

# Foreign National Affiliates & Visitors

#### Go to US Bureau of Consular Affairs B1 Visa Information

#### **Overview**

Foreign nationals visiting Georgia Tech for meetings, tours or short-term independent research must receive clearance from Global Human Resources, Office of Legal Affairs, and Research Security before they arrive.

Most foreign national affiliates and visitors will enter the US in B-1 or VWB status, however other statuses may be permissible. The foreign national will apply for a B-1 visa at an American consulate abroad and should present a letter of invitation from the Georgia Tech faculty host. If a foreign national comes from a country that participates in the Visa Waiver (VW) Program, they may enter the United States in VWB status (like B-1 status) without getting a visa stamp from a U.S. consulate. Foreign national affiliates or visitors whose activities will be overseen by Georgia Tech will come as J-1 Exchange Visitors.

#### **Process**

Departments must initiate the Hiring & Hosting Eligibility Determination request as early as possible to ensure the Office of the General Counsel and Research Security has time to conduct the necessary reviews and the affiliate or visitor has adequate time to obtain the visa (if applicable). We recommend starting the process at least 30 days in advance.

Global HR will provide further guidance after the Hiring & Hosting Eligibility Determination process is complete. The hosting department may not provide a letter of invitation prior to approval from Global Human Resources. The affiliate or visitor will be required to provide documentation upon request. This process is required even if the visitor already has a B visa stamp in their passport or ESTA clearance. More information on this process can be found in the <a href="Hiring a Foreign National Knowledge Article">Hiring a Foreign National Knowledge Article</a>.

## **Department Responsibilities**

### **▶** B-1 Visitors for Business

Persons coming to the U.S. to engage in short-term, temporary professional activities related to their employment abroad, may be admitted in <u>B-1 status</u>. Visitors in the B-1 classification are usually admitted for a 6-month period, and extensions may be permissible. Visitors should check the <u>CBP I-94 website</u> for their specific period of admission, as it is up to the discretion of CBP. Appropriate B-1 activities include, but are not limited to, consulting with peers, lecturing or

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speaking, participating in conferences or seminars, training, and independent research that provides no benefit to Georgia Tech.

The B-2 visa is specifically designed for temporary visitors to the United States for the purposes of tourism, pleasure, or visiting friends and family. This status is not permissible for visits to Georgia Tech.

### ► The Visa Waiver Program

Under the Visa Waiver Program (VWP), citizens of <u>participating countries</u> may travel to the US for business for up to 90 days without first obtaining a B-1 visa stamp from a U.S. Consulate or Embassy.

No extension of stay is allowed when utilizing the WVP. Those entering for business purposes are admitted in WB status and those entering for pleasure are admitted in WT status.

All visitors using the VWP must have an approved travel authorization from the Department of Homeland Security's Electronic System for Travel Authorization (ESTA).

## ► Criteria for Payments to Business Visitors ("9/5/6" Rule)

Individuals admitted to the U.S. in B-1, B-2, WB, and WT status may not be employed by Georgia Tech. However, business visitors may receive an honorarium if these conditions are met:

- The visitor is performing an academic activity for the benefit of Georgia Tech. These activities may include lecturing and teaching.
- The activity being compensated for is completed in nine days or less.
- The visitor has not accepted an honorarium payment or reimbursement for qualifying activities from more than five institutions in the previous six-month period.

Business visitors (B-1 and WB) may be reimbursed for expenses including lodging, meals, and travel. More information on how to request these types of payments may be found <a href="here">here</a>.

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