

## Technical Advisory No. 11

### **Guidance for Extensions Beyond Five Years for J-1 Exchange Visitors (Research Scholar Category) in the G-7 Program**

Participation in the J-1 Exchange Visitor Program under the "Research Scholar" category generally is limited to five (5) years. However, the NIH has been given provisional approval by the U.S. Department of State as a Federally Funded National Research and Development Center (FFNRDC) to request extensions beyond the five-year maximum duration when there is **compelling NIH scientific need to retain the Exchange Visitor to successfully complete a research project.** The NIH has been granted an additional J-1 program (known as the "G-7" Program) in order to exercise this option.

All extension requests beyond the maximum duration **must** fit within current NIH policies, such as the [NIH 5 Year/8 Year Duration Rule](#). In addition, such requests must be **carefully planned** well in advance, particularly for Visiting Fellows. NIH Institutes/Centers (ICs) must have a **"Career Development Plan"** in place by the **end** of the Fellow's fourth year. This is necessary to help justify if time beyond five years is necessary. These extension requests are not to be used liberally and only necessary when there is a **true scientific need by the NIH to retain the individual beyond the usual five years.**

To initiate a request for extension beyond the maximum five-year duration, the IC must submit an extension request to the Division of International Services (DIS) at least **six (6) months** before the expiration of the fifth year. Along with the appropriate renewal package, the IC **must** submit a justification memorandum requesting that the extension be granted to allow the Exchange Visitor to successfully conclude government research before returning to his or her home country. When requesting the extension, the IC is encouraged to anticipate the maximum amount of time necessary to complete the research project (not-to-exceed a five-year period). It is better to overestimate the amount of time, as requesting additional extensions may be difficult to obtain.

These exceptional extensions must be recommended by the NIH through the Division of International Services (DIS) **and** peer-reviewed by the Office of Intramural Research (OIR). **The Department of State (DOS) and Department of Homeland Security (DHS) grant final approval.** The DIS will evaluate these extension requests to ensure continuity in the Exchange Visitor's research activities and that the Exchange Visitor's continued involvement in the IC's research program is beneficial to its successful conclusion. The DIS will forward recommended extension requests to the OIR for peer-review. If peer-review is favorable, the DIS will submit the extension request to the DOS and DHS for final review.

Please note that a recommendation by the NIH does **\*not\*** guarantee approval by the DOS and DHS. For those who **transferred** their J-1 to NIH – requests to extend Exchange Visitors whose initial J-1 status was sponsored by another U.S. institution are scrutinized closely by the DOS and DHS, **especially** when the transfer occurred during the last year in J-1 status.

The DOS charges a **non-refundable** processing fee of \$233, which will be billed to the IC if OIR peer-review is favorable. The fee is not returned in the event of a denial by the DOS and DHS of the extension request.



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Exchange Visitors who are placed in the G-7 program are **\*not\*** able to transfer their J-1 status to another J-1 program outside NIH, except for other programs designated as "G-7." G-7 programs are only reserved for institutions designated as Federally Funded National Research and Development Centers (FFNRDC).

## **I. Review of Extension Requests**

Requests for J-1 extensions beyond five years must be submitted to the DIS **no less than six (6) months** prior to the expiration date of the J-1 Exchange Visitor's current stay as indicated on Form DS-2019.

**Note:** Due to the extension review process – extensions sent with less than six months remaining will **\*only\*** be considered in exceptional circumstances.

## **II. Procedures for Requesting the Extension**

1. Appropriate request based on NIH designation per the applicable [DIS checklist](#).

**Note:** The requested duration of the extension should be consistent with the time specified on the NIH Form 829-1 and represent a commitment of programmatic and financial support for the specified period. Extension periods must be in compliance with applicable NIH policy requirements.

2. Memorandum signed by the IC Scientific Director **and** Laboratory/Branch Supervisor/Sponsor addressed to the "**NIH G-7 Peer Review Committee, Office of Intramural Research (OIR)**." The memo must address the following points:
  - a. *Description of the current training program.* Describe the Exchange Visitor's research program. Include the length of time she/he has been at the NIH and his/her NIH designation (e.g. Post-Doctoral Visiting Fellow). The description must discuss why the individual came to the NIH: discuss his/her educational and training/research objectives. Also discuss the mentoring provided by the IC supervisor/sponsor to help the Exchange Visitor meet his/her research objectives. Note specific evidence of productivity (publications, presentations), recognition (awards) and training (courses).
  - b. *Description of why the additional time is needed and what will be accomplished during the extension period.* Discuss how the research program meets the individual's original training/research objectives, and why the additional time is needed to conclude government research in this area. What would happen to the IC's research program if the individual had to leave by his/her fifth year of J-1 time? Extensions may be warranted because of the complicated and long-term nature of the experiments. Therefore, the memorandum must specifically state that the **Exchange Visitor's continued involvement in this government research project is beneficial to its successful conclusion.**



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- c. *Description of how the additional time will benefit the Exchange Visitor in the home country as part of NIH's overall training mission.* Discuss the importance of the additional training to the future career plans of the Exchange Visitor that help to fulfill the NIH's mission of training scientists worldwide. Elaborate on the individual's job search activities to date.

**Note:** J-1 Exchange Visitors are expected to return home upon completion of their training program (i.e., fulfill the two-year home-country physical residence requirement).

3. Clear copies (front only) of **all** Forms DS-2019 issued to the Exchange Visitor
4. Clear copy (front and back) of the Exchange Visitor's current Form I-94 Arrival/Departure Record **and** passport biographic page
5. Completion of the "[Request for DOS/DHS Extension of J-1 Exchange Visitor](#)" form, signed by both the:
  - a. Scientific Director: to recommend the extension based on government need **and**
  - b. Exchange Visitor: to confirm that he/she has not applied for a waiver of the two-year home country residence requirement. The form also confirms that the Exchange Visitor understands that s/he cannot transfer out of a G-7 program and must leave NIH if s/he is receiving a terminal extension.
6. Completion of the [Purchase Request \(NIH 1861-1\)](#) for the DIS to charge the IC for the \$233 **non-refundable** extension fee.
  - a. Click [here](#) for a sample requisition.
7. A copy of the **Career Development Plan** written by the Exchange Visitor's IC Sponsor/Supervisor and approved by the Scientific Director. The plan must be in place by the end of the fourth year.
  - a. The plan must describe how the extension will be used to complete work in progress and arrangements being made for subsequent employment. Also discuss how the Exchange Visitor will be mentored to meet his/her training and career goals. The Exchange Visitor must show appropriate promise for a scientific career, including evidence of publications; publications in preparation; and/or substantial evidence for preparation for a career in a science-related field.

After review of the request, the DIS will forward recommended extensions to the OIR for peer-review. If peer-review is favorable, the DIS will submit the extension request to the DOS/DHS for final review. If DOS/DHS approves the request, the DIS will prepare the necessary documents to extend the J-1 status and the award or appointment.

Questions should be addressed to the [DIS](#).

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