

Nonimmigrant Visa Type	Description	Requirements	Employment Restrictions	Duration of Stay	Application Process and Time Frames
O-1 Individuals with Extraordinary Ability or Achievement	Individual of extraordinary ability in the sciences, arts, education, business, or athletics who are in the U.S. to work for a sponsoring employer or organization.	- Must possess “extraordinary ability” in your field and show recognition and achievement through at least 3 of the following: Nobel Prize/awards; membership in prestigious societies; scholarly articles; review of work of others; contributions of significance to field; high salary; published material about the alien; employment in critical role for established organizations. - Must provide proof of international recognition and major scholarly achievement.	- Must be employed or compensated only by the O-1 petitioning employer or agency through whom the status was obtained. - Automatically revoked if employer goes out of business. - Must intend to remain temporarily, but dual intent is recognized.	3 years initial stay with unlimited extensions in 1 year increments.	- Petitioner must file Form I-129 at USCIS office - Standard: 3-6 months - Premium Processing: 15 days
E-1 / E-2 Treaty Trader / Treaty Investor	Foreign national coming to U.S. to carry on substantial or international trade (E-1) or substantial investment (E-2) between U.S. and foreign national’s country.	- E-1: Must be business owner, manager, executive or key employee with essential skills. Be a national of a country with which the United States maintains a treaty of commerce and navigation. - E-2: Must be business owner or hired executive manager or employee with essential skills. Requires substantial documentation of business plan and investment. - At least 50% of U.S. company must be owned by nationals of same treaty country as foreign national.	- Principal E-1 and E-2 can be employed only by the trade-qualifying company through whom the status was obtained. - E-1: No minimum volume of trade as long as can document regular flow of goods or services. - E-2: No minimum investment or minimum number of employees.	2 years initial stay with unlimited extensions in 2 year increments.	- If in the U.S., petitioner may file Form I-129 at USCIS office - Applicant must submit Form DS-160 - Standard: 6 months - Premium Processing: 15 days
L-1A / L-1B Executive Manager / Specialized knowledge intracompany transferee	Transfer of personnel between related U.S. and foreign entities. L-1A is for executives/managers. L-1B is for specialized knowledge.	- Must have been employed abroad continuously for one of the past 3 years by parent, branch, affiliate, or subsidiary of U.S. company before application. - Must be seeking to enter in a capacity that is managerial or executive (L-1A), or specialized knowledge (L-1B). - Specialized knowledge must be uncommon, not easily acquired but is gained from significant experience with company abroad, and necessary and relevant to successful conduct of the employer’s operations.	- Must be employed or compensated only by the L-1 petitioning employer or agency through whom the status was obtained. “Specialized knowledge” must be obtained by applicant prior to entering the U.S., and therefore should not require any training in the U.S. - Employee may remain on overseas payroll or be paid outside of U.S.	3 years initial stay with 2 year extensions. L-1A limited to 7 years total. L-1B limited to 5 years total.	- Petitioner must file Form I-129 at USCIS. - Standard: 2-3 months - Premium Processing: 15 days
H-1B Specialty Occupation Workers	Temporary worker in a specialty occupation.	- Must have at least a bachelor’s degree or equivalent in a specialized field. - Occupation must require theoretical and practical application of highly specialized knowledge. - Must meet minimum education/credential requirements of specialized position.	“Dual intent” is allowed. - Employer must meet DOL prevailing wage requirement, post job notice and file Labor Condition Application. - Annual numerical CAP on H-1Bs: 65,000 Bachelor’s; 20,000 for Master’s or higher. - Must remain employed to maintain lawful status.	3 years initial stay with 3 year extensions. Maximum of 6 years (with some exceptions).	- Petitioner must file Form I-129 at USCIS and LCA at USDOL. - Standard: 3-6 months - Premium processing: 15 days 