

Executive Summary for U.S. Business Trips



Visa Types by Purpose of Business Trip

Comparison of ESTA and B-1

Traveler Guidelines

Visa Types by Purpose of Business Trip

Purpose of Business Trip	Visa
<ul style="list-style-type: none"> Activities Classified as Non-Productive Work <ul style="list-style-type: none"> - Market research - Contract and purchase negotiations - Management reporting and business meetings - Attendance at trainings, conferences, and seminars - Presentation-based theoretical training (hands-off) 	ESTA / B-1
<ul style="list-style-type: none"> Technical Support Activities for Equipment or Machinery Provided Under After-Sales Service <p>The following activities may be considered Non-Productive Work and therefore eligible for B-1 classification, <u>only when explicitly stated in the Sales Contract:</u></p> <ul style="list-style-type: none"> - Technical support such as installation, inspection, commissioning, and repair - Training provided to enable the U.S. entity to perform the above services independently 	B-1 <u>(Conditional)</u>
<ul style="list-style-type: none"> Activities Classified as Productive Work <p>The following activities are considered Productive Work when performed within the United States. Such activities cannot be conducted under ESTA or the B-1 visa category and require an appropriate work visa, typically the L-1B:</p> <ul style="list-style-type: none"> - Quality Issue Resolution - Troubleshooting - On-road testing / Test Driving - Functional and performance validation - Sensor or equipment calibration, etc. 	L-1B

Comparison of ESTA and B-1

Category	ESTA	B-1 Visa
Permitted Activities 	Visit for Non-Productive Work Purposes ¹	Visit for Non-Productive Work Purposes + Technical support activities such as installation, commissioning, training, and supervision that are explicitly stated in the Sales Contract as part of after-sales service are exceptionally permitted
Prohibited Activities 	<ul style="list-style-type: none"> 🚫 Receiving wages, salary, or any form of monetary compensation within the United States 🚫 Performing direct on-site labor, such as equipment operation, installation, or repair 🚫 Engaging in productive activities involving manufacturing, sales, or project operations 🚫 Conducting construction-related work, including assembly line installation, site preparation, or utility connections 	
Validity Period 	The period of stay granted at entry is up to 90 days	Typically three months The actual period of stay is limited to the period indicated on the I-94 at the time of entry
Extension of Stay 	Extensions of stay and changes of immigration status are not permitted	Additional extension of three months for a total of six months The extension must be filed online no later than 45 days prior to the stay expiration date

¹ Contract and purchase negotiations / Meeting attendance, business discussions, and management reporting / Participation in conferences and seminars / Market research and visits to local vendors or business partners / Theoretical training and presentation-based knowledge transfer

Traveler Guidelines (for U.S. Entry)

- At entry, the traveler must carry and present their passport, visa (B-1/ESTA), invitation letter and business travel order.
- For B-1 visa holders, in particular, documents proving that installation and commissioning obligations are clearly stated in the equipment purchase contract must be carried. If the contract is drafted in Korean, a notarized English translation is recommended.
- When stating the purpose of entry, travelers must clearly and concisely describe their activities within the actual scope of the trip, such as business meetings, technical training, or conference attendance.
- Avoid words such as “**work**” or “**employment**,” which may cause confusion. Only refer to actually permitted activities such as **training, meetings, conferences, or installation as part of a purchase contract**.

(Example Scenario)

CBP: What is the purpose of your visit to the U.S.?

- *I'm here for business meeting with our U.S. partners*
- *I'm attending a technical training program organized by our U.S. affiliate.*

Traveler Guidelines (After U.S. Entry)

- Within 24 hours after entry, the traveler must access the CBP I-94 website (<https://i94.cbp.dhs.gov/search/recent-search>) using their passport number, full name in English and date of birth, and check and print the Class of Admission and Admit Until Date for retention.

Category	Class of Admission
ESTA	WB (waiver business)
B-1 Visa	B1 (business)

- It is common for the “admit until date” on the I-94 to differ from the visa expiration date. This is because the two dates serve different purposes. The visa expiration date indicates the last date on which entry to the United States is permitted. The “admit until date” on the I-94 indicates the period of authorized stay granted by the border inspector at the time of entry. Therefore, whether the period of stay has expired must be determined based on the “admit until date” on the I-94, not the visa expiration date.
- The traveler must always carry their passport, printed I-94, printed return flight itinerary², and invitation letter.

² 2025년 9월 4일 ICE 단속 당시, 한국 출장자 중 일부가 귀국 항공편을 제시하여 단속에서 풀려나온 사례가 있음

Traveler Guidelines (When Making Statements)

- In the event of arrest, detention, or investigation, immediately notify any accompanying colleague or the local entity's HR, Legal Department, or business head.
- If you are subjected to arrest, detention, or investigation, remain calm and respond appropriately to the situation.
- During an investigation, all statements may become part of the official record; do not provide speculative answers about facts that are unclear or unverified.
- Before answering, the individual should consult with the company's designated attorney or relevant advisor. If necessary, respond initially as follows
Example response: "*I'm not sure about that information, and I prefer to discuss it with my lawyer first.*
- If any document cannot be clearly understood, request an interpreter and refrain from signing until you have consulted with the company representative or legal counsel.
Example response: "*May I have an interpreter so I can understand this document before I sign it?*

Traveler Guidelines (In Case of Detention)

- Be aware that communication may be restricted until an A-number³ is assigned at the detention facility, and cooperate calmly with the required procedures
- If personal belongings such as passports, mobile phones or laptops are seized or retained during detention or investigation, promptly confirm the inventory of items seized and formally request their return after the investigation is concluded.

Example response: “May I have a written list of the items taken from me, and how I can get them back?”

- If there is any health issue, immediately request medical assistance from the detention officer or from the ICE/CBP officer in charge, and, if necessary, ask the consulate or attorney to request medical care.

Example response: “I need medical assistance, please contact a doctor or my consulate.”

³ The official name is the Alien Registration Number, which is a unique identifier assigned by the U.S. Department of Homeland Security (DHS) and immigration authorities (USCIS/ICE/CBP) to track and identify foreign nationals. In cases of detention, this number is essential for attorneys or family members to locate the traveler, make contact, or verify the individual's detention status and condition.