

# Carnegie Mellon University

## Office of International Education

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### Inviting Visitors to Carnegie Mellon J-1 and B-1 Immigration Options

#### **General Information**

At the Office of International Education (OIE), we warmly welcome visitors to the Pittsburgh campus. OIE may have the Opportunity to meet with visitors during an orientation session, a one-on-one advising appointment, or a scheduled program such as an OIE social open house held twice per academic year.

This handout offers information for host departments and non-US citizens who are planning to visit the US for a professional reason in B Visitor status or as a J-1 scholar. Questions about whether a B or J status would be most appropriate should be directed to an OIE advisor. There can be serious consequences (including being barred from the US) if the visitor attempts to enter the US using the incorrect status.

#### **Visiting the US in J-1 Status**

Many academic visitors will enter the US as a J-1 research scholar, short-term scholar, or professor. The use of J-1 status would aid entry of an academic visitor with a bona fide research or teaching purpose. This is particularly true of those who plan to visit for several months or longer or those who will be involved in employment and/or research. It is important to note that Intellectual Property (IP) issues may necessitate a more formal relationship than would exist if a visitor/tourist was in the research area.

J-1 status is most appropriate for visitors who will either be employed by Carnegie Mellon or who will be engaged in research in collaboration with a CMU faculty member/researcher or will be here for an extended period of time. Examples of appropriate use of the J visa are participants in a Faculty Exchange program as well as students abroad who are coming to engage in research related to their home academic program.

The process to request the J visitor starts with the host department. The CMU hosting department coordinates the invitation and supporting paperwork with OIE several months in advance of the anticipated arrival. OIE will produce the DS-2019 and send it to the visitor with detailed instructions on how to proceed with the visa application process and arrival to the US and Pittsburgh. More information on visiting CMU in J status can be found on the OIE website: <https://www.cmu.edu/oiie/foreign-scholars/coming-to-cmu.html>

Visitors in J-1 status should be aware of the two-year home residency requirement which will apply to citizens of many countries in certain fields and the 12 and 24 month bars. More information about this and other J-1 requirements can be found on the [US Department of State website](http://www.state.gov) or on the OIE website at: <https://www.cmu.edu/oiie/foreign-scholars/j1-exchange/index.html>

All J scholars are ***required*** to check in with OIE upon arrival as is outlined in the detailed materials that are mailed with the DS-2019 document prior to arrival. Failure to check-in in a timely manner will result in the loss of legal J status in the US.

## **Visiting the US in B Visitor Status**

Short-term visitors who will not be engaged in “work” or who will not be engaged in research where IP issues may be involved may be able to use the B Visitors visa to enter the US. There are several B categories: B-1 visitor for business, B-2 visitor for pleasure, B VWP (Visa Waiver Program). Ability to use the Visa Waiver Program (which does not require advance application for a US visa stamp in the passport prior to arrival in the US) depends upon (1) *nationality* and (2) *length of anticipated stay (90 days or less.)*

- Details about the Visa Waiver Program can be found at:  
<https://travel.state.gov/content/travel/en/us-visas/tourism-visit.html>

Several purposes are outlined (9 FAM 41.31 N8) as being appropriate uses of the B-1 visitor for business (or B VWP) including: consulting with business associates or participating in scientific, educational, professional or business conventions, conferences or seminars.

At the US port of entry, visitors to Carnegie Mellon should present an official letter from the inviting department outlining the purpose of the visit, the intended length of stay, and the intent to cover related business expenses (if appropriate).

B-1 visitors for business are admitted to the US “for a period of time which is fair and reasonable for completion of the purpose of the trip,” based primarily on the amount of time that the visitor needs to complete the anticipated business purpose, but not to exceed one year. The period of allotted time is noted on the small I-94 card which is placed in the passport upon entry to the US, and should be kept safely until departure from the US.

Anyone who has questions about extending B status after arrival in the US should discuss this issue with an OIE advisor well before the expiration date noted on the I-94 card. Those who entered the US using the Visa Waiver Program may *not* extend their stay or change their status within the US.

B-1 or Visa Waiver status is most appropriate for short-term visitors who will not be employed by or performing services for Carnegie Mellon University and who will be on campus for a very brief period of time. It is appropriate for visitors who will be coming to campus for meetings with colleagues or to participate in conferences that might be hosted by Carnegie Mellon. It is not appropriate for visitors who will be engaged in research with Carnegie Mellon faculty, here for an extended period of time and/or who will be performing services for Carnegie Mellon (paid or unpaid).

## **Employment vs. Reimbursement.**

Employment in the US *is not allowed* if the individual is in visitor status but reimbursement and per diem payments are allowed if related to the B-1 activity. The total amount of such payments cannot exceed what is “reasonable.” An academic honorarium can be paid, but only under *very* limited circumstances including a visit that is not longer than 9 days at one institution; additional details are provided below.

When the individual arrives on campus, he/she must complete the “Foreign National Information Form for Non-Employees”, which is available on the Carnegie Mellon website, under Financial Services:

<http://www.cmu.edu/finance/forms/audience/non-emp.html>

Another helpful reference for paying non-immigrants on the Financial Services website is:

<http://www.cmu.edu/finance/forms/audience/non-emp.html>

## **Additional Resources**

- Office of International Education, <http://www.cmu.edu/oie/>
- US Department of State, <https://travel.state.gov/content/travel/en/us-visas.html>