



MEMORANDUM

TO: Universty Community

FROM: Guru Ghosh, Vice President for Outreach and International Affairs

RE: Revisions to the International Visitor Guidelines

DATE: August 15, 2016

In response to stakeholder feedback, the university's International Visitor Guidelines have been revised. The revision permits international visitors to Virginia Tech to conduct research for up to 90 calendar days (cumulative) on a B-1 visitor for business visa or in Visa Waiver WB (waiver for business) status. This change will foster a more inviting campus environment, reduce paperwork for inviting short-term visitors and reduce visa processing costs.

I have delegated authority to determine whether a visitor's proposed activities meet the criteria outlined in the International Visitor Guidelines and the responsibility of issuing invitation letters for international visitors to Ian Leuschner, director of international support services. Attached for your review, please find a copy of the revised *Virginia Tech International Visitor Guidelines*. Please direct any questions you may have about the guidelines to Ian Leuschner (540-231-3736 or ileuschner@vt.edu).

Virginia Tech International Visitor Guidelines (revised August 2016)

Purpose

Virginia Tech welcomes visitors from around the world to our campus to engage with our students, faculty and staff in a broad range of activities. Virginia Tech values the contributions these visitors make to our community and the unique opportunities and experiences that arise as a result of this engagement. The university desires to facilitate these activities which provide a valuable opportunity for exchange of knowledge, culture and experiences that will enrich our community for years to come.

The purpose of these guidelines is to provide faculty and staff interested in inviting foreign national visitors to Virginia Tech, including all its domestic campuses and affiliated research institutes, with a clear understanding of appropriate activities for international visitors whose visa is not directly sponsored by Virginia Tech. This includes individuals in B-1/B-2 status or admitted pursuant to the Visa Waiver Program. Please note that United States (U.S.) citizens and those who are permanent residents of the U.S. (i.e. hold a green card) are exempt from these procedures. While not all activities are appropriate for any visa status, there is almost always an appropriate visa category available, and this guideline will identify which visa status is appropriate, and what office on campus can assist with preparing the appropriate process for reviewing and requesting letters of invitation for appropriate visitors.

Overview of Requirements

All international visitors whose visa is not directly sponsored by Virginia Tech must be reviewed by the Office of Export and Secure Research Compliance (OESRC) before their arrival regardless of whether payment will be made. The proposed visitor needs an invitation letter, or the proposed visitor already has obtained a visa. Furthermore, the visitor's proposed activities must meet the criteria outlined below. The Vice President for Outreach and International Affairs has delegated authority to determine whether a visitor's proposed activities meet the criteria and the responsibility of issuing invitation letters for such international visitors to the Director of International Support Services (ISS). All invitation letters for foreign nationals visiting Virginia Tech whose visa is not directly sponsored by Virginia Tech must be issued by the Office of International Support Services.

Please note that there are persons and institutions/entities world-wide that are prohibited from entering the U.S.; visiting certain laboratories; and/or accessing certain sensitive technologies in the U.S. Such laboratories and technologies are present on the Virginia Tech campus. Those seeking to invite visitors to Virginia Tech should be certain of the identity of the visitor. Some of the people/entities prohibited from accessing these sensitive technologies have been known to "fish" for invitations from persons/entities that possess the technologies they would like to access.

Review Process

To initiate the required review process,

- 1) Please download and complete the Export Questionnaire at OESRC's website.
- 2) OESRC will review the visitor and proposed activities and provide an export certification to the host faculty/department as well as export guidance to be followed, if any.
- 3) If any changes need to be made prior to the visit or after arrival, the host faculty/department should notify OESRC of the changes.
- 4) For groups of individuals who will be participating in the same activities, the biographical information of the questionnaire should be completed for each individual but the Export and Secure Research Compliance Information section needs to be completed and submitted **once** along with each individual's CV.

Invitation Letters and Process

After the required export review is complete, if the hosting department/faculty wishes to request an invitation letter for the visitor, the export certification from OESRC and a draft invitation letter should be sent to Ms. Belinda Pauley for processing. Colleges may require the request for letters of invitation to also be reviewed and approved through the appropriate contact in the Dean's office. Please refer to the invitation letter template.

Upon receipt of the request export certification and draft letter, Ms. Pauley will process the invitation letter on letterhead for signature by the director of ISS. Invitations letters can **only** be issued by ISS and cannot be issued by any other Virginia Tech department/office. After the invitation letter has been processed, Ms. Pauley will scan and email the letter to the host faculty/department who may then forward it to the visitor. If requested, Ms. Pauley will also send the original letter in campus mail to the host faculty/department or make it available for pick up in ISS.

Observing the Procedure

Visitors found to be on campus who have not adhered to the procedures outlined in these guidelines will not be permitted to participate in any university scholastic programs. The director of ISS will have the authority to deviate from these guidelines, subject to applicable laws, on a case-by-case basis.

Conducting Research

Persons coming to Virginia Tech to engage in research, who will receive no salary or income from a U.S. source and whose research will not benefit a US institution may remain at Virginia Tech on B-1 visitor for business visa or in Visa Waiver WB (Waiver for Business) status for up to **90** calendar days (cumulative). For those coming to engage in research for more than **90** days, a J-1 visa is likely the appropriate status. Please contact our office for further information.

Lecturer/Speaker or Guest Teacher

Persons coming to Virginia Tech to deliver a lecture/speech or to guest teach may do so in B-1 visa or Waiver Business (WB) status. Such persons may remain at Virginia Tech in such status for up to **90** (cumulative) calendar days (unless the visitor will receive an

honorarium in which case s/he may only remain at Virginia Tech for **9** calendar days). These visitors may not receive income from a U.S. based source other than travel reimbursement for expenses incidental to their visit. It is permissible for the visitor to receive an honorarium from institutions of higher education, affiliated non-profit entities and non-profit government research institutions. If the visitor will receive an honorarium, the visitor's activities can last no longer than **9** calendar days at any single institution or organization and the visitor may not have accepted such payment or expenses from more than five institutions or organizations over the last six months. If a department will be paying the visitor a travel reimbursement or honorarium, the visitor MUST be in B-1 or WB status and the department is advised to contact Janet Kunz, the university's International Tax Specialist. For visitors wishing to engage in these activities more frequently than outlined above, a J-1 visa is likely the appropriate visa. Please contact the ISS office for further information on the J-1 program.

Negotiations, Consultations, Conferences

Persons coming to Virginia Tech to negotiate contracts, consult with business associates, or participate in scientific, educational, professional or business conventions conferences or seminars may do so in B-1 status for up to **90** calendar days (cumulative). These visitors may receive no salary or income from a U.S. based company or entity. Visitors wishing to engage in activity resulting in salary or income from U.S. based entities should likely be in H-1B or J-1 visa status. Please contact the ISS office for further information.

Prospective Students

The preferred status for prospective students (a student is an individual enrolled in a high school or university either in the U.S. or another country) visiting Virginia Tech is B-2 status. However, students currently in the U.S. in another visa status (e.g., B-1, F-1/F-2, J-1/J-2, H-1B/H-4) may also visit Virginia Tech's campus. Regardless of their visa status, all prospective students may not be engaged with the university for a period exceeding **30** calendar days (cumulative). Prospective students may observe classes and laboratories, but may not be involved in any hands on activities in the classrooms or laboratories or engage in any research activity whatsoever.

Students Fulfilling Internship or Co-op Requirements

Participation in the Student Intern J-1 subcategory is open to foreign students currently pursuing a degree at a postsecondary academic institution outside the U.S. who wish to participate in opportunities to gain experience in their field, determine if they have an interest in a particular career, create a network of contacts, or gain school credit. This may be paid or unpaid. Please visit the ISS website's under the J-1 section for information on the J-1 Student Intern request process.

Students Enrolled at Virginia Tech's Language and Culture Institute

Students enrolled at Virginia Tech's Language and Culture Institute may be in B-1, B-2 or Visa Waiver status. For further information, please contact the Language and Culture Institute.