



Procedures for Travel Reimbursements to Foreign Nationals

International Tax Office MSN 4B2
Tel: (703) 993-5223
E-mail: inttax@gmu.edu

- Departments should inform their visitors about Mason's travel reimbursement policy to ensure they have the proper immigration status

U.S. Citizenship and Immigration Services (USCIS) and the Internal Revenue Service (IRS) impose complex regulations for payments to foreign nationals. Since 9/11/01, enforcement of these laws has been vigorous. Failure to follow these regulations may result in penalties, including the revocation of the privilege to sponsor foreign national visitors. George Mason University must ensure that the procedures detailed below are used consistently followed. Payments to foreign nationals are approved only after all documents are received by the International Tax Office.

WITHHOLDING TAX: Travel Reimbursement payments for Nonresident Aliens are subject to the withholding of tax at 30% statutory rate (unless a tax treaty or an Internal Revenue Code exemption applies). If a travel payment is paid to the foreign national acting in:

COMPENSATORY CAPACITY - Travel payments that are related to services provided to George Mason University are not subject to withholding taxes, if paid according to Mason and State travel payment policies and procedures. Types of compensatory capacities:

- ✓ **Employees (non-student)** – Foreign National Mason employees follow the same travel policy and procedures as all other Mason employees. Please see the [Travel Policies and Procedures Manual](#) for more information. These vouchers are not required to be approved by the International Tax Office.
- ✓ **Candidates for an employment** invited by GMU for interview follow the same procedures as Employees.
- ✓ **Mason GRA/GTAs (presenting) and paid on a research grant.** Generally, it is assumed that GRAs traveling on a research grant and presenting are doing so for the benefit of the grant and not for the furtherance of their personal education. Follow the same procedures as Mason employees. However, payment must be approved by the by the International Tax Office.
- ✓ **[Independent contractors and honorarium recipients](#)**
- ✓ **Bona Fide Volunteers** - someone who performs valuable, professional, academic services, but is not paid an honorarium/fee, such as visiting lecturer, speaker, and other non-Mason presenters. Individual must agree to be a volunteer. Invitation letter should indicate what the volunteer is being asked to do, and stating that there will be no payment or compensation offered and describing whether any costs will be covered.

NON-COMPENSATORY CAPACITY - Travel payments that are related to no service activities other than for the recipient's training are classified as taxable travel grants and are a subject to the scholarship and fellowship payment rules with applicable statutory tax rate of 30%, unless a tax treaty or reduced rate applies. Payments directly to third parties (such as hotels, agents or airlines) on behalf of such recipients are also a subject to the withholding tax. At the end of the calendar year, non-resident alien students will receive an [IRS Form 1042s](#) and must report all payments to the Internal Revenue Service. Types of non-compensatory capacities:

- ✓ **GRA/GTAs not paid on research grant**
- ✓ **All other Mason students**
- ✓ **Non-Mason Visitors, such as event attendees, trainees, round table participants, short-term visitors, etc.**

Travel between locations outside of the United States – payments are exempt from the tax withholding and require collection of [W-8Ben](#) form and [the Statement for Independent Educational Activities Performed outside of the United States/ Statement for Independent Personal Services Performed Outside of the U.S.](#) (depending of the activities involved).

DOCUMENTS REQUIRED TO PROCESS TRAVEL REIMBURSEMENT TO FOREIGN NATIONAL

Foreign visitor receiving a travel payment from Mason should make an appointment to visit the International Tax Office in Fiscal Services before the payment is requested. Visitor should bring immigration documents to the appointment (see chart below on pg.2). In cases, when the visit is not feasible, see the list of required documents below. Please note that if appointment is not attended, International Tax Office will not grant any tax treaty benefits to the payee, because additional tax documents are required.

Department is required to obtain the following documents from the visitor, if the appointment is not completed:

1. [Foreign National Information Form](#) (paper format) - For Non-Compensatory capacity only, see above.
2. **Copies of immigration documents** - see chart below.
3. **IRS Tax Documents** - Complete and sign the IRS forms [W-8BEN](#) and/or [W-9](#). The Tax Coordinator will determine the appropriate form needed when processing the payment. (If visitor knows his/her tax status, he/she may provide only the appropriate form).

Department is required to provide the following documents to support ANY travel reimbursement request to foreign national (see [Travel Policies and Procedures Manual](#) for details):

1. Completed and signed Travel Authorization and the Travel Reimbursement Request.
2. **For Independent Contractors/ Honorarium Recipients/ Bona Fide Volunteers** - Letter of invitation, stipulating the date and the purpose and the nature of the activity and the amount of honorarium to be paid, or indicating that no payment or compensation offered, and describing whether any costs covered.
3. **For GRA/GTAs representing Mason, but not paid on a research grant** - Letter from the supervisor stating the presentation was of a paper/poster owned by Mason and a requirement of the student's job as a GRA/GTA.

IMPORTANT: All documents must be submitted as one file to the Travel Department in Accounts Payable at MS 3C1. Reimbursement will be made for actual expenses incurred based on receipts, except meals which are reimbursed on a per diem basis. Without ALL required documents, travel expenses will not qualify for any exemptions, tax treaty benefits, and/or rate reductions and will be the subject to tax withholding at the 30% rate.

Visa Types and the Associated Supporting Immigration Documentation

VISAS ELIGIBLE FOR TRAVEL REIMBURSEMENT

VISA TYPE/STATUS	CLASSIFICATION	Copies of the Immigration Documents must be attached to the Reimbursement Voucher
B1 VWB B2 VWT	<i>Visitor for temporary business</i> <i>Visa waiver business</i> <i>Visitor for pleasure</i> <i>Visa waiver tourist</i>	<ol style="list-style-type: none"> a. Passport page with passport number and expiration date. b. Copy of visa. Residents of Canada or a visa waiver country do not have a visa page. In absence of visa – copy of stamped page in passport showing the entry date and the immigration status the inspector allowed the visitor to enter. c. Copy of I-94 departure record. d. Complete Certification of Eligibility Form. The visitor should meet the requirements of the certification in order to receive travel expense reimbursement. Under immigration law these rules are known as the "9/5/6 rule". <ul style="list-style-type: none"> ✓ The purpose of the visit must be for "usual academic activity". ✓ The visit must not exceed nine days. ✓ Visa holders cannot accept reimbursement for travel expenses from more than five academic institutions within the previous six month period.
F-1 Visa	Student	<ol style="list-style-type: none"> a. Passport page with passport number and expiration date. b. Copy of visa. c. Copy of I-94 departure record. d. Copy of I-20 form. e. Employment Authorization Card, if F1 student is on Optional Practical Training. f. Letter from the student's visa sponsor stating that F1 students have been authorized to engage in these activities and to receive the reimbursement. <p>Note: Please remember that F-1 students must be authorized to engage in these activities. Hiring students, who do not have the work authorization, to present puts the university at risk of knowingly hiring an unauthorized individual.</p>
J-1	Exchange Visitor Under Valid Sponsorship by Another Institution.	<ol style="list-style-type: none"> a. Passport page with passport number and expiration date. b. Copy of visa. c. Copy of I-94 departure record. d. Copy of DS2019 form, both sides. e. Letter from the visitor's visa sponsor stating that J1 holder has been authorized to engage in these activities and to receive the reimbursement. <p>Note: Please remember that J-1 visa holders must be authorized to engage in these activities.</p>

		Hiring individuals, who do not have the work authorization to present, puts the university at risk of knowingly hiring an unauthorized individual.
J-2	Alien spouse of J1	<ul style="list-style-type: none"> a. Passport page with passport number and expiration date. b. Copy of visa. c. Copy of I-94 record. d. Copy of DS2019 form, both sides. e. Employment Authorization Card.
H-1A, H-1B, H-2	Temporary Worker	<ul style="list-style-type: none"> a. Passport page with passport number and expiration date. b. Copy of visa. c. Copy of I-94 departure record. <p>Note: Work authorized by sponsoring employer. May be reimbursed ONLY for travel expenses and ONLY on occasional basis.</p>
O-1/ O-2	Aliens with Extraordinary ability/ Accompanying worker of an O-1	<ul style="list-style-type: none"> d. Passport page with passport number and expiration date. e. Copy of visa. f. Copy of I-94 departure record. g. Letter from the visa sponsor stating that the visitor has been authorized to engage in these activities and to receive the reimbursement. Letter should be obtained prior to the start of travel activities.
TN Classification	Visitor from Canada or Mexico (NAFTA agreement)	<p>Note: Work authorized by sponsoring employer. May be reimbursed ONLY for travel expenses and ONLY on occasional basis.</p>
G/A/NATO	Employee/Employee's Dependents of Foreign Governments or International Organizations	<p>For Employees:</p> <ul style="list-style-type: none"> a. Passport page with passport number and expiration date. b. Copy of visa. c. Copy of I-94 departure record. d. Letter from the visa sponsor stating that the visitor has been authorized to engage in these activities and to receive the reimbursement. Letter should be obtained prior to the start of travel activities. <p>Note: Work authorized by sponsoring employer. May be reimbursed ONLY for travel expenses and ONLY on occasional basis.</p> <p>For Employee's dependents:</p> <ul style="list-style-type: none"> a. Employment Authorization Card
<u>DACA</u> <u>TPS</u>	Deferred Action for Childhood Arrivals Temporary Protected Status	<ul style="list-style-type: none"> a. Employment Authorization Card

VISAS INELIGIBLE FOR TRAVEL REIMBURSEMENT

Visas NOT Eligible for Reimbursement - Aliens possessing an immigration visa or status of one of the following types may NOT receive any payments while in the United States. This includes reimbursement for travel and subsistence payments.

VISA TYPE/STATUS	CLASSIFICATION
Out of Status	No visa or status obtained (except DACA/ other protection statuses)
F-2	Dependent of an F-1 visa holder
H-4	Dependent of an H-1 visa holder
M-2	Dependent of a M-1 visa holder
O-3	Dependent of an O-1 or O-2 visa holder
P-4	Dependent of a P-1, P-2, or P-3 visa holder
R-2	Dependent of a R-1 Visa holder
TD	Dependent of a TN visa holder