Division of
INTERNATIONAL
SERVICES

HELPFUL TIPS

In an effort to assist the NIH administrative community on issues pertaining to the recruitment and retention of foreign national scientists, the DIS is providing the following tips/best practices when submitting cases to us, as well as post-submission reminders.

BEFORE SUBMISSION:

- Submit a request or case for any foreign national scientist employed or hosted by the NIH who will be placed at NIH facilities. Any foreign national scientist placed at NIH who is *not* a U.S. citizen or permanent resident must be cleared by the DIS.[1] The DIS is required to ensure that these individuals are lawful in the U.S. **AND** permitted to work at the NIH. This remains the case whether:
    1. The NIH sponsors the individual's immigration status; **OR**
    2. The individual is sponsored by another organization (e.g. F-1 students); **OR**
    3. The individual possess his/her own work authorization (e.g. Employment Authorization Document); **OR**
    4. The individual is funded by an organization outside the NIH.
- Check our Processing Times for an estimate of how long your case will take.
    o If you require expedited processing (i.e. processing shorter than our posted processing times) for <u>any</u> case type (e.g. new or renewal), include a justification memo signed by the <u>IC Scientific Director</u> requesting expedited DIS processing. The memo must describe *why* expedited treatment is needed and what caused the *delay* in submitting the case to the DIS. Note that if other government agencies are involved, the DIS can only expedite our internal process—not those of the other agencies.
- Use our Checklists to learn what forms and documents need to be prepared.
- Be **complete and accurate** on all items submitted.
    o Ensure all appropriate IC signatures are obtained.
        - It is not necessary to submit an advanced copy of a case that is still pending certain IC approvals.
    o List a <u>realistic start date</u> on the case. If you are still not certain what date to list, consult with the DIS.
        - In addition, try to ascertain when the scientist is ready to come to the NIH. We often receive cases with a date when the scientist is not ready or able to start, resulting in us re-doing all the forms, some of which require certifications by other government agencies.
    o Enter the scientist's personal information accurately and include a copy of his/her passport.
        - Watch dating formats – many countries use <u>DAY</u>/MONTH/YEAR as opposed to the U.S. format of MONTH/DAY/YEAR.
        - Watch city of birth vs. province/state of birth – these are not the same!
    o Fully describe the details of the planned fellowship/appointment/assignment.
        - Provide a complete description of the research activities/duties.
        - List all possible work locations–within or outside the NIH, including placement abroad.[2]
        - Note if there are plans for multiple/intermittent visits to/from the NIH.

            → If the IC simply notes a start date and end date on the request form (e.g. Jan. 15, 2012 as the start date and Jan. 15, 2013 as the end date), we assume that this is a CONTINUOUS one-year period at the NIH unless told otherwise.

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[1]*An exception to this is for those placed at NIH as contract workers, since NIH is not the sponsoring host or employer in those cases. However, DIS clearance is required for NIH ID Badge Issuance. See our web site for more information on this process. For those brought on for a short time (less than two weeks), please consult with the DIS if a case is necessary. For requests for email/systems access only, the DIS does not need a case since the foreign national scientist will not be physically placed at NIH facilities.*

[2] *Note that placement outside NIH facilities requires approval by the NIH Office of Intramural Research (OIR), Office of the Director (OD), for non-FTE appointments.*

- Make a **copy** of all forms and documents <u>BEFORE</u> submitting the case to the DIS. The DIS staff is often requested to provide copies of documents, and these requests take time away from our usual duties. In order for us to provide the best possible and timely services to you, we ask that you make a copy of all items before submission to the DIS.
- Submit **original cases by mail**. The DIS currently does not have an electronic submission process, so we are unable to accept e-mailed or other electronically submitted cases. In addition, we require <u>original</u> signatures on our forms, so copies are not acceptable. We are looking into an electronic submission process, but that is currently in the exploratory phase. In the meantime, we must still rely on hard-copies. We recommend you use hand-carry to ensure delivery to us.
- Check the <u>IC View</u> to know when your case arrived.

AFTER SUBMISSION:

- Follow-up with the <u>DIS</u> if your case has not been completed once the processing time has elapsed.
- For new scientists:
  - Keep us apprised of any **delays** in starting at the NIH. We have an obligation to amend starting dates with Department of Homeland Security (DHS), particularly for J-1 Exchange Visitors.
  - It is strongly recommended that the scientist brings a completed and signed "<u>Appointment Start Date Confirmation</u>" form when reporting to our office for check-in / EOD (enter-on-duty).
- Carefully review and keep a copy of the DIS clearance form, **Notice of Action (NOA)**, which is issued after the EOD or extension/conversion/transfer action. This form provides important information regarding the authorized time period at the NIH. Pay attention to the not-to-exceed date on the NOA. Use the "Warning Reports" in the <u>IC View</u> as a means to keep track of not-to-exceed dates and submit timely renewal/extension requests to the DIS.
- Report any **changes** that impact the scientist <u>BEFORE</u> they occur. This is necessary to comply with DHS reporting requirements. Such changes include:
  - Changes in NIH Designation (e.g. Special Volunteer → Post-doctoral Visiting Fellow; or Pre-doctoral Visiting Fellow → Post-doctoral Visiting Fellow)
  - Promotions (e.g. Research Fellow → Staff Scientist)
  - Changes in laboratory/branch, such as:
    - Transfer to a new laboratory/branch (includes both inter- and intra-IC transfers, as well as any temporary details)
    - New supervisor/sponsor
    - New or additional work locations (whether within or outside the NIH, including placement abroad) [3]
    - Research activities/ duties
  - Extended leave of absence, whether the leave occurs in the U.S. or abroad, such as:
    - All Leave Without Pay (LWOP) or Absence Without Stipend (AWOS) actions
    - Extended leave *with* pay
    - Family leave (maternity/paternity)
      - → If the extended leave will occur <u>abroad</u>, work with your scientist to submit a completed <u>Request for Extended Absence Abroad</u> form to the DIS.
  - Outside Activities
    - Work with your scientist to submit a completed <u>Request for Outside Activity</u> form to the DIS.
  - Leaving NIH
    - Submit **completed** and **signed** <u>termination notices</u> to the DIS. For full-time equivalent (FTE) appointments, we will also accept a copy of the SF 52.
  - Receipt of U.S. permanent residence status ("green card")
    - Submit a copy of the scientist's U.S. permanent resident card so that we can authorize the conversion from the Visiting Program (VP) to the domestic program. We will send you a Notice of Action (NOA) for this authorization. Once the NOA is sent, the IC has two (2) weeks to process the conversion. After two weeks, the DIS will formally close our file on the scientist. Please be mindful to act on this conversion as not doing so could affect the scientist's pay and/or badge issuance.

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[3] *Note that placement outside NIH facilities requires approval by the NIH Office of Intramural Research (OIR), Office of the Director (OD), for non-FTE appointments.*