

## **The ABC'S Of Immigration: A, G, and NATO Visas For Foreign Government Representatives**

by Gregory Siskind

This week we discuss visas available to officials of foreign governments and representatives of international nongovernmental organizations. There are three types of visas available - A, G, and NATO categories. A visas are granted to diplomats, officials and employees of foreign governments coming to the US for official business. G visas are granted to employees of nongovernmental organizations and to lower ranking officials of foreign governments. NATO visas are granted to representatives of countries that are members of the North Atlantic Treaty Organization (NATO). Because these visas are an important component of US foreign policy, they are largely under the control of the State Department, with little involvement from the USCIS.

### **What are the different types of A visas?**

There are three types of A visas — A-1, A-2 and A-3. A-1 visas are issued to the heads of foreign states, official diplomatic and consular officers, the heads of the branches of government of a foreign state, and to the immediate family members of these people. A-2 visas are issued to full-time embassy or consulate employees who do not have A-1 visas, to those who are coming to the US to do work on behalf of their government, and to their immediate family members. A-3 visas are issued to attendants, servants and personal employees of A-1 and A-2 visa holders, and to the A-3 visa holder's immediate family.

Many A visa holders have what is known as a diplomatic visa. Because of the issues of foreign relations and the need to maintain good relationships with foreign governments, diplomatic visa holders are not subject to most restrictions on admission to the US. They cannot be required to post a departure bond, and they cannot be deported — the only way they can be expelled from the US is with the approval of the Secretary of State. There are some national security grounds on which diplomatic visa holders can be excluded from the US. Also, people often hear of foreign government officials escaping prosecution for criminal actions by asserting diplomatic immunity. While one can escape prosecution, using diplomatic immunity to do so can be a basis for exclusion from the US in the future.

### **How long may I stay in the United States if I have an A visa?**

Admission in the A-1 and A-2 classifications is without time limitation. As long as the Secretary of State recognizes the person's official position, they may remain in the US without the need to file any extension. A-3 visa holders are admitted for an initial period of up to three years, which may be extended for two-year periods. Family members in A status may attend school without needing to change status. Employment authorization is obtained not through USCIS, but through the State Department. If the family member works without State Department authorization, the USCIS cannot consider it a status violation. The agency can only report it to the State Department for it to proceed as it sees fit.

### **How can I qualify for a G visa?**

G visas are issued to people involved with international organizations. For the organization to qualify for G visa classification, it must be recognized by the President through an executive order. The following organizations are currently recognized:

- o African Development Bank

- o African Development Fund
- o Asian Development Bank
- o Border Environment Cooperation Commission
- o Caribbean Organization
- o Commission for Environmental Cooperation
- o Commission for Labor Cooperation
- o Commission for the Study of Alternatives to the Panama Canal
- o Customs Cooperation Council
- o European Bank for Reconstruction and Development
- o European Space Agency
- o Food and Agriculture Organization
- o Great Lakes Fishery Commission
- o Hong Kong Economic and Trade Offices
- o Inter-American Defense Board
- o Inter-American Development Bank
- o Inter-American Institute of Agricultural Sciences
- o Inter-American Investment Corporation
- o Inter-American Statistical Institute
- o Inter-American Tropical Tuna Commission
- o Intergovernmental Maritime Consultative Organization
- o International Atomic Energy Agency
- o International Bank for Reconstruction and Development
- o International Boundary and Water Commission, United States and Mexico
- o International Centre for Settlement of Investment Disputes
- o International Civil Aviation Organization
- o International Coffee Organization
- o International Committee of the Red Cross
- o International Cotton Advisory Committee
- o International Cotton Institute

- o International Criminal Police Organization (INTERPOL)
- o International Development Association
- o International Development Law Institute
- o International Fertilizer Development Cent
- o International Finance Corporation
- o International Food Policy Research Institute
- o International Fund for Agricultural Development
- o International Hydrographic Bureau
- o International Joint Commission - United States and Canada
- o International Labor Organization
- o International Maritime Satellite Organization
- o International Monetary Fund
- o International Pacific Halibut Commission
- o International Secretariat for Volunteer Service
- o International Telecommunication Union
- o International Telecommunications Satellite Organization (INTELSAT)
- o International Union for Conservation of Nature and Natural Resources
- o International Wheat Advisory Committee (International Wheat Council)
- o Interparliamentary Union
- o Israel-United States Binational Industrial Research and Development Foundation
- o Korean Peninsula Energy Development Organization
- o Multilateral Investment Guarantee Agency
- o Multinational Force and Observers
- o North American Development Bank
- o North Pacific Anadromous Fish Commission
- o North Pacific Marine Science Organization
- o Organization for European Economic Cooperation (now known as the Organization for Economic Cooperation and Development)
- o Organization for the Prohibition of Chemical Weapons

- o Organization of African Unity (OAU)
- o Organization of American States (includes Pan American Union)
- o Organization of Eastern Caribbean States
- o Pacific Salmon Commission
- o Pan American Health Organization (includes Pan American Sanitary Bureau)
- o Preparatory Commission of the International Atomic Energy Agency
- o Provisional Intergovernmental Committee for the Movement of Migrants from Europe (now known as the Intergovernmental Committee for European Migration)
- o South Pacific Commission
- o United International Bureau for the Protection of Intellectual Property (BIRPI)
- o United Nations
- o United Nations Educational, Scientific, and Cultural Organization
- o United Nations Industrial Development Organization
- o Universal Postal Union
- o World Health Organization
- o World Intellectual Property Organization
- o World Meteorological Organization
- o World Tourism Organization
- o World Trade Organization

**What are the different types of G visas?**

There are five types of G visas:

- o G-1 visas are issued to a foreign government's primary representative to an international organization, their staff and immediate family
- o G-2 visas are issued to other representatives from a foreign government to an international organization, their staff and immediate family
- o G-3 visas are issued to representatives to an international organizations either from a government that the US does not recognize or that is not a member of the international organization, and to their immediate family
- o G-4 visas are issued to officers and employees of international organization, and to their immediate family
- o G-5 visas are issued to attendants, servants and personal employees of other G visa holders, and to their immediate family

### **How long may I stay in the United States with a G visa?**

Like the A visa classification, there is no time limit on the stay in G classification, except for G-5 status. G-5 visa holders are admitted for up to three years initially, and can request two-year extensions.

Employment without authorization of family members in G classification is considered a status violation. However, they may apply for work authorization if their country of nationality provides reciprocal benefits to US citizens. Dependents in G-4 status may work without these reciprocal agreements.

### **How do I know if I qualify for a NATO visa?**

Under the North Atlantic Treaty Organization, certain representatives and staff from member countries can enter the US as temporary visas. Under the treaty, they are not subject to normal immigration inspections and documentary requirements. Instead, consular officials decide whether they are admitted. Admission is for as long as the Secretary of State recognizes their status. Employment authorization is obtained through the State Department.

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