



Certification of Eligibility for Independent Contractors in **B** or **VW** visa statuses
Receiving Honoraria and/or Travel and Incidental Expense Reimbursements

To be attached to all applicable payment requests and travel reimbursement documents and forwarded to OIPS for approval.

Pursuant to Section 431 of ACWIA (*American Competitiveness and Workforce Improvement Act*) of 1998 which amends the section 212(q) of the INA; payment of honoraria and associated incidental expenses for a "usual academic activity" are allowed for those entering the United States in **B-1 (business)**, **B-2 (tourist)**, **VWB (visa waiver business)**, and **VWT (visa waiver tourist)** if the honoraria and expenses are paid by an institution of higher education, nonprofit organization affiliated with an institution of higher education, or a nonprofit research or governmental research organization. The services conducted must be for the benefit of the institution or entity; cannot last longer than 9 days; and the visitor cannot have accepted such payments from more than 5 institutions or entities within the last 6 month period. See the USCIS website for more information including definitions of *usual academic activity* and *honoraria*:

<http://www.uscis.gov/propub/ProPubVAP.jsp?dockey=0b78cebf1b083573d79f6d574f5427fb>

In accordance with the law **George Mason University** will make payments to **B-1, B-2, VWB** and **VWT** visa holders under the following conditions and payment requirements:

Honoraria (*The 9/5/6 rule*)

B-1, B-2, VWB, and VWT visa holders may be paid honoraria for usual academic activities that *do not exceed 9 days* provided that the individual has not previously accepted honorarium from more than 5 educational institutions, nonprofit or governmental research organizations within the previous 6-month period.

(Honoraria payments are potentially subject to 30% withholding per the Internal Revenue Code. All recipients of honoraria should complete the [online Foreign National Information Form](#) and meet with the International Tax Coordinator in OIPS.)

Travel and Incidental Expenses

B-1 and VWB visa holders may be reimbursed travel and incidental expenses incurred in connection with a usual academic activity, regardless of the duration of the activity and regardless of whether the individual has previously received payment from other educational institutions, nonprofit or governmental research organizations.

B-2 and VWT visa holders may be reimbursed travel and incidental expenses incurred in connection with a usual academic activity provided the individual meets the above **9/5/6 honoraria** rule.

(Recipients of travel/incidental expense reimbursements should ATTACH COPIES OF THEIR PASSPORT, VISA AND/OR I-94 DEPARTURE CARD or in the absence of an I-94 departure card ATTACH A COPY OF THE IMMIGRATION STAMP IN YOUR PASSPORT.)

****NOTE****Recipients of travel/incidental expense reimbursements who are in the U.S. for purposes other than providing a service (i.e. educational/professional activities) will be potentially subject to 30% withholding. (See instructions above for honoraria recipients)

VISITOR INFORMATION: (Use TAB key to navigate)

Last Name: _____ First Name: _____ Social Security or ITIN number: _____

What type of payment will you be receiving? _____ (Drop down menu)

Enter the visa classification under which you are currently in the United States: _____ (Drop down menu)

Name of activity (example: Seminar presenter for Public Choice): _____

The dates of the activity will be from: _____ to: _____ (mm/dd/yyyy)

What type of activity will you engage in while at George Mason University? _____ (Drop down menu)

If you selected *other* for activity type, please explain: _____

ACKNOWLEDGEMENT AND CERTIFICATION:

This is to certify that I was present at *George Mason University* for the purpose of engaging in a *usual academic activity* and I acknowledge that I will receive payment or reimbursement in connection with that activity. I am a foreign national who arrived in the United States under the visitor visa classification. I further certify under penalties of perjury to the following facts which are pursuant to Section 431 of ACWIA which amends the section 212(q) of the INA:

1. My activity at *George Mason University* did not exceed 9 days.
2. My services were made for the benefit of this institution.
3. I have not accepted any honoraria (and/or incidental expenses in the case of a B-2 or VWT visitor) from more than 5 institutions or organizations within the previous 6-month period.

Signature of Foreign National: _____ Date: _____