NEW YORK STATE OF OPPORTUNITY. Division of Science, Technology & Innovation

A Division of Empire State Development

REQUEST FOR APPLICATIONS NEW YORK GLOBAL ENTREPRENEURS PROGRAM

Addendum II – Question and Answer. Posting – October 21, 2025.
Responses to all questions obtained between October 3, 2025 and October 17, 2025.

1. Extension Request: Given the internal departmental approval timelines required by my university . . . and the criticality of the answers to the above questions, is there any possibility of a short extension for the application submission deadline?
    a. A revised schedule will be posted as an Addendum to the RFA which can be accessed here: **https://esd.ny.gov/doing-business-ny/requests-proposals/new-york-global-entrepreneurs-program-rfa**

2. Can a university apply indirect costs (IDC) to this award?
    a. Please refer to Section II. Funding, "Provide a budget detailing the anticipated use of grant funds" and the evaluation criteria in the budget section, "Alignment of budget with proposed activities, Realism and Efficiency of costs, Detail and clarity of budget narrative, Staff and Resource allocation relative to scope". As well as eligible expenses:
        i. Experience/Capacity building
        ii. Salaries for staff directly involved in administration of the program;
        iii. Participating entrepreneur wages;
        iv. Necessary legal expenses expressly limited to the implementation and administration of the GEIR program and the obtainment of cap-exempt H-1B visas, including any associated application fees;
        v. Immigration/visa compliance software or related systems;
        vi. Outreach materials, excluding marketing or promotional merchandise such as clothing, bags, or water bottles;
        vii. Supplies required for program implementation, excluding technology such as laptops, tablets, cellular phones, and related items;
        viii. Additional items as approved by ESD.
    b. Budgets submitted by respondents are expected to adhere to, and will be evaluated by, the above criteria. It is the prerogative of the respondent whether to include direct or indirect cost in their proposed budget. Strong proposals will follow the evaluation criteria and eligible expenses detailed in the RFA.

3. Project Scale and Focus: Is the program weighted toward a specific minimum number of participating entrepreneurs, or is a single, large-scale project led by one founder, deemed highly impactful, fully eligible for maximum consideration?
    a. Program eligibility and scope is the prerogative of the respondent to propose. Proposals will be scored exclusively based on the evaluation criteria outlined in the RFA, outlined in Section V, please refer to evaluation criteria noted in “Entrepreneur Identification, outreach, and selection processes” and “Budget”.
    b. Please also refer to IV. Application Information, Section A, Proposal, Program Description, General Overview “How entrepreneurs will be identified, recruited, and selected” and “Expected number of entrepreneurs enrolled each year of the grant”.

4. Scope Specificity: To ensure accurate budget alignment, what is the required level of detail and specificity for the program/project scope submitted in the application?
    a. Please refer to Section A, Proposal, Program Description, Funding "Provide a budget detailing the anticipated use of grant funds, including any matching funds". Budgets should cover all relevant expenses in detail.
    b. Please also refer to the budget evaluation criteria in V. Selection Criteria noted in "Budget".

5. Immigration Pathway Flexibility: If the founder utilizes an alternative immigration pathway, such as an L1 visa, instead of the H1B visa, does this impact the project's ability to be awarded the grant? Is H1B is imperative for the founder to apply for this?
    a. This RFA is asking for proposals to create Global Entrepreneurs In Residence (or substantially similar) programs, which utilize the cap-exempt H1-B and Concurrent H1-B as described in the RFA and Program Guidelines.
    b. This RFA does not address visas other than the H-1B and ESD cannot provide legal guidance on how other visas may interact with H-1B eligibility. If you have specific legal questions, we advise you seek independent legal counsel.
    c. Please also refer to Footnote 3 on Page 1 of the RFA on visa type supported by this RFA.
        i. 3) "To achieve its mission, NYGEP must align its implementation with the federal requirements of the H-1B Visa process. Therefore, for the purposes of this program, eligible grantees include Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. 1001(a); Nonprofit organizations or entities related to or affiliated with institutions of higher education; and Nonprofit research organizations or governmental research organizations, as defined in 8 CFR 214.2(h)(19)(iii)(C)."
    d. Please refer to II. Program Guidelines, Section D, "Necessary legal expenses expressly limited to the implementation and administration of the GEIR program and the obtainment of cap-exempt H-1B visas, including any associated application fees".

6. H1B for Foreign Talent: For a multi-site startup operating across New York State under a single founder/project, how does the potential need to utilize H1B visas for short-term foreign talent affect the application's eligibility or evaluation? Eg*, Is it possible that the Founder is on L1, & can engage 1 or 2 specific talents via H1B through GEIR?*
    a. This RFA does not address visas other than the H-1B and ESD cannot provide legal guidance on how other visas may interact with H-1B eligibility. If you have specific legal questions, we advise you seek independent legal counsel.
    b. Please refer to II. Program Guidelines, Section C, Funding, "Successful grantee applicants will be awarded grants to establish or expand a GEIR Program or a substantially similar program, including the direct employment of entrepreneurs by an H-1B cap exempt public or private institution[6] or affiliated not-for-profit for purposes commensurate with the H-1B visa requirements while the entrepreneur establishes their company in New York."
    c. Please also refer to Footnotes 1 and 3 on Page 1 of the RFA for what qualifies as an international entrepreneur who can be supported by the program,

i. 1) “An international entrepreneur shall refer to a non-citizen from a country of origin other than the United States who plans to establish or co-found a business within the United States”,
ii. 3) “To achieve its mission, NYGEP must align its implementation with the federal requirements of the H-1B Visa process. Therefore, for the purposes of this program, eligible grantees include Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. 1001(a); Nonprofit organizations or entities related to or affiliated with institutions of higher education; and Nonprofit research organizations or governmental research organizations, as defined in 8 CFR 214.2(h)(19)(iii)(C).”

7. Sponsorship/Eligibility: Is there a requirement that the founder or recruited employees must be current university students, or can non-university affiliated individuals be sponsored for an H1B visa through the program (e.g., via the GEIR structure)?
    a. It is the prerogative of the respondent to propose program eligibility and recruitment process. Please refer to the RFA sections IV. Application Information, Program Description, “How entrepreneurs will be identified, recruited, and selected” for your proposed program.

8. Sponsorship Cost: Regarding H1B visa sponsorship, is the applicant or sponsoring entity responsible for the $100k "GEIR-associated" H1B fee, or are there program waivers or exemptions provided?
    a. Please refer to the II Program Guidelines, Section D, Eligible Expenses “Necessary legal expenses expressly limited to the implementation and administration of the GEIR program and the obtainment of cap-exempt H-1B visas, including any associated application fees;”
    b. Please also refer to the response published in the previous Question and Answer Addendum:
        i. Will the RFA be modified with the new executive order on a $100k fee on H1Bs, or any other changes you might foresee because of this proposed fee?
            1. The RFA process for this opportunity will continue as outlined in the RFA. If further guidance is issued regarding cap-exempt H1-Bs, the Program Implementation Team at Empire State Development will review the guidance and reserves the right to amend the program guidelines accordingly.

            2. Empire State Development (ESD) has in the past, on a case-by-case basis, included a *force majeure* clause in certain agreements, and may consider including such a clause in the NYGEP Grant Disbursement Agreements, depending on the circumstances at that time. ESD cannot guarantee that such a clause will be included, only that it may be considered.

9. Initially the program allows x2 H1B visas for the founder – 1) To service the Sponsoring University in some capacity 2) Concurrent Visa to work on the Project. – Is there a minimum time period when the Visa's can be transitioned?
    a. Please refer to the II Program Guidelines, Section D, Eligible Expenses "Necessary legal expenses expressly limited to the implementation and administration of the GEIR program and the obtainment of cap-exempt H-1B visas, including any associated application fees;"
    b. How Entrepreneurs will be supported by the proposed NYGEP program is the respondent's prerogative to define in the proposal. Please refer to IV. Application Information, A. The application should include the following information, Organization's Experience and Qualifications, "Demonstrate capacity to effectively administer the program, including capacity to secure and comply with cap exempt H-1B visas. If this will involve subcontracting, please provide the names of any subcontractors or a description of how they will be procured".
    c. Proposed timelines should conform to H1-B requirements, please also refer to Footnotes 3 and 5 on Pages 1 and 2 of the RFA, respectively.
        i. 3) "To achieve its mission, NYGEP must align its implementation with the federal requirements of the H-1B Visa process. Therefore, for the purposes of this program, eligible grantees include Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. 1001(a); Nonprofit organizations or entities related to or affiliated with institutions of higher education; and Nonprofit research organizations or governmental research organizations, as defined in 8 CFR 214.2(h)(19)(iii)(C)".
        ii. 5) "A concurrent H-1B visa allows an employee to work for a second employer while maintaining their primary cap-exempt H-1B job. This second role can be with a cap-subject employer, and the employee may begin once they file a valid Form I-129, without becoming subject to the H-1B cap again during the same validity period".