



GETTING A U.S. BUSINESS VISA

Most people who visit the United States will require a visa. The purpose of this Fast Fact is to highlight important preparations that visa applicants can make to facilitate the approval of their application.

A visa only allows a foreign citizen to travel to a U.S. port of entry- typically an airport. At the airport, the traveler will be interviewed by a U.S. official who gives authorization to actually enter the country. There are more than 20 types of nonimmigrant visas and the time it takes to process them may vary significantly. It pays to begin the process as early as possible in time for your vacation, business trip, or academic semester. Some travelers may qualify for the Visa Waiver Program, which exempts certain individuals from 35 countries from having to obtain a visa. See page 3 of this document for more information.

TYPES OF VISAS

There are 2 classes of U.S. visas– immigrant and nonimmigrant. Most international travelers to the U.S. will be seeking a nonimmigrant visa, and that is the focus of this Fast Fact. Visas are classified by a letter of the alphabet, followed by a number (A-1, G-2, etc.). The two nonimmigrant visas that are of most interest to business travelers are the B-1 and B-2. See the “Additional Resources” section on page 5 of this document for a list of visas.

B-1: Temporary Visitor for Business. The B-1 visa is intended for temporary business travel that involves negotiating contracts, attending exhibitions and conferences, short-term training, and consultations with suppliers and customers. The B-1 visa is not valid for employment in the U.S.

B-2: Temporary Visitor for Pleasure. The B-2 visa is intended for visitors vacationing in the U.S. and can be used by family members who are traveling with someone on a B-1 visa.

Temporary workers are classified under “H” visas (H-1B Fashion Models, H-3 Trainee, etc.) and there are many other sub-classes depending on your travel purpose. See the “Additional Resources” section on page 5 of this document for more information.

APPLYING FOR A U.S. VISA

American companies often wish to invite foreign business partners or customers to the U.S. for meetings, contract negotiations, equipment inspection, purchase, or other business-related activities. Unfortunately, applying for a visa from the U.S. consulate in foreign countries has been criticized for its difficulty and arbitrary denials, which result in lost business for American companies. *The visa applicant must understand that, by U.S. law, it is presumed that a visa applicant will intend on staying in the U.S. permanently, i.e. beyond the visa expiration date.* Therefore, it is the responsibility of visa applicants to prove they will return to their home country following their visit to the U.S.

While U.S. policy has become stricter since 9/11, many procedures have not changed, and the volume of visitors to the United States has returned to pre-9/11 numbers. In fact, a record 58



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million international visitors traveled to the United States in 2008. Top countries were Canada, Mexico, Japan, the United Kingdom, and Germany. Mexico and Canada accounted for 56% of international visits to the U.S., while India and China set new annual visitation records.

To make things easier for the thousands of business travelers wanting to visit Virginia companies each year, below is a list of useful tips.

Seven Steps Before You Travel

- 1) Review your status to determine if you need a visa, a renewal, or special clearance.
- 2) Consider the wait times for interviews and processing at the U.S. embassy in your country.
- 3) Find out what fees are required and how to pay them. Application fees are non-refundable.
- 4) Gather your documentation: valid passport, appropriate applications, supporting documents, and proof of payment. Be sure to include documents that show strong links/ties to your home country. This documentation is often the most important, yet is frequently overlooked by the applicant.
- 5) Submit your application and schedule an interview as early as possible.
- 6) Be prepared for the interview and be flexible. Fingerprinting, additional interviews, documentation, or additional applications may be required.
- 7) *Your paperwork will not do all the talking.* Be prepared to articulate the purpose of your visit to the interviewing officer. Visa applicants should be able to describe the company they are visiting, the products it makes, the commercial relationship they have with this company, and the expected outcome of the visit.
- 8) Registration may be needed upon your arrival in the U.S., so bring your documentation.

Being prepared and courteous is the best assurance for getting a visa approved. Applicants are strongly encouraged to submit a letter of invitation at the time of application. An invitation letter from a U.S. company on behalf of the applicant is an essential component of the application package. For the sake of credibility, the letter must be neat, accurate, current, and should be signed by a company employee who will be responsible for the visit. Business invitation letters should include the names, dates of birth, and passport numbers of each individual who has been invited by the company. The letter must also include contact information (phone, fax, e-mail) for the U.S. company in case the interviewing officer has further questions. The original letter is supposed to be sent from the U.S., and when the applicant presents the letter to the officer it is better to present the stamped envelope as well. See sample invitation letter on Page 5 of this document.

Applicants interviewing for B-1 visas should bring their documents concerning their anticipated business activities in the U.S., including detailed letters from U.S. business partners indicating the purpose of the trip; copies of contracts or other agreements with U.S. business partners; and information on machines, software or other equipment to be examined, tested or purchased in the U.S., such as brochures or product catalogues. As mentioned above, applicants should also bring documentation proving strong ties to their home country that include, but are not limited to, letters confirming employment, evidence of property ownership, bank statements, marriage certificates,



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family photographs, and proof of prior travel to the U.S. Any material for the officer to see when making a decision must be given directly to the applicant to be presented at the time of interview. Each applicant or group of applicants must present their own application materials. If a particular document has not been given to the applicant to present to the officer at the time of interview, assume the officer has not seen it.

Listed below are the VEDP's suggestions on appropriate documentation to include in with a VISA application:

1. An original letter of invitation from the Virginia company listing the names, job titles, birth dates, and passport numbers of the person invited;
2. A business card from the Virginia company inviting them;
3. Proof of residence (title to a home or lease agreement);
4. Proof of income statement;
5. Proof of marriage and proof of children, if applicable;
6. Anything else to assure the U.S. Consulate office that the applicant has commitments in their home country and is not suspect of defecting.

Virginia businessmen and women who periodically travel overseas should consider a personal visit with a U.S. consulate officer at a U.S. embassy in a foreign country. This will enhance their position as a reputable U.S. business and provide them an opportunity to brief the officer on their business activity with foreign companies. Such a visit may prove helpful for companies as they continue to invite potential buyers who will need a visa to visit Virginia.

VISA WAIVER PROGRAM

Nationals from 35 countries participate in the Visa Waiver Program (VWP), which allows them to travel to the U.S. without a visa for tourism or business stays of 90 days or less. A machine-readable passport that is valid for 6 months past their expected stay is required. Most of the 35 countries are in Europe, so not all countries participate in the VWP and not all citizens from participating countries are eligible. If in doubt, travelers should contact their country's passport issuing authority to determine eligibility or about machine-readable passports. Transit through the U.S. is usually permitted. Once admitted, VWP travelers who go to Mexico or Canada for a brief stay are usually re-admitted.

U.S. DEPARTMENT OF STATE- IMPORTANT CONTACT INFORMATION

Business Visa Center (BVC): http://travel.state.gov/visa/temp/types/types_2664.html

National Visa Center (immigrant visa inquiries): <http://www.travel.state.gov/visa/immigrants/>

Diversity Lottery Visa Program inquiries: <http://www.travel.state.gov/visa/immigrants/types/>

Visa Waiver Program: http://travel.state.gov/visa/temp/without/without_1990.html

Electronic Visa Application: <http://evisaforms.state.gov/>

U.S. Embassy or Consulate inquiries: <http://www.usembassy.gov/>

U.S. Visa policy: http://travel.state.gov/visa/questions/questions_4433.html

Bureau of Consular Affairs: <http://travel.state.gov/pdf/BusinessVisa.pdf>



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SAMPLE INVITATION FROM A U.S. COMPANY

Gentlemen:

ABC Company is an American manufacturer of widgets based in Richmond, Virginia. Our sales to China through our distributor XYZ Trading Co. tripled last year. Our company's annual distributor meeting will be held between February 20 and 25 in Richmond, Virginia, USA. During this meeting we will review our sales goal next year with each distributor, provide new product training and award our outstanding worldwide distributor. XYZ Trading will be the winner of 2004.

It is our pleasure to invite the following personnel of XYZ Trading Co. to attend our worldwide distributor annual meeting in Richmond, VA, U.S.A.

Name	Sex	Date of Birth	Passport #	Position
Wang, Gang	Male	xx/xx/xxxx	G 01234567	Product Manager, XYZ Trading Co.
Zhao, Ying	Female	xx/xx/xxxx	G 87654321	President, XYZ Trading Co.

The Chinese visitors will pay for their round trip flights from China to Virginia. All other expenses incurred in the U.S. will be covered by ABC Company. I am responsible for these visitors' stay in the U.S. If there are any questions or concerns, please feel free to contact me at: (888) 666-8888 or e-mail me abcdefg@commonwealthmedical.com

Your kind assistance will be highly appreciated.

Best Regards,

Abc Defg
VP - International Sales
ABC Company, Inc.
123 Main St.
Richmond, Virginia 12345
Tel: 888 666-8888
Fax: 888 666-4444
E-mail: abcdefg@commonwealthmedical.com

Note: This is a sample letter. Print the letter on your company letter head.



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VEDP TRADE EVENTS

The VEDP participates in many international trade events and hosts annual trade missions to all corners of the globe. All Virginia companies are welcome to participate.

For a complete listing of the VEDP's international trade events, please visit the "Events" tab on our website: www.ExportVirginia.org

VEDP CONTACT INFORMATION

Virginia Economic Development Partnership-Division of International Trade

P.O. Box 798

901 East Byrd Street

Richmond, Virginia 23218-0798

Tel: (804) 545-5764 Fax: (804) 545-5751

E-mail: clientservices@yesvirginia.org

Website: www.ExportVirginia.org

ADDITIONAL RESOURCES

United States Immigration Assistance Center: <http://www.immigration-bureau.org/>

Immigration Classifications and Visa Categories: See [this USCIS website](#)

WORKS CITED

United States Department of State:

- Destination U.S.- How to Get a Visa: http://travel.state.gov/visa/visa_1750.html
- U.S. Policy FAQs links: http://travel.state.gov/visa/questions/questions_1253.html

United States International Trade Administration Office of Travel and Tourism Industries:

<http://tinet.ita.doc.gov/>

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