Visa Sponsorship Options at UGA

INTERNATIONAL STUDENT, SCHOLAR & IMMIGRATION SERVICES

THE UNIVERSITY OF GEORGIA
Agenda

- Why worry about this?
- Considerations surrounding “Sponsorship”
  - Temporary vs. Long-term or permanent
  - Purpose of Visit
  - Funding source
  - Dependents
- Obligations and responsibilities
- Costs
- Types of visa sponsorships
- Best practices / tips
- Visa Inquiry Form: https://fs21.formsite.com/issisuga/VisaInquiryForm/secure_index.html
Why worry about this?

- Academic visa sponsorships are growing in scope and complexity
  - Purposes of visits and exchanges go beyond students and faculty
- Global contacts and relationships are increasing
- Research and teaching are increasingly using global and international connections
- Negative consequences to visa violations and labor / sponsorship violations are increasing as well...
Categories of Sponsorship

- Temporary vs. permanent
  - Non-immigrant
    - Short-term (though up to six years or longer)
  - Immigrant
    - Long-term (minimum intention to hire for three years)
Categories of Sponsorship

• Purpose of visit
  o Research
  o Teaching
  o Study
    ▪ Degree-seeking
    ▪ Non-degree exchange
  o Training (internship)
  o Consultation
  o Seminar / conference participation
  o Clinical rotation
  o Job exploration / Business visitor
Categories of Sponsorship

- **Funding source**
  - UGA
  - Home institution or outside funding agency
  - Personal funds
  - Family funds
  - Loans

- **Funding amount** – sufficient to meet expenses set at UGA

- **Funding duration**
Categories of Sponsorship

- **Dependents**
  - Spouse and children under 21 years
  - Usually issued a dependent visa
  - Allowed activities depend on visa type
  - Additional funding needed
  - Sponsorship responsibilities
    - UGA obligations
    - Visa application issues
Immigration Obligations and Responsibilities

- Paperwork and internal fees
- English language ability
- Orientation and assistance
  - Pre-Arrival
  - Housing
  - Transportation
  - Insurance
- Amendments and changes to program
- Inter-cultural activities
Timeframes
(paperwork start to arrival at UGA)

- **Short-term visitors**
  - 1 day to 3 months

- **Longer-term J-1 exchange visitors / scholars**
  - 1 month to 3 months

- **Longer-term employees (TN)**
  - 2 weeks to 1 month

- **Longer-term employees (H-1B)**
  - 3 to 6 months

- **Permanent residency cases (LPR):**
  - 2 years to 10 years (employee can work in the meantime under an H-1B work visa)
Costs

- **International Visitor / Employee**
  - J-1: SEVIS fee: $180.
  - All types of visas, but Canadians exempt: Visa application fee: $141.
  - Canadians and Mexicans only: TN fee: $57.
  - Visa reciprocity fee: depends...
  - All: ISSIS Internal ISCF fee: $100. per year

- **Sponsoring Department**
  - Internal ISSIS process fee ($165 – $2,650)
  - PR cases: any additional advertising
  - Government filing fees: $325 - $580; Premium: $1,225.
Commonly used visa types

- B-1 / B-2 ; WB/WT
- J-1
  - Scholar – short-term
  - Scholar – long-term
  - Professor
  - Specialist
  - Student (degree and non-degree)
  - Student-Intern
- TN
- H-1B
- O-1
- PR
B-1 / B-2 (WB / WT)

- Business Visitor and Tourist Visitor
- WB and WT are similar, but for visa waiver countries (no visa needed).
  - List of these countries here: [http://travel.state.gov/visa/temp/without/without_1990.html#countries](http://travel.state.gov/visa/temp/without/without_1990.html#countries)
- Generally no employment or compensation allowed, and no formal studying
- Quick and cheap; short-term
- NOT appropriate for researchers here more than 9 days; J-1 is better
J-1 Exchange Visitor

- Many categories, but primary options include
  - Professor
  - Research scholar (short-term)
  - Research scholar (long-term)
  - Specialist
  - Student-Intern

- Temporary; non-immigrant status
- Can impose a home country residency period (Regulation 212(e)) on the visitor, before they would be allowed to get a work visa or U.S. green card)
  - Does NOT prevent other travel to the U.S.
  - Can apply for a waiver to this requirement

- No clinical components allowed
- Strict oversight by the Department of State
J-1 (continued)

- Allows for transfer to and from other U.S. sponsors
- Allows for one-time consultancies and lectures at other institutions
- Allows for non-UGA and personal sources of funding
- Allows the spouse in dependent J-2 status to apply for a temporary work card
- Student-Interns are not admitted or enrolled, but require significant assistance and oversight for independent research and training
- Requires an inter-cultural component
TN (Trade NAFTA)

- **Temporary work visa**
  - Canadian and Mexican nationals only
  - Temporary; non-immigrant
  - Spouse may not work
  - Can be renewed indefinitely, but person must be able to prove maintenance of “non-immigrant intent”
  - Minimal paperwork!
H-1B Temporary Worker

- Work visa status valid for up to six years total duration (three years initially, then a three year extension)
- Job must require a minimum of a Bachelor’s degree in a “specialty” field, and the employee must have that specific degree
- Dual intent: person can be an intending immigrant
- Spouse cannot work; Study allowed only incidental to primary purpose (work)
- Often used as pathway to a green card sponsorship
- If the green card application is filed before the start of the final (sixth) year, the H status can be extended beyond the normal six year limit.
O-1 Temporary Work Visa

- Useful for persons with extraordinary ability in the sciences, education, business or athletics
- Up to three years initially, and then can be extended a year at a time indefinitely
- Must demonstrate sustained national or international acclaim by proving evidence in one of six different categories:
  - Awards or prizes;
  - Exclusive association membership;
  - publications;
  - media attention;
  - original contributions to the field;
  - high salary;
  - judge of the work of others;
  - employed in a critical capacity for distinguished agency or org.
Several categories of filings available, but we only handle Employment-based at UGA:

- OPR – for Outstanding Professors or Researchers – similar to the O-1 standards
- PERM Labor Certifications
  - Special Handling (reduced advertising requirements and best qualified standard) for University Professors and Teachers
  - Standard – Advanced Degree Holders (extensive advertising required, and must prove no minimally qualified U.S. workers available) for non-teaching positions
- Separate ISSIS workshop on this category
Best practice tips

- Contact ISSIS in a timely fashion to begin sponsorship requests
- Have one or two staff well versed in these types of processes; make friends with our immigration advisors...
- Allocate appropriate department resources for support and paperwork
- Process requests for paperwork and information as quickly as possible
- Realize that visa and paperwork delays on the part of the government are possible
- Remember to have all internationals must check in with ISSIS upon arrival at UGA
So again – why pay attention to this?

- Consequences to status violations can be severe
  - For the international
  - For the institution

- Risk management
  - Visa solutions can be influenced by a combination of regulatory interpretations and institutional policies

- ISSIS recommendations on visa sponsorships should be taken seriously;
  - Our goal is to support the academic missions of the University
  - We are a facilitative department – not enforcement
Questions?