country. Most of the following examples of proper B-1 relate to the Hira ruling, in that they relate to activities that are incidental to work that will principally be performed outside of the United States.

c. You may encounter a case involving temporary employment in the United States, which does not fall within the categories listed below. You should submit such cases to the Advisory Opinions Division (CA/VO/L/A) of the Visa Office in accordance with the procedures in 9 FAM 41.31 N12 for an advisory opinion (AO) to ensure uniformity and proper application of the law.

9 FAM 41.31 N8 ALIENS TRAVELING TO UNITED STATES TO ENGAGE IN COMMERCIAL TRANSACTIONS, NEGOTIATIONS, CONSULTATIONS, CONFERENCES, ETC.

(CT:VISA-701; 02-15-2005)

Aliens should be classified B-1 visitors for business, if otherwise eligible, if they are traveling to the United States to:

(1) Engage in commercial transactions, which do not involve gainful employment in the United States (such as a merchant who takes orders for goods manufactured abroad);

(2) Negotiate contracts;

(3) Consult with business associates;

(4) Litigate;

(5) Participate in scientific, educational, professional, or business conventions, conferences, or seminars; or

(6) Undertake independent research.

9 FAM 41.31 N9 ALIENS COMING TO UNITED STATES TO PURSUE EMPLOYMENT INCIDENTAL TO THEIR PROFESSIONAL BUSINESS ACTIVITIES

(CT:VISA-701; 02-15-2005)

The statutory terms of INA 101(a)(15)(B) specifically exclude from this classification aliens coming to the United States to perform skilled or unskilled labor. Aliens coming to the United States for the purpose of