return to his/her home country for a 2 year period before changing status or applying for permanent residency.	Spouse and minor children are classified as J-2. They may accept paid employment for their own support provided the employment is authorized by USCIS.

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K-1	Fiancée of U.S. citizen	4 months	Must have bona fide intention to marry within 90 days after entry. Must prove to have previously met U.S. citizen within 2 years of filing petition.	Must be no legal impediments to marriage. Petitioner must disclose certain criminal convictions.	Minor children may accompany K-1 under K-2 status. The K-1 may apply for work authorization through USCIS.
L-1A/ L-1B	Transfer of personnel between related U.S. and foreign entities. L-1A is for managers/executives, L-1B is for specialized knowledge.	2 years, extensions in 2 year increments thereafter. L-1A limited to 7 years total. L-1B limited to 5 years total.	Beneficiary must have been employed abroad continuously for one of the past three years by parent, branch, affiliate or subsidiary of U.S. company proceeding application for admission. Applicant must be seeking to enter in a capacity that is managerial, executive, or involved specialized knowledge.	“Specialized knowledge” must be obtained by applicant prior to entering the U.S., and therefore should not require any training in the U.S.	Spouse and minor children classified as L-2. They may accept employment after obtaining work authorization through USCIS.
O-1A	Persons of extraordinary ability in science, art, education, business or athletics	No more than 3 years, extensions available.	Must be sponsored by employer. Must prove sustained national or international acclaim.	Must intend to remain temporarily, but dual intent recognized.	
P-1	Athletes & Group Entertainers	Up to 5 years with extension up to 5 years.	Person who performs as an athlete; person who performs as part of a group or team that is “international recognized.”	Must intend to remain temporarily	Spouse and unmarried children (P-4). Dependents may not engage in employment, but may attend school or college.

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P-3	Culturally Unique Program	Up to one year with extensions of one year increments	An artist or entertaining coming to the US individually or as part of a group to teach, perform, or coach a culturally unique program.		Spouse and unmarried children (P-4). Dependents may not engage in employment, but may attend school or college.
R-1	Temporary Religious workers	5 year maximum	Must be coming to work at least in a part-time position (20 hours) and must be coming to perform a religion vocation or occupation in either professional or nonprofessional capacity.	Must be member of a religious denomination, that has a bona fide nonprofit religious organization in the US, for at least two years immediately preceding application.	Spouse and children receive R-2
TN	Visas for Canadians and Mexicans to work temporarily in the U.S.	3 years.	Must engage in "activities at a professional level," which is defined as at least a baccalaureate degree, or appropriate credentials demonstrating status as a professional.	Must not have intent to immigrate. Limited to specific named categories of professions.	Spouse and unmarried children under 21 may enter under TD-1 and TD-2 visas.

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D	Victims of Criminal Activity	4 years, extensions available	Person has 1) suffered substantial physical or mental abuse as a result of being victim of criminal activity, 2) possess credible information on criminal activity the petition is based on, 3) been/must have been/will be helpful to agency in investigation/prosecution of criminal activity, 4) criminal activity occurred in US or US territory.		Spouse (U-2); children (U-3); parents (U-4); and unmarried sibling (U-5)
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