**Nonimmigrant Visa Classifications**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of Visa** | **Description** | **Study** | **Employment Restrictions** |
| **A-1/A-2 Foreign Diplomatic Personnel** **A-1/A-2 Dependents** | A-1 status is reserved for foreign government officials or employees of those governments such as ambassadors, public ministers, career diplomats, consular officers or other high-level government officials. A-2 status is used for other officials or employees of foreign governments in lesser ranks. Dependents of foreign government officials and employees. | May engage in study if incidental to the primary purpose of being in the U.S. and valid visa status is maintained. Dependents may engage in full or part-time study. | Permission to receive any compensation beyond diplomatic work must be granted in advance by the Protocol Division of the Department of State and approved by USCIS. A spouse or unmarried dependent child of a foreign government official may be employed if they present a fully executed Form I-566 bearing the endorsement of an authorized representative of the Department of State, pursuant to any restrictions stated or cited on the employment authorization document.  |
| **A-3** | Attendants, servants or other personal employees of foreign government officials. | May engage in full or part- time study.  | Only permitted to be employed by the foreign government official. |
| **B-1 Visitor for Business** | An individual in the U.S. for a short period of time to engage in such business activities as: negotiating contracts for overseas employees, consulting with business associates, attending professional conferences, or conducting independent research. | May not begin a "course of study" unless USCIS approves change of status to F, M, or J Student.  | Foreign visitors present in the U.S. on a B-1 visa are not permitted to be employed in the U.S. However, the law permits an academic institution to pay honoraria and associated incidental expenses for a usual academic activity lasting not longer than nine days at any single institution. The services performed must be conducted for the benefit of the academic institution AND the foreign national may not accept payment or expenses from more than five institutions within the previous six month period. Must present a valid visa and Form I-94, Record of Arrival and Departure as verification of immigration status. |
| **B-2 Visitor for Tourism** | An individual in the U.S. for travel, tourism and recreational purposes. | May not begin a "course of study" unless USCIS approves change of status to F, M, or J Student. | Foreign visitors in the U.S. on a B-2 visa are prohibited from being employed in the United States.  |
| **Visa Waiver for Business (VWB) and Tourism (VWT)** | An individual permitted to enter the U.S. without a visa for a stay limited to 90 days. Only available to citizens of countries designated by the U.S. State Department. Individuals entering the U.S. under the visa waiver program are NOT permitted to extend the length of stay or change visa status from within the U.S. | Laws regarding study and employment for holders of VWB (Visa Waiver for Business) or VWT (Visa Waiver for Tourism) are identical to their B-1 or B-2 counterparts listed above. | Laws regarding study and employment for holders of VWB (Visa Waiver for Business) or VWT (Visa Waiver for Tourism) are identical to their B-1 or B-2 counterparts listed above |
| **C-1, C-2, C-3, C-4 Aliens in Transit** | An individual in transit from one country to another "stopping over" in the U.S.C-2 and C-3 Foreign Government Officials in Transit | No study allowed. | Not permitted to receive payment from any U.S. source. May only be employed by the foreign government entity. |
| **D-1/D-2 Alien Crewman** | Crewmen who are employed on a vessel or an aircraft who are in the U.S. on "stopovers". | No study allowed. | Permitted to be employed in the U.S. only by the vessel or aircraft. |
| **E-1 Treaty Trader****E-2 Treaty Investor E-3 Treaty Specialty Worker** | Treaty Trader, Treaty Investor, and Treaty Specialty WorkerTreaty Traders (E-1) conduct trade and Treaty Investors (E-2) develop and direct operations in which they have invested a substantial amount of capital. E-1 and E-2 activities must be carried out pursuant to a treaty between the U.S. and the signatory country | The principal E-1 or E-2 Treaty Trader or Investor may engage in study if it is incidental to the primary purpose of the stay in the U.S. and valid E status is maintained. Dependents of E nonimmigrants may engage in full or part-time study. | May only be employed by the trade-qualifying company through which the foreign national obtained the visa status. USCIS Form I-797 authorizes employment. No EAD card is required. Dependents of E-1/E-2 visa holders are not permitted to be employed. |
| **F-1 Student** | An individual in the U.S. engaging in a full course of academic study at an accredited academic educational program. May include: elementary school, academic high school, college/university, conservatory or language training. (Students enrolled in vocational training are given M-1 visas.)  | Must participate in full-time study as defined by the academic, educational program; may reduce course load to part-time only for specific reasons and only when authorized by the International Office. | 1. May be permitted to be employed on the campus of the school in which they are enrolled for a maximum of 20 hours per week while classes are in session or 40 hours per week during school vacations. Requires approval of the International Office. No approval from USCIS is needed for on-campus work.  2. May be permitted to work off-campus during their enrollment under certain circumstances. This work requires approval of the International Office on form I-20 and/or an EAD card issued by the USCIS. 3. Permitted to participate in employment directly related to their field of study. This employment may take the form of: 1. Curricular Practical Training. Employment which is integral to the student's program of study. Requires approval of the International Office on form I-20. No USCIS approval is required.2. Optional Practical Training, Employment during or after the completion of studies. The total period of employment cannot exceed 12 months.  Requires approval of the International Office and approval from USCIS in the form of an EAD card. |
| **F-2 Dependents of F-1 visa holders** | An individual in the U.S. as a dependent of an F-1 visa holder. | F-2 spouses may not engage in fulltime study; F-2 children may only engage in full-time study at the K-12 level. Part-time study that is avocational or recreational in nature is permitted. F-2 may not begin a course of study until a change to F-1, M-1, or J-1 status is approved. | Not permitted to work in the U.S. under any circumstances. |
| **G-1,G-2,G-3,G-4 Representatives of International Organizations** | An individual in the U.S. as a representative of an international organization and their dependents, e.g. United Nations. | Principal G visa holder may engage in study if incidental to the primary purpose of the stay in the U.S. and valid G status is maintained. G dependents may engage in full or part- time study. | Principal G visa holders are ONLY permitted to be employed by the foreign government entity or international organization they represent. A spouse or unmarried dependent child of an officer, or representative of an international organization may be employed if they present a fully executed Form I-566 bearing the endorsement of an authorized representative of the Department of State, pursuant to any restrictions stated in the regulations or cited on the employment authorization document. |
| **G-5 Personal employees of G- 1, G-2, G-3, or G-4 visa holders** | An individual in the U.S. as a personal employee of a representative to an international organization. | May engage in study if incidental to the primary purpose of the stay in the U.S. | Only permitted to be employed by the foreign government official. |
| **H-1B Temporary Worker in a Specialty Occupation** | An individual in the U.S. to perform services of a professional nature for a sponsoring employer in a specific position for a fixed period of time. Employment authorization is granted for an initial period of up to 3 years. Extensions for an additional 3 years are possible for a six year maximum stay. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | Employment permitted ONLY with the petitioning organization through whom the visa classification was obtained. Prohibited from receiving payments from other organizations. However, it is possible for an individual to obtain USCIS approval to work in H-1B status for more than one employer. Each employer must petition USCIS and receive an approval for the employment. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **H-2A Agricultural Worker** | An individual in the U.S. to perform agricultural work on a temporary basis. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | May be employed ONLY by the petitioning employer through whom the visa status was obtained for the specific period of time as indicated by the USCIS. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **H-2B Skilled or Unskilled Worker** | An individual in the U.S. in a temporary position for which there is a shortage of U.S. workers, for a specific employer for a fixed period of time. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.  | May ONLY be employed by the petitioning employer through whom the visa status was obtained for the specific period of time as indicated by USCIS. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **H-3 Trainee** | An individual in the U.S. for a temporary period of time to participate in a training program provided by a specific employer. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | May work only for the petitioning employer through whom the visa status was obtained for the specific period of time as indicated by USCIS. USCIS Form I-797 authorizes employment. and no EAD card is required. |
| **H-4 Dependents of H visa holders** | An individual in the U.S. as a dependent of any "H" visa category. | May engage in full or part-time study. | Not permitted to be employed or receive compensation from any U.S. source. |
| **I Representative of Foreign Information Media** | An individual in the U.S. as a journalist or representative of international media, and their dependents. | Principal I visa holder may engage in study if incidental to the primary purpose of the stay in the U.S, while maintaining valid visa status. Dependents are permitted to engage in full or part-time study. | Permitted to be employed only by the sponsoring foreign news agency or bureau. Dependents are not permitted to be employed. |
| **J-1 Exchange Visitor (Student)** | An individual in the U.S. as an exchange visitor for the primary purpose of studying at an academic institution under the auspices of the United States Information Agency and a Designated Program Sponsor. | Must study full-time; may engage in part-time study ONLY if authorized by International Student Advisor in advance. | May be employed on the campus of the school in which they are enrolled to a maximum of 20 hours per week with prior written authorization from the Responsible Officer of their Exchange Visitor Program. May also work off- campus under limited circumstances provided they have obtained prior written authorization from the Responsible Officer. Employment does not require additional permission from USCIS or an EAD card. Eligible for 18 months of academic training following the completion of their program. (36 months for Post-Doctoral Training). |
| **J-1 Exchange Visitor (Scholar, Professor or Researcher)** | An individual in the U.S. as a visiting researcher or professor under the auspices of the United States Information Agency and a Designated Program Sponsor. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid J-1 visa status. May NOT enroll in a formal degree granting academic program while in J-1 visa status as a professor or researcher. | May be employed only by the Exchange Visitor Program Sponsor or appropriate designee and within the guidelines of the program approved by the United States Information Agency for the period of validity as stated on the DS-2019.Under limited circumstances, may receive compensation from other institutions provided prior written authorization from the Responsible Officer of their Exchange Visitor Program has been secured. DS-2019 Form authorizes employment and no EAD card is required. |
| **J-1 (Au pair)** | An individual in the U.S. under the auspices of the United States Information Agency and a Designated Program Sponsor to serve as a live-in child care provider for a host family. | May enroll in "post-secondary institutions" while maintaining J-1 status as an au pair. | Eligible to receive payment only from the host family or the program sponsor for child care services not to exceed 45 hours per week. |
| **J-2 Dependents of J-1 visa holders** | An individual in the U.S. as a dependent (spouse and unmarried children under the age of 21) of a J-1 student or scholar.  | May engage in full or part-time study. | Eligible to apply to USCIS for work authorization. Must have Employment Authorization Document issued by USCIS. May work for any employer with EAD. Employer must re-verify employment authorization after the expiration date on the EAD card.  |
| **L-1 Intracompany Transferee****L-2 Dependents of L-1 visa holders** | An individual in the U.S. who has been transferred from a subsidiary, affiliate or branch office overseas to the U.S. to work in an executive, managerial or specialist capacity, and their dependents. | L-1 may engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid L-1 visa status.L-2 dependents may engage in full or part time study. | Permitted to be employed ONLY by the petitioning company through which the visa status was obtained for the period of time indicated by the USCIS. USCIS Form I-797 authorizes employment. and no EAD card is required. L-2 spouses eligible to apply to USCIS for unrestricted employment authorization. EAD required. Other L-2 dependents not eligible for employment authorization. |
| **M-1 Vocational Student** | An individual enrolled in a vocational school or program in the U.S. | Must study full-time; part-time study only if authorized by International Office. | Permitted to be employed for practical training following completion of studies for a maximum of 6 months. Must apply for Employment Authorization Document from USCIS. Employment must be related to his/her field of study and recommended by an endorsement of the I-20 by the Designated School Official. Employer must re-verify employment authorization after the expiration date on EAD card. |
| **M-2 Dependents of M-1 visa holders** | An individual in the U.S. as a dependent of an M-1 student. | May engage in full or part-time study. | Not permitted to be employed or receive compensation from any U.S. source. |
| **NATO 1-7 NATO Personnel** | An individual in the U.S. as a member of the armed services of the nations of the North Atlantic Treaty Organization, staff members, attendants, servants and personal employees of NATO personnel.  | May engage in full or part-time study while maintaining valid visa status. | Payment limited to funds provided by NATO. Dependents are eligible to apply for work authorization through USCIS and must have an Employment Authorization Document issued by USCIS. Employer must re- verify after the expiration date of the EAD card. |
| **O-1 Persons of Extraordinary Ability****O-2 Accompanying Personnel** | An individual of extraordinary ability in the sciences, arts, education, business or athletics, who is in the U.S. to work for a sponsoring employer or organization (O-1) and accompanying personnel (O-2). | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status.  | May be employed and compensated ONLY by the petitioning employer or agency through which the visa status was obtained. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **O-3 Dependents of  O-1 and O-2 visa holders** | An individual in the U.S. as the dependent of an O-1 or 0-2 visa holder. | May engage in full or part-time study. | Not permitted to be employed or receive compensation from any U.S. source. |
| **P-1 Internationally Recognized Athletes or Entertainment Groups and members of their Essential Support Personnel** | An individual in the U.S. as an internationally recognized athlete, competing individually or as part of a team; OR an individual who performed as part of an entertainment group, which has been internationally recognized and their essential support personnel. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | May be employed and compensated ONLY by the petitioning employer or agency through which the visa status was obtained. If the petition was submitted by an agent on behalf of several employers, all entities must have been included on the itinerary at the time of the USCIS approval of the application. If a member of a group, may NOT perform services separate and apart from the entertainment group. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **P-2 Artist or Entertainer Under a Reciprocal Exchange Program** | An individual in the U.S. as an artist or entertainer, individually or as a group, who will be performing under a reciprocal exchange program between an organization in the U.S. and one in a foreign state. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | May be employed and compensated ONLY by the petitioning employer or agency through which the visa status was obtained. If sponsored by an agent, on the itinerary at the time of the USCIS approval of the application. USCIS Form I-797 authorizes employment and no EAD card is required.  |
| **P-3 Artist or Entertainer in a Culturally Unique Program** | An individual in the U.S. as an artist or entertainer, individually or as a group, recognized for excellence in developing, interpreting, representing, coaching or teaching a unique or traditional ethnic, folk, cultural, musical, theatrical or artistic performance or presentation. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | May be employed and compensated ONLY by the petitioning employer or agency through whom the visa status was obtained. If sponsored by an agent, all entities must have been included on the itinerary at the time of the USCIS approval of the application. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **P-4 Dependents of P-1, P-2 or P-3 visa holders** | An individual in the U.S. as the dependent of the holder of a P-1, P-2 or P-3 visa. | May engage in full or part-time study. | Not permitted to be employed or receive compensation from any U.S. source. |
| **Q-1, Q-2, Q-3 Participant in an International Cultural Exchange Program** | An individual in the U.S. as a participant in an international cultural exchange visitor program approved by the Attorney General to provide practical training, employment, and the sharing of the history, culture and traditions of the foreign national's country. (Also known as the Disney Visa) | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid visa status. | May be employed and compensated only by the petitioning employer or agency through which the visa status was obtained. USCIS Form I-797 authorizes employment and no EAD card is required. |
| **R-1 Religious Worker** | An individual in the U.S. as a member of a bona fide religious denomination carrying out the activities of a religious worker. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid R visa status. | May be employed and compensated only by the religious organization through whom the status was obtained. No EAD required. |
| **R-2 Dependents of R-1 visa holders** | An individual in the U.S. as the dependent of an R-1 visa holder. | May engage in full-time study  | Not permitted to be employed or receive compensation from any U.S. source. |
| **TN (Trade NAFTA)(for citizens of Canada and Mexico)** | An individual in the U.S. to perform services of a professional nature for a sponsoring employer in a specific position for a fixed period of time. | May engage in study if incidental to the primary purpose of the stay in the U.S. while maintaining valid TN visa status.  | Eligible to be employed and compensated only by the petitioning employer through whom the status was obtained in an activity in accordance with the provisions of the treaty.Canadians require only an I-94 card as employment authorization.Mexicans require USCIS Form I-797 and TN visa. No EAD card is required. |
| **TD Dependents of TN visa holders** | An individual in the U.S. as a dependent (spouse and unmarried children under the age of 21) of a TN  | TD dependents may study full or part time.  | TD Dependents are not permitted to be employed in the U.S.    |