



MEMORANDUM

TO: Employees Entering Under a B-1 Visa or the Visa Waiver Program
FROM: Seyfarth Shaw Business Immigration Group
RE: Business Visitor and Visa Waiver Program Guidelines

INTRODUCTION

Before attempting to enter the U.S. under a Business Visitor Visa (B-1) or the Visa Waiver Program (VWP), please refer to the International Assignment to the United States document to ensure that you will enter the U.S. under the appropriate classification. When entering the United States based on the B-1 visa or Visa Waiver Program, please follow the suggested guidelines.

DO:

1. Ensure that you are allowed to enter the U.S. under the appropriate classification and that your activities in the U.S. are consistent with the permissible B-1/VWP activities.
2. Possess a return ticket home departing within 90 days of your entry date for the VWP and 180 days for the B-1 visa.
3. Confirm that you are entering the U.S. to perform a permissible business visitor activity and then explain that to the Customs & Border Protection Officer (CBP).
4. Possess documentation of your ties to your home country, including recent bank statements, property/residence, recent paystubs from your abroad employer, etc.
5. Possess documentation evidencing your ability to financially support for yourself while in the U.S.
6. Possess a signed travel letter from your employer about your trip.

DO NOT:

1. Confirm that you are coming to “work for” the U.S. entity -- explain that you are coming to the U.S. on behalf of your foreign employer. Even though you are “working” when you visit the United States on a business trip, the U.S. government agencies who administer immigration laws have a different understanding of the word “work” and it would thus be best for you not to phrase the purpose of your visit that way. Suggested verbiage you should use – provided it is consistent with your activities in the U.S. – would include “attend a training,” “attend a conference,” “meet with colleagues for a business meeting,” etc.
2. Overstay the expiration of your I-94 card (or 90 days under the VWP or 180 days under the B-1 visitor (whichever is earlier)). Each time you enter the U.S., you should [check](#) the expiration of your I-94 admission record, which governs your status in the U.S.

3. Change status to a nonimmigrant or immigrant status in the U.S. Please contact HR/legal for further instructions.