

The following is a guide for sponsors/departments who wish to invite and/or employ a foreign national. It is recommended that you familiarize yourself with the policies, procedures and timelines for obtaining various immigration benefits and classifications.

Summary of Commonly Used Visa Classifications

Visa Type	Estimated Processing Time	Possible Income from U.S. Sources	Typical Purpose at WHOI	Eligibility Criteria	Maximum length of stay	Advantages	Disadvantages
J-1 Research Scholar	Two - four months.	Employment permitted as designated on the Form DS-2019. Occasional lectures and consultations under certain circumstances with prior approval of Responsible/Alternate Responsible Officer.	Postdoctoral appointments salaried temporary appointments and non-salaried courtesy appointments.	Primarily to conduct research, observing, or consulting in connection with a research project. May also teach or lecture. Generally expected to have at least a bachelor's degree with experience in field. Adequate financial support for length of program.	Up to five years.	No Dept. of Labor or USCIS approval required. J-2 spouse can obtain work permission.	May be subject to two-year home residency requirement based on funding, skills list or medical trainee; may not be used for tenure track positions. J-1 Research Scholar category subject to 12/24 month bar on repeat participation.
J-1 Short-term scholar	Two - four months	Employment permitted as designated on the Form DS-2019. Occasional lectures and consultations under certain circumstances with prior approval of Responsible/Alternate Responsible Officer.	Short-term, salaried temporary appointments and non-salaried courtesy appointment.	Institution appointment to teach or conduct research. Generally expected to have at least a bachelor's degree with experience in field. Adequate financial support for length of program.	Up to six months. No extension beyond six-months permitted.	No Dept. of Labor or USCIS approval required. J-2 spouse can obtain work permission.	May be subject to two-year home residency requirement based on funding, skills list or medical trainee; may not be used for tenure track positions.
J-1 College/University Student (Non-Degree)	Two - four months	Substantial financial support from source other than personal or family.	Undergraduate or graduate students to engage in a prescribed course of study in a non-degree program. Prescribed course of study defined as "research project".	Institution appointment may be granted to matriculated graduate or undergraduate students from other institutions who desire to conduct collaborative research.	Up to 24 months.	No Dept. of Labor or USCIS approval required. J-2 spouse can obtain work permission. Allows for non-degree or non-enrolled educational programs. Relatively easy to acquire.	May be subject to two-year home residency requirement based on funding and/or skills list. Substantial funding for student must be from a source other than personal or family funds.
H-1B Temporary Worker in a Specialty Occupation	Three- six months with normal processing. Can be expedited with an additional "premium processing" fee.	Employment permitted only with petitioning employer. May work for several employers provided that each employer has an approved H-1B petition for employee.	Scientific/technical staff	Generally, position must require at least a bachelor's degree or its equivalent; qualify as a specialty occupation; temporary in nature and meet prevailing wage requirements.	Initial period of up to 3 years with extensions in up to 3-year increments for cumulative total of 6 years.	May have long-term intent to immigrate; not subject to two-year home residence requirement.	Must file with both the Dept. of Labor (DOL) and USCIS; employer may incur severe liability under DOL rule; employer liable for return transportation if employment is terminated prematurely; H-4 dependents cannot work; aliens subject to two-year home residence requirement are ineligible.
O-1 Alien of Extraordinary Ability	Three-six months	Employment is authorized for the petitioning employer. May work for several employers provided that each employer has an approved O-1 petition for employee.	Scientific/technical staff	Proof that established extraordinary ability in sciences, arts, education, business and athletics; must be internationally recognized.	Initial period of stay of up to 3 years with unlimited one-year extensions thereafter.	Labor Condition Application not required; no limit on one-year extension; an option for alien who is subject to 212(e) two-year home residence requirement.	Requires extensive documentation; approval based on a subjective review of applicant's standing in field; employer liable for return transportation if employment is terminated prematurely.
TN Trade NAFTA	One-two months	Employment is only permitted with petitioning employer. Multiple employment is permitted with prior DHS approval.	Temporary appointment within one of the NAFTA-specified occupations. Must possess minimum qualifications for the profession; generally expected to have a Bachelor's degree or license.	Must be a Canadian or Mexican citizen; must possess minimum education/credentials requirements of NAFTA approved professions; entry must be temporary.	Admitted in up to three-year increments with unlimited three-year extensions.	Alternative to H-1B; process easier and faster than H-1B; entry as TN possible for aliens subject to 212(e) two-year home residence rule; no limit on extensions.	Requires more documentation than J-1; increased scrutiny for proof of nonimmigrant intent; spouse unable to work; Mexican citizens must obtain TN stamp from U.S. Consulate before applying for admission.

Visa Type	Estimated Processing Time	Possible Income from U.S. Sources	Typical Purpose at WHOI	Eligibility Criteria	Maximum length of stay	Advantages	Disadvantages
B-1 Visitor for Business	One two months	Employment not permitted; may receive reimbursement for incidental expenses or per diem; may receive honorarium payment and payment for associated incidental expenses if activity is less than nine days if the alien has not accepted such payment or expenses from more than five institutions within previous six-month period.	Non-salaried courtesy appointments to participate in scientific, educational, professional or business conventions, conferences or seminars. i.e. Geophysical Fluid Dynamics Program staff, visiting lecturers. Guest Investigators who conduct independent research. Guest students who wish to gain practical experience in their field of study are required to obtain an Exchange Visitor Visa (J-1).	Proof of academic or business purpose for the trip; proof of adequate financial support for length of visit.	Six months at entry; renewable to twelve month. Period of time must be consistent with the stated purpose for the visit.	Quick and easy to obtain; no government form or petition required.	Strict limitations on payments from U.S. sources; limited stay in U.S.; cannot stay for more than nine days at any one institution/university if being paid an honorarium.
WB Waiver Business (Visa Waiver Program [VWP])	No visa required. Pre-authorization in Electronic System For Travel Authorization (ESTA) required for VWP travelers. ESTA fee of \$14 for authorized VWP sea and air travelers.	Employment not permitted; may receive reimbursement for incidental expenses or per diem; may receive honorarium payment and payment for associated incidental expenses if activity is less than nine days if the alien has not accepted such payment or expenses from more than five institutions within the previous six-month period.	Non-salaried courtesy appointments to participate in scientific, educational, professional or business conventions, conferences or seminars. i.e. Geophysical Fluid Dynamics Program staff, visiting lecturers. Guest Investigators who conduct independent research. Guest students who wish to gain practical experience in their field of study are required to obtain an Exchange Visitor Visa (J-1).	Applicable for citizens of countries participating in the Visa Waiver Program.	90 days or less	No need to visit U.S. Consulate. All citizens of VWP countries must complete online travel authorization (ESTA) prior to boarding a carrier to travel by air or sea to the U.S.	No extensions or change of status permitted within the U.S.; employment not allowed; limited stay in U.S.; cannot stay for more than nine days at any one institution/university if being paid an honorarium.
Immigrant/Permanent Resident ("Green Card")	Indeterminate, typically 1 - 2 years	No restrictions.	Scientific staff	Outstanding professional background or professional skills; family member of US citizen; refugee or asylee; Diversity Program. (WHOI only sponsors employment based petitions)	Indefinite; Naturalization optional after five years, (three years if married to a U.S. citizen).	No need for work permits or extensions of stay.	Extensive time, effort and documentation.
E-3 Australian Specialty Occupation Workers	One-three months	Employment permitted only with petitioning employer. May work for several employers provided that each employer has an approved E-3 petition for employee.	Scientific/technical staff	Applicable for nationals of Australia only to work in a specialty occupation in the U.S. (Same specialty occupation standards as H-1B workers).	Initial period of stay up to maximum of twenty-four months with extensions in up to two years each. No limit on the total length of stay or number of extensions granted.	Spouses can apply for an Employment Authorization Document and work in the U.S.	Must file a LCA with the Department of Labor. Annual cap of 10,500 initial E-3 applications for each fiscal year.