

# 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) and is being updated according to the five-year renewal requirement.
2. **Filing Instructions:**
  - **Remove:** NIH Manual Chapter 2300-320-3 dated 5/13/2015; Technical Revision 2/02/2022
  - **Insert:** NIH Manual Chapter 2300-320-3 dated 2/3/2023
3. **PLEASE NOTE:** For information on:
  - Content of this chapter, contact the issuing office listed above
  - NIH Policy Manual, contact the Division of Management Support, OMA on 301-496-4606 or enter this URL: <https://oma.od.nih.gov/DMS/Pages/Manual-Chapters.aspx>

### 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, *i.e.*, 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 have applied for an [Intramural Research Training Award \(IRTA\)](#) or, if with the [National Cancer Institute \(NCI\)](#), for a [Cancer Research Training Award \(CRTA\)](#).

## **D. Policy**

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, such as requisitions, on behalf of the U.S. Government.

### **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 their own valid non-immigrant, work authorized status, NIH typically offers immigration sponsorship under the J-1 Exchange Visitor Program. Applicants currently in the U.S. sponsored as J-1 Exchange Visitors in the Research Scholar/Professor category may be eligible to transfer their J-1 status to NIH. Any such applicant, however, must be continuing within the parameters of their original research objective for coming to the U.S. and have at least one year remaining on their overall J-1 five-year program duration 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, on a case-by-case basis, make exceptions to this minimum of one year for J-1 transfers based on scientific need. All VFP Fellows sponsored by NIH must meet all relevant requirements mandated by the specific non-immigrant 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. If the applicant does not possess the diploma reflecting completion of degree, they must have a 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/Offices \(ICO\) 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](#), which 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.*

<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 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

	<p>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.</p>
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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 may not conduct research or training off the NIH research facilities without authorization by the Office of Intramural Research (OIR) and the Division of International Services (DIS).

## 3. Duration of Award Components

According to the Office of Intramural Research (OIR) [5 Year/8 Year Duration Rule](#), Postdoctoral Visiting Fellows typically may not be assigned at NIH for more than five years. Pre-doctoral Visiting Fellows typically may not be assigned at the NIH for more than three years.

The following chart illustrates the duration of each award component. The duration of each award component may be limited due to applicable immigration rules and regulations, which may not allow the desired full award component or renewal of the award. Some renewals, however, may require special immigration processing if the Fellow is sponsored by NIH as a [J-1 Exchange Visitor](#) in the G-7 program; *see* [DIS website on the G-7 Program for details](#).

**Note:** Time spent on a Postdoctoral VFP Fellowship within any award component (i.e., fully-funded Postdoctoral vs. Supplemental Postdoctoral) counts toward the maximum Fellowship time as allowed under the [5 Year/8 Year Duration Rule](#) (refer to the following chart), regardless of the number of VFP Fellowships granted by different ICOs. Time spent on any Pre-doctoral award will not count towards the 5 Year/8 Year Duration Rule. However, time spent on a component of an award (i.e., fully-funded Pre-doctoral vs. Supplemental Pre-doctoral or awards granted by different ICOs) does count towards the total Pre-doctoral award duration.

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. If the initial or renewed fellowship award period is granted for longer than 1 year, the 2nd and/or 3rd year is still contingent on the Fellow's satisfactory completion of their annual evaluation. Additionally, 2–3-year Fellowships must be

processed in 1-year increments in the [NIH Business System Fellowship Payment System \(NBS FPS\)](#).

<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 through Friday, to their training assignment. If previously arranged and approved by the ICO Scientific Director (SD) and DIS, part-time schedules may be arranged on a case-by-case basis. 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 SD and DIS must give written approval prior to the initiation of the part-time scheduling. Part-time schedules may not exceed immigration limitations.

**NOTE:** Part-time schedules of less than 30 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 regarding 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 **must** explicitly be under the direct supervision and control of an NIH employee. Such patient care activity is also dependent upon clearance by the DIS and OIR. Refer to the DIS webpage on [Patient Contact](#) for more information. Any direct contact with human subjects participating in research must also be under the direct supervision and control of an appropriately qualified NIH employee (FTE).

## 6. Upon Conclusion of Fellowship

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

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

For Postdoctoral Fellows, an exceptional 6th year of training within the postdoctoral mechanism is occasionally needed to complete training in-progress at NIH. The terminal 6th year extension requires a written justification from the Fellow's Principal Investigator requesting additional time, followed by a rigorous review. See [Exceptional Extensions of IRTA and Visiting Fellows to a 6th Year](#) for more information.

For Pre-doctoral Fellows wishing to stay beyond three years, renewal requires a written justification requesting additional time, followed by a rigorous review that includes the SD's approval. The written justification memorandum must include (1) a summary of the student's progress, (2) projected timeline for completion, and (3) specific dates of the fellowship renewal request. The memorandum must be signed by the Principal Investigator (PI) and Scientific Director (SD) indicating their support for the extension and submitted for approval to the Director of Policy and Analysis, Office of Intramural Research (OIR) and the Director of the Graduate Partnerships Program (GPP). A current copy of the student's CV must also be included. Submissions must be made at least 3 months in advance of the renewal date, and the student must be interviewed by the Director of the GPP or designee as a part of the approval process. Extensions are generally requested in one-year increments, though less time may be requested depending on the circumstance. No more than one year may be requested for each submission. Occasionally, extensions beyond four years are requested, but obtaining

approval requires further justification and repeating this entire exceptional extension request process.

Fellows sponsored as [J-1 Exchange Visitors](#) may be eligible to transfer their J-1 status from NIH to an outside sponsor (for example, a non-NIH laboratory). To facilitate a transfer, the Fellow must obtain DIS approval at least two weeks prior to the effective transfer date. A J-1 transfer may be authorized only if the Fellow will continue within the parameters of their original research objective for coming to the U.S. and must have at least one year remaining on their overall J-1 five-year program duration to allow adequate time to accomplish their research objectives. On a case-by-case basis, DIS may consider a transfer with less than one year of J-1 time remaining, based on scientific need. Once the fifth year is completed, no transfers will be authorized.

## **E. Roles and Responsibilities**

Direction and management of the VFP are the 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 \(ORS\)](#) and [Office of Management \(OM\), OD](#). The OIR and Board of Scientific Directors establish policy; 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. Sharing direction and management of the VFP with the OIR;
- b. Managing all immigration matters at NIH, including assurance of NIH's compliance with applicable immigration laws when sponsoring or hosting foreign national scientists;
- c. Issuing appropriate immigration documents, or requesting such documents if the Fellow is not NIH-sponsored, per established [DIS processing times](#);
- d. Providing official award letter and pre-arrival instructions, including information about health insurance, housing, stipend payment and limited tax information;
- e. Reviewing and approving original immigration documentation to verify immigration status and valid work authorization after Fellow's arrival to NIH and providing ["Post Arrival Information"](#);
- f. Reviewing and approving Fellow's continued stay at NIH and other requests, such as incidental patient contact, extended absences, taking classes and other outside activities, etc.; and
- g. Authorizing stipend payments in 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) entering tax treaty information if the DIS determines that a Fellow is exempt from Federal tax under provisions of a tax treaty.



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

- a. Determining VFP Fellowship applicant eligibility and issue Pre-Award Notification Letter ([Appendix 4](#));
- b. Submitting case requests to DIS for processing per [relevant DIS checklists](#)
- c. managing all financial actions, including:
  1. certifying that Fellows are active;
  2. entering obligations and payments, including health insurance, in the NBS FPS;
  3. reviewing and approving Fellow's excused absence; providing documentation associated with excused absence without stipend (AWOS) to FAES health insurance plan and other offices.
  4. notifying DIS of any extended absences in the U.S. or abroad and Absence Without Stipend (AWOS); and
  5. reviewing and approving outside travel reimbursement for Fellow and assisting with documentation regarding external travel funding sources.
- d. Monitor and document the Fellow's status, including:
  1. updating changes of local home address in NBS FPS and forwarding 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 ICO when the Fellowship is activated);
  3. monitoring the Fellow's not-to-exceed date and the [timely submission](#) of requests for Fellowship renewal to DIS (such renewals are contingent upon re-verification of valid non-immigrant, work-authorized status by DIS);
  4. arranging Fellow's transfer to another NIH laboratory if or when appropriate, which includes updating NBS FPS and the timely submittal of transfer request to the DIS;
  5. processing Fellow's termination upon conclusion of Fellowship, which includes updating NBS FPS and timely submitting termination notice to the DIS;
  6. assuring the Fellow receives appropriate mentoring by the Principal Investigator Sponsor; and
  7. developing Individualized Training Plans/Career Development Plans, with the assistance from the ICO Laboratory/Branch Chief and Scientific Director, as necessary, along with other instruction and safety training courses and issuing them to Fellows.
- e. alerting [DIS](#) and [OITE](#) immediately of any incidents involving program violations by Fellows; and
- f. ICO 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. The Scientific Director is also responsible to process a 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. providing career counseling, wellness, resilience and other assistance to traineeships
  - b. providing, upon request, examples of Individualized Training Plans/Career Development Plans to ICOs;
  - c. approving Pre-doctoral Fellowship duration beyond the typical duration;
  - d. conducting periodic evaluation of the VFP for representation and reporting results to OIR, NIH and the NIH Board of Scientific Directors for consideration; and
  - e. alerting DIS immediately of any program violations by Fellows.
4. Office of Intramural Research's (OIR) roles and responsibilities include:
  - a. sharing direction and management of the VFP with DIS;
  - b. periodically reviewing stipend ranges and/or fixed stipend levels with the NIH Board of Scientific Directors;
  - c. reviewing VFP assessment conducted by OITE with the NIH Board of Scientific Reviewers; and
  - d. reviewing and approving exceptions to VFP provisions.
5. Office of Financial Management's (OFM) roles and responsibilities include:
  - a. issuing Fellow's monthly stipend payments;
  - b. collecting stipend and travel advance overpayment;
  - c. preparing and sending income information to IRS and Fellows annually; and
  - d. withholding Federal income tax, per DIS determination; and
  - e. preparing and sending annual income information to the IRS and Fellows.

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 ICO Program Administrative Officials (such as ICO Key Contacts), routed through the ICO'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), who will select and serve as the Fellow's Sponsor. Applicants may also access [NIH Office of Intramural Training and Education \(OITE\)](#), OIR for Fellowship opportunities. Designated ICO Program Administrative Officials receiving application documents, noted in the chart at the end of this Section, will determine an applicant's VFP Fellowship eligibility.

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 ICO Scientific Director or delegated approving official. Applicants may not be excluded from consideration or evaluation based on 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 ICO Program Administrative Officials, such as ICO Key Contacts, to the DIS for review and approval. Refer to the appropriate [DIS checklist](#) for the request package documentation. The ICOs must [electronically submit the complete request package to the DIS 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, which must be provided to DIS upon the applicant's arrival at NIH, and, if applicable, completion of a medical evaluation.

<b>Application Documentation</b>	
<b>Postdoctoral</b>	Curriculum Vitae (CV), bibliography (if applicable), three letters of reference, applicant's statement of research goals. In addition, applicant must provide an official copy of doctoral degree diploma (with official translation, if not in English) and, if applicable, a summary of doctoral dissertation. In cases where it is difficult to determine degree equivalency, the DIS

	<p>may be consulted.          Note: If the doctoral degree has not been awarded, applicant must include a letter from the Dean or University Registrar on university letterhead indicating <b>all</b> requirements for the degree, including passing the thesis defense, have been completed and specifying the date 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 must include the following: (1) applicant is in good academic standing; (2) applicant is enrolled in a doctoral degree program; and (3) the university is agreeable to the applicant’s participation. Such verification must also be furnished for any renewal of the Fellowship.</p>

**2. Stipend**

**a. Stipend Calculation**

Stipends are based on relevant research experience or completed education level; however, when a Fellow receives 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. Guidance on determining stipend levels and annual increases is noted in the chart below. Eligibility for tax treaty status or tax liability, either in the US or a foreign country, will **not** be considered 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 additional information regarding stipend levels. NCI has a separate stipend schedule, which can be found in the [Cancer Research Training Award \(CRTA\)](#) manual.

<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 research (e.g., clinical training for physicians).  <b>Note:</b> 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.</p> <p><b>Note:</b> Stipend level must be prorated based on training schedule.</p>
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<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; however, where warranted, increments may be greater, provided they do not exceed the maximum amount within the appropriate stipend range. ICOs 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 may be paid a stipend within 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>▪ Biostatistician</li> <li>▪ Epidemiologist</li> <li>▪ Mathematician</li> <li>▪ ICO Competitive Fellowship, e.g., Kety Fellowship with the National Institute of Mental Health (NIMH)</li> <li>▪ Fellow entering the fifth year for whom the ICO wishes to provide a merit-based stipend higher than the top of the range for the fifth year</li> </ul>

**b. Stipend Payment Method**

Stipends are paid in arrears on a 30-day monthly basis. Advance payment is available to Fellows; however, advance payments 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 ICO Scientific Director, prior to the award start date entered into the NIH Business System (NBS) Fellowship Payment System (FPS).

Fellows in all components are 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 who choose not to use 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 ICO Program Administrative Officials between the 20th and the 25th of each month in order for the OFM to authorize payments each month. If the ICO 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 DIS for the award period. 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 be addressed by the ICO.

An ICO will not provide supplemental funding solely to provide health insurance

coverage; a minimal stipend must also be authorized according to 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 resulting in a combined amount from 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 will not be approved. Supplemental funding must terminate when outside (non-extramural NIH) support ceases.

Eligibility for tax treaty status or tax liability, either in the U.S. or a foreign country, will **not** be considered 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. This Exception, however, is not for other JSPS recipients selected through other JSPS programs. Refer to the [OIR Sourcebook](#) for additional information about this program (scroll down to “*Recruitment Process / Appointment Mechanisms*” within this sourcebook page) for additional information about this program

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

Fellows must reimburse the OFM in full for all stipend overpayments upon the termination of their Fellowship. The Fellow’s termination documents will not be approved without confirmation the departing Fellow has satisfied any outstanding overpayments. Any unrecovered overpayment(s) will be treated as a debt owed to the U.S. Government and interest and penalties will be charged, and accrued, if reimbursement is not paid in a timely manner. A personal check reimbursing any stipend overpayment must be submitted to the OFM Fellowship Payment Office, along with a copy of the NBS FPS-generated “Fellowship Termination Notification” form.

#### 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.

NIH policy is to limit the postdoctoral training period to 5 years so as not to unnecessarily extend training and delay employment. Appointments are typically renewed in one-year increments. The [Research Fellow mechanism](#) is available to extend the total time in training to 8 years.

An exceptional 6th year of training within the postdoctoral mechanism is occasionally needed to complete training. Refer to the NIH Sourcebook page on [Exceptional Extensions of IRTA and Visiting Fellowships to a 6th Year](#) for more information. An individual who takes any part of an exceptional 6th year at NIH as a Visiting Fellow may not remain or return to NIH within 2 years of their departure date. The Office of Intramural Research (OIR) may grant exception to this restriction for certain long-term NIH staff positions.

#### **4. Transfer of Fellowship**

When a Fellow transfers within NIH, the ICOs involved in the transfer must obtain pre-approval from DIS. The gaining ICO must submit a transfer request package per the appropriate [DIS checklist](#); such package must include a [Inter/Intra Transfer Request](#) form for Fellows sponsored by NIH as [J-1 Exchange Visitors](#). This form is necessary to confirm both ICOs concur with the transfer and ensure the research at the gaining ICO is consistent and/or a continuation of the Fellow's original training goals with the losing ICO (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 specified expiration or “not-to-exceed” date and most Fellowships will not terminate (or be terminated) before that specified date; however, a Fellow may elect to resign early and discuss a different termination date with the ICO preceptor and/or mentor.

A Fellowship may, however, be terminated before the specified expiration or “not-to-exceed” date for cause, as detailed below. **Note:** Fiscal considerations will not be the basis for early termination from the NIH VFP. All Fellowship terminations must be processed immediately using the NBS FPS.

A Fellowship may be terminated prior to the specified “not-to-exceed” date for scientific or other forms of misconduct; misrepresentation of educational credentials and/or experience; failure to comply with terms of the Fellowship; or failure to carry



out or satisfy the purpose for which the Fellowship was awarded. Violations of immigration regulations and/or VFP program requirements may be grounds for immediate program termination as determined by DIS and will not require adherence to the OIR [Early Termination](#) policy.

All termination proposals for cause must be in writing and the Fellow must be provided an opportunity to respond to the cause(s) before a decision is rendered. In the case of personal incompatibility or unforeseen programmatic circumstances, and absent any issues of misconduct, the ICO will attempt to arrange to transfer the Fellow to another laboratory/branch. Review the OIR [Early Termination](#) policy for full details. The ICO should put the Fellow in contact with OITE immediately upon giving notice of early termination. The ICO should also consult OITE in advance of early termination whenever possible.

The Fellow's termination documents will not be approved until documentation confirming the Fellow has satisfied any outstanding overpayments has been received by OFM; see Section G.2-d. To avoid overpayment of health insurance premiums, FAES must be notified as soon as possible that a Fellow's Fellowship is terminating. The terminating Fellow must provide the NBS FPS-generated "Fellowship Termination Notification" form to the FAES, which provides advice and answers questions regarding [Consolidated Omnibus Budget Reconciliation Act \(COBRA\) benefits \[Public Law 99-272\]](#). The ICOs must also send a copy of the "Fellowship Termination Notification" form to DIS. Upon notification of a Fellow's resignation, or termination, DIS is required to comply with applicable immigration reporting requirements.

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

## **6. Fellow Evaluation**

The ICO preceptor and/or mentor must generate scientific performance evaluations for Fellows. An Individual Development Plan (IDP)/Career Development Plan (CDP), approved by the ICO Scientific Director, is required annually for each Fellow and must be in place by the end of the Fellow's fourth year, as detailed in Section G.1. The [Office of Intramural Training and Education \(OITE\)](#) has examples of these plans. Many ICOs have their own requirements and forms to use when creating these plans.

## **H. Benefits**

The following is a brief description of benefits available during 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 \(OMS\)](#), Division of Occupational Health and Safety (DOHS), 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**

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](#); enrollment must be completed upon the Fellow's arrival for service at 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 on the start date of the Fellowship award. When onboarding, the Fellow must meet with FAES to complete, sign and submit all required health insurance forms. Fellows must maintain an existing policy or purchase a personal policy until they have met with FAES and elected health insurance.

If a Fellow separates from NIH, health insurance will continue for 30 days after the award end date (if extension is elected in FPS by the Fellow's Administrative Officer). No changes to health insurance coverage (e.g., individual to family) are permitted during this final 30 days of coverage. Current coverage ends on the award end date unless a 30-day extension is selected in the system and the request is provided to FAES no later than fifteen (15) days after the award end date.

Funds for individual or family FAES' fee-for-service health insurance are provided by the sponsoring ICO at the direction of the Fellow. For a non-FAES policy, 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, NIH will reimburse the Fellow 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 equal to the cost of the FAES' fee-for-service health insurance. The Fellow must provide documentation verifying the Fellow's non-FAES health insurance policy coverage and documentation of the health insurance costs.

A change in health insurance coverage due to a qualifying life event (e.g., marriage, divorce, birth/adoption of a child, death, loss of other health insurance coverage, etc.) must be reported within 30 days of the event to their ICO Administrative Officer and FAES. The change in insurance coverage will be effective as of the date of the qualifying life event. If a change is not requested within 30 days of the qualifying life

event, the trainee will need to wait to make any changes to coverage until either the following open enrollment period for the FAES health insurance plan or until another qualifying life event occurs, whichever occurs first. Evidence of the qualifying life event must be presented to FAES. Those enrolled in a non-FAES plan will need to report the change to their provider and not FAES.

Health insurance coverage for Fellows sponsored by NIH as **J-1 Exchange Visitors** must also comply with Department of State (DOS) regulations, including coverage for medical evacuation and repatriation of remains. While in J-1 status, Fellows are required to have continuous health insurance coverage. Fellows in J-1 status must also ensure their J-2 dependents have continuous health insurance coverage, which meets or exceeds DOS regulations. If a Fellow discontinues their FAES insurance, they must obtain alternate health insurance which meets, or exceeds, DOS regulations. Fellows planning to enroll in the FAES plan are advised to obtain health insurance to ensure health insurance coverage until their FAES enrollment takes effect, to ensure compliance with DOS mandated health insurance. Full J-1 health insurance requirements may be found on the [“J-1 Exchange Visiting Program Certification Health Insurance Coverage” on NIH Form 829-6”](#).

For Supplemental Visiting Fellows: When an outside (non-extramural NIH) sponsor provides insufficient funding for the purchase of health insurance coverage, the ICO 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 specifically to cover a Fellow’s health insurance costs will not be made; only the minimum stipend will be authorized.

### **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 ICO, to the extent such training or tuition assistance is directly related to the NIH research experience. Prior to the Fellow registering for training or a course, DIS review and approval is required.

In addition, Fellows must complete all NIH mandatory training. When a Fellow’s award includes working with animals, exposure to hazardous situations or contact with patients, the ICOs must ensure the Fellow receives appropriate instruction, including but not limited to safety; use of equipment; proper handling of hazardous materials; patient privacy; human subject protections; supervisory requirements when interacting with patients or human subjects, and proper animal care and treatment.

Generally only one rotation of 3 months or less in a science-related office (science policy, communications, grants, center for scientific review, technology transfer, etc.) is permitted when such activity can be justified as an integral part of the NIH training experience.

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

The [Foundation for Advanced Education in the Sciences \(FAES\)](http://education.faes.org) has educational programming available year-round and provides dozens of needs-based scholarships every year. Application information can be found at [education.faes.org](http://education.faes.org).

## 5. Excused Absences

To avoid violation of immigration rules and regulations, DIS must be notified of and concur with extended absences of over five weeks (with or without stipend). The ICO must submit a completed "[Request for Extended Absence](#)" form to DIS for review and approval.

### a. Absence With Stipend

Fellows, because they are not employees, do not earn annual or sick leave. However, they should be excused for Federal holidays and any other time the government is closed. Fellows should be given 20 days per year for illness, personal emergencies, and vacations when awards are for more than 90 days. The number of days should be prorated for Fellowships less than one year. These excused absences do not accrue year-to-year and reset every year on the date of renewal. Preceptors should also provide flexibility for travel for interviews, and these absences should not be counted towards the 20 days of leave. Preceptors may exercise discretion in granting additional short absences (less than a week per year) as they deem appropriate. More extended absences must be approved by the ICO Scientific Director.

Twelve weeks of excused absence will be granted for the birth, adoption, or foster care placement of a child or other family health care. In addition, ICOs must excuse absences to accommodate a trainee's military obligations, i.e., active duty, active duty training, and inactive duty training Not to Exceed (NTE) six weeks per year.

### b. Absence Without Stipend (AWOS)

Absence without stipend may be approved by the preceptor with concurrence from the respective ICO Scientific Director, DDIR and DIS. To temporarily suspend stipend payments, the ICO must enter the effective date to temporarily stop stipend payment in NBS FPS 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, if allowed by immigration rules and regulations. **To avoid violation of immigration rules and regulations, DIS must be notified of and concur with any extended absences.** Further, certain immigration rules and regulations require continued health insurance at all times during the Fellowship, even when a Fellow travels outside the United States.

If a Fellow with the FAES health insurance plans to be AWOS for less than 60 days, NIH requires the Fellow provide any necessary payment(s) for the continuation of their health insurance coverage as the ICO will not pay health insurance premiums during this time. Specifically, Fellows planning to be AWOS for **less** than 60 days must, prior to taking leave, complete a continuation of coverage application [through FAES](#) and pay their health insurance coverage premiums on the first day of the month following the start date of the AWOS. Further, the Fellow must continue to make such payments on the first day of the month, every month, while the Fellow is AWOS.

For example, if the Fellow is AWOS during the period of June 15th through August 15th, the Fellow must pay their health insurance premiums beginning July 1st, the first day of the month following the start date of the unpaid absence, and pay their health insurance premium on August 1st, and continue to make their health insurance premiums on the first day of each month the Fellow is in unpaid status

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 maintain continuous health insurance coverage for themselves and their dependents in J-2 status. If a Fellow drops FAES insurance, they must obtain alternative insurance which meets or exceeds DOS regulations. Information regarding full J-1 health insurance requirements may be accessed at “J-1 Exchange Visiting Program Certification Health Insurance Coverage” on [NIH Form 829-6](#). The Fellow is advised to consult with FAES before beginning AWOS status. 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 health insurance coverage is limited to 18 months. Upon return to NIH, the Fellow may reenroll as a new subscriber in the FAES health insurance plan.

Regardless of the total time spent in unpaid absence, respective ICOs must provide written notification, generated from NBS FPS to FAES **and DIS**, to advise the start and end dates of the unpaid absence. Upon the Fellow’s return to NIH, ICOs will provide written notification, generated from NBS FPS to the FAES, OFM, **and DIS** to advise of their return to paid stipend status.

Fellows must understand they cannot participate in the Federal retirement plan, will not have Social Security/Medicare deductions, and in the instances that the Fellow would need to pay for insurance premiums directly (extended leave and rehire within 60 days), they must do so on an after-tax basis since they are not eligible for pre-tax deductions.

## 6. Travel

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

comprehensive 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.”

Payment of travel cost for relocation to NIH for a postdoctoral fellow (including dependents, movement of household goods, and temporary storage of household goods) not to exceed (NTE) \$3,000 is permitted at the discretion of the IC; no allowance for return travel is authorized. Such relocation costs may not be authorized for predoctoral fellows. A personal check covering a travel advance overpayment must be submitted to the Cashier’s Office attached to a copy of the travel voucher. Any un-recovered overpayment will be treated as a debt owed to the U.S. Government.

Payment of travel to scientific meetings or training at a remote site for predoctoral or postdoctoral fellows is at the discretion of the IC and is subject to availability of funds.

Predocctoral and Postdoctoral Fellows may accept *payment only on an “In Kind” basis to cover* travel and per diem expenses from an outside entity while attending an “official duty” type event for the purpose of teaching, speaking, or writing (such as presenting a paper at a scientific meeting), provided there is no conflict of interest in the source of the funds. No honorarium, or compensation for services rendered, may be accepted. Reimbursement must be from non-Federal funds. Fellows must request, and receive, advance approval, in writing, from the IC Scientific Director to accept outside travel reimbursement. The HHS Form 348 is *not to be used* since Visiting Fellows are not Government employees. However, *IC administrative staff, on behalf of a Visiting Fellow, must complete an Acceptance Letter and a Certification Checklist indicating that the funding source is non-Federal. For additional information, see [NIH Manual Chapter 1500-10 – Temporary Duty Travel and Relocation of Non-FTE Persons](#). Also see [Guidelines for Non-FTEs \(Trainees\) for NIH-related Activities, Outside Activities, and Awards and DIS Outside Activity information](#).* When a separate travel allowance is available through an outside sponsor, at its discretion, an IC may supplement that allowance only to the extent that outside funding is insufficient to pay authorized travel costs.

Fellows must reimburse the OFM, NIH, for 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 submitted to the OFM Fellowship Payment Office with a copy of the corresponding travel voucher(s). Any unrecovered overpayment will be treated as a debt owed to the U.S. Government and accrue interest and penalties if reimbursement is not paid 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 are subject to Federal, state, and local income taxes. The Office of Financial Management (OFM) prepares and sends appropriate income information to the Internal Revenue Service (IRS) and to Fellows on an annual basis. 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. **ICOs must notify OFM 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.**

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 "Taxes" website](#).

Since interpretation and implementation of the tax laws are the responsibility of the IRS and courts, Fellows are encouraged to consult their local IRS office and/or tax advisor with questions regarding the applicability of the current tax code to the taxability of Fellowships, the proper steps to be taken regarding tax obligations and concerns specific to their situation.

### 2. Social Security/Medicare

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, Fellows are not considered to be self-employed but in training for purposes of coverage under the Social Security Act and, therefore, are ineligible to make Social Security or Medicare payments on their own behalf. For further information, Fellows are encouraged to consult their local IRS office and/or tax advisor.

### 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 facilities**; they cannot be assigned



elsewhere. When not prohibited by immigration rules and regulations, outside employment for Fellows must be approved in accordance with NIH Intramural Research Program [“Guidelines for Non-FTEs \(Trainees\) for NIH-Related Activities, Personal Capacity \(Outside\) Activities and Awards”](#). OIR and DIS approval is required prior to the beginning of 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”](#).

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

When a new outside activity is disclosed that involves a foreign academic or research institution or government, it is essential to discern the true scope of that activity and whether it can be considered an official duty activity. Please review the [Avoiding Undue Foreign Influence on IRP Research](#).

#### **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 [NIH Manual Chapter 1183, “NIH Publications and Audiovisuals: Preparation, Review, Approval, and Distribution”](#) for guidance regarding 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 NIH, as well as by the appropriate NIH policy issued by the [Office of Technology Transfer \(OTT\)](#), 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 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](#).

#### **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).

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 that pertain to this chapter must be retained and disposed of under the

authority of [NIH Manual 1743](#), “Managing Federal Records”. These records must be maintained in full compliance with current NIH Records Management guidelines. If necessary, backup file capability should be created for this purpose.

Records to include NIH e-mail and Text messages, including attachments that are created and/or received on Government furnished accounts / equipment, 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.

E-mail and Mobile Text messages used to conduct official government business are considered Government property, and, if requested for a legitimate Government purpose, must be provided to the requester: NIH staff conducting official reviews or investigations, and the Office of Inspector General who may request access to or copies of the e-mail and/or text messages. E-mail and/or Text messages must also be provided to Congressional oversight committees if requested and are subject to Freedom of Information Act requests. Back-up files are subject to the same information requests as original messages and documents.

Contact the appropriate Records Liaison within the NIH Institute, Center, or Office (ICO) for additional information.

## **J. Legal Authority and References**

Visiting Fellowships are authorized by Section 307 of the [Public Health Service Act \[42 U.S.C. 242\(l\)\]](#), 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. Any direct contact with human subjects participating in research must also be under the direct supervision and control of an appropriately qualified NIH employee (FTE). Also, Fellows may not be assigned official supervisory responsibility or sign documents, such as requisitions, on behalf of the U.S. Government.

## **B. ELIGIBILITY**

Fellowships are available only to foreign national individuals on a valid United States non-immigrant, work-authorized status. 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 sponsored by NIH must meet all relevant requirements mandated by the specific non-immigrant visa classification. If applicable, Fellows must also 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, e.g., 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 increment 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](#). 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. If the initial or renewed fellowship award period is granted for longer than 1 year, the 2nd and/or 3rd year is still contingent on the Fellow's satisfactory completion of their annual evaluation. 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. Violations of immigration regulations and/or VFP program requirements may be grounds for immediate program termination as determined by DIS. The Fellow will be given an opportunity to address these grounds before a decision is rendered. Depending on the violation, termination may not require adherence to the OIR [Early Termination](#) policy. In the case of interpersonal incompatibility or other unforeseen programmatic circumstances, and absent conduct issues, the ICO should arrange for transfer of the Fellow to another laboratory/branch. See the [Policy for Reassignment or Early Termination of Awards to Postdoctoral Fellows](#).

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

Fellows are not entitled to but may be considered for employment or other training appointments at 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 ICO 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 (i.e., 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 ICO 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 ICO 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 ICO 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** also must comply 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, they 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 may be found on the "J-1 Exchange Visiting Program Certification Health Insurance Coverage" on [NIH Form 829-6](#).

2. Fellows, because they are not employees, do not earn annual or sick leave. However, they should be excused for Federal holidays and any other time the government is closed. Fellows should be given 20 days per year for illness, personal emergencies, and vacations when awards are for more than 90 days. The number of days should be prorated for Fellowships less than one year. These excused absences do not accrue year-to-year and reset every year on the date of renewal. Preceptors should also provide flexibility for travel for interviews, and these absences should not be counted towards the 20 days of leave. Preceptors may exercise discretion in granting additional short absences (less than a week per year) as they deem appropriate. More extended absences must be approved by the ICO Scientific Director. The ICO must also submit the [“Request for Extended Absence”](#) form to the DIS for review and approval.

Twelve weeks of excused absence will be granted for the birth, adoption, or foster care placement of a child or other family health care.

3. Fellows may receive U.S. Government-sponsored training at the discretion of the ICO 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. Relocation travel costs may only be paid for Postdoctoral Fellows; Predoctoral fellows are ineligible for payment of relocation costs. Please refer to [NIH Policy Manual 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 all travel advance overpayments prior to terminating their Fellowship. A personal check covering the travel advance overpayment must be provided 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. **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 “Taxes” webpage](#).

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.

Fellowships are considered awards for training and not wages for services, and as such, 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, Fellows are not considered to be 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”](#). In addition, OIR and DIS approval is necessary prior to beginning 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”](#).

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

## **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 [NIH Manual Chapter 1183, “NIH Publications and Audiovisuals: Preparation, Review, Approval, and Distribution”](#) for guidance regarding publications and presentation of scientific research.

Fellows are also 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 \(OTT\)](#), 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 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.

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

Upon arrival at NIH, Fellows must provide documented evidence of non-immigrant status and valid work authorization to the Division of International Services (DIS), ORS, in accordance with DIS instructions, **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](#).
3. I will provide acceptable, documented evidence of my valid non-immigrant status and valid work authorization to the Division of International Services (DIS) in accordance with DIS instructions upon arrival at 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/Office (ICO) officials. If the initial or renewed fellowship award period is granted for longer than 1 year, the 2nd and/or 3rd year is still contingent on my satisfactory completion of my annual evaluation.

***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 that violations of immigration regulations and/or VFP program requirements may be grounds for my immediate program termination as determined by DIS and will not require adherence to the [OIR Early Termination](#) policy.

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

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 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 ICO Administrative Officer and FAES of qualifying events to change health insurance coverage; e.g., marriage, birth, loss of other health insurance coverage. Births and adoptions of a child(ren) by an eligible Fellow are covered by FAES health insurance coverage on day one.

I understand that reimbursement for relocation costs to NIH is at the discretion of my NIH Institute/Center/Office (ICO) and may only be given to Postdoctoral Fellows – not Predoctoral Fellows – and in accordance with [NIH Policy Manual 1500 – Travel Policies and Procedures](#). I also understand that no allowance for return travel is authorized.

I will seek advance approval for training to the extent it is directly related to NIH research experience. I understand the authorization of training is at the discretion of the ICO 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.

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 ICO and in accordance with [NIH Policy Manual 1500 – Travel Policies and Procedures](#).

#### **E. EXCUSED ABSENCE**

I understand that as a Fellow, I do not earn annual or sick leave. However, I should have 20 days per year for illness, personal emergencies, and vacations if my award is more than 90 days. The number of days should be prorated if my award is less than one year. These excused absences do not accrue year-to-year and reset every year on the date of renewal. I am excused on Federal Holidays. I will seek advance approval from my preceptor/sponsor for absence due to ill-health, personal emergencies, or vacations.

Twelve weeks of excused absence will be granted for the birth, adoption, or foster care placement of a child or other family health care. In addition, ICOs must excuse absences to accommodate a trainee's military obligations, i.e., active duty, active duty training, and inactive duty training Not to Exceed (NTE) six weeks per year.

## **F. DEDUCTIONS**

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.

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 ICO 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 ICO officials to engage in occasional lectures, short-term consultations, and other activities that are directly related to my Fellowship program. However, I understand 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 ICO 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 NIH, as well as by the appropriate NIH policy issued by the [Office of Technology Transfer](#), Office of Intramural Research (OIR), OD. Furthermore, I will promptly disclose to my preceptor/sponsor and other appropriate ICO 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 NIH, I will conform to all applicable administrative instructions and requirements of NIH and the Department of Health and Human Services (HHS), 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)**

ADMINISTRATION	CURRENT APPROVAL/RESPONSIBILITY			REDELEGATED NO; YES, TO WHOM	RESTRICTIONS/ COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY IC OFFICIAL		
<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 Scientific Directors and ORS/DIS for immigration matters.
<b>2. To coordinate the establishment of new NIH VFP</b>	DDIR, NIH	Director, DIS consults on		YES TO: Officials with sufficient	

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		
components to meet evolving training needs		immigration matters		knowledge and expertise to exercise this authority in accordance with law, regulations, and written policy	
3. To coordinate modifications of the individual VFP component provisions NIH- wide	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	
4. To coordinate the establishment of stipend levels, adjustments, and changes for all components of the NIH VF Program	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	
5. To review ICO requests for G-7 J-1 extensions beyond five years.	DDIR, NIH	Director, DIS or designee		YES TO:  ICO Sci. Dirs. who must recommend/ approve extension	



ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILITY			REDELEGAT ED NO; YES, TO WHOM	RESTRICTIO NS/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIAL	PRIMAR Y IC OFFICIA L		
				requests before submission to DDIR	
<b>6. To review and recommend to DOS requests for extension beyond five years in J-1 status in the G-7 program</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 the Fellowship Stipend Outlay, including processing financial documents to arrange for and ensure the proper payment, adjustment, or</b>	OFM, NIH			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		
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 ICO 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		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		
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 includes 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 ICO 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	RESTRIC TIONS/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		

<b>1. To provide advice and guidance to ICO scientific program officials of the purposes and requirements of the VF Program provisions</b>		DIS	Designated ICO Program Admin. Officials (Key Contacts)	NO	
<b>2. To ensure 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 ICO orientation for each Fellow, including advising on benefits available, is conducted</b>			Designated ICO Program Admin. Officials (Key Contacts)	NO	
<b>3. To sign and submit immigration documents to the Department of State, Department of Homeland Security, Department of Labor, U.S. Embassies and consular posts, and Educational Commission for Foreign Medical Graduates</b>		Director, DIS or designee		NO	
<b>4. To provide</b>		DIS staff		NO	

immigration services and verify valid non-immigrant work authorization status; to provide orientation for Fellows on immigration matters					
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**FELLOWSHIPS**

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

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		
the NIH Program provisions for all VF components		required		ICO Laboratory/Bran ch Chiefs	
4. To approve Fellowships beyond five years for a terminal period not-to- exceed three months	DDIR, NIH	DIS Notificati on and clearance required	ICO Directors	YES TO:  ICO Sci Dirs	
5. To approve Postdoctoral Fellowships beyond five years for a terminal, exceptional sixth year	DDIR, NIH	DIS Notificati on and clearance required	ICO Directors	YES TO:  ICO Sci Dirs	Follow the OIR guidance for full eligibility requirements per Section C.3.
6. To approve the transfer or reassignment of Fellows between ICOs.	DDIR, NIH	DIS Notificati on and clearance required	ICO Directors	YES TO:  ICO 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 preceptor sign the IC Exchange Visitor (J-1) Intra/Inter IC transfer form agreeing to the transfer/reassignm ent and to verify that the new research is consistent with the original research objectives of the Exchange Visitor.

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		
					The transfer form must be included with the VF transfer request sent to DIS for approval of transfer. ICO must enter transfer in NBS FPS. All Fellows must wait for final DIS approval before beginning at new ICO.
<b>7. To approve part-time schedules on a case-by-case basis for Fellows within all VF components.</b>	DDIR, NIH	DIS Notificati on and clearance required	ICO Directors	YES TO:  ICO Sci Dirs	Requesting ICO must provide DIS a memorandum 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 Notificati on and concurren ce required	ICO Directors	YES TO:  ICO Sci. Dirs. ICO Sci. Dirs, with notification to the OIR	Use the NBS FPS to process the termination immediately. DIS must be notified. 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	ORS	PRIMAR		



	OFFICIAL	OFFICIAL	Y IC OFFICIAL		
<p><b>1. To approve initial stipends and/or stipend increases within the NIH VF Program provisions</b></p>	DDIR, NIH		ICO Directors	YES TO: ICO Sci. Dirs. ICO Laboratory/Branch Chiefs	<p>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 G.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 ICO'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.</p>

**SUPPLEMENTAL FUNDING**

ADMINISTRATIVE	CURRENT APPROVAL/RESPONSIBILITY			REDELEGATED NO; YES, TO WHOM	RESTRICTIONS/ COMMENTS
	OD NIH OFFICIAL	ORS OFFICIAL	PRIMARY IC		

	<b>L</b>	<b>L</b>	<b>OFFICIAL</b>		
<b>1. To approve supplemental funding in accordance with NIH-wide established VF Program provisions</b>	DDIR, NIH		ICO Directors	YES TO: ICO 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**

<b>ADMINISTRATION</b>	<b>CURRENT APPROVAL/RESPONSIBILITY</b>			<b>REDELEGATED NO; YES, TO WHOM</b>	<b>RESTRICTIONS/ COMMENTS</b>
	<b>DDIR, NIH OFFICIAL</b>	<b>ORS OFFICIAL</b>	<b>PRIMARY IC OFFICIAL</b>		
<b>1. To provide mentoring</b>	DDIR, NIH		ICO Directors	YES TO: ICO Sci. Dirs. ICO Laboratory/Branch Chiefs ICO Preceptors	

**TRAINING/TUITION**

<b>ADMINISTRATION</b>	<b>CURRENT APPROVAL/RESPONSIBILITY</b>	<b>REDELEGATED NO; YES, TO WHOM</b>	<b>RESTRICTIONS/ COMMENTS</b>
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	<b>OD NIH OFFICIAL</b>	<b>ORS OFFICIAL</b>	<b>PRIMARY IC OFFICIAL</b>		
<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	ICO 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	ICO Directors	YES TO: ICO Sci Dirs	Fellows must be physically present at NIH research facilities; they may not be assigned elsewhere without approval.
<b>3. To develop Individual Development Plans (IDPs)/Career Development Plans (CDPs) and ensure instruction in safety, use of equipment, handling hazardous materials, proper animal care and treatment</b>	DDIR, NIH		ICO Directors	YES TO: ICO Sci. Dirs. ICO Laboratory/Branch Chiefs ICO Preceptors	
<b>4. Patient Contact/Human Subjects</b>	DDIR, NIH	DIS must issue clearance after DDIR	NO		Fellows may not engage in primary patient care/contact activities. Any

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTI ON S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
		approval			clinically related activity MUST be incidental and explicitly under the direct supervision and control of an NIH employee physician, and subject to immigration rules and regulations. Any direct contact with human subjects participating in research must also be under the direct supervision and control of an appropriately qualified NIH employee (FTE).

**EXCUSED ABSENCES**

ADMINISTRATI ON	CURRENT APPROVAL/RESPONSIBILIT Y			REDELEGAT ED NO; YES, TO WHOM	RESTRICTI ON S/ COMMENTS
	OD NIH OFFICIA L	ORS OFFICIA L	PRIMAR Y IC OFFICIA L		
<b>1. To approve extended absences and absence without stipend</b>	DDIR, NIH	DIS Notification and clearance	ICO Directors	YES TO: ICO Sci Dirs	

(see Section G.5)		required			
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## 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 the National Institutes of Health’s (NIH) Visiting Fellow Program with the <<Full name of ICO>> (<<Initials of ICO>>). 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, ICOs 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 NIH Occupational Medical Service (OMS) at no cost to you. Please inform the <<Initials of ICO>> of your preference.>>

*Please note any fellowship offer is contingent on your ability to successfully pass a federal background check, which is required for logical and physical access to NIH facilities and systems. As part of the clearance process, you will be asked “In the last year, have you used, possessed, supplied, or manufactured illegal drugs?” This question pertains to the use of controlled substances or drugs as defined under federal law. Please be aware that while marijuana may be legal or decriminalized within your home jurisdiction it remains illegal under U.S. federal law. The use, possession, supply, or manufacture of marijuana may preclude you from obtaining the necessary clearances to participate in NIH intramural training programs, even if you were initially offered a position. If you have questions about this policy or would like guidance on the clearance process, please reach out to oite@nih.gov (please put eligibility inquiry in the subject line).*

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. **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 ICO>>. 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. If the initial fellowship award is granted for longer than 1 year, the 2nd and/or 3rd year is still contingent on your satisfactory completion of your annual evaluation. Your stipend will be subject to Federal, state and local income taxes. Upon your arrival at NIH, check in with DIS on or before your first scheduled workday for activation of your Fellowship and verification of your immigration status. Activation of your Fellowship will not occur until you check in with 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 ICO>> 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 NIH’s and DOS’s requirements is available at NIH through the [Foundation for Advanced Education in the Sciences \(FAES\)](#). At your direction, the <<Initials of ICO>> 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 ICO>> not-to-exceed the cost of FAES’s fee-for-service health insurance, individual or family, as appropriate. Also, if incurred, 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 ICO>> 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 check in with DIS, please contact <<Name of ICO 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 ICO Program Official>>

Enclosures