

Choosing the Right Immigration Status for Your International Scholar/Employee

Purpose of Visit	Type of Status	Length of stay	Financial Support	Immigration Sponsorship	Processing Time	Special Notes
To attend a conference or seminar, deliver one-time lecture, offer one-time academic consultation, or participate in a study trip	B-1, B-2, WB or WT Visitor	Normally 90 days	Any; if honorarium by Emory, must meet the 9-5-6 rule	Self	As earlier as possible; visa application at U.S. Consulate required if not eligible for the Visa Waiver Program (with ESTA authorization)	Majority of immigration rules governing B visitor visa also apply to people from the countries eligible for the Visa Waiver Program Cannot work for or be employed by Emory
To lecture, teach, observe, or attend longer seminar or conference	J-1 Short-Term Scholar	Up to 6 months	Any source including personal funding	Emory	No later than 3 months prior to start date	Must return home after J-1 stay Back-to-back J-1 scholar visits aren't allowed; must have at least one academic year apart and for a different J-1 objective
To participate in a student internship program that will fulfill post-secondary degree objectives back home	J-1 Student Intern	3 weeks to 12 months	Any source including personal funding	Emory	No later than 3 months prior to start date <i>Inquire with ISSS first as there is a designated <u>paid</u> position in PeopleSoft HR that must be used.</i>	Not the same as J-1 Intern; must be currently enrolled in university outside US; not available to people who have already graduated Must return to home school abroad to resume their post-secondary studies immediately afterwards
To conduct research - may teach or lecture	J-1 Research Scholar	3 weeks to 5 years	Any source including personal funding	Emory	No later than 3 months prior to start date	No tenure track; upon completion, subject to the 24-Month Bar on repeat participation as J-1 Research Scholar/Professor Must return home after J-1 stay
To teach, lecture, or conduct research	J-1 Professor	3 weeks to 5 years	Any source including personal funding	Emory	No later than 3-4 months prior to start date	No tenure track; upon completion, subject to the 24-Month Bar on repeat participation as J-1 Research Scholar/Professor Must return home after J-1 stay

To demonstrate highly specialized skills or consult in connection with a research project	<u>J-1 Specialist</u>	3 weeks to 12 months	<u>Any source including personal funding</u>	Emory	No later than 3-4 months prior to start date	Must be a world-renowned expert in a field of specialized knowledge or skills. After completion, may not return as J-1 Research Scholar or Professor for 12 months Must return home after J-1 stay
To work in a specialty occupation position that requires a bachelor's degree or higher in a specific major field of study <i>Note: Emory does not sponsor part-time H-1Bs.</i>	<u>H-1B Specialty Occupation Worker</u>	Up to 3 years at a time; with the personal maximum of 6 years	100% Emory salary; the wage offered must be certified by Department of Labor	Emory	No later than 6 months prior to start date	Option to upgrade to USCIS Premium Processing if speedy adjudication is needed Dual Intent allows for H-1B to apply for permanent residency without jeopardizing H-1B status
To work in one of the designated NAFTA occupations Must be a citizen of Canada or Mexico	<u>TN NAFTA Professional</u>	Up to 3 years initially, with extensions but must prove temporary intent	100% Emory salary	Emory	Can apply at border; if applying within the U.S. in which case must initiate request no later than 3-6 months ahead of time	Mexican citizens must apply at consulate for entry visa; position must meet NAFTA Professions List guidelines; no tenure track positions
To work in a position that requires someone of extraordinary ability to conduct research, teach, demonstrate, etc. Must have achieved and sustained international acclaim as a person of extraordinary ability in sciences, arts, education, business, etc.	<u>O-1 Person of Extraordinary Ability</u>	Up to 3 years initially, with annual extensions thereafter	100% Emory salary	Emory	No later than 6 months prior to start date	Sufficient evidence required to prove their international acclaim Involves high cost and complex adjudication process at USCIS
To work (full time) in a specialty occupation position that requires a bachelor's degree or higher in a specific major field of study Only available to Australian citizens	E-3 Australian Treaty Worker	Up to 2 years at a time, with extensions but must prove temporary intent	100% Emory salary; the wage offered must be certified by Department of Labor	Emory	No later than 3 months prior if visa process abroad; no later than 6 months prior to start date if within the U.S.	The same qualifications as H-1B but a different length of stay. E-3 spouse can apply for work permission with USCIS <i>Inquire with ISSS first for processing details</i>