



B-1 Memorandum

The B-1 visa category allows foreign business persons to enter the U.S. for temporary periods to conduct business. This category is most useful when processing times are limited and when activities do not amount to productive employment. The process of obtaining a B-1 visa requires that you make an appointment at the US Embassy or Consulate for issuance of the visa. Jurisdiction lies with the Consulate closest to your place of residence. The following link will lead you to the Embassy or Consulate with Jurisdiction over your place of residence and will provide you with an overview of their individual processing times and documentary requirements:

<http://www.usembassy.gov/>

Generally speaking, you will be required to document the following:

1. That you are entering US for a limited amount of time

Documentation to this effect may include a detailed itineraries, meeting schedules, a definite date requiring presence in home country, a return ticket home, etc.

2. That you have the intention to depart US at expiration of the authorized stay

Documentation as indicated above showing why the time period requested is an essential time period. Dates of meeting, and why these could not be completed within a briefer period of time. Invitation letters from companies or potential clients you will be meeting with may also be helpful.

3. That you are maintaining a foreign residence which you have no intention of abandoning

Documentation of ties may consist of family members remaining behind, property you may own, bank accounts that remain updated, etc.

4. That you have adequate financial resources to support your stay in, and departure from the US

Bank statement indicating financial resources.

5. That you will engage solely in authorized activities related to business or tourism

The B-1 visa category activities are similar to those authorized under the visa waiver business visitor category and therefore lend itself well to an analysis of both visitor types.

Activities considered authorized fall under three basic rules:

- The employee cannot engage in “productive employment,” defined to include both salaried work and work as an independent contractor.
- The business activity must be associated with international trade or commerce
- The principal benefit of the activity must accrue to the applicant’s employer abroad.

A sampling of activities which are typical for the business visitor include the following:

- Activities of employees of a foreign employer coming to the U.S. to solicit sales, negotiate contracts, or take orders from established customers from work that will be performed outside the U.S.
- Activities of a purchasing agent for a foreign employer coming to the U.S. to procure goods, components, or raw material for use outside the U.S.
- Activities of employees of a foreign company coming to the U.S. with regard to service or sales contracts already undertaken by their company.
- Activities of an employee of a foreign-based company or office of a U.S. company coming to the U.S. to engage in consultations with the U.S. business associates.
- Activities of foreign business people attending professional or business conferences or conventions, or executive seminars.
- Activities of business employees or independent business people coming to the U.S. to undertake independent research, such as market or product research, not directly connected with sales or service contracts or the solicitation of business.

- Activities of foreign investors coming to the U.S. to take steps to set up their investment.
- Activities of employees of a foreign employer coming to the U.S. to undertake an established training program.

6. That you will not receive remuneration from a US source

Ideally you would be able to demonstrate that you are employed abroad and have with you an employment verification letter confirming continued employment abroad.

Please contact us to review the adequacy of the documentation you intend to submit so we can ensure that you are providing the best available documentation for a successful adjudication.