

# AILA Issue Papers

American Immigration Lawyers Association

## NONIMMIGRANT (TEMPORARY) VISAS

### A BASIC PRIMER

There is a wide range of temporary visas, used for many different purposes, with validity periods ranging from a few days to several years. The INS must approve some in advance before being reviewed and issued by the State Department; others are only reviewed by the State Department. Visas may be granted to the principal applicant and to his or her dependents (spouse and minor children).

There is a difference between a visa and a status, although both are referred to in the same manner and with the same alphabetical designation (based on the respective section of the Immigration and Nationality Act). A visa is simply a document in the person's passport. It serves as a "ticket" to ensure that a foreign national can board the airplane to the U.S. A person's visa status is the category in which he or she is admitted to the United States and also determines the period of time he or she may remain. An individual's visa status is granted by the INS once the applicant arrives at the border or a port of entry, and can be changed or extended by the INS at one of its remote Service Centers.

The different temporary visa categories are:

- A: Diplomatic employees and their households
- B: Business visitors (B-1) or tourists (B-2)
- C: Transit visa (pass-through at an airport or seaport)
- D: Crewmember (air or sea)
- E: Treaty-Investors or Treaty-Traders (from countries where we have a treaty of commerce and investment)
- F: Students
- G: Employees of International Organizations (IMF, OPIC, OAS, International Red Cross, etc.)
- H: Temporary Workers. Can be professionals (H-1B), nurses (H-1C), agricultural workers (H-2A), temporary or seasonal workers (H-2B), or trainees (H-3)
- I: Representatives of international media
- J: Exchange visitors (educational exchange students, au pairs, graduate medical trainees, practical training students, professors and researchers, short-term scholars, camp counselors)
- K: Fiances and fiancées; spouses of U.S. citizens married abroad
- L: Intracompany transferees (executives, managers, persons with proprietary knowledge)
- M: Language and vocational students
- N: NATO employees
- O: Extraordinary ability aliens
- P: Athletes, entertainment groups (such as orchestras) and support personnel
- Q: Cultural exchange visitors (example: *Smithsonian Folklife Festival*)
- R: Religious workers
- S: Criminal informants
- T: Victims of international trafficking in persons
- U: Victims of spousal or child abuse
- V: Spouses and minor children of permanent residents who are waiting for green cards.

28IP2007  
12/19/02

AMERICAN IMMIGRATION LAWYERS ASSOCIATION  
918 F STREET, NW  
WASHINGTON, DC 20004  
PH: 202-216-2400 FAX: 202-783-7853