VIBE (Validation Instrument for Business Enterprises)

A Word about the Program from Us

As you can tell from the USCIS insert below, they are using this program to validate the existence of foreign-based businesses in certain immigration categories (also listed below) and at times including in Requests for Evidence (Request for Evidence) issued a suggestion that this medium be used. We not only use VIBE in response to Requests for Evidence but encourage their use on any initial submission. We provide at no cost assistance with obtaining this validation for those that purchase one of our plans.

While doubtless an excellent validation tool VIBE is, like many government-affiliated programs difficult to navigate at times. This program is entirely free to use and, more importantly, entirely free of Dun and Bradstreet marketers. Turnaround time for getting a number has been about 12 to 36 hours so we think it is well worth it. If you choose not to have us do it, we strongly suggest you visit the Dun and Bradstreet IUpdate site and complete the process yourself.

A Word about the Program from the USCIS Introduction

The Web-based Validation Instrument for Business Enterprises (VIBE) is a tool designed to enhance USCIS' adjudications of certain employment-based immigration petitions. VIBE uses commercially available data from an independent information provider (IIP) to validate basic information about companies or organizations petitioning to employ certain alien workers. Currently, Dun and Bradstreet is the independent information provider for the VIBE program.

Background

When adjudicating employment-based petitions, USCIS must primarily rely on paper documentation supplied by the petitioning company or organization to establish the petitioner's eligibility for the requested classification. When petitioners' paperwork does not sufficiently document the evidence required under the law, USCIS must issue a Request for Evidence (Request for Evidence) for additional documentation, delaying final adjudication of the petition. The VIBE program has been introduced to address some of these issues.

VIBE Program

VIBE allows the USCIS to electronically receive commercially available information from an IIP, currently Dun and Bradstreet, about a petitioning company or organization. This information includes:

- •Business activities, such as type of business (North American Industry Classification System code), trade payment information, and status (active or inactive).
- •Financial standing, including sales volume and credit standing.
- •Number of employees, both on-site and globally.
- Relationships with other entities, including foreign affiliates.
- •Type of office. (Examples include single entities, branches, subsidiaries and headquarters.)
- •Type of legal entity. For example, LLC, partnership or corporation.
- •Company executives.
- Date of establishment as a business entity.
- Current physical address.

A USCIS officer will review all information received through VIBE along with the evidence submitted by the petitioner. Adjudicators will use the information from VIBE to verify the petitioner's qualifications. For example, if a petitioner is seeking L-1 status for a beneficiary, VIBE will help adjudicators confirm that the petitioner has a foreign affiliate, which is a requirement for granting L-1 status.

Information from VIBE helps confirm the petitioners' financial viability in cases where petitioners must establish ability to pay.

USCIS will not deny a petition based upon information from VIBE without first giving the petitioner the opportunity to respond to the agency's concerns. USCIS will issue a Request for Evidence or a Notice of Intent to Deny if it is necessary to resolve relevant inconsistencies or other issues that emerge upon review of VIBE-supplied information that are material to the benefit requested.

An immigration Services Officer will make a final decision based on the totality of the circumstances.

Your Company's Information in VIBE

USCIS does not require companies and organizations to create or update records with Dun and Bradstreet. However, as of December 2011, if your entity is a United States-based privately held company or organization and you would like to create, verify or correct its Dun and Bradstreet record, you may contact Dun and Bradstreet directly online through the firm's new streamlined process for United States-based privately held USCIS petitioners and other United States government customers.

Contacting Dun and Bradstreet from this link will allow these USCIS petitioners to create, update and view basic elements of their company's or organization's Dun and Bradstreet report without being subjected to direct marketing from Dun and Bradstreet. This new, streamlined IUpdate for United States government customer's process is only available for United States-based, privately held companies.

IUpdate for United States government customers is a free, password-protected and encrypted online service tool offered by Dun and Bradstreet. Its users will be asked a series of short challenge questions, based on geographical and demographic data, to authenticate and establish an ID and password. Only those with access to your established ID and password will be able to access your business information. If you have already received an Request for Evidence (request for evidence) because the USCIS cannot validate your business through VIBE, we will be glad to apply for this on your behalf if you engage us to do your business plan. Once the project is initiated you will receive a VIBE questionnaire from us. If you are just preparing to make your initial submission of a business plan, we will do it for you as well. The USCIS treats all VIBE submissions as priority requests and usually turns around the VIBE certificate in one business day. We offer submission of the VIBE form as a free service to our clients ordering any business plan from us. The requirement is that our VIBE questionnaire be filled out completely.

Please note that whether or not you choose to create a record or update your record with Dun and Bradstreet, you must respond to any Request for Evidence or Notice of Intent to Deny you receive from USCIS. Failure to respond directly to USCIS could result in the denial of your petition.

Nonimmigrant Classifications Included in VIBE

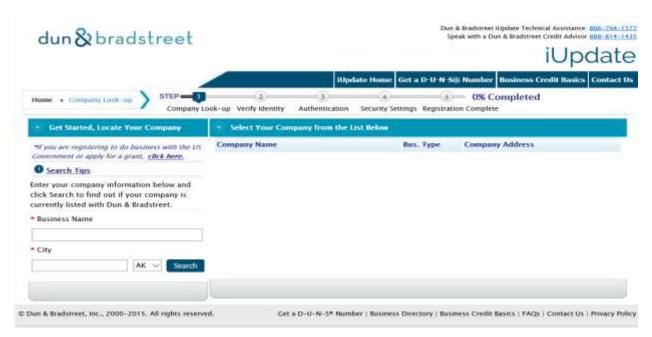
- •E-1, treaty trader
- E-2, treaty investor
- •E-3, member of specialty occupation who is a national of the Commonwealth of Australia
- •H-1B, specialty occupation worker
- •H-1B1, specialty occupation worker from Chile or Singapore
- •H-1B2, worker performing services related to a Department of Defense cooperative research and development project or coproduction project
- •H-1B3, fashion model of distinguished merit and ability
- •H-2A, temporary or seasonal agricultural worker
- •H-2B, temporary nonagricultural worker
- •H-3, trainee or special education exchange visitor
- •L-1A, intracompany transferee in a managerial or executive position
- •L-1B, intracompany transferee in a position utilizing specialized knowledge
- •LZ, blanket L petition
- •Q-1, international cultural exchange visitor
- •R-1, religious worker
- •TN, NAFTA professional from Canada or Mexico.

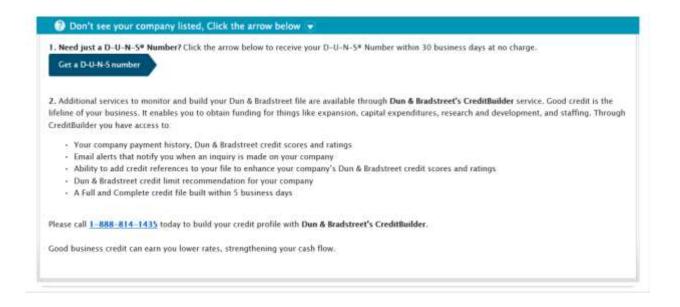
Sample VIBE Form

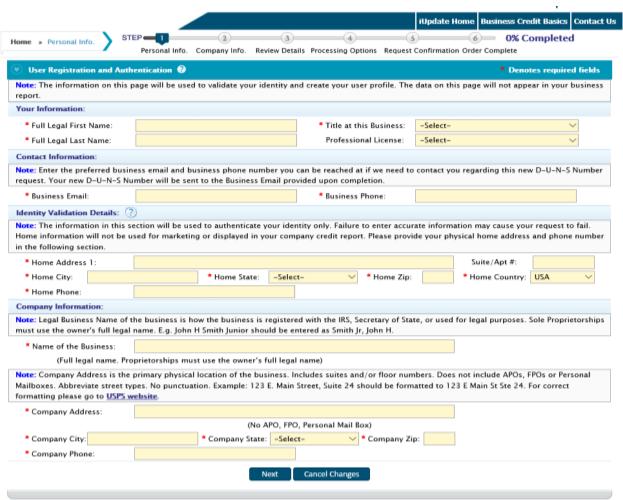


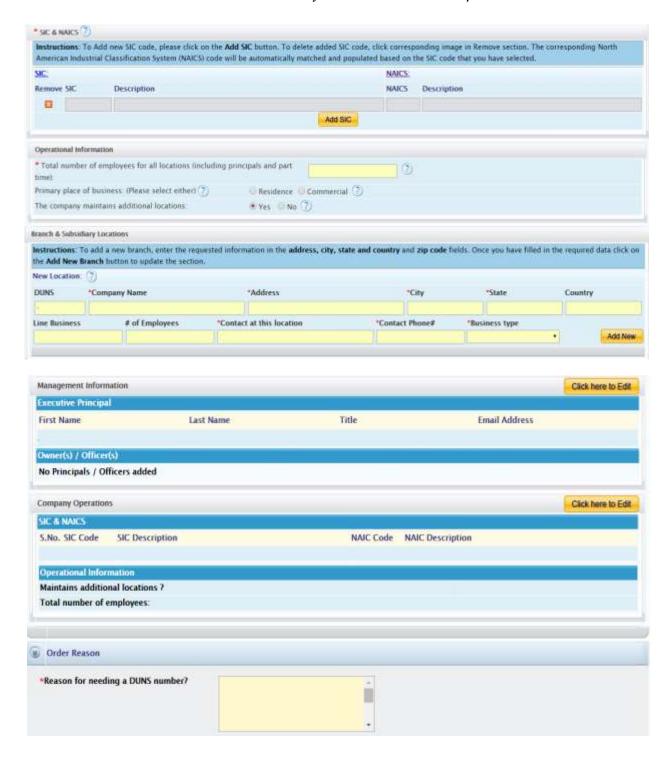
If you would like to do this yourself, go to the following website: https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm

These are the screens you will encounter and, in addition, you will be asked a series of challenge questions involving things such as the following information: your social security number, current or previous address, date of birth, and previous telephone numbers. The questions are intended to be things that only you would know. Likely, the correct answer will be among the multiple choice items but on occasion no answer will be correct.









Again, if you order one of our products and need a VIBE certification, we will submit it for you. Our list of required information is shown below. All requested information is mandatory since the Dun and Bradstreet website can be hard to navigate.

Validation Instrument for Business Enterprise Questionnaire

The First Name of the Person Requesting This Report
The Last Name of the Person Requesting This Report
Title at the Business (For example, Owner or Manager)
Business E-mail
Business Phone
Home Address of the Person Requesting This Report
Home City of the Person Requesting This Report
Home State of the Person Requesting This Report
Home Zip Code
Home Phone Number
Social Security Number of the Person Requesting Report
Date of Birth of the Person Requesting Report
Full Legal Name of the Business
Company Street Address
Company City
Company State
Company Zip Code
Company Phone Number
Total Number of Company Employees
Company Executive First Name, If Different than Above
Company Executive Last Name, If Different than Above
Company Executive Title
Company Executive E-mail Address
First Name of L1 Applicant, If Different than Above
Last Name of L1 Applicant, If Different than Above
Title of L1 Applicant
Name of Foreign Parent Company
Foreign Parent Company Address
Foreign Parent Company City
Foreign Parent Company State or Province
Foreign Parent Company Country
Foreign Parent Company Contact
Foreign Parent Company Contact Phone Number
Foreign Parent Company Contact E-mail