

## B Visa Holders

B-1 = Temporary visitor for business or medical clerkship

B-2 = Temporary visitor for pleasure

WB = Temporary visitor for business entering under the visa waiver program

WT = Temporary visitor for pleasure entering under the visa waiver program

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**EVEN IF THERE IS A COMBINATION B-1/B-2 VISA STAMP IN THE PASSPORT, THE PERSON CAN BE ADMITTED IN ONLY ONE STATUS (B-1 OR B-2) DEPENDING UPON THE PURPOSE OF THAT ENTRY.**

### Length of Stay

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- B-1 visitor for business: Person is admitted "for a period of time which is fair and reasonable for completion of the purpose of the trip" not to exceed one year. An extension of temporary stay may be granted in increments of not more than six months each.
- B-1 visitor for a medical clerkship: A medical student studying at a foreign medical school and who seeks to enter the United States temporarily in order to take an "elective clerkship" at a U.S. medical school's hospital without remuneration from the hospital.
- B-2 visitor for pleasure: Person is admitted for a standard period of six months (provided that he or she holds a valid passport), regardless of the validity of the visa stamp and regardless whether less time is requested. Under special circumstances, if more time is requested, the inspector at the port of entry can lengthen the period of admission, not to exceed one year.
- WB/WT: Person is admitted for 90 days or less without obtaining a visa.

Note: The expiration date for the stay is recorded on the I-94 card.

### Extensions

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- A person admitted on the Visa Waiver Program (VWP) cannot extend his or her stay
- A person on a B visa may extend his or her stay by submitting to USCIS:
  - Completed [Form I-539](#)
  - Check or money order (payable to Department of Homeland Security)
  - Photocopy of the front and back of the I-94 card
  - Copy of passport picture page, including any pages showing an extension
  - Proof of financial support
  - Letter addressed "To Whom It May Concern" explaining in detail:
    - The reasons for the extension
    - Why the extended stay would be temporary
    - Arrangements to depart the U.S.
    - Effect the extended stay may have on foreign employment or residency
  - The Office of International Affairs suggests that the applicant keep a photocopy of the entire packet with the applicant's records.
  - The extension application should be filed before the authorized stay expires. USCIS must

have received the application by the date on which the I-94 card expires.

- Applications for extension of stay may take 2-4 months. Once the application has been filed before the expiration date on the I-94 card, the applicant and family members may remain in the U.S. until the application is adjudicated.

## B Status/Studying/Student

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- Enrollment in a course of study is prohibited while in B status.
- B-1 and B-2 nonimmigrants must apply for and receive approval of change of status prior to beginning an academic program.

### B-1

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- The B-1 category is appropriate for engaging in temporary commercial, business, or professional activities related to the employment or business abroad provided it does not constitute "employment" in the U.S.
  - Standard business uses of B-1 category for academic activity:
    - Consult with business associates
    - Participate in scientific, educational, professional or business conventions, conferences, or seminars
    - Undertake independent research
    - Observe professional activity
  - While employment is not permitted, an honorarium, reimbursement for incidental expenses, and/or a per diem related to the B-1 activity lasting not more than 9 days, has been allowed (the total amount of payments not to exceed what is "reasonable" as a business expense).
- Documents needed to obtain visa:
  - A letter from the U.S. institution indicating:
    - Purpose of the trip
    - Intended length of stay
    - Arrangements to cover the costs of the trip
  - Documentation from the home institution should complement any documentation coming from the U.S. institution
- The **MEDICAL CLERKSHIP** is only for medical students pursuing their normal third or fourth year internship in a U.S. medical school as part of a foreign medical school degree and does not cover those seeking training as physiotherapists, dentists, nurses or vets. (An "elective clerkship" affords practical experience and instructions in the various disciplines of medicine under the supervision and direction of faculty physicians at a U.S. medical school's hospital as an approved part of the alien's foreign medical school education. It does not apply to graduate medical training, which normally requires a J-visa.) A **letter** from the University of Kentucky's medical school outlining the nature and duration of the elective clerkship should accompany the application.

### B-2

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The B-2 category is appropriate for those coming to the US temporarily for pleasure, such as tourism, amusement, visits with friends or relatives, medical treatment, activities of a fraternal, social, or service nature. Employment is not permitted for those in B-2 status. However, individuals may receive "academic honoraria" and payments for associated incidental expenses for usual academic activity lasting not longer

than 9 days. The B-2 visa may be issued to enter the U.S. as a "prospective student" or "prospective exchange visitor". The appropriate designation must appear on the visa at the time it is issued. Once in the U.S., individuals must change status to F-1 or J-1. Because the intention was stated in advance, "preconceived intent" is not an issue in the change of status process.

## Visa Waiver Program (VWP)

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- [The Visa Waiver Program](#) (VWP) enables nationals of certain countries to be admitted to the United States for tourism or business for stays of 90 days or less without obtaining a visa.
- A person who enters on the VWP is not eligible for an extension of status or for a change of status.
- All VWP travelers must present a machine-readable passport (MRP) valid for six months past their expected stay in the U.S.
  - Machine-readable passports (MRP) issued before 10/26/2005 – no further requirements
  - Machine-readable passports issued on or after 10/26/2005 – must contain biometric identifiers.
- If arriving by air or sea, individuals must have a return trip ticket to any foreign destination other than the U.S. or adjacent islands or, if arriving by land, individuals must demonstrate the intent to stay 90 days or less and have sufficient funds to support themselves in the U.S.
  - VWP travelers admitted under VWP who make a short trip to Canada, Mexico, or an adjacent island generally can be readmitted to the U.S. under the VWP for the original admission period.
- To request entry to the U.S. under VWP, at the port of entry the traveler must:
  - Obtain travel authorization via the [Electronic System for Travel Authorization](#)\*
  - Present a machine-readable passport (MRP)
  - Present a completed and signed I-94W (green form):
    - Often provided by travel agents or airlines prior to arrival
    - May be picked up on arrival at a U.S. port of entry
    - If any of the questions on the reverse side are answered "Yes", a visa is needed
  - Present documentation on the purpose of the stay
  - Pay a land border fee when entering through a land port of entry
  - Disadvantages to VWP
    - Cannot change or extend status
    - If admission is denied, no right to review or appeal
    - Forfeit right to contest a removal order
  - Employment is not permitted but "academic honoraria" and payments for associated incidental expenses for usual academic activity lasting not longer than 9 days are allowed.

\*NOTE: All Visa Waiver Program (VWP) participants are required to obtain travel authorization prior to coming to the U.S. This authorization can be obtained online through the Electronic System for Travel Authorization (ESTA™), a free Internet application administered by the Department of Homeland Security (DHS). There will not be a fee for using the ESTA. Visitors need to apply at: <https://esta.cbp.dhs.gov>. More information and background about this new requirement can be found at: [http://www.cbp.gov/xp/cgov/travel/id\\_visa/esta/](http://www.cbp.gov/xp/cgov/travel/id_visa/esta/)