## A SUMMARY OF VISA OPTIONS FOR INTERNATIONAL FACULTY, STAFF & VISITING SCHOLARS AT USC

<table>
<thead>
<tr>
<th>TYPE OF VISA</th>
<th>POSSIBLE PAYMENT FROM U.S. SOURCES</th>
<th>POSSIBLE TAX STATUS</th>
<th>ELIGIBILITY CRITERIA</th>
<th>MAXIMUM LENGTH OF STAY IN THE U.S.</th>
<th>ADVANTAGES</th>
<th>DISADVANTAGES</th>
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</tr>
</thead>
<tbody>
<tr>
<td>B-1 VISITOR FOR BUSINESS</td>
<td>Reimbursement for expenses, Honorarium for academic activity - limited to 9 days at 5 institutions in a 6 month period *</td>
<td>Nonresident</td>
<td>Proof of scholar or business purpose for U.S. visit (Invitation Letter) submitted to U.S. Consulate and U.S. port of entry</td>
<td>Period indicated on invitation letter up to six months.</td>
<td>Easily relative to obtain; scholars should allow a minimum of 2 weeks or longer depending upon academic area.</td>
<td>Strict limitation on payments from U.S. sources</td>
<td>Invitation letter with dates and purpose of visit; proof of adequate funds; proof of strong ties to home country &amp; return travel ticket.</td>
<td>Visa application Form DS-160 at most U.S. embassies or consulates with fee based on Visa Reciprocity Treaty</td>
<td>Visa vary based on visa sought and reciprocity treaty between U.S. &amp; home country.</td>
</tr>
<tr>
<td>B-2 VISITOR FOR PLEASURE (Tourist)</td>
<td>None – (w/ possible exception of unplanned academic activity that meets the 9/56 rule)*</td>
<td>Normally, no payment from US source allowed. (Possible exception of unplanned, but legitimate. Academic activity)</td>
<td>Evidence of financial assets to cover cost of trip; tourist plans; strong ties to home country</td>
<td>Six months at entry; renewable to twelve months (with difficulty) from U.S. CIS</td>
<td>Easily relative to obtain if employed abroad – allow 4 - 6 weeks depending on country.</td>
<td>Normally, no payment from U.S. source permitted; limited stay in the U.S.</td>
<td>Proof of adequate funds for visit; evidence of return travel ticket &amp; Letter of invitation from family member in the U.S.</td>
<td>None from USC unless an unplanned academic activity meeting 9/56 rule*</td>
<td>Same as above for 2 years.</td>
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<tr>
<td>Visa Waiver Program</td>
<td>W/B (Waive/Business) or W/T (Waive/Tourist)</td>
<td>WB: see B-1 above WT: see B-2 above</td>
<td>WB: 30% withholding required for payments allowed in B-1 status unless there is a treaty.</td>
<td>90 day total limit.</td>
<td>No extension or change to different visa status possible</td>
<td>WT: see B-1 above WT: see B-2 above</td>
<td>WB: see B-1 above WT: see B-2 above</td>
<td>ESTA application fee is $14. Approval generally valid for 2 years.</td>
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<td>H-1B TEMPORARY WORKER in SPECIALTY OCCUPATION*</td>
<td>Employment permitted only with petitioning employer(s). Concurrent H’s are possible – (i.e., more than one employer - provided each has their own H Approval from US CIS and that work hours are plausible).</td>
<td>Non-resident for a Specialty &amp; State taxation unless substantial presence test is met.</td>
<td>Position must be for a specialty occupation; one requiring a bachelor's degree (except where higher degree is the normal requirement). Requires DOL wage determination &amp; Approved DOL Labor Condition Application</td>
<td>Three years at entry; renewable for a maximum total of six years that is cumulative – regardless of the number of employers - unless pending immigrant conditions are met.</td>
<td>May have immigrant intent Not required to maintain permanent residence abroad; Not required to return home for 2 years (as is true for certain J program participants)</td>
<td>Employer must file with Dept. and Labor with U.S. CIS.</td>
<td>Copy of highest degree certificate; copy of job contract or agreement; letter attesting to job duties and educational requirements as well as merit/professional skills needed + DOL wage analysis &amp; Approved Labor Cond. Application</td>
<td>1) Approved DOL Labor Condition Application 2) I-129 &amp; related forms with documentation that job &amp; person qualify for H status. Fees differ based on application type. 3) I-539 for H-4 dependants (if applicable) 1) No DOL fee for 2a) $325 for H- b) $500 for new H petition anti-fraud fee; c) $125 to expedite 2) $290</td>
<td></td>
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<tr>
<td>J-1 EXCHANGE VISITOR (PROFESSORS AND RESEARCHERS)</td>
<td>Note: Other J categories used for scholar visits: J-1 Short Term Scholar J-1 Specialist J-1 Stud. Research Intern</td>
<td>Nonresident for two years</td>
<td>University appointment to teach or conduct research for a limited period of time. Requires proof of adequate financial support and health insurance. ***</td>
<td>Professor: up to 5 yrs. Research Scholar: up to 5 yrs. Short-term scholar: min. 30 days, up to 6 months (for professors) Specialists: 1 yr. Stud. Resch. Intern: 1 yr.</td>
<td>Easily relative to obtain. Spouse may apply for unrestricted work if Immigration upon arrival in U.S. in J-2 status.</td>
<td>1) Subject to 2-year home country residency requirement if funded by U.S. or home government, on Published Stays List, or Most Trained. 2) Subject to 2 year out of country rule if RE-entering as a new J Professor or Research Scholar. 3) Requires strong ties to home country for visa.</td>
<td>Copy of highest degree certificate; copy of job contract or agreement; letter attesting to job duties and educational requirements as well as merit/professional skills needed + DOL wage analysis &amp; Approved Labor Cond. Application.</td>
<td>DS-2019 requires 1) Biographical data with details of academic / professional objectives along with evidence of 2) English lang. skills, 3) Financial support and 4) Health insurance as required by J-1 regs. *** DS-2019</td>
<td>1) I-901 SEVIS fee $180 – paid by scholar or department 2) US visa application and reciprocity fees to be paid by scholar. 3) $380 USCIS fee</td>
</tr>
<tr>
<td>J-2 EXCHANGE VISITOR (Dependent of J-1 Scholar or Student)</td>
<td>Eligible to apply for work authorization from USC CIS; must have approved card in hand to begin.</td>
<td>Non-resident for 2 years, but subject to FICA withholding from the first day of employment.</td>
<td>Must be immediate family of J-1 program principal.</td>
<td>Derivative of and Conditioned upon the duration of program for J-1 principal Unrestricted work authorization with permission from Immigration.</td>
<td>Subject to same restrictions as J-1 principal; cannot change from J-2 to J-1 status without meeting pre-conditions. Can NOT be degree seeking student</td>
<td>DS-2019; proof of relationship to J-1; proof of financial support; evidence of health insurance.</td>
<td>DS-2019; I-765 to apply for employment authorization from Immigration.</td>
<td>US visa app. fees (see above)</td>
<td></td>
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**Possible exceptions:**
- Visa Waiver Program
- H-1B:
  - Professors/Specialists: 1 yr.
  - Research Scholars: up to 5 yrs.
  - Professor: up to 5 yrs.

**Nonresident for:**
- Federal & State taxation unless substantial presence test is met.
- University appointment to teach or conduct research for a limited period of time.
- Must be immediate family of J-1 program principal.

**Nonresident for two years:**
- University appointment to teach or conduct research for a limited period of time.
- Requires proof of adequate financial support and health insurance.

**Nonresident for two years, but subject to FICA withholding from the first day of employment:**
- Must be immediate family of J-1 program principal.
- Derivative of and Conditioned upon the duration of program for J-1 principal.

**Nonresident:**
- Position must be for a specialty occupation; one requiring a bachelor's degree (except where higher degree is the normal requirement).
- Requires DOL wage determination & Approved DOL Labor Condition Application.

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- H-1B:
  - Professors/Specialists: 1 yr.
  - Research Scholars: up to 5 yrs.
  - Professor: up to 5 yrs.

**Nonresident for two years:**
- University appointment to teach or conduct research for a limited period of time.
- Requires proof of adequate financial support and health insurance.

**Nonresident for two years, but subject to FICA withholding from the first day of employment:**
- Must be immediate family of J-1 program principal.
- Derivative of and Conditioned upon the duration of program for J-1 principal.

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- Position must be for a specialty occupation; one requiring a bachelor's degree (except where higher degree is the normal requirement).
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- Visa Waiver Program
- H-1B:
  - Professors/Specialists: 1 yr.
  - Research Scholars: up to 5 yrs.
  - Professor: up to 5 yrs.

**Nonresident for two years:**
- University appointment to teach or conduct research for a limited period of time.
- Requires proof of adequate financial support and health insurance.

**Nonresident for two years, but subject to FICA withholding from the first day of employment:**
- Must be immediate family of J-1 program principal.
- Derivative of and Conditioned upon the duration of program for J-1 principal.

**Nonresident:**
- Position must be for a specialty occupation; one requiring a bachelor's degree (except where higher degree is the normal requirement).
- Requires DOL wage determination & Approved DOL Labor Condition Application.
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<td>J-1 EXCHANGE VISITOR (STUDENTS)</td>
<td>On-campus fellowship; on/off campus employment based on economic need (all require J-1 RO approval); 18 mos. post completion. Academic Training permitted; 36 mos. for Post-doctoral research.</td>
<td>Nonresident for five years</td>
<td>Admission to academic program with university or government funding (may be non-degree short-term program as well as degree program); evidence of adequate financial support &amp; health insurance.</td>
<td>As long as full-time academic progress continues</td>
<td>Relatively easy to issue document students needs to apply for entry visa.</td>
<td>Subject to 2-year home country residency requirement if funded by U.S. or home government, if field of study appears on Published Skills List, or if in the U.S. as a Medical Trainee.</td>
<td>DS-2019 requires details of academic objectives or academic admission; proof of English language skills &amp; financial support. Evidence of health insurance also required by J-1 Program regs.</td>
<td>DS-2019</td>
<td>1) I-901 SEVIS fee $180 – paid by student 2) US visa application and reciprocity fees to be paid by student.</td>
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<td>F-1 STUDENT</td>
<td>Employment permitted ON-CAMPUS (20 hrs p/wk during academic yr; full time during vacation periods. Off-campus under special circumstances. Curricular practical training &amp; 12 mos of optional practical training permitted with approval.</td>
<td>Non-resident for five years</td>
<td>Admission to academic course of study; evidence of financial support; evidence of adequate English language skills or admission to intensive English language training program. Evidence of strong ties to the home country.</td>
<td>As long as full-time academic progress continues; must file to extend status if completion of program is delayed.</td>
<td>Easy to obtain; easy to move to a different visa status when applicable; not subject to 2-year home country residency requirements (as opposed to J-1).</td>
<td>Limited to students who meet normal admission requirements as shown on I-20; evidence of adequate financial support to cover the full cost of study and living in the US.</td>
<td>Proof of academic admission as shown on I-20; evidence of adequate financial support to cover the full cost of study and living in the US.</td>
<td>1) I-20</td>
<td>1a) I-901 SEVIS fee $180 paid by scholar or department 1b) US visa application and reciprocity fees to be paid by scholar 2) $380 for I-765 for optional practical training and need-based employment</td>
</tr>
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<td>TN TREATY NATIONAL (Must be a citizen of Canada or Mexico)</td>
<td>Employment permitted only with petitioning employer (s). Concurrent employment in TN status is possible provided both employers have petitioned for the status and are listed on US CIS documents.</td>
<td>Non-resident for 2-5 calendar years with special provisions for claiming dependents; Canada: Exempt if income does not exceed $10,000 per year or 183 days; Mexico: Resident if meets substantial presence test (approximately two calendar years plus 6 months for FICA purposes).</td>
<td>Occupation must appear on Schedule 2 List in NAFTA Treaty. Additional requirements for Health care workers.</td>
<td>Up to 3 years at entry. Can be renewed indefinitely provided appointment is for a temporary position, such as a grant funded or adjunct position.</td>
<td>Relatively easy to obtain; (no visa clearance by U.S. consulate required).</td>
<td>Status must be renewed before ending date on I-94 Entry/Exit document.</td>
<td>Proof of Canadian or Mexican nationality; Copy of highest degree certificate and licensure if required for the job. Offer letter, job contract or agreement; Letter attesting to job duties and requirements with an overview of the educational and licensure requirements and professional skills needed to do the job. Electronic sample available from ISFS.</td>
<td>None if filing for status at US port of entry from Canada or Mexico.</td>
<td>$56 at POE $325 application fee for Stateside requests for change of status to TN or for extensions in TN status. Additional fee of $250 is required for dependent; international scholar is responsible for this fee.</td>
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Please note: This chart provides only a brief overview. For a more detailed explanation, please consult with International Support for Faculty & Staff at 777-0288. * Tax treaties may apply. ** Visa application fees and procedures vary from country to country. *** Medical evacuation, repatriation and specific levels of medical insurance coverage are required for J program participants and recommended for all internationals. Dependent requirements and benefits vary; please consult with International Support for Faculty & Staff for specific regulations governing each dependent classification. Chart subject to change. Revised 03/2011 /L. Aun