



V i r g i n i a C o m m o n w e a l t h U n i v e r s i t y

Office of International Education

Guidelines for Honoraria Payment Procedures for International Visitors

The current federal law authorizes universities to pay honoraria and incidental expenses to visitors in tourist or business status, and includes those arriving under the Visa Waiver Program. This provision is found in the American Competitiveness and Workforce Improvement Act included as Title TV of the 1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act, Pub. L. No. 105-277, and reads as follows:

Any alien admitted under section 101(a)(15)(B) may accept an honoraria payment and associated incidental expenses for a usual academic activity or activities (lasting no longer than nine [consecutive] days at any single institution), as defined by the Attorney General in consultation with the Secretary of Education, if such payment is offered by an institution or organization described in subsection (p)(1) and is made for services conducted for the benefit of that institution or entity and if the alien has not accepted such payment or expenses from more than five institutions or organizations in the previous six-month period.

Visitors holding one of the following four visas, B-1 & B-2 (business & tourist visitors) or WB & WT (visa waivers in the business and tourist categories) are eligible to receive reimbursement and honoraria under certain circumstances.

IMPORTANT NOTES:

- **The visitor must have a Social Security number (SSN) or individual taxpayer identification number (ITIN) prior to receiving payment. If the visitor does not have either of these numbers already, he/she will not receive payment until the US Internal Revenue Services issues one for them. This could take between four to six weeks.**
- **Unless the visitor's home country has a tax treaty with the US, 30% of the total payment will be withheld as income tax. The visitor can submit a US tax return the following April for any part of the refund for which they may be eligible.**
- **This process must be completed while the visitor is in Richmond. It is not possible for the Office of International Education-Immigration Services (OIE-IS) to verify the visa status of a visitor that has not completed the compliance statement or provided copies of his/her visa status. Failure to follow the proper procedures and submit the appropriate paperwork will result in nonpayment.**

Updated 2010

Steps for processing an honorarium:

1. Hosting department contacts the Office of International Education-Immigration Services (OIE-IS) to schedule an appointment for visitor check-in and immigration document collection. At this time, the department can ask for any clarification regarding the visa requirements so that it can be clearly explained to the visitor.
2. Hosting department prepares the Independent Contract Agreement (ICA) or Honorarium form and completes and signs the appropriate sections on the Compliance Statement for Payments to Visitors in Business or Tourist Status. A Purchase Order should be completed in eVA for the full amount of the agreement.
3. The visitor must bring the passport and I-94 card along with the completed ICA or Honorarium form and the completed Compliance Statement form to the OIE-IS appointment.
4. During the OIE-IS appointment the visitor will complete the additional IRS forms 8233, W-8BEN and if necessary, the W-7 application for an ITIN. (If visitor has SSN or ITIN, skip to step 7.)
5. If there is an application for an ITIN, OIE-IS will forward the 8233 and the W-7 to the Office of the University Controller. The Controller's office will then forward the forms to the IRS. (Copies will be kept with OIE-IS.)
6. When the visitor has received the ITIN from the IRS, he/she will need to scan and email the official IRS letter and number to the director of OIE-IS, Ingrid Mercer, at iamercer@vcu.edu.
7. Ms. Mercer will forward this information with the rest of the documentation to accounts payable. Accounts payable will use the forms to continue processing the payment.

Necessary documentation and forms with links:

- Copy of all US entry and exit customs stamps in passport, I-94 card (front and back) and visa stamp if applicable. (Canadians and beneficiaries of the Visa Waiver Program will not have visa stamps.)
- Compliance Statement for Payments to Visitors in Business or Tourist Status (completed and signed by visitor, hosting department and OIE-IS) <http://www.vcu.edu/oie/pdfs/honorarium.pdf>
- ICA or Honorarium form (completed by hosting department) http://www.vcu.edu/procurement/Independent_Contractor_form.pdf or <http://www.vcu.edu/procurement/Honorarium.pdf>
- 8233 Exemption from Withholding on Compensation for Independent Personal Services of A Nonresident Alien Individual (completed by visitor and withholding agent) <http://www.irs.gov/pub/irs-pdf/f8233.pdf> (instructions- <http://www.irs.gov/pub/irs-pdf/i8233.pdf>)
- W-8BEN Certificate of Foreign Status of Beneficial Owner for US Tax Withholding <http://www.irs.gov/pub/irs-pdf/fw8ben.pdf> (instructions- <http://www.irs.gov/pub/irs-pdf/iw8ben.pdf>)
- W-7 Application for IRS Individual Taxpayer Identification Number <http://www.irs.gov/pub/irs-pdf/fw7.pdf> (instructions included in link)

Questions:

Accounts Payable contact: LaToya Pettiford, 828-3377, lpettiford@vcu.edu

Immigration Office contact: Ingrid Mercer, OIE-IS 828-0595, iamercer@vcu.edu



Compliance Statement for Payments to Visitors in Business or Tourist Status

Eligibility for payments: Visitors in business or tourist status (B-1, B-2, WB, WT) may be paid honoraria or reimbursed for travel expenses if (a) the visitor is engaged in the activity being compensated for any portion of nine consecutive days or less, **and** (b) the visitor has not been paid or reimbursed by more than five other U.S. institutions or organizations during the past six months.

Visitor information:

Last name (family name) _____
As stated on Social Security card or Individual Taxpayer Identification Number (ITIN) documents

First name (given name) _____
As stated on Social Security card or ITIN documents

Social Security number _____ **or** ITIN _____
(If unavailable, please leave blank for now.)

Dates of activity for which visitor is being paid _____ Visa status _____

Briefly describe the activity: _____

• Attach I-94 and passport pages

If you are Canadian, check if you did not receive Form I-94 (Departure Record)

• Attach pages of passport

Statement of visitor: I attest that I have been engaged in the activities described above for the benefit of Virginia Commonwealth University for any portion of nine days or less, and that I have not been paid or reimbursed by more than five other U.S. institutions/organizations during the past six months.

Signature _____ Date _____

Statement of department head or account manager: As sponsor of the above individual, I attest that the individual has been engaged in the activities described above for the benefit of Virginia Commonwealth University for any portion of nine days or less, and that the activities for which the individual is paid or reimbursed are within the broad realm of customary academic activities associated with teaching, research, public service, or academic administration or operations.

Signature _____ Date _____

Statement of Office of International Education: We attest to the visitor’s eligibility to receive payment according to U.S. federal law provision 101(A)(15)B. (Remainder to be completed by OIE-IS)

Withholding? YES NO Any payment over \$ must taxed at 30%.

Signature _____ Date _____