

# Business Travel to the United States



U.S. CONSULATE GENERAL, HO CHI MINH CITY, VIETNAM

# Business Travel to the U.S.

It is our desire to issue a visa to any legitimate traveler who wants to go to the United States for business

1. Applying for a visa
2. Visa interviews
3. Legitimate business activity in the U.S.



# U.S. Visa Procedures

All visa decisions and procedures are based on U.S. law and regulations

- Immigration and Nationality Act of 1952, as amended (INA)
- U.S. Code of Federal Regulations (CFR)
- Additional State Department regulations in Volume 9 of the Foreign Affairs Manual (9 FAM)



# Applying for a visa



U.S. CONSULATE GENERAL, HO CHI MINH CITY, VIETNAM

# First Steps:

Plan ahead – apply as far in advance as possible!  
First, visit our website: [hochiminh.usconsulate.gov](http://hochiminh.usconsulate.gov)

- Apply for an appointment
  - Request an expedited appointment if necessary
- A note about visa referrals



# Before interview:

- Complete the online visa application, DS-160, and print out the confirmation sheet with bar code
- Make an appointment via our website and print out your confirmation sheet
- Your passport must be valid until the date you will leave the U.S.
- Pay your \$160 interview fee at Citibank, if applying for a B1/B2 visa; petition-based visas (L1, H1-B) have a base fee of \$190





# Visa interview



U.S. CONSULATE GENERAL, HO CHI MINH CITY, VIETNAM

# Q: Which of the below documents must a business traveler present to receive a B1/B2 visa?

- Invitation letter from a business in the U.S.
- Confirmation of employment from one's employer
- Pay stubs or statements of income
- Bank statements
- Tax returns or other evidence of tax payments
- Evidence of land or real estate holdings





# Answer:

# NONE!

- By law, a valid passport is the only “document” you need to receive a B1/B2 visa.



# Visa issuance is based on an applicant's interview

- An applicant must be able to explain what he or she will do in the U.S., where and why
- We are unlikely to issue a visa to an applicant who cannot do this, no matter how many documents he or she has
- Applicants should not claim “market research” or “conference” attendance if their primary purpose is tourism or a family visit



# Why visas are issued or refused

- Our goal is to issue a visa to every lawful traveler aiming to conduct business in the U.S.
- The consular officer considers the applicant's overall circumstances when deciding
- Visa applications are denied if:
  - it does not appear credible that the applicant primarily intends to conduct business in the U.S.
  - the applicant has extremely weak ties to Vietnam
  - the applicant's activity may not be allowable on B1/B2 status in the United States



# Reapplication

- U.S. Embassies and Consulates cannot maintain a written reapplication process
- Applicants who come in person to reapply will speak with a different officer if possible, but must pay the \$160 fee
- We do not recommend reapplication unless there is new information you want us to review about the applicant or the purpose of travel
- Quick reapplications with no new information will result in a second refusal



# Legitimate business activity



U.S. CONSULATE GENERAL, HO CHI MINH CITY, VIETNAM

# Legitimate business activity

- “Other than the performance of skilled or unskilled labor” (Matter of Hira, BIA)
- Commercial transactions, negotiations, consultations/meetings, conferences/seminars, litigation, independent research
- Installation, service and repair (by contract)
- Board meetings or board functions
- Seeking investment vs. managing a business
- Foreign vs. U.S. exhibitor
- Observation vs. clerkship



# “Training”

- When training is not available in the home country but will further a career abroad
- Will not be placed in a position which is in the normal operation of the business
- Salary from the foreign employer, and no salary from a U.S. source except an expense allowance or reimbursement for expenses, including room and board



# Contact Information:

- U.S. Consulate General, HCMC  
Telephone: (8) 3 520-4610  
E-mail: [HcmcInfo@state.gov](mailto:HcmcInfo@state.gov)  
<http://hochiminh.usconsulate.gov/>
- Citibank (pay visa fee):  
115 Nguyen Hue St, D1, HCMC

