

The Canada-U.S. Free Trade Agreement (FTA) eased the border crossing requirements for four categories of business travellers. (The FTA affects only these four categories of temporary entrants, immigration rules are unaffected.) The four categories and their requirements are described below.

Business Visitors (B-1 Status)

Who: Canadian citizens who visit the United States on business for their Canadian company and receive remuneration from their Canadian employer. **Which activities are covered:** international commercial activities for an enterprise in Canada. These activities include sales and purchasing, after-sales service, research and design, manufacture and production marketing, distribution and general service. **How to apply:** apply for admission at any U.S. point of entry. Business visitors may be requested to provide proof of the type of business they will pursue in the United States. No fee is payable for an application in this category. Canadian citizens do not require a passport; however, they must show proof of citizenship and identity.

Inter-company Transferees (L-1 Status)

Who: Persons who have been employed continuously for at least one year by a Canadian firm as executives, managers or specialists. **Which activities are covered:** the transferee must render services on a temporary basis to the same firm (or its subsidiary or affiliate) in the United States as an executive or manager, or in a position requiring specialized knowledge. **How to apply:** the U.S. employer must complete a petition, form I-129L (available from Immigration and

Naturalization Service offices of the U.S. Consulates and Embassy in Canada), on the transferee's behalf. The transferee presents the petition, proof of citizenship and identity and evidence of experience at the U.S. point of entry. A fee of US\$50 is payable upon application.

Professional (TC-1 Status)

Who: Canadian professionals whose occupation or profession is listed in the same section of the FTA. **Which activities are covered:** Professionals must be travelling to the United States to work temporarily in the profession for which they are qualified. **How to apply:** entry must be sought at a U.S. point of entry or a preflight inspection station. Qualified applicants will be issued written permission to work (form I-94). Applicants must provide proof of Canadian citizenship and identity, along with a letter from the U.S. employer and supporting documents that show the nature and length of the work, the arrangements for payment, and proof of educational or other appropriate professional credentials. A processing fee of US\$50 is payable upon application.

Traders and Investors (E Visas)

Who: A trader works in a Canadian-owned or controlled firm in the United States that carries on substantial trade in goods or services, principally between Canada and the United States. An investor has invested or is in the process of investing a substantial amount of capital in an enterprise in the United States. **Which activities are covered:** a trader must be a supervisor or executive, or in a position that involves skills essential to the operation of the firm in the United States. An investor develops and directs the operation

of the enterprise. **How to apply:** traders and investors must apply for a U.S. non-immigrant visa at a U.S. Consulate before leaving for the United States. The trader and investor must provide proof of citizenship and identity (a Canadian passport is advisable) and documents that clearly confirm qualification for this status. The processing fee is US\$40 at the time of application.

Practical Advice for Crossing the Border

1. Tell the truth. Say that you are there for business purposes. Border officials know more about you than you think.
2. Call your border point in advance to find out what documentation you need to take with you. Crossing the border to work in the United States requires the appropriate paperwork — it is not equivalent to crossing for a vacation.
3. Be sure to bring a letter of referral from your employer.
4. Obtain a free copy of *Business Travel* from External Affairs and International Trade Canada by calling 1-800-267-8376. This document provides FTA details, a listing of professionals and a listing of border points, among other useful information.

