

B1 visa for supervising or training other workers engaged in building or construction work, but not actually performing any such building or construction work.

## **9 FAM 402.2-5(E)(2) Foreign Airline Employees**

*(CT:VISA-133; 05-16-2016)*

a. Foreign airline employee aliens who:

- (1) Seek to enter the United States for employment with a foreign airline that is engaged in international transportation of passengers and freight;
- (2) Are working in an executive, supervisory, or highly technical capacity; and
- (3) Otherwise meet the requirements for E visa classification but are precluded from entitlement to treaty trader E-1 classification solely because there is no treaty of friendship, commerce, and navigation in effect between the United States and the country of the aliens' nationality, or because they are not nationals of the airline's country of nationality.

b. Employees of foreign airlines coming to the United States to join *an aircraft for an onward international flight* may also be documented as B-1 visitors in that they are not transiting the United States and are not admissible as crewmen. *Work on solely domestic flights within the United States is not permissible in B-1 status. Applicants for admission are inspected by a CBP officer to determine their admissibility in the United States.*

## **9 FAM 402.2-5(E)(3) Clerkship**

*(CT:VISA-1; 11-18-2015)*

*(Previous Location: 9 FAM 41.31 N10.4; CT:VISA-701; 02-15-2005)*

a. Except as in the cases described below, aliens who wish to obtain hands-on clerkship experience are not deemed to fall within B1 visa classification.

*(Previous Location: 9 FAM 41.31 N10.4-1; CT:VISA-1777; 11-29-2011)*

b. **Medical Clerkship:** An alien who is studying at a foreign medical school and 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. 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. (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 is restricted by INA 212(e) and normally requires a J-visa.)

*(Previous Location: 9 FAM 41.31 N10.4-2; CT:VISA-701; 02-15-2005)*

c. **Business or other Professional or Vocational Activities:** An alien who is coming to the United States merely and exclusively to observe the conduct of business or other professional or vocational activity may be classified B1, provided the alien pays for his or her own expenses. However, aliens, often students, who seek to gain practical experience through on-the-job training or clerkships must qualify under INA 101(a)(15)(H) or INA 101(a)(15)(L), or when an appropriate exchange visitors program exists (J).