



May 8, 2024

PA-2024-12

Policy Alert

SUBJECT: H-3 Nonimmigrants Participating in Training at an Academic or Vocational Institution

Purpose

U.S. Citizenship and Immigration Services (USCIS) is issuing policy guidance in the [USCIS Policy Manual](#) to clarify the circumstances under which H-3 nonimmigrants may participate in training provided on the property of an academic or vocational institution.

Background

Under the Immigration and Nationality Act (INA), a noncitizen who seeks to enter the United States at the invitation of an organization or person to receive training in nearly any field of endeavor may qualify for H-3 nonimmigrant status.¹ However, to qualify, the training cannot be in graduate medical education or training, in a training program that is designed primarily to provide productive employment, or be provided primarily at or by an academic or vocational institution.² This update clarifies that training programs that take place on the property of an academic or vocational institution may still qualify if the training program is primarily created by and sponsored by a government agency or other non-academic or non-vocational entity.

This guidance, contained in Volume 2 of the Policy Manual, is effective immediately and applies to requests pending on or filed after the publication date. The guidance contained in the Policy Manual is controlling and supersedes any related prior guidance on the topic.

Policy Highlights

- Clarifies that so long as other H-3 requirements are met, training that happens to take place on the physical property of an academic or vocational institution may qualify if the training program is primarily created, offered, and sponsored by a government agency or other non-academic or non-vocational entity.

Summary of Changes

Affected Section: Volume 2 > Part J > Chapter 1 > Section A, Purpose

¹ See [INA 101\(a\)\(15\)\(H\)\(iii\)](#).

² See [8 CFR 214.2\(h\)\(1\)\(ii\)\(E\)\(1\)](#).

- Adds new paragraph at the end of the section.

USCIS may also make other minor technical, stylistic, and conforming changes consistent with this update.

Citation

Volume 2: Nonimmigrants, Part J, Trainees (H-3), Chapter 1, Purpose and Background [[2 USCIS-PM J.1](#)].