

# NIH Policy Manual

## 2300-320-3 - NIH Intramural Visiting Fellow Program (VFP) Policies

**Issuing Office:** OD/OM/ORS/PES/DIS **Phone:** [\(301\) 496-6166](tel:3014966166)

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### Transmittal Notice

1. **Explanation of Material Transmitted:** This issuance describes the policies and procedures for implementing the NIH Intramural Visiting Fellow Program (VFP). **Partial Revision 12/17/2018:** Includes a new section “Scope and Eligibility” and updates health insurance policy and requirements for the VFP in sections G and H as well as Appendices 1, 2, and 4. **Technical Revision 2/2/2022:** Updated relevant statutes and added explanatory language in Section I. Compliance and Governance, Item 3. Tort Claims
2. **Filing Instructions:**
  - **Remove:** NIH Manual Chapter 2300-320-3 dated 03/15/2006
  - **Insert:** NIH Manual Chapter 2300-320-3 dated 05/13/2015, Partial Revision 12/17/2018, Technical Revision 01/28/2022
3. **PLEASE NOTE:** For information on:
  - Content of this chapter, contact the issuing office listed above
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### A. Purpose

This chapter transmits the National Institutes of Health (NIH) policy on the use of the NIH Intramural Visiting Fellow Program (VFP).

### B. Scope and Eligibility

This policy applies to all full- or part-time Visiting Fellows (non-immigrant foreign nationals who possess valid work authorization) training at NIH.

## C. Background

VFP Fellowships are established for the principal benefit of non-immigrant foreign national participants and to provide opportunities for developmental training and practical research experience in a variety of disciplines related to biomedical research, medical library research and related fields. VFP Fellowships are designed to provide research training “for which fellowship support is not provided under Section 487 of the Public Health Service (PHS) Act [[Title 42 United States Code, Chapter 6A](#)], and which is not residency training of physicians or other health professionals.”

NOTE: All U.S. Citizens and Permanent Residents (“green card” holders) should apply for an Intramural Research Training Award (IRTA) or, if with the National Cancer Institute (NCI), for a Cancer Research Training Award (CRTA).

## D. Program Structure

All VFP Fellows are non-immigrant, foreign nationals who possess valid work authorization issued by the appropriate Federal agency. Non-immigrants are defined as those who are **not** Citizens or Permanent Residents of the United States.

Service is a by-product of the VFP Fellowship unlike Full-Time Equivalent (FTE) Research and Clinical Fellowships, where service is a dominant part of the training objective. VFP Fellows may**not** be assigned official supervisory responsibilities or sign documents on behalf of the U.S. Government (such as requisitions).

### 1. Eligibility and Types of VFP Fellowships

VFP Fellowships are available only to foreign nationals on a valid United States non-immigrant, work-authorized status. If the VFP Fellow does not possess his/her own valid non-immigrant, work authorized status, the NIH typically offers immigration sponsorship under the [J-1 Exchange Visitor Program](#). Applicants currently in the U.S. sponsored as [J-1 Exchange Visitors](#) may be eligible to transfer their J-1 status to the NIH. However, any such applicant must be continuing within the parameters of his/her original research objective for coming to the U.S. and have at least one year remaining on his/her overall J-1 five-year program duration. This is to allow adequate time to accomplish the research objectives. The Division of International Services (DIS), Office of Program and Employee Services (PES), Office of Research Services (ORS), may make exceptions to this minimum of one year for J-1 transfers on a case-by-case basis based on scientific need. All VFP Fellows that are sponsored by the NIH must meet all relevant non-immigrant requirements mandated by the specific visa classification.

To be eligible for a [Postdoctoral Fellowship](#), the applicant must possess a Ph.D., M.D., D.D.S., D.M.D., D.V.M. or equivalent degree in a biomedical, behavioral, or related science field; or certification by a university as meeting all the requirements leading to

such a doctorate. In addition, the applicant must have five years or fewer of relevant Postdoctoral experience and typically up to two additional years of experience not oriented towards research (e.g., clinical training for physicians). If the doctoral degree was earned more than five years from the proposed start date, but the applicant has less than five years of relevant Postdoctoral experience, then the Fellowship must be approved by the **Institute/Center (IC) Scientific Director**.

To be eligible for a Pre-doctoral Fellowship, the applicant must be enrolled in a Ph.D., M.D., D.D.S., D.M.D., D.V.M., or equivalent degree program at a fully accredited U.S. or foreign university, which frequently involves dissertation research.

**\*NOTE: Pre-doctoral Visiting Fellows must be registered with the NIH Graduate Partnerships Program (GPP), Office of Intramural Training and Education (OITE), Office of Intramural Research (OIR), Office of the Director (OD).**

**Additionally, all VFP Fellows must be proficient in English and comply with the Office of Intramural Research’s (OIR) policy on the Use of English for Official Scientific Communication in NIH Laboratories and Branches.** The policy states:

- *To ensure the safety and efficiency of NIH laboratories, and to optimize training of staff, all work-related conversations should be in English. If all those present in the laboratory are fluent in another language, that language may be used for work-related conversations. Further, all official written documents should be in English, for example, publications, laboratory notebooks, e-mail that will be retained in an official file, letters, and memoranda. Personal communications unrelated to the work of the laboratory may be made in any language.*

<b>TYPES OF VFP FELLOWSHIPS</b>	
<b>Postdoctoral</b>	To provide advanced practical research experience to physicians and other doctoral researchers who are at the beginning stages of their professional research careers. Fellowships are not appropriate for scientists who have already demonstrated significant research achievements or who have proven records as independent researchers. Participation is contingent upon applicable immigration rules and regulations.
<b>Pre-doctoral</b>	To provide practical research training and experience to students by supplementing academic course work and/or encouraging pursuit of professional careers in biomedical research to: 1) students enrolled in doctoral degree programs in biomedical sciences. The research experience, which frequently involves dissertation research, is undertaken as an

	integral part of the student's academic preparation and will involve close cooperation and planning between NIH and the academic institution (foreign or domestic); 2) students who are enrolled in graduate, other doctoral or medical degree programs, and who have written permission from their school to interrupt their current schooling and to return within one year to their degree granting program. Participation is contingent upon applicable immigration rules and regulations.
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## 2. Resources and Funding

VFP Fellows are not Federal employees and are subject to the availability of space, funds, preceptors' time, and limited by the number of training assignments available within participating ICs. All awards are contingent upon applicable immigration rules and regulations.

VFP Fellows must be **physically present at NIH research facilities**. They cannot be assigned elsewhere.

## 3. Duration of Award Components

Postdoctoral Fellows typically may not remain at the NIH for more than five years according to the Office of Intramural Research (OIR) [5 Year/8 Year Duration Rule](#). Pre-doctoral Fellows typically may not remain for more than three years. Time spent on any Pre-doctoral award does not count towards the [5 Year/8 Year Duration Rule](#).

The chart that follows illustrates the duration of each award component. The duration of each award component may be limited because applicable immigration rules and regulations may not allow for the desired full award component or renewal of the award. Some renewals, however, may require special immigration processing if the Fellow is sponsored by the NIH as a [J-1 Exchange Visitor](#); see [DIS Technical Advisory 11](#) for details.

Note that time spent on a VFP Fellowship within any award component counts toward the maximum Fellowship time as allowed under the [5 Year/8 Year Duration Rule](#) (see also the following chart), regardless of the number of VFP Fellowships granted by different ICs. Similarly, time spent on a component of an award (such as fully funded Pre-doctoral vs. Supplemental Pre-Doctoral or fully funded Postdoctoral vs. supplement Postdoctoral) counts towards the total award component.

The duration of the award component and the original termination date may be extended due to periods (four to twelve months) of excused absence without stipend (AWOS) contingent upon applicable immigration rules and regulations. All Fellowship components (initial and renewal) must be in writing and include beginning and termination dates.

<b>DURATION OF AWARD COMPONENTS</b>		
<b>Award Component</b>	<b>Postdoctoral</b>	<b>Pre-doctoral</b>
Initial Fellowship	1 to 3 years [2-3 year Fellowships must be processed in 1-year increments in the NIH Business System Fellowship Payment System (NBS FPS)]	1 month to 2 years (2 year Fellowships must be processed in 1-year increments in NBS FPS)
Renewal of Fellowship	1 or 2-year increments	1-month to 1-year increments
Maximum Fellowship	5 years	3 years (additional 1 or 2 years may be requested by exception from the DDIR after recommendation by the GPP)
Terminal Extension	A terminal extension period not-to-exceed 3 months may be permitted	
Exceptional Postdoctoral Terminal Extension	1 year (follow the <a href="#">OIR guidance</a> for full eligibility requirements)	Not applicable

#### 4. Schedule Policy

Postdoctoral Fellows are expected to devote 40 hours per week, typically Monday to Friday, to the training assignment. However, part-time schedules may be arranged on a case-by-case basis if approved by the IC Scientific Director and DIS. Part-time schedules may not exceed immigration limitations.

Pre-doctoral Fellows may have a 40 hour per week training schedule. Part-time schedules may be negotiated and pre-arranged, however, the DIS must approve. Part-time schedules may not exceed immigration limitations.

**NOTE:** Part-time schedules of less than 32 hours per week may affect a Postdoctoral or Pre-doctoral Fellow's eligibility for health insurance offered by the Foundation for the Advanced Education in the Sciences (FAES) or other health plans. See section H.2. for additional information on health insurance.

#### 5. Patient Contact

VFP Fellows may **not** independently engage in patient care activities. Any clinically related activity **MUST** be incidental to the research and explicitly be under the direct supervision and control of an NIH employee. Such activity is also dependent upon clearance by the DIS and OIR. Refer to the DIS advisory on [Patient Contact](#) for more information.

## 6. Upon Conclusion of Fellowship

VFP Fellows do not incur a service payback obligation. Provided they meet eligibility requirements, NIH policy restrictions (such as the [5 Year/8 Year Duration Rule](#)), and depending upon applicable immigration rules and regulations, VFP Fellows may be considered for, but are not entitled to, employment or other training appointments at the NIH upon conclusion of the Fellowship.

If an IC wishes to retain a Fellow beyond five years, for up to a maximum of eight years, the IC typically must find another appointment mechanism (e.g., an FTE appointment as a Research Fellow), and provide justification that articulates the Fellow's proposed career goal or an overriding programmatic need for the Fellow to stay beyond five years.

Fellows sponsored as [J-1 Exchange Visitors](#) may be eligible to transfer their J-1 status from the NIH to an outside sponsor (non-NIH laboratory). In order to transfer, the Fellow must obtain DIS approval two weeks before the transfer effective date. A J-1 transfer can only be authorized if the Fellow will be continuing within the parameters of his/her original research objective for coming to the U.S. and has at least one year remaining on his/her overall J-1 five-year program duration. This is to allow adequate time to accomplish the research objectives. DIS may consider transfer with less than one year of J-1 time remaining on a case-by-case basis based on scientific need.

Transfers, however, cannot be authorized once the fifth year is completed.

## E. Program Administration

Direction and management of the VFP are a joint responsibility of the Office of Intramural Research (OIR), Office of the Director (OD), and the Division of International Services (DIS), Office of Program and Employee Services (PES), Office of Research Services (ORS), Office of Management (OM), OD. The OIR and Board of Scientific Directors establish policy, and the DIS administers the program and provides immigration services according to U.S. immigration law.

### 1. DIS' roles and responsibilities for each VFP Fellow include:

- a. Share direction and management of the VFP with the OIR.
- b. Manage all immigration matters at the NIH, including assurance of NIH's compliance with applicable immigration laws when sponsoring or hosting foreign national scientists.
- c. Issue appropriate immigration documents or request such documents if the Fellow is not NIH-sponsored per established [DIS processing times](#).

- d. Provide official award letter and pre-arrival instructions, which include information about health insurance, housing, stipend payment, and limited tax information.
- e. Review and approve original immigration documentation to verify immigration status and valid work authorization after Fellow's arrival to the NIH; provide "[New Arrival Information](#)."
- f. Review and approve Fellow's continued stay at the NIH and other requests, such as incidental patient contact, extended absences, taking classes and other outside activities, etc.
- g. Authorize stipend payments in the NIH Business System (NBS) Fellowship Payment System (FPS) to (1) enter the necessary immigration (i.e., work authorization) information to activate and/or continue a Fellowship, and (2) enter tax treaty information (if the DIS determines that a Fellow is exempt from Federal tax under provisions of a tax treaty).

2. Institute/Center's (IC) roles and responsibilities for each VFP Fellow include:

- a. Determine VFP Fellowship applicant eligibility and issue Pre-Award Notification Letter ([Appendix 4](#))
- b. Manage all financial actions, including:
  - 1. Obligations and payments (including health insurance) in the NBS FPS; certify Fellows are active.
  - 2. Review and approve Fellow's excused absence; provide documentation associated with excused absence without stipend (AWOS) to FAES health insurance plan and other offices. Notify DIS of extended absences (in the U.S. or abroad) and Absence Without Stipend (AWOS).
  - 3. Review and approve outside travel reimbursement for Fellow; aid with documentation regarding external travel funding sources.
- c. Monitor and document the Fellow's status, including:
  - 1. Update changes of local home address in NBS FPS and forward the new address to DIS.
  - 2. Issue the VFP Provisions ([Appendix 1](#)) and Agreement ([Appendix 2](#)) to the incoming Fellow. The Fellowship Agreement must be signed and retained by the IC when the Fellowship is activated.
  - 3. Monitor the Fellow's not-to-exceed date and timely submit requests for Fellowship renewal to the DIS. Fellowship renewals are contingent upon re-verification of valid non-immigrant, work-authorized status by the DIS.
  - 4. Arrange Fellow's transfer to another NIH laboratory, which includes updating NBS FPS and timely submitting transfer request to the DIS.
  - 5. Process Fellow's termination upon conclusion of Fellowship, which includes updating NBS FPS and timely submitting termination notice to the DIS

6. Assure that the Fellow receives appropriate mentoring by the training preceptor and receives an Individualized Training Plans/Career Development Plans (with assistance from the IC Laboratory/Branch Chief and Scientific Director as necessary), along with other instruction and safety training courses.
- d. Scientific Director is responsible for approving Postdoctoral Fellowship eligibility when the degree was earned more than five years from the proposed start date, but applicant has less than five years of relevant Postdoctoral experience; also responsible for Fellow's request for outside travel reimbursement, extended absence, and advanced stipend payment.
3. [Office of Intramural Training and Education's \(OITE\)](#) roles and responsibilities include:
    - a. Host Fellowship opportunities.
    - b. Provide examples of Individualized Training Plans/Career Development Plans to ICs upon request
    - c. Provide career counseling during the Fellowship, including recommendation of Pre-doctoral Fellowship duration beyond the typical duration.
    - d. Conduct periodic evaluation of the VFP for representation and report results to OIR, NIH and the NIH Board of Scientific Directors for consideration.
4. Office of Intramural Research's (OIR) roles and responsibilities include:
    - a. Share direction and management of the VFP with the DIS.
    - b. Periodically review stipend ranges and/or fixed stipend levels with the NIH Board of Scientific Directors.
    - c. Review VFP assessment conducted by OITE with the NIH Board of Scientific Reviewers.
    - d. Review and approve exceptions to VFP provisions.
5. Office of Financial Management's (OFM) roles and responsibilities include:
    - a. Issue Fellow's monthly stipend payments.
    - b. Collect stipend and travel advance overpayment.
    - c. Prepare and send income information to IRS and Fellows annually; withhold Federal income tax per DIS determination.

NOTE: See [Appendix 3](#) for detailed program administrative responsibilities for each office.

## **F. Program Exceptions**

Approval by the Deputy Director for Intramural Research (DDIR) in the Office of Intramural Research (OIR) is required for all exceptions to award provisions. Requests for exceptions must be fully justified in writing, describing the nature and basis for the exception, and



include the Curriculum Vitae (CV) of the Fellow. Exception requests are typically coordinated by the designated IC Program Administrative Officials (such as IC Key Contacts), routed through the IC's Scientific Director, and then submitted to the DDIR. Exceptions granted by the DDIR are contingent upon applicable immigration rules and regulations.

## G. Procedures

The following section provides an overview of policies on application and selection, stipend calculation and distribution, as well as transfer, termination, and evaluation of Fellows.

### 1. Application and Selection Process

Applicants may apply directly to a specific intramural Principal Investigator (PI) or may locate Fellowship opportunities through the [NIH Office of Intramural Training and Education \(OITE\)](#), OIR. Designated IC Program Administrative Officials receiving application documents will determine an applicant's VFP Fellowship eligibility. The application documentation is noted in the chart at the end of this section.

Fellowship preceptors and Laboratory/Branch Chiefs will review applications, evaluate and recommend applicants, and develop Individual Development Plans (IDP)/Career Development Plans (CDP) for approval by the IC Scientific Director or delegated approving official. Applicants may not be excluded from consideration or evaluation on the basis of race, color, religion, gender, disability, age, national origin, political affiliation or any other non-merit factor.

The Fellowship award request package must be routed through the designated IC Program Administrative Officials (such as IC Key Contacts) to the DIS for review and approval. Refer to the appropriate [DIS checklist](#) for the request package documentation. The ICs must submit the **original request form** to the DIS (unless an electronic request process exists) **and retain copies** of all request package documentation in their files. Refer to the [DIS processing times](#) for information on processing timelines.

Fellowships are contingent upon submission of original, documented evidence of valid non-immigrant status and valid work authorization either incident to status or issued by a Department of Homeland Security (DHS) authorized entity and completion of a medical evaluation, if applicable. Such evidence is to be provided to the DIS upon arrival at the NIH.

Application Documentation	
Postdoctoral	Curriculum Vitae (CV), bibliography (if applicable), three

	<p>letters of reference, applicant’s statement of research goals. In addition, applicant must provide official copy of doctoral degree diploma (with official translation if not in English) and a summary of doctoral dissertation (if applicable). In cases where it is difficult to determine degree equivalency, the DIS may be consulted.</p> <p>Note: If the doctoral degree has not yet been awarded, applicant must include a letter from the Dean or University Registrar, on university letterhead, indicating that <b>all</b> requirements for the degree, including passing the thesis defense, have been completed and specifying the date when the degree will be awarded.</p>
<b>Pre-doctoral</b>	<p>CV, bibliography (if applicable), three letters of reference emphasizing research potential, applicant’s statement of research goals, official copy of undergraduate, graduate, and/or medical school diploma. Verification from the university’s Dean or Registrar that includes the following: applicant is in good academic standing; is enrolled in a doctoral degree program; and that the school is agreeable to the student’s participation. Such verification must also be furnished for any renewal of the Fellowship.</p>

## 2. Stipend

### a. Stipend Calculation

Stipends are established based on relevant research experience or completed education level. Guidance on determining stipend levels and annual increases are noted in the chart below. Eligibility for tax treaty status or tax liability (either in the U.S. or a foreign country) may NOT be taken into consideration to lower the stipend.

The stipend ranges and schedules for VFP Fellows are identical to those for the Intramural Research Training Award (IRTA) Program; see [NIH Manual Chapter, 2300-320-7](#), “Intramural Research Training Award (IRTA) Program-Automated Fellowship Payment System,” for the stipend levels. NCI has a separate Cancer Research Training Award (CRTA) Program stipend schedule, which can be obtained from the [NCI Administrative Resource Center](#) (ARC).

<b>INITIAL STIPENDS</b>	
<b>Postdoctoral</b>	<p>Stipends are established based on five years or fewer of relevant Postdoctoral research experience and typically up to two additional years of experience not oriented towards</p>

	<p>research (e.g., clinical training for physicians).          Note: Stipend level must be prorated based on training schedule.</p>
<b>Pre-doctoral</b>	<p>Stipends are established based on the number of years of Post-baccalaureate education completed upon activation of Fellowship.          Note: Stipend level must be prorated based on training schedule.</p>

<b>ANNUAL INCREASE</b>	
<b>Postdoctoral</b>	<p>A stipend increase of up to \$2,000 per annum may be granted based on growth, development, and accomplishments, but where warranted, increments may be larger provided they do not exceed the maximum amount within the appropriate stipend range. ICs may approve a one-time exceptional stipend increase of one stipend step level at the time of renewal for ten percent of its Fellows (e.g., a Fellow with one year of Postdoctoral experience could be paid a stipend within the range for the two-year experience level).</p>
<b>Pre-doctoral</b>	<p>A stipend increase to the next higher level on the stipend schedule may be granted per annum based on progress in academic studies and/or the training assignment for each year the Fellow remains in the program.</p>

<b>SPECIALTY ALLOWANCE</b>	
<b>Postdoctoral</b>	<p>An additional allowance of up to \$10,000 may be added to the initial stipend level of Postdoctoral Fellows or equivalent experience in one of the following specialty categories:</p> <ul style="list-style-type: none"> <li>▪ Engineer (electrical, chemical, mechanical, biomedical)</li> <li>▪ Computer Scientist</li> <li>▪ Computational Biologist (informatics, information technology)</li> <li>▪ Physicist</li> <li>▪ Chemist (analytical, physical, organic, and inorganic)</li> <li>▪ Bio-statistician</li> <li>▪ Epidemiologist</li> <li>▪ Mathematician</li> <li>▪ IC Competitive Fellowship, e.g., Kety Fellowship with the National Institute of Mental Health (NIMH)</li> <li>▪ Fellow entering the fifth year for whom the IC wishes to provide a merit-based stipend higher than the top of</li> </ul>

	the range for the fifth year
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**b. Stipend Payment Method**

Stipends are paid in arrears on a 30-day monthly basis. Advance payment is available to Fellows, which will reduce the annual stipend payment. The remainder of the stipend balance will be paid in twelve equal monthly amounts.

An automatic \$2,000 advance will be provided to each Postdoctoral Fellow after activation. For each Pre-doctoral Fellow, an amount less than \$2,000 may be provided after activation, based on hardship as determined and approved by the IC Scientific Director prior to the award start date that is entered into the NBS FPS.

Fellows, in all components, are strongly encouraged to immediately establish (or correct) an electronic file transfer in the NBS via the Automated Clearing House (ACH) Vendor Miscellaneous Payment Enrollment Form in the NBS. For Fellows with ACH, payments are directly deposited usually within the first five business days of each month. Fellows without ACH will receive stipend payments by check on or about the 10th business day of each month.

Stipend payments will be certified monthly and authorized in the NBS FPS by the designated IC Program Administrative Officials between the 20th and the 25th of each month so that the Office of Financial Management (OFM) may authorize payments each month. If the IC does not certify and authorize payment for a Fellow, no stipend payment will be issued for that month until certification is received. All stipend payments must first be approved by the DIS. The DIS will enter the work authorization dates and tax treaty (if eligible) in the NBS FPS.

**c. Supplemental Funding**

Supplemental funding shall be granted to Fellows who wish to come to the NIH for a period of research training under the auspices of Fellowships or grants awarded by outside (non-extramural NIH) organizations or institutions, when the outside funding provided is insufficient to support the Fellow during research training in the NIH laboratories/branches. Such Fellows will be designated as “Supplemental Postdoctoral Visiting Fellows” or “Supplemental Pre-doctoral Visiting Fellows” and must provide documentation of the outside funding.

Supplemental funding shall be granted ONLY to Fellows who:

- Have already been approved for or currently receive outside (non-extramural NIH) support; and
- Have NO employment relationship with the outside (non-extramural NIH) sponsor.

Other issues, e.g., potential conflict of interest, intellectual property, etc., must also be addressed by the IC.

An IC cannot provide supplemental funding solely to provide health insurance coverage; a minimal stipend must also be authorized that fits the appropriate stipend level.

The amount of the NIH VFP supplement will be determined on a case-by-case basis and will vary depending on the level of support provided by the outside (non-extramural NIH) sponsor. The supplement will be fixed at such a rate that the combined level of support will match the stipend rate for a similarly qualified Fellow. Supplemental funding that would result in a combined amount from the NIH and the outside (non-extramural NIH) sponsor that is either less than or more than the authorized stipend rate for the relevant trainee level and award component may not be approved. Supplemental funding must be terminated when outside (non-extramural NIH) support ceases.

Eligibility for tax treaty status or tax liability (either in the U.S. of a foreign country) may NOT be taken into consideration to lower the NIH supplement.

SPECIAL NOTE: The DDIR has provided a blanket exception for all recipients of the **NIH-Japan Society for the Promotion of Science (JSPS) Fellowship** to be designated as Supplemental Postdoctoral Visiting Fellows. Refer to the [OIR Sourcebook](#) for additional information about this program (scroll down to “*Recruitment Process / Appointment Mechanisms*”). This exception, however, is not for other JSPS recipients selected through other JSPS programs.

#### **d. Stipend Overpayment**

Fellows must reimburse the OFM, NIH, for any and all stipend overpayments when a Fellowship is terminated. The Fellow’s termination documents should not be approved until verification has been given that there are no outstanding overpayments due from the Fellow. A personal check covering any stipend overpayment must be hand-carried to the OFM Fellowship Payment Office with a copy of the NBS FPS-generated “Fellowship Termination Notification” form. Any unrecovered overpayment will be treated as a debt owed to the U.S. Government and interest penalties will be charged if reimbursement is not done in a timely manner.

#### **e. Schedules**

The NBS FPS is programmed for full-time schedules. For full-time schedules less than one year in duration, the system will calculate the correct amount of prorated funds to obligate. However, for part-time schedules, ICs must compute the percent of time and enter the annual prorated stipend in the NBS FPS. See section D.4, for the schedule policy for Fellows.

### 3. Fellowship Renewals

A renewal request must be sent to DIS per the appropriate [DIS renewal checklist](#) before the Fellow's not-to-exceed date is reached (see Section G.5, below regarding the "not-to-exceed" date). Refer to the [DIS processing times](#) for information on processing timelines.

### 4. Transfer of Fellowship

When a Fellow transfers within the NIH, the ICs involved in the transfer must obtain pre-approval from the DIS. The gaining IC must submit a transfer request package per the appropriate [DIS checklist](#); such package must include the [IC Inter/Intra Transfer Request](#) form for Fellows sponsored by the NIH as [J-1 Exchange Visitors](#). This form is necessary to show that both the ICs agree to the transfer and that the research at the gaining IC is consistent and/or a continuation of the Fellow's original training goals with the losing IC (per the Career Development Plan).

Once approved, the losing IC must indicate the transfer in the NBS FPS and notify the gaining IC. The gaining IC must accept and retrieve the Fellow's NBS FPS record. The effective date of the transfer must be the first day after the original award has ended or the first day of the subsequent month.

### 5. Termination of Fellowship

Each Fellowship will have a specific expiration or "not-to-exceed" date and most Fellowships will not terminate (or be terminated) prior to that date – unless the Fellow chooses to resign early and discusses a termination date with the IC preceptor and/or mentor.

A Fellowship may, however, be terminated prior to the specific not-to-exceed date for **cause**, which is discussed below. Note, however, that fiscal considerations should **not** be the basis for early termination within the NIH VFP. All Fellowship terminations must be processed immediately using the NBS FPS.

A Fellowship may be terminated prior to the specific not-to-exceed date for scientific or other forms of misconduct, misrepresentation of educational credentials and/or experience, or failure to comply with terms of the Fellowship or to carry out or satisfy the purpose for which it was made. Fellows may also be terminated for failure to comply with applicable immigration regulations and other VFP requirements. All termination proposals for cause must be in writing and provide the Fellow with an opportunity to respond to the cause(s) before a decision is rendered. In the case of personal incompatibility or any unforeseen programmatic circumstances, and absent any issues of misconduct, the IC should arrange for transfer of the Fellow to another laboratory/branch. Review the OIR [Early Termination](#) policy for full details.

In the case of stipend overpayment, Fellows must reimburse the OFM, NIH, prior to the OFM's clearance for termination (see Section G.2-d.). The Fellow's termination

documents should not be approved until verification has been given that there are no outstanding overpayments due from the Fellow. The Foundation for Advanced Education in the Sciences (FAES) (see Section H.2 below on "Health Insurance") must also be notified in order to process termination of health insurance and to avoid overpayment of health insurance. The NBS FPS-generated "Fellowship Termination Notification" form must be hand-carried by the Fellow to the FAES, which will provide advice and answer questions on [Consolidated Omnibus Budget Reconciliation Act \(COBRA\) benefits \[Public Law 99-272\]](#). The ICs must also send a **SIGNED** copy of the "Fellowship Termination Notification" form to the DIS. When a Fellow resigns or is terminated, the DIS is required to comply with applicable immigration reporting requirements.

See Section H.2 below for important information on health insurance coverage following the end of a fellowship.

## **6. Fellow Evaluation**

The IC preceptor and/or mentor is responsible to generate scientific evaluations on performance of Fellows. An Individual Development Plan (IDP)/Career Development Plan (CDP) approved by the IC Scientific Director is required annually for each Fellow and **MUST** be in place by the end of the Fellow's fourth year (as per Section G.1.). The OITE has examples of these plans. Many ICs also have their own requirements and forms that must be followed when creating these plans.

## **H. Fellow's Benefits**

The following section briefly describes the benefits available during the duration of a VFP Fellowship (provided the Fellow maintains compliance with VFP provisions and immigration rules and regulations).

### **1. Medical Treatment**

All Fellows may use the [Occupational Medical Service \(OMS\)](#), Office of Scientific Resources (SR), ORS, OD, for injuries sustained and emergency care on the training assignment. Workers' compensation and benefits under the Federal Employees Compensation Act, [5 U.S.C. 8101\(1\)\(B\)](#), may be available in the event of a work-related injury.

### **2. Health Insurance**

All Fellows must have adequate health insurance coverage to receive training in NIH facilities. This requirement may be satisfied by a policy held either in the Fellow's name or in another's name with the Fellow identified as a "family member." Verification of health insurance enrollment is required.

All [J-1 Exchange Visitors](#) (and their dependent family members in J-2 immigration status) sponsored through the NIH's Exchange Visitor Program must carry health insurance coverage that conforms to the insurance requirement stated above, and **in**

**addition**, must add repatriation of remains and medical evacuation to the home country benefits to the policy. The full J-1 health insurance requirements can be found on the “J-1 Exchange Visiting Program Certification Health Insurance Coverage” on [NIH Form 829-6](#).

An approved plan of health insurance – that also meets J-1 requirements – is available through the [Foundation for the Advanced Education in the Sciences](#) (FAES). FAES coverage requires that Fellows be on a training schedule of at least 30 hours per week and a minimum duration of 60 days.

Should Fellows elect FAES health insurance, they are responsible for enrolling in FAES health insurance before the start date **of the award or the day of arrival (after the Fellow checks in and is activated by the DIS)**. Health insurance enrollment will be effective the start date of the award. On the start date, the trainee must meet with FAES to complete, sign and submit all required health insurance forms. Enrollment data reflecting the FAES effective date must be entered into the NBS FPS. Fellows must maintain an existing policy or purchase a personal policy until they have met with FAES and elected health insurance. Fellows must notify the IC Administrative Officer and FAES of qualifying events to change health insurance coverage (e.g. marriage, birth, loss of other health insurance coverage, etc.).

If a trainee separates from NIH, health insurance will continue for 30 days after the award end date. A change to health insurance coverage (e.g. individual to family) is not permitted during this final 30 days of coverage. **Note: This change for continuation of health insurance for 30 days post award end date will be effective once the Fellowship Payment System (FPS) is upgraded.**

Funds for individual or family FAES’ fee-for-service health insurance are provided by the sponsoring IC at the direction of the Fellow. For a non-FAES policy, the NIH will pay or reimburse for a policy issued in the Fellow’s name in an amount not-to-exceed the FAES’ fee-for-service health insurance, individual or family coverage, as appropriate. Alternatively, the NIH will reimburse any additional health insurance cost, if incurred, as a result of being covered under a spouse’s plan and identified as a “family member” in an amount not-to-exceed the cost of the FAES’ fee-for-service health insurance. Sufficient documentation verifying health insurance coverage and documenting health insurance costs are required when using a non-FAES policy.

**For Supplemental Post-doctoral or Pre-doctoral Visiting Fellows.** When an outside (non-extramural NIH) sponsor provides insufficient funding for the purchase of health insurance coverage, the IC may provide supplemental funding to permit the purchase of a policy equivalent in cost to the FAES’ fee-for-service health insurance, individual or family coverage, as appropriate. The IC, however, must also authorize a minimal stipend. An IC cannot provide a supplement solely to provide health insurance coverage, even when the outside funding is greater than the applicable stipend. For additional information on supplemental funding, see Section G.2-c.



### 3. Career Counseling

The [NIH Office of Intramural Training and Education \(OITE\)](#) is available for career counseling.

### 4. Training and Tuition

Fellows, in all components, may receive training or tuition assistance at the discretion of the IC to the extent it is directly related to the NIH research experience. DIS review and/or approval is required prior to the Fellow registering for training/classes.

In addition, Fellows must complete all NIH mandatory training. When Fellows will be working with animals, exposed to hazardous situations, or in contact with patients, the ICs are responsible for assuring that Fellows receive appropriate instruction including, but not limited to, safety, use of equipment, handling hazardous materials, patient privacy, human subject protections, and proper animal care and treatment.

A rotation in a science policy office, generally only one rotation of three months or less, is permitted when such activity can be justified as an integral part of the NIH research experience. DIS must clear such rotations BEFORE they occur.

All training, regardless of duration or type, must be documented in the IDP/CDP and/or other appropriate administrative training databases and should be offered to all similarly situated Fellows, regardless of whether they receive supplemental and/or sole NIH funding. Please refer to Section G.6 for information regarding IDPs/CDPs.

### 5. Excused Absences

The DIS must be notified and concur with extended absences of over five weeks (with or without stipend) in order to avoid violation of immigration rules and regulations. If the absence will occur abroad, the IC must submit the "[Request for Extended Absence Abroad](#)" form to the DIS for review and approval.

#### a. Absence With Stipend

Fellows, because they are not U.S. Government employees, do not earn annual or sick leave. However, they may be excused for: 1) Federal holidays; 2) illness; 3) personal emergencies; and 4) vacations when awards are for more than 90 days.

For vacations, Fellows receive a minimum of two weeks excused absence per year and the number of days should be prorated for Fellowships of 90 days or less. Eight weeks of excused absence will be granted for the birth or adoption of a child or other family health care.

Preceptors may exercise discretion in granting additional short absences (less than a week per year) as they deem appropriate. More extended absences (over five weeks) must be approved by the IC Scientific Director and DIS.

#### b. Absence Without Stipend (AWOS)

Absence without stipend may be approved by the preceptor with concurrence from the respective IC Scientific Director, DDIR, and DIS. Through the NBS FPS, the IC must enter the effective date to temporarily stop payment and must reactivate the award in the NBS FPS to resume payment.

For absences of four to twelve months, the appointment clock may be extended to reflect the period of the absence without stipend – provided immigration rules and regulations allow this. **The DIS must be notified and concur with these extended absences in order to avoid violation of immigration rules and regulations.** Certain immigration rules and regulations also require continued health insurance at all times during the Fellowship – even when the Fellow is abroad.

Should a Fellow with the FAES health insurance plan to be absent without stipend for less than 60 days, the NIH requires the Fellow to provide payment to maintain continuous health insurance coverage, as the IC will cease to pay the health insurance premiums during this time. Specifically, Fellows must personally complete a [Consolidated Omnibus Budget Reconciliation Act of 1985 or COBRA \[Public Law 99-272\]](#) application through the FAES and pay health insurance coverage premiums on the first day of the month following the start date of the unpaid absence and continue to pay for any month when the Fellow is not in a pay status on the first day of the month. For example, if the Fellow is absent without stipend effective June 15<sup>th</sup> through August 15<sup>th</sup>, the Fellow must pay health insurance premiums beginning July 1<sup>st</sup> (first day of the month following the start date of the unpaid absence) and pay the premium for the month of August (any month when the Fellow is not in a pay status on the first day of the month).

Should a Fellow with the FAES health insurance plan to be absent without stipend for more than 60 days, the Fellow may choose to stop coverage and not pay the premium. However, a Fellow in J-1 status must ensure they and their dependents in J-2 status have continuous insurance coverage. If a Fellow drops FAES insurance, they must obtain alternative insurance that meets DOS regulations. The full J-1 health insurance requirements can be found on the “J-1 Exchange Visiting Program Certification Health Insurance Coverage” on [NIH Form 829-6](#). The Fellow should consult with FAES before the start of AWOS. The Fellow may elect to use COBRA to continue their health insurance during this period of absence; for this option, the Fellow must complete a COBRA application through the FAES. Generally, COBRA coverage is limited to 18 months. Upon return to the NIH, the Fellow may then reenroll as a new subscriber.

Regardless of the total time spent in unpaid absence, respective ICs must provide written notification generated from the NBS FPS to the FAES **and DIS** and include the start and end dates of the unpaid absence. Upon the Fellow’s return to the NIH, ICs provide a written notification generated from the NBS FPS to the FAES, OFM, **and DIS**.

## 6. Travel

Please refer to the [NIH Manual Chapter 1500 – Travel Policies and Procedures](#) – for

NIH travel information and how it affects travel for Fellows. The policy manual contains travel information for both Full Time Equivalent (FTE) and non-FTE designations. Fellows fall under the non-FTE sections. Notable is Chapter 10, “Temporary Duty (TDY) Travel and Relocation of Non-FTE Persons.”

Fellows must reimburse the OFM, NIH, for any and all travel advance overpayments no later than when a Fellow terminates his/her Fellowship (even if the Fellowship is terminated for cause). The Fellow’s termination documents should not be approved until verification has been given that there are no outstanding overpayments due from the Fellow. A personal check covering the travel advance overpayment must be hand-carried to the OFM Fellowship Payment Office with a copy of the travel voucher. Any unrecovered overpayment will be treated as a debt owed to the U.S. Government and interest penalties will be charged if reimbursement is not done in a timely manner.

#### 7. **Retirement Benefits**

Fellows are not U.S. Government employees and, therefore, are not eligible for Federal retirement benefits.

## **I. Compliance and Governance**

### 1. **Income Taxes**

Stipend payments to Fellows are subject to Federal, state, and local income taxes. The Office of Financial Management (OFM) annually prepares and sends appropriate income information to the Internal Revenue Service (IRS) and Fellows. The OFM will withhold Federal taxes for each Fellow, unless the DIS determines that the Fellow is exempt under a tax treaty between the Fellow’s country of tax residence and the United States. **The OFM must be notified if a Fellow becomes a U.S. lawful permanent resident mid-award so that Federal taxes are no longer withheld from their stipends. If a Fellow’s status so changes, the Fellow must file estimated Federal taxes on a quarterly basis.**

Unless exempt under a tax treaty and living in a state that recognizes such a treaty, Fellows are responsible for paying estimated state and local taxes on a quarterly basis. Although many states recognize tax treaties, the State of Maryland, for example, does NOT. General tax information can be found on the DIS “[Income Tax Assistance](#)” web page.

Since interpretation and implementation of the tax laws are the responsibility of the IRS and courts, Fellows should consult their local IRS office and/or tax advisor if they have questions about the applicability of the current tax code to the taxability of Fellowships, the proper steps to be taken regarding tax obligations, and concerns regarding their own situations.

### 2. **Social Security/Medicare**

Since all VFP Fellowships are considered awards for training and not wages for service or employment, neither Social Security nor Medicare is deducted from stipends. Although definitive determinations regarding Social Security obligations and coverage

must be made by the IRS and the courts, it is the opinion of the NIH Legal Advisor that Fellows are not self-employed but in training for purposes of coverage under the Social Security Act and, therefore, cannot make Social Security or Medicare payments on their own behalf. Fellows are encouraged to discuss this with their tax advisors.

### 3. **Tort Claims**

Visiting Fellows will likely be covered under the [Federal Tort Claims Act \(28 U.S.C. 2671 et seq.\)](#) and under section 224 of the [PHS Act \(42 U.S.C. 233\(a\)\)](#), from personal liability for damages or injuries that arise from actions occurring within the scope of their Federal assignment so long as the Visiting Fellow is under the direct control and supervision of a Federal employee. However, the ultimate decision on issues of coverage is made on a case-by-case basis by HHS Office of General Counsel, DOJ, and, ultimately, the courts, and depends on the circumstances (e.g., including the activities of the Visiting Fellow and the proximity of the supervision).

### 4. **Outside Employment**

Fellows must be **physically present at NIH** research facilities; they cannot be assigned elsewhere. When not prohibited by immigration rules and regulations, outside employment for Fellows must be approved in accordance with the NIH Intramural Research Program, “[Guidelines for Non-FTEs \(Trainees\) for NIH-related activities, Personal Capacity \(Outside\) Activities and Awards.](#)” In addition, the DIS must approve **prior** to the beginning of the outside employment.

### 5. **Occasional Lectures, Short-Term Consultations, and Other Activities**

Fellows may engage in occasional lectures, short-term consultations, and other activities that are directly related to their Fellowship program and are either NIH-related (uncompensated) or personal capacity (outside) activities. Follow the “[Guidelines for Non-FTEs \(Trainees\) for NIH-related activities, Personal Capacity \(Outside\) Activities and Awards.](#)”

Fellows, particularly those sponsored by the NIH as [J-1 Exchange Visitors](#), in addition to obtaining the appropriate approval based on the Guidelines, must also obtain permission, in writing, from DIS **prior** to the event by submitting a “[Approval for Outside Activity.](#)”

### 6. **Publications and Inventions**

Fellows, like employees and others working at NIH, are bound by all provisions and regulations regarding publications and inventions. Refer to the [Manual Chapter 1183 “NIH Publications and Audiovisuals: Preparation, Review, Approval, and Distribution”](#) for guidance about publications and presentation of scientific research.

Refer to [Executive Order 10096](#), as amended, [45 CFR Part 7](#), and any orders, rules, regulations or policies issued thereunder for inventions conceived or first actually reduced to practice while at the NIH, as well as by the appropriate NIH policy issued by the [Office of Technology Transfer](#) (OTT), OIR, OD. Fellows are required to disclose promptly, to the appropriate NIH officials, all inventions that they conceive or first actually reduce to practice during their award at the NIH, and to sign and execute all papers necessary for conveying to the U.S. Government the rights to which it is entitled by virtue of Executive Order 10096, as amended.

## 7. Privacy Act

Records must be maintained in accordance with [Privacy Act System Notice: 09-25-0140](#), International Activities: International Scientific Researchers in Intramural Laboratories at the National Institutes of Health, HHS/NIH/FIC/ORS/DIRS (note: now HHS/NIH/OD/OM/ORS/DIS due to organizational change).

Information submitted for award under this chapter may be shared with other U.S. Government agencies at the discretion of the NIH or as requested under U.S. Federal law.

## 8. Retention and Disposal of Records

All records (e-mail and non-e-mail) pertaining to this chapter must be retained and disposed of in accordance with the [NIH Manual Chapter 1743, Keeping and Destroying Records](#), Appendix 1, “NIH Record Control Schedule,” Item 2300-320, “Staff Fellowship Program.” Refer to NIH Chapter 1743 for specific disposition instructions.

NIH e-mail messages, including attachments that are created on the NIH computer systems or transmitted over NIH networks that are evidence of the activities of the agency or have informational value, are considered Federal records. These records must be maintained in accordance with current NIH Records Management guidelines. Contact your IC Records Liaison for additional information.

All e-mail messages are considered U.S. Government property, and, if requested for a legitimate U.S. Government purpose, must be provided to the requester. Fellow’s supervisors, NIH staff conducting official reviews or investigations, and the Office of Inspector General may request access to or copies of the e-mail messages. E-mail messages must also be provided to Congressional oversight committees, if requested, and are subject to Freedom of Information Act (FOIA) requests. Back-up files are subject to the same requirements as the original messages.

Immigration rules and regulations may require retention of records beyond the NIH guidelines.

*The National Institutes of Health is part of the United States Government. Information submitted to the NIH may be shared within the U.S. Government as determined in the best interests of the United States by the NIH*

## J. Internal Controls

The OITE will periodically evaluate the VFP for representation; to assess its relationship with other NIH Traineeship Programs; and to determine whether it is functioning effectively and accomplishing the purpose for which it was designed. The results of these evaluations and any recommendations for changes to the VFP will be presented to the OIR and NIH Board of Scientific Directors for consideration.

The OIR will periodically review stipend ranges and/or schedules in consultation with the NIH Board of Scientific Directors. Recommended adjustments by the OIR and the SD subcommittee on Fellow stipends will be submitted to the IC Scientific Directors for review

and concurrence and then to the Director, NIH, for final approval.

Each preceptor and/or mentor will periodically provide scientific evaluation on performance of Fellows in writing. The evaluation will be used to improve Fellows' training experience at NIH. An Individual Development Plan/Career Development Plan must be in place by the end of the Fellow's fourth year (per Section G.6.).

1. **Responsible Offices.** The offices responsible for internal controls relative to this chapter issuance are the Office of Intramural Research (OIR) and the Division of International Services (DIS), Office of Program and Employee Services (PES), Office of Research Services (ORS). Through this issuance the OIR and DIS are accountable for the method used to ensure that internal controls are implemented and working.
2. **Frequency of Review (in years).** Periodic review of Fellowship process will be completed to determine if ICs are in compliance with policy. Reviews will be conducted every 3-5 years.
3. **Method of Review.** The OIR and DIS will initiate and lead reviews consisting of a random sampling of Fellowship files/documentation using a checklist that will monitor the IC's compliance with various important aspects of the policy.
4. **Reports.** Review reports are sent to the Deputy Director for Intramural Research, Director of Division of International Services, Director of Office of Research Services, and to the Deputy Director for Management, NIH, indicating that controls are in place and working well, or alert the report recipients of any internal control issues requiring attention.

## **K. Legal Authority and References**

Visiting Fellowships are authorized by Section 307 of the [Public Health Service Act \[42 U.S.C. 242\(I\)\]](#), and PHS Regulations at [42 CFR, Part 61, Subpart A](#). In addition, the following authorities provide training opportunities at NIH:

1. The Director, NIH, may conduct and support research training for which Fellowship support is not provided under [Section 487 of the PHS Act](#) and which is not residency training of physicians or other health professionals [[42 U.S.C. 282\(b\)\(11\)\(B\)](#)];
2. The Directors of the national research Institutes may conduct and support research training for which Fellowship support is not provided under Section 487, and which is not residency training of physicians or other health professionals [[42 U.S.C. 284\(b\)\(1\)\(C\)](#)];
3. The National Center for Complementary and Integrative Health (formerly the National Center for Complementary and Alternative Medicine), NIH, may conduct research training as described in [42 U.S.C. 287c-21\(a\)](#)
4. [42 CFR Part 63](#), Public Health Service Regulations re: Traineeships

## **Appendix 1. STATEMENT OF VISITING FELLOW PROGRAM PROVISIONS**

### **A. PURPOSE**

Visiting Fellowships are established for the principal benefit of the participant and are designed to provide opportunities for developmental training and practical research experience in a variety of disciplines related to biomedical research, medical library research, and related fields.

Fellows may not independently engage in primary patient care activities. Any clinically related activity MUST be incidental to the research and explicitly be under the direct supervision and control of an NIH employee. Fellows may also not be assigned official supervisory responsibility or sign documents on behalf of the U.S. Government (such as requisitions).

## **B. ELIGIBILITY**

Fellowships are available only to foreign national individuals on a valid United States non-immigrant, work-authorized statuses. Fellowships are contingent upon submission of acceptable proof of immigration status and valid work authorization either incident to status or issued by a Department of Homeland Security (DHS) authorized entity. All Fellows that are sponsored by the NIH must meet all relevant non-immigrant requirements mandated by the specific visa classification. In addition, if applicable, Fellows must have a medical evaluation as directed by the Occupational Medical Service (OMS) procedures and meet the requirements of one of the categories specified below:

**Postdoctoral** – Individuals who possess a Ph.D., M.D., D.D.S., D.M.D., D.V.M. or equivalent degree in a biomedical, behavioral, or related science; or certification by a university as meeting all the requirements leading to such a doctorate; and five years or fewer of relevant Postdoctoral experience and typically up to two additional years of experience not oriented towards research (that is, clinical training for physicians).

Duration – Initial Fellowship ----- 1 to 3 year(s)

Renewal -----1-2 year increments

Maximum Fellowship -----5 years

**Pre-doctoral** – Students enrolled in a Ph.D., M.D., D.D.S., D.M.D., D.V.M., or equivalent degree program at a fully accredited U.S. or foreign university (which frequently involves dissertation research), for whom the research experience is undertaken as an integral part of the student's ongoing academic preparation and is credited towards completion of degree requirements; or students who are enrolled in graduate, other doctoral or medical degree programs and who have written permission from their school to interrupt their current schooling and to return within one year to their degree granting program.

Pre-doctoral Visiting Fellows must be registered with the NIH Graduate Partnerships Program (GPP), Office of Intramural Training and Education (OITE), Office of Intramural Research (OIR), Office of the Director (OD).

Duration – Initial Fellowship -----1 month to 2 year(s)

Renewal -----1 month to 1 year increments

Maximum Fellowship -----3 years\*

\*An additional 1-2 year increments may be requested by exception from the Deputy Director for Intramural Research after recommendation by the GPP.

### **For All Categories of Fellows –**

Submission of supplemental funding documentation from an outside sponsor is required, if applicable.

Fellows must be proficient in English and comply with the Office of Intramural Research's (OIR) policy on the Use of English for Official Scientific Communication in NIH Laboratories and Branches (<https://oir.nih.gov/sourcebook/personnel/recruitment-processes-policies-checklists/policy-use-english-official-scientific-communication-nih-laboratories>). The policy states:

- *In order to ensure the safety and efficiency of NIH laboratories, and to optimize training of staff, all work-related conversations should be in English. If all those present in the laboratory are fluent in another language, that language may be used for work-related conversations. Further, all official written documents should be in English, for example, publications, laboratory notebooks, e-mail that will be retained in an official file, letters, and memoranda. Personal communications unrelated to the work of the laboratory may be made in any language.*

All Fellowship durations listed previously are limited under applicable immigration rules and regulations.

Renewals may be granted in accordance with provisions of the applicable award component's maximum duration and may be processed in increments as noted previously, contingent upon applicable immigration limitations. Renewals of Supplemental Visiting Fellowships are also contingent upon continuation of the outside Fellowship.

Fellows may be terminated prior to their specified expiration or not-to-exceed date for scientific or other forms of misconduct, misrepresentation of education credentials and/or experience, or failure to comply with the terms of the Fellowship or to carry out or satisfy the purpose for which it was made. Fellows may also be terminated for failure to comply with applicable immigration regulations and other VFP requirements. When termination is proposed for such reasons, the Fellow will be given an opportunity to address these reasons before a decision is rendered. In the case of interpersonal incompatibility or other unforeseen programmatic circumstances, and absent conduct issues, the IC should arrange for transfer of the Fellow to another laboratory/branch. The policy on termination of fellowships is available at <https://oir.nih.gov/sourcebook/personnel/recruitment-processes-policies-checklists/guidelines-early-termination-awards-postdoctoral-fellows>.

### **C. UPON CONCLUSION OF FELLOWSHIP**

Fellows are not entitled to, but may be considered for employment or other training appointments at the NIH, provided they meet eligibility requirements, NIH policy restrictions,



and depending upon applicable immigration rules and regulations.

#### **D. STIPENDS**

1. Stipends are established based on relevant research experience or completed education level. However, when a Fellow is receiving supplemental funding, the stipend will be fixed at such a rate that the combined level of support will match the stipend rate for a similarly qualified Fellow in the relevant fully funded component.
2. An automatic \$2,000 advance will be provided for new fully-funded Postdoctoral Fellows at the time of initial activation. For each Pre-doctoral Fellow, an amount less than \$2,000 may be provided after activation, based on hardship, as determined and approved by the IC Scientific Director, prior to the award start date that is entered into the NIH Business System (NBS) Fellowship Payment System (FPS).
3. Stipends will be paid in arrears on a 30-day monthly basis; that is, the stipend payment received for a given month will reflect the amount owed from the preceding month. Advance payment (as noted above) is available to Fellows, which will reduce the annual stipend payment. The remainder of the stipend balance will be paid in twelve equal monthly amounts.
4. When a Fellowship is terminated prior to the not-to-exceed date, the Fellow is no longer entitled to a stipend and any stipend checks received or deposited to the Fellow's account inappropriately after the termination date are inadvertent and do not belong to the Fellow, but are the property of the United States. Fellows must reimburse the U.S. Government for any overpayments. Knowingly cashing, depositing, or converting any such overpayment check for Fellow's use may result in criminal penalties. In addition, any unrecovered overpayment will be treated as a debt owed to the U.S. Government and interest penalties will be charged if reimbursement is not made in a timely manner.

#### **E. BENEFITS**

1. Fellows must have adequate health insurance coverage to receive training in NIH facilities. This requirement may be satisfied by a policy held either in the Fellow's name or in another's name with the Fellow identified as a "family member." Verification of health insurance enrollment is required.

An approved plan of health insurance is available through the [Foundation for Advanced Education in the Sciences](#) and enrollment must be completed upon arrival at the NIH. Insurance coverage requires Fellows be on a training schedule of at least 30 hours per week for a minimum duration of 60 days.

Should a Fellow elect FAES health insurance, they are responsible for enrolling in FAES health insurance before the start date **of their award or the day of arrival (after the Fellow checks in and is activated by the DIS)**. Health insurance enrollment will be effective the start date of the award. On the start date, the Fellow must meet with FAES to complete, sign and submit all required health insurance forms. Fellows are advised not to cancel an existing policy or to purchase interim health insurance until they meet with FAES. If a trainee

separates from NIH, health insurance will continue for 30 days after the award end date. A change to health insurance coverage (e.g. individual to family) is not permitted during this final 30 days of coverage.

Funds for individual or family FAES' fee-for-service health insurance are provided by the sponsoring IC at the direction of the Fellow. For a non-FAES policy, the NIH will pay or reimburse for a policy issued in the Fellow's name in an amount not-to-exceed that of the FAES' fee-for-service health insurance, individual or family coverage, as appropriate. Alternatively, the NIH will reimburse for the additional health insurance cost, if incurred, as a result of being covered under a spouse's plan and identified as a "family member" in an amount not-to-exceed the cost of the FAES' fee-for-service health insurance. Sufficient documentation verifying health insurance coverage and documenting health insurance costs are required for a non-FAES policy.

If a trainee has a qualifying life event, the trainee must notify the IC Administrative Officer and FAES of qualifying events to change health insurance coverage; e.g. marriage, birth, loss of other health insurance coverage. Births are covered by FAES health insurance coverage on day one.

For Supplemental Visiting Fellows: When an outside (non-extramural NIH) sponsor provides insufficient funding for the purchase of health insurance coverage, the IC may provide supplemental funding to permit the purchase of a policy equivalent in cost to the FAES' fee-for-service health insurance, individual or family, as appropriate. A supplement to cover the cost of health insurance solely cannot be made; a minimal stipend must also be authorized.

If a Fellow – upon separation or an extended absence from the NIH – terminates their FAES health insurance coverage, subsequently returns to the NIH, and wants to enroll again in the FAES plan, the Fellow must personally pay the premiums for each of the months since termination of coverage if there was less than a 60 day break in the Fellowship period. If more than a 60 day break in the Fellowship period occurs, the Fellow may drop coverage and re-enroll again upon return to the NIH as if a new subscriber unless they are a NIH sponsored J-1 Exchange Visitor.

Health insurance coverage for Fellows sponsored by the NIH as **J-1 Exchange Visitors** must also be in compliance with Department of State (DOS) regulations, including coverage for medical evacuation and repatriation of remains. Fellows are required to have continuous insurance coverage while in J-1 status. Fellows in J-1 status must also ensure that their dependents in J-2 status have continuous insurance coverage that meets DOS regulations. If a Fellow drops FAES insurance, he/she must obtain alternative insurance that meets DOS regulations. Fellows who plan to enroll under the FAES plan should obtain health insurance to cover them until they enroll with FAES to ensure compliance with DOS mandated health insurance. The full J-1 health insurance requirements can be found on the "J-1 Exchange Visiting Program Certification Health Insurance Coverage" on NIH Form 829-6 ([https://www.ors.od.nih.gov/pes/dis/AdministrativeStaff/Documents/NH829\\_6.PDF](https://www.ors.od.nih.gov/pes/dis/AdministrativeStaff/Documents/NH829_6.PDF)).

2. Fellows, because they are not U.S. Government employees, do not earn annual or sick leave. However, they are excused on Federal Holidays occurring during the Fellowship period. The Fellow's preceptor may, at his/her discretion, excuse the Fellow for reasonable cause such as illness, personal emergencies, or vacations (a minimum of two weeks per year) when Fellowships are for more than 90 days. Preceptors may exercise discretion in granting additional short absences (less than a one week per year) as they deem appropriate. More extended absences (over five weeks) must be approved by the Institute/Center (IC) Scientific Director and the Division of International Services (DIS), Office of Research Service (ORS), Office of Management (OM), Office of the Director (OD). The DIS approval is necessary to avoid violation of immigration rules and regulations. If the absence will occur abroad, the IC must also submit the "Request for Extended Absence Abroad" form (<https://www.ors.od.nih.gov/pes/dis/AdministrativeStaff/Documents/RequestforExtendedAbsenceAbroad.pdf>) to the DIS for review and approval.

Eight weeks of excused absence will be granted for the birth or adoption of a child and/or other family health care.

3. Fellows may receive U.S. Government-sponsored training at the discretion of the IC to the extent it is directly related to the NIH research experience.

4. Payment of travel costs for relocation and/or to scientific meetings is at the discretion of the IC and subject to availability of funds. Please refer to NIH Policy Manual 1500 – Travel Policies and Procedures (<https://policymanual.nih.gov/1500> – for NIH travel information and how it affects travel for Fellows. The policy manual contains travel information for both Full Time Equivalent (FTE) and non-FTE designations. Fellows fall under the non-FTE sections. Notable is Chapter 10, "Temporary Duty (TDY) Travel and Relocation of Non-FTE Persons." Fellows must reimburse the OFM, NIH, for any and all travel advance overpayments prior to terminating their Fellowship. A personal check covering the travel advance overpayment must be hand-carried to the Office of Financial Management (OFM) Fellowship Payment Office with a copy of the travel voucher. Any unrecovered overpayment will be treated as a debt owed to the U.S. Government and interest penalties will be charged if reimbursement is not paid in a timely manner.

## **F. DEDUCTIONS**

Stipends are subject to Federal, state, and local income taxes. The Office of Financial Management (OFM), NIH, annually prepares and sends appropriate income information to the Internal Revenue Service (IRS) and to Fellows. The OFM will withhold Federal taxes for all Fellows, unless the DIS determines the Fellow is exempt under a tax treaty between the Fellow's country of tax residence and the United States. **The OFM must be notified if a Fellow becomes a U.S. lawful permanent resident during the award so Federal taxes are no longer withheld from their stipends. If a Fellow's status so changes, the Fellow must file estimated Federal taxes on a quarterly basis.**

Fellows are also responsible for paying state and local taxes on a quarterly basis, unless exempt under a tax treaty and living in a state recognizing such a treaty. Although most states

recognize tax treaties between the U.S. and some foreign countries, the State of Maryland, for example, does not recognize tax treaties. General tax information may be found on the DIS “Income Tax Assistance” web page (<https://www.ors.od.nih.gov/pes/dis/VisitingScientists/Pages/Taxes.aspx>).

Since interpretation and implementation of the tax laws are the responsibility of the IRS and courts, Fellows should consult their local IRS office and/or tax advisor if they have questions about the applicability of the current tax code to the taxability of Fellowships, the proper steps to be taken regarding tax obligations, and concerns regarding their own situations.

Since Fellowships are considered awards for training and not wages for services, neither Social Security nor Medicare is deducted from stipends. Although definitive determinations regarding Social Security obligations and coverage must be made by the IRS and the courts, it is the opinion of the NIH Legal Advisor that Fellows are not self-employed, but in training, for purposes of coverage under the Social Security Act and, therefore, cannot make Social Security or Medicare payments on their own behalf. Fellows are encouraged to consult their local IRS office and/or tax advisor.

## **G. OUTSIDE EMPLOYMENT**

Fellows must be **physically present at NIH facilities**; they cannot be assigned elsewhere. When not prohibited by immigration rules and regulations, outside employment for Fellows must be approved in accordance with the NIH Intramural Research Program “Guidelines for Non-FTEs (Trainees) for NIH-related activities, Personal Capacity (Outside) Activities and Awards” (<https://oir.nih.gov/sourcebook/ethical-conduct/government-ethics/guidelines-non-ftes-trainees-nih-related-activities-outside-activities>). In addition, the DIS must approve **prior** to the beginning of outside employment.

## **H. OCCASIONAL LECTURES, SHORT-TERM CONSULTATIONS, AND OTHER ACTIVITIES**

Fellows may engage in occasional lectures, short-term consultations and other activities that are directly related to their Fellowship program and are either NIH-related (uncompensated) or personal capacity (outside) activities. Follow the “Guidelines for Non-FTEs (Trainees) for NIH-related activities, Personal Capacity (Outside) Activities and Awards” (<https://oir.nih.gov/sourcebook/ethical-conduct/government-ethics/guidelines-non-ftes-trainees-nih-related-activities-outside-activities>).

In addition to obtaining the appropriate approval based on the Guidelines, Fellows, particularly those sponsored by the NIH as J-1 Exchange Visitors (<https://www.ors.od.nih.gov/pes/dis/VisitingScientists/Pages/J-1ExchangeVisitors.aspx>), must obtain permission, in writing, from the DIS **prior** to the event by submitting a “Request for Outside Activity” ([https://www.ors.od.nih.gov/pes/dis/AdministrativeStaff/Documents/approval\\_outside\\_activity.pdf](https://www.ors.od.nih.gov/pes/dis/AdministrativeStaff/Documents/approval_outside_activity.pdf)).

## **I. PUBLICATIONS AND INVENTIONS**

Fellows, like employees and others working at NIH, are bound by all provisions and regulations regarding publications and inventions. Refer to the NIH Manual Chapter 1183, “NIH Publications and Audiovisuals: Preparation, Review, Approval, and Distribution” (<https://policymanual.nih.gov/1183>) for guidance regarding publications and presentation of scientific research.

Fellows are also bound by all provisions of Executive Order 10096 (<http://www.archives.gov/federal-register/codification/executive-order/10096.html>), *as amended*, 45 CFR Part 7 (<http://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>), and any orders, rules, regulations or policies issued thereunder for inventions conceived or first actually reduced to practice while at the NIH, as well as by the appropriate NIH policy issued by the Office of Technology Transfer (OTT - <http://www.ott.nih.gov/>), Office of Intramural Research (OIR), OD. Fellows will promptly disclose to the appropriate NIH Officials all inventions they conceive or first actually reduce to practice during their award at the NIH, and will sign and execute all papers necessary for conveying to the U.S. Government the rights to which it is entitled by virtue of Executive Order 10096, *as amended*.

## **J. PRIVACY ACT MAINTENANCE OF RECORDS**

Records must be maintained in accordance with Privacy Act System Notice: 09-25-0140, International Activities: International Scientific Researchers in Intramural Laboratories at the National Institutes of Health, HHS/NIH/FIC/ORS/DIRS (note: now HHS/NIH/OD/OM/ORS/DIS).

Information submitted for award under this chapter may be shared with other U.S. Government agencies at the discretion of the NIH or as requested under U.S. Federal law.

## **K. VERIFICATION OF NON-IMMIGRANT STATUS**

Upon arrival at the NIH, Fellows must provide original, documented evidence of non-immigrant status and valid work authorization to the Division of International Services (DIS), ORS, **before** their Fellowships may be activated. Fellowship renewals for non-immigrants are contingent upon re-verification of valid non-immigrant, work-authorized status by the DIS.

## **Appendix 2. VISITING FELLOWSHIP AGREEMENT**

In accepting this Visiting Fellowship, I understand that I am not a U.S. Government employee. I certify that I have read the “Statement of Visiting Fellow Program Provisions” and agree to comply with the terms outlined.

### **A. ELIGIBILITY**

1. I meet the educational/experience requirements for participation in the applicable Visiting Fellow Program award component and will provide verification as required.

2. I am proficient in English and will comply with the Office of Intramural Research's (OIR) policy on the Use of English for Official Scientific Communication in NIH Laboratories and Branches (<https://oir.nih.gov/sourcebook/personnel/recruitment-processes-policies-checklists/policy-use-english-official-scientific-communication-nih-laboratories>).

3. I will provide acceptable, original, documented evidence of my valid non-immigrant status and valid work authorization to the Division of International Services (DIS) upon arrival at the NIH and at renewal time, if applicable.

4. I will maintain my non-immigrant status at all times and comply with all relevant non-immigrant requirements mandated by my specific visa classification. Immediately upon occurrence, I will alert the DIS of any changes of my immigration status, including a change of United States address.

## **B. DURATION**

I understand my initial Fellowship commitment is for the period beginning \_\_\_\_\_ and ending \_\_\_\_\_ and that renewal beyond the initial commitment is contingent upon my continued stay in the U.S., compliance with applicable immigration rules and regulations, demonstrated progress in the training assignment, and approval by the appropriate Institute/Center (IC) officials. ***For Supplemental Visiting Fellows:*** I further understand that renewal of my Supplemental Visiting Fellowship is contingent upon continuation of my outside funding support.

I understand I may be terminated for scientific or other misconduct, misrepresentation of education credentials and/or experience, failure to comply with the terms of the Fellowship, or failure to carry out or satisfy the purpose for which it was made. I also understand I may be terminated for failure to comply with applicable immigration regulations and other Visiting Fellow Program requirements.

I further understand that, upon termination of my Fellowship, I am not entitled to future employment or other training appointments at the NIH.

## **C. STIPENDS**

I understand my monthly stipend will be paid in arrears, and the payment I receive will reflect the time I spent in the Fellowship during the previous month. If I have received a stipend advance, the remainder of the stipend balance will be paid in arrears in twelve equal payments, which will be received by me during the following month.

I will immediately notify my preceptor/sponsor and other appropriate IC officials of any change in my status that might affect my stipend payment, including any supplemental funding or decision to terminate my Fellowship earlier than anticipated. In the event of error(s) in my stipend payment(s), I agree to reimburse the U.S. Government for any overpayment that may occur. I understand interest penalties will be charged if I fail to make full reimbursement in a timely manner.

## **D. BENEFITS**

1. I will have adequate health insurance coverage to receive training in NIH facilities either through an approved plan with the Foundation for Advanced Education in the Sciences (FAES), or through another private plan, and will provide proof of such coverage. I understand payments or reimbursements from the NIH will be limited to the cost of the FAES' fee-for-service health insurance or of another private plan, whichever is less, and will be provided if the policy is issued in my name or in another's name with me identified as a "family member."

***J-1 Exchange Visitors:*** In addition, I understand my health insurance coverage must be in compliance with Department of State (DOS) regulations, including coverage for medical evacuation and repatriation of remains. I am required to have continuous insurance coverage while in J-1 status and will ensure dependents in J-2 status also have continuous insurance coverage that meets DOS regulations.

Should I elect FAES health insurance, I understand I am responsible for enrolling in FAES health insurance before the start date of the award or the day of arrival. Health insurance enrollment will be effective the start date of the award. I understand that on the start date, I must meet with FAES to complete, sign, and submit all required health insurance forms. Further, I understand if I choose the FAES plan, I should obtain interim health insurance coverage in the event I am unable to enroll upon the start of the award.

If I have a qualifying life event, I must notify the IC Administrative Officer and FAES of qualifying events to change health insurance coverage; e.g. marriage, birth, loss of other health insurance coverage. Births are covered by FAES health insurance coverage on day one.

2. I understand that Fellows are usually not reimbursed for expenses associated with relocation travel to NIH and that payment for relocation costs is at the discretion of my NIH Institute/Center (IC) and also in accordance with NIH Policy Manual 1500 – Travel Policies and Procedures (<https://policymanual.nih.gov/1500>). I also understand that no allowance for return travel is authorized.

3. I will seek advance approval for training to the extent it is directly related to the NIH research experience. I understand the authorization of training is at the discretion of the IC and must be in accordance with applicable U.S. Government and immigration rules and regulations. DIS review and/or approval is required prior to registration or taking classes.

4. I will seek advance approval for travel to scientific meetings and other training events. I further understand the authorization of such travel allowance is at the discretion of my IC and also in accordance with NIH Policy Manual 1500 – Travel Policies and Procedures (<https://policymanual.nih.gov/1500>).

## **E. EXCUSED ABSENCE**

I understand that as a Fellow, I do not earn annual or sick leave. However, I am excused on Federal Holidays and I will seek advance approval from my preceptor/sponsor for absence due to ill-health, personal emergencies, or vacations. Eight weeks of excused absence will be granted for the birth or adoption of a child and other family health care.

## **F. DEDUCTIONS**

1. I understand I am *not* eligible for coverage under the Federal Employees Retirement System (FERS), and that deductions for the FERS program, as well as Social Security and Medicare, will not be withheld from my stipend.

2. I understand my Fellowship is subject to Federal, state, and local income taxes. I also understand the Office of Financial Management (OFM), NIH, will withhold Federal taxes from my stipend payment unless I am a U.S. lawful permanent resident or am exempt under a tax treaty between my country of tax residence and the U.S. (as determined by the DIS). I further understand I am responsible for paying state and local taxes on a quarterly basis unless I am exempt under a tax treaty and live in a state that recognizes such a treaty.

## **G. OUTSIDE EMPLOYMENT**

I understand I am expected to be physically present at NIH facilities for my research training. If not prohibited by immigration rules and regulations, I will seek advance approval from my preceptor/sponsor and other appropriate IC officials, as well as the DIS, *prior* to engaging in outside employment.

*J-1 Exchange Visitors:* I also understand that, typically, I am prohibited from accepting outside employment, according to DOS regulations.

## **H. OCCASIONAL LECTURES, SHORT-TERM CONSULTATIONS AND OTHER ACTIVITIES WHILE ON OFFICIAL DUTY**

I will seek advance approval from appropriate IC officials to engage in occasional lectures, short-term consultations, and other activities that are directly related to my Fellowship program. However, I understand the NIH and other Federal statutes and regulations prohibit the acceptance of compensation (except for travel and related expenses) since these activities are considered part of my official duties. I further understand in addition to obtaining approval from appropriate IC officials, I must also obtain permission, in writing, from DIS prior to the event.

## **I. PUBLICATIONS AND INVENTIONS**

I will seek advice from my preceptor/sponsor and request clearance for any publication or scientific presentation resulting from my Fellowship in compliance with NIH's publication policies.

I will be bound by all provisions of Executive Order 10096 (*as amended*), 45 CFR Part 7, and any orders, rules, regulations or policies issued thereunder for inventions conceived or first



actually reduced to practice while at the NIH, as well as by the appropriate NIH policy issued by the Office of Technology Transfer (OTT - <https://www.ott.nih.gov/>), Office of Intramural Research (OIR), OD. Furthermore, I will promptly disclose to my preceptor/sponsor and other appropriate IC officials all inventions that are conceived or first reduced to practice during the term of my Fellowship at NIH, and will sign and execute all papers necessary to convey to the U.S. Government the rights to which the U.S. Government is entitled in accordance with any determination made under the provisions of Executive Order 10096, as amended.

**J. OTHER ADMINISTRATIVE REQUIREMENTS**

While on the premises of the NIH, I will conform to all applicable administrative instructions and requirements of the NIH and the Department of Health and Human Services, including all regulations and procedures concerning conduct, safety, and animal care.

In addition, I understand information and materials submitted for my Fellowship may be shared with other U.S. Government agencies at the discretion of NIH or as requested under U.S. Federal law.

\_\_\_\_\_

Signature of Fellow

Date

**A copy of the originally signed agreement *must* be submitted to your NIH lab/branch preceptor/sponsor.**

**Appendix 3. NIH ADMINISTRATION OF VISITING FELLOW AWARD PROGRAM (VFP)**

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILITY			REDELEGAT ED NO; YES, TO WHOM	RESTRICATIO NS/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIAL	PRIMAR Y IC OFFICIA L		
<b>1. To coordinate the administration of the NIH Visiting Fellow Program</b>	DDIR, NIH	Director, DIS		NO	Current NIH policy requires the DDIR, NIH to coordinate the administration and policy of the NIH Visiting Fellow Program (VFP) in consultation with the NIH Board of

ADMINISTRATION	CURRENT APPROVAL/RESPONSIBILITY			REDELEGATED NO; YES, TO WHOM	RESTRICTIONS/ COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY OFFICIAL		
					Scientific Directors and ORS/DIS for immigration matters.
<b>2. To coordinate the establishment of new NIH VFP components to meet evolving training needs</b>	DDIR, NIH	Director, DIS consults on immigration matters		YES TO: Officials with sufficient knowledge and expertise to exercise this authority in accordance with law, regulations, and written policy	
<b>3. To coordinate modifications of the individual VFP component provisions NIH-wide</b>	DDIR, NIH	Director, DIS consults on immigration matters		YES TO: Officials with sufficient knowledge and expertise to exercise this authority in accordance with law, regulations, and written policy	
<b>4. To coordinate the establishment of stipend levels, adjustments, and changes for all components of the NIH VF Program</b>	DDIR, NIH	Director, DIS consults on immigration matters		YES TO: Officials with sufficient knowledge and expertise to exercise this authority in accordance with law, regulations,	

ADMINISTRATION	CURRENT APPROVAL/RESPONSIBILITY			REDELEGATED NO; YES, TO WHOM	RESTRICTIONS/ COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY IC OFFICIAL		
				and written policy	
<b>5. To review Institute/Center requests for G-7 J-1 extensions beyond five years.</b>	DDIR, NIH	Director, DIS or designee		YES TO: IC Sci. Dirs. who must recommend/ approve extension requests before submission to DDIR	
<b>6. To review and recommend to DOS requests for extension beyond five years in J-1 status</b>		Director, DIS or designee			Recommendations transmitted to DOS must be authorized by the NIH J-1 Exchange Visitor Responsible or Alternate Responsible Officer in the DIS via the Student and Exchange Visitor Information System (SEVIS).
<b>7. To coordinate and approve any and/or all exceptions to the NIH VF Program provisions</b>	DDIR, NIH	Director, DIS consults on immigration matters		YES TO: OIR Officials with sufficient knowledge and expertise to exercise this authority in accordance with law, regulations, and written policy	
<b>8. To maintain</b>	OFM, NIH			NO	

ADMINISTRATION	CURRENT APPROVAL/RESPONSIBILITY			REDELEGATED NO; YES, TO WHOM	RESTRICTIONS/ COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY IC OFFICIAL		
the Fellowship Stipend Outlay, including processing financial documents to arrange for and assure the proper payment, adjustment, or termination of stipends and other authorized allowances.					
9. To provide required financial information on individual Fellows annually to the Internal Revenue Service (IRS) and to the Fellows.	OFM, NIH			NO	
10. To maintain required accounting information and generate necessary reports	OFM, NIH			NO	
11. To provide consultation to the DDIR, NIH and OIR, NIH as needed/required		Director, DIS or designee		NO	
12. To provide advice and/or guidance to designated IC		Director, DIS or designee		NO	

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILITY			REDELEGAT ED NO; YES, TO WHOM	RESTRIC TIONS/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIAL	PRIMAR Y IC OFFICIA L		
program and/or administrative officials of the purposes and requirements of the NIH VF Program, as well as its relationship and appropriate usage to other NIH scientific mechanisms					
13.To evaluate the VF Program's effectiveness and determine if the Program is accomplishing its purpose	Office of Intramural Training and Education (OITE), NIH	Director, DIS consults on immigration matters		NO	Evaluation of the Program to include: assessment of its relationship with other NIH Fellowship programs and determination whether it is functioning effectively and accomplishing its purpose. Evaluation results and any recommendation for changes to the Program will be presented to the OIR, NIH Board of Scientific Directors, and IC Directors for review and concurrence. Final consideration and approval will be by the NIH Director.

**IC ADMINISTRATION OF INTRAMURAL VISITING FELLOW (VF) PROGRAM**

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
<b>1. To provide advice and guidance to IC scientific program officials of the purposes and requirements of the VF Program provisions</b>		DIS	Designate d IC Program Admin. Officials (Key Contacts)	NO	
<b>2. To assure that: applicants meet eligibility requirements; necessary documentation is present and complete; Fellow schedules are determined; documentation to activate, renew, and terminate the Fellowships is distributed; completion of medical exams is arranged; and IC orientation for each Fellow, including advising on benefits available, is conducted</b>			Designate d IC Program Admin. Officials (Key Contacts)	NO	
<b>3. To sign and submit immigration documents to the</b>		Director, DIS or designee		NO	

<b>Department of State, Department of Homeland Security, Department of Labor, U.S. Embassies and consular posts, and Education Commission for Foreign Medical Graduates</b>					
<b>4. To provide immigration services and verify valid non-immigrant work authorization status; to provide orientation for Fellows on immigration matters</b>		DIS staff		NO	

**FELLOWSHIPS**

<b>ADMINISTRATI ON</b>	<b>CURRENT APPROVAL/RESPONSIBILIT Y</b>			<b>REDELEGAT ED NO; YES, TO WHOM</b>	<b>RESTRICTI ON S/ COMMENTS</b>
	<b>OD NIH OFFICIA L</b>	<b>ORS OFFICIA L</b>	<b>PRIMAR Y IC OFFICIA L</b>		
<b>1. To approve initial Fellowships within the NIH VF Program provisions for all VF components. (Fellows with up to five years of relevant Postdoctoral experience).</b>	DDIR, NIH	DIS Notificati on and clearance required	IC Directors	YES TO:  IC Sci Dirs;  IC Lab/Br Chfs	
<b>2. To approve initial Fellowships</b>	DDIR, NIH	DIS Notificati		NO	

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
within the NIH VF Program provisions for all VF components. (Fellows with more than five years of relevant Postdoctoral experience).		on and clearance required			
3. To approve renewal of Fellowships up to five years within the NIH Program provisions for all VF components	DDIR, NIH	DIS Notificati on and clearance required	IC Directors	YES TO:  IC Sci Dirs;  IC Lab/Br Chfs	
4. To approve Fellowships beyond five years for a terminal period not-to- exceed three months	DDIR, NIH	DIS Notificati on and clearance required	IC Directors	YES TO:  IC Sci Dirs	
5. To approve Postdoctoral Fellowships beyond five years for a terminal, exceptional sixth year	DDIR, NIH	DIS Notificati on and clearance required	IC Directors	YES TO:  IC Sci Dirs	Follow the OIR guidance for full eligibility requirements per Section C.3.
6. To approve the transfer or reassignment of Fellows between IC.	DDIR, NIH	DIS Notificati on and clearance required	IC Directors	YES TO:  IC Sci Dirs	The gaining IC must submit a transfer request to the DIS. If the Fellow is a J-1 Exchange Visitor, the gaining IC must also have the losing IC



ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
					preceptor sign the IC Exchange Visitor (J-1) Intra/Inter IC transfer form agreeing to the transfer/reassignment and to verify that the new research is consistent with the original research objectives of the Exchange Visitor. The transfer form must be included with the VF transfer request sent to DIS for approval of transfer. IC must enter transfer in NBS FPS. All Fellows must wait for final DIS approval before beginning at new IC.
<b>7. To approve part-time schedules on a case-by-case basis for Fellows within all VF components.</b>	DDIR, NIH	DIS Notification and clearance required	IC Directors	YES TO:  IC Sci Dirs	Requesting IC must provide DIS a memo describing circumstances that lead to part-time schedule. DIS must approve.
<b>8. To revoke Fellowships in whole or in part</b>	DDIR, NIH	DIS Notification and concurrence required	IC Directors	YES TO:  IC Sci Dirs with notification to the OIR	Use the NBS FPS to process the termination immediately. DIS must be notified.

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
					See Section F.5. “Termination of Fellowship” for detailed information.

### STIPENDS

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
<b>1. To approve initial stipends and/or stipend increases within the NIH VF Program provisions</b>	DDIR, NIH		IC Directors	YES TO:  IC Sci Dirs  IC Lab/Br Chfs	This includes the authority to grant a specialty allowance of up to \$10,000 when a Postdoctoral Fellow has a degree or equivalent experience in one of the specialty allowances specified per Section F.2.a. This also includes the authority to grant a one-time exceptional stipend increase at the time of renewal of one stipend level for

					ten percent of an IC's Postdoctoral Fellows, i.e., a Fellow with one year of Postdoctoral experience could be paid a stipend within the range for the two-year experience level.
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**SUPPLEMENTAL FUNDING**

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
<b>1. To approve supplemental funding in accordance with NIH-wide established VF Program provisions</b>	DDIR, NIH		IC Directors	YES TO:  IC Sci Dirs	Combined NIH and supplemental funding must be comparable to the stipend level of equally qualified Fellows in awarded component. Supplemental funding cannot be used to pay for health insurance cost only; a stipend must be authorized.

**MENTORING**

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT	REDELEGAT ED NO; YES,	RESTRICTION S/
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	Y			TO WHOM	COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY IC OFFICIAL		
<b>1. To provide mentoring</b>	DDIR, NIH		IC Directors	YES TO: IC Sci Dirs IC Lab/Br Chfs IC Preceptors	

### TRAINING/TUITION

ADMINISTRATION	CURRENT APPROVAL/RESPONSIBILITY			REDELEGATED NO; YES, TO WHOM	RESTRICTIONS/ COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY IC OFFICIAL		
<b>1. To approve a rotation in a Science Policy Office, generally one rotation of three months or less, when the activity can be justified as an integral part of the NIH research training experience</b>	DDIR, NIH	DIS Notification and concurrence required	IC Directors	NO	
<b>2. To approve training (other than rotations)/tuition to the extent it is directly related to the NIH research experience</b>	DDIR, NIH	DIS Notification and concurrence required	IC Directors	YES TO: IC Sci Dirs	Fellows must be physically present at NIH research facilities; they may not be assigned elsewhere.

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
<b>3. To develop Individual Development Plans (IDPs)/Career Development Plans (CDPs) and assure instruction in safety, use of equipment, handling hazardous materials, proper animal care and treatment</b>	DDIR, NIH		IC Directors	YES TO:  IC Sci Dirs  IC Lab/Br Chfs  IC Preceptors	
<b>4. Patient Care/Patient Contact</b>	DDIR, NIH	DIS must issue clearance after DDIR approval	NO		Fellows may not engage in primary patient care/contact activities. Any clinically related activity MUST be incidental and explicitly under the direct supervision and control of an NIH employee physician, and is subject to immigration rules and regulations.

**EXCUSED ABSENCES**

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y	REDELEGAT ED NO; YES, TO WHOM	RESTRICTION S/ COMMENTS
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	<b>OD NIH OFFICIAL</b>	<b>ORS OFFICIAL</b>	<b>PRIMARY IC OFFICIAL</b>		
<b>1. To approve extended absences and absence without stipend (see Section G.5)</b>	DDIR, NIH	DIS Notification and clearance required	IC Directors	YES TO: IC Sci Dirs	

#### **Appendix 4. SAMPLE PRE-AWARD NOTIFICATION FROM DESIGNATED IC PROGRAM OFFICIAL**

Dear Dr. <<Last Name>>:

It is a pleasure to notify you that you have been selected to receive a <<Pre-doctoral or Postdoctoral>> Visiting Fellow Award in National Institutes of Health's (NIH) Visiting Fellow Program with the <<Full name of IC>> (<<Initials of IC>>). This award is contingent upon approval by the United States (U.S.) Department of State and the Department of Homeland Security of your entry into the U.S. and/or continued stay in the U.S. under all applicable immigration regulations. <<If applicable, ICs should also note: This award is also subject to a medical evaluation as directed by the NIH Occupational Medical Service (OMS) procedures. The required medical evaluation may be conducted by your own physician at your own expense or by the OMS at no cost to you. Please inform the <<Initials of IC>> of your preference.>>

Official notification of your Fellowship will be sent under a separate cover, along with the applicable immigration documents, from the NIH Division of International Services (DIS), Office of Research Services (ORS). You will receive correspondence from the DIS with more specific instructions. **Please do not make any visa or travel arrangements until instructed by the DIS.**

Your Fellowship is with the <<Full Name of Laboratory/Branch>>, under the sponsorship of Dr. <<Full Name of Training Preceptor>>, <<Initials of IC>>. Your initial Fellowship is for <<Note duration, e.g. two years>>, beginning on or about <<begin date>>, and your stipend

will be \$<<XX,000>> per year. Your stipend will be subject to Federal, state, and local income taxes. Upon your arrival at the NIH, report to the DIS on your first scheduled work day for activation of your Fellowship and verification of your immigration status. **Activation of your Fellowship will not occur until you report to the DIS.** Additional information concerning program provisions, U.S. immigration requirements, and other benefits and conditions is contained in the “Statement of Visiting Fellow Program Provisions” enclosed with this letter. Also enclosed is the “Visiting Fellowship Agreement” that you must carefully read, sign, date, and provide to the <<Initials of IC>> after your arrival.

Under the terms of your Fellowship, in order to receive training in NIH facilities, you are required to be covered by adequate health insurance. This requirement may be satisfied by a policy held either in your name or in another’s name with you identified as a “family member.” **If you will be sponsored as a J-1 Exchange Visitor, health insurance coverage for yourself and any J-2 dependent family members must also be in compliance with Department of State (DOS) regulations and include coverage for medical evacuation and repatriation of remains** (refer to the requirements provided by the DIS under separate cover).

One approved plan of health insurance that meets both the NIH’s and DOS’s requirements is available at the NIH through the Foundation for Advanced Education in the Sciences (FAES); information is available at <https://faes.org/content/health-insurance-services>. At your direction, the <<Initials of IC>> will provide funds in an amount not-to-exceed the cost of FAES’s fee-for-service health insurance, individual or family as appropriate, in addition to your regular stipend, for a policy issued in your name. You must enroll for health insurance before the start date of the award or the day of arrival. Health insurance enrollment will be effective the start date of the award. On the start date, you should meet with FAES to complete, sign, and submit all required health insurance forms.

Alternatively, you may purchase another private health plan in your own name, in which case an allowance will be provided by the <<Initials of IC>> not-to-exceed the cost of FAES’s fee-for-service health insurance, individual or family, as appropriate. Also, if incurred, the NIH will reimburse you for any additional health insurance cost as a result of being covered under a spouse’s policy with your name listed as “family member” not-to-exceed the cost of the FAES’s fee-for-service health insurance.

Please be prepared to indicate your choice of health insurance plan or provide proof of existing coverage to your <<Initials of IC>> prior to the start of your Fellowship. If you will be sponsored as a J-1 Exchange Visitor, you must bring a copy of your insurance coverage, in English, to verify compliance with DOS insurance requirements.

After you report to the DIS, please contact <<Name of IC representative>> to complete processing your Fellowship. We look forward to your participation in the NIH Visiting Fellow Program and hope you will find the experience both pleasant and rewarding.

Sincerely,

*(signature)*

<<Name of Designated IC Program  
Official>>

Enclosures