

NONIMMIGRANT STATUS OPTIONS

	B-1 (Business Visitor) or Visa Waiver - Business	J-1 Scholar/Professor	J-1 Student Intern	H-1B Temporary Worker	TN (Trade NAFTA)	O-1 Temporary Worker
Admin. Office (Emails)	GTHR	OIE	OIE	GTHR	GTHR	GTHR
Primary Purpose	Consult, attend meeting, no employment	Self-directed research, teaching, training or observation. Cultural and/or educational exchange.	Fulfill foreign degree educational objectives through directed internship or research. Cultural and/or educational exchange.	Employment	Employment	Employment
Georgia Tech Employment	May participate in scientific, professional or business conventions/ conferences, or undertake independent research.	GT host can pay salary or stipend for activities associated with the Exchange Program objectives. Unpaid research activities cannot displace American workers.	Internship can be paid or unpaid; must be at least 32 hours/week; <20% clerical work, no unskilled labor; and cannot displace American workers.	Sponsored by Georgia Tech must work at the Institute in the job listed on H-1B petition.	Must be coming to Georgia Tech to perform duties as a NAFTA professional. Employment limited to professions approved by NAFTA.	Sponsored by Georgia Tech must work at the Institute in the job indicated in the O-1 petition.
Outside Employment	N/A	Permission to engage in occasional lectures or incidental employment must be authorized <i>in advance</i> by the OIE.	J Interns ONLY authorized to conduct activities with and receive payment from their Institute sponsor.	Employer-specific, only authorized to accept wages from employer who filed H-1B petition.	Employer-specific; however, TN may add an employer.	Employer-specific, only authorized to accept wages from employer that filed O-1 petition.
Funding Source	Subsistence allowance (per diem) or reimbursement for travel and living expenses permitted. Honorariums permitted but limited.	Funding can come from a variety of sources, including self-funding.	Funding can come from a variety of sources, including self-funding. Employment conditions must be met.	Georgia Tech payroll	Georgia Tech payroll, fellowships, grants.	Georgia Tech payroll, fellowships, grants.
Duration	B-1: 6-mon max, extension possible VWB: 90-day maximum	Scholar/Professor: 3 wks – 5 yrs Short-term Scholar: 1 day – 6 mon Specialist: 1 day – 12 mon	60 days to 12 months	6 year maximum, granted in 3 year increments	Initial period of 3 years, indefinite extensions	Initial period of 3 years, extensions are granted in 1 year increments
Effects on Dependents	N/A	Spouse & children who are < 21 & will accompany the J-1 for the duration of the program are eligible for J-2.	Spouse & children who are < 21 & will accompany the J-1 for the duration of the program are eligible for J-2.	If certain criteria are met, H-4 dependent spouses may apply for employment authorization.	TD dependents are not permitted to work in the United States.	O-3 Dependents are not permitted to work in the United States.
Cost/Program fee	The individual is responsible for any costs incurred.	No program fee. Individual responsible for SEVIS fee and visa fees.	OIE program fee of \$325 (paid by intern or host department) associated with administration, programs, and required compliance. Individual responsible for SEVIS fee and visa fees.	Hiring department pays DHS fees for all H-1B petitions. Individual covers DHS fees for his/her family members. See https://www.uscis.gov/g-1055 for current fees.	Individual is responsible for any costs incurred. See https://www.uscis.gov/g-1055 for current fees.	Hiring department pays DHS fees for all O-1 petitions. Individual covers DHS fees for his/her family members. See https://www.uscis.gov/g-1055 for current fees.
Special Provisions	Honorariums permitted if the activity lasts no more than 9 days, and the individual has not accepted payment from more than 5 institutions in the prior 6 months.	Must demonstrate min. high beginner English language proficiency. May be subject to a two-year home residency requirement preventing change to immigrant or dual intent visa.	Must demonstrate min. intermediate English language proficiency. May be subject to a two-year home residency requirement preventing change to immigrant or dual intent visa. Must be enrolled in a foreign degree program.	H-1B permits visa holder to have dual intent. (Hold a nonimmigrant visa and pursue immigrant status in the U.S.)	Limited to Mexican and Canadian citizens. Dual intent not inherent to this status. May not extend TN after permanent residence application is filed.	Dual intent not inherent. May not extend O-1 after permanent residence application is filed.
Tenure/ Tenure-Track	Not permitted to accept full, part-time or temporary teaching or research positions.	Cannot be used for tenure track or tenured positions. Staff positions are evaluated case by case.	Staff positions are evaluated case by case.	Must have an academic or research, full-time position, including but not limited to tenure track positions.	Cannot be used for tenure track or tenured positions.	Must have an academic or research, full-time position, including but not limited to tenure track positions.
Initiate Process in iStart	At least 30 days prior to intended arrival.	At minimum 60-90 days prior to intended arrival.	At minimum 60-90 days prior to intended arrival.	Six months prior to intended employment start date.	90 days prior to intended employment start date.	Six months prior to intended employment start date.
Additional Information	Department of State: Visitor	Department of State: Exchange	Department of State: Exchange	Department of State: Temp	Department of State: NAFTA	Department of State: Temp
Export Control	The Office of Legal Affairs conducts an export review on all foreign nationals being hired or hosted by Georgia Tech. See more information here: researchintegrity.gatech.edu/about-export/					