

## Technical Advisory No. 6

### Summary of Official Program Lengths for Visiting Foreign Scientists at NIH

**Note: Individual circumstances often vary somewhat from these general guidelines. Please consult your DIS Immigration Specialist or the Branch Chief for specific guidance and advice. The program limits summarized below apply to the situation at NIH and are not applicable in all respects to the regulations governing these visa statuses at other organizations.**

#### 1. NIH-sponsored J-1 Exchange Visitor Program

**A. Research scholar** coming to NIH from abroad or changing visa status while in the U.S.

- **Basic Program Length at NIH:**

**3 years** from date of acquiring J-1 visa status within the U.S. Applies to all visiting foreign scientist categories at NIH.

- **Extension Beyond Basic Program Length:**

Up to 2 additional years possible. Option One: Responsible Officer of J-1 program may extend for additional terminal six months (total: 3.5 years). Option Two: Responsible Officer requests exceptional extension for a 4th/5th year from the Department of State (DOS), with initial review and recommendation by the Division of International Services (DIS).

- **Maximum Initial and Renewal Periods:**

Visiting Fellow: Limit of 5 years, subject to visa eligibility e.g. 2-year initial award + 1-year renewal + DOS approved extension up to VF limitation.

Visiting Scientist or Special Expert: e.g. 2-year initial appointment + 1-year renewal + DOS approved extension up to 2 years for a total of 5 years.

Visiting Fellow >>> Visiting Scientist: Various combinations possible, depending on specific situation.

Guest Researcher/Special Volunteer: e.g. 2-year initial assignment + 1-year renewal + terminal extension of 6 months.

**B. Research scholar** transferring from another J-1 Exchange Visitor Program

- **Program Length Under NIH-Sponsorship:**

Total length under J-1 status, including time under previous program, must not exceed 3 years (or 3.5 years with terminal 6-month extension). Applies to all visiting foreign scientist categories at the NIH, unless the DIS & the DOS have reviewed and approved extensions for a 4th/5th year (when "exceptional or unusual" circumstances arise).

- **Basic Procedural Rule:**

New award/appointment/assignment request should be received by DIS at least 4 months before proposed start date at NIH. This is particularly important if the individual is approaching the 3-year time limit for Exchange Visitor Program sponsors.



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## **2. H-1B (Temporary Nonimmigrant Worker in the Specialty Occupation) Visa Sponsored by NIH**

**Temporary Nonimmigrant Worker** coming from outside the U.S. or transferring from another employer in the U.S.

- **Visa Length:**  
**6 years** from date of entry into the U.S. holding an H-1B visa or from date H-1B visa status first acquired (whether sponsored by NIH or another U.S. employer).
- **Category Restrictions:**  
H-1B visa may be used for Visiting Scientists or Special Experts only. M.D.'s must have passed FLEX or its equivalent to participate in clinical residency training.
- **Extensions:**  
None beyond the basic 6-year limit.
- **Maximum Initial and Renewal Periods:**  
1 or 2-year initial appointment + any combination of renewal periods as long as total time in H-1B visa including time under a previous organization's sponsorship **does not exceed 6 years**.

## **3. ECFMG-Sponsored J-1 Exchange Visitor at NIH**

**Foreign Medical Graduate** obtaining medical education/training

- **Basic Program Length:**  
Length of time specified by an accredited program to become Board eligible in a medical specialty, including, if applicable, subspecialty training. Initial appointment for a maximum of 13 months, to enable individual to qualify for federal health benefits.
- **Renewals Not Exceeding Program Length:**  
12 months
- **Renewals Exceeding Program Length:**  
**12 or 13 months** with **strong** justification, per exceptional renewal request.
- **Maximum Length Under Any Circumstance:**  
**7 years, if** medical specialty/subspecialty requires it to become Board eligible. Extensions beyond 7 years must be approved by Department of State and are rarely granted.



#### **4. Non-NIH Sponsorship (except ECFMG Sponsorship - see Item 3.) at NIH**

##### **A. J-1 Student**

- **Basic Program Length:**  
36 months of post-degree academic training (inclusive of any prior academic training in the U.S. as an Exchange Visitor), sponsored by the degree-granting institution. No further extensions are permitted.

##### **B. F-1 Student**

- **Basic Program Length:**  
12 months of post-completion practical training (provided the student has not exhausted all training opportunities prior to graduation), sponsored by the degree-granting institution. No further extensions are permitted.

#### **5. B-1 (Temporary Visitor for Business Purpose) Visa**

- **Applies To:**  
Guest Researchers and Special Volunteers not receiving U.S. source funding except per diem and/or travel expenses (see Technical Advisories 5 and 9).
- **Time Length at NIH:**  
Generally **3-6 months**
- **Extensions:**  
May be extended, with U.S. Citizenship and Immigration Services (USCIS) approval, an additional **6 months**, generally up to a **total time of 1 year**, unless individual entered under the Visa Waiver Program, in which case, entry is for 90 days with no extension and no change of status permitted.

#### **6. TN (Trade NAFTA) (North American Free Trade Agreement)**

- **Applies To:**  
Certain professionals who are citizens of Canada and Mexico in any visiting foreign scientist category (see Technical Advisory 14).
- **Basic Visa Length:**  
**12 months**
- **Extensions:**  
Permitted for individual periods of up to 12 months. At present, there is no upper limit on the number of years a TN status-holder may be extended.

