

## **VISAS**

**Policy: 109GS**

**Effective Date: 6/1/16**

**Revised Date: 11/09/2020**

### **Scope**

This policy on U.S. Visas applies to faculty, staff, predoctoral researchers, summer scholars and applicants ("Covered Individuals") of The Graduate School of the Stowers Institute for Medical Research ("The School").

### **Purpose**

The purpose of this policy is to provide scientists, staff, international visitors, and others with information and assistance in obtaining visas for those who are not citizens or permanent residents of the United States.

The School is included in the Stowers Group of Companies ("SGC") Organizations and has adopted the following policy as its own.

### **Policy**

#### **Visa Categories**

##### **Non-Immigrant Visas**

All non-immigrant visa holders must consult with the SRM Administration Department before beginning work at a SGC Organization to ensure eligibility for employment and legal entrance into the United States.

The SGC may petition to change a Covered Individual's status if the status will expire during the Covered Individual's employment period with the SGC, the non-immigrant remains a member or associate of the SGC, and it is in the best interest of the SGC to do so.

The visa categories listed are those most commonly used at the SGC.

**F-1:** The F-1 visa is used to allow students from foreign countries to engage in academic studies in the United States. It is sponsored by the college or university at which the foreign student is enrolled in a full-time course of study. Foreign students who wish to engage in research under the supervision of a principal investigator at the SGC will need to obtain an F-1 visa through their university.

**J-1:** The J-1 exchange visitor visa is usually sponsored by the institution at which the visitor will be participating in a research or educational program. Those in J-1 visa status at the SGC

participate in the Exchange Visitor Program sponsored by SGC and the University of Missouri-Kansas City (UMKC). Admission to the research scholar category is usually for a five-year period. Some J-1 exchange visitors may be subject to a two-year foreign residence requirement once their J-1 stay in the United States is completed. The exchange visitor subject to this requirement is ineligible for permanent residence and certain non-immigrant visas, including the H-1B, until he or she spends two years in his or her country of permanent residence. Some waivers of this requirement are available in special cases. In addition, J-1 exchange visitors in the research scholar category may not enter into a new J-1 research program at the end of their five-year stay until one year has elapsed.

After the Administration Department has received all required information, the SGC will issue Form DS-2019, the Certificate of Eligibility for (J-1) Exchange Visitor. The DS-2019 specifies the category and objective for the Exchange Visitor. The Exchange Visitor takes the DS-2019 to the American embassy or consulate in his/her country of residence to obtain a J-1 visa.

**H-1B:** The H-1B visa is a non-immigrant visa for temporary workers engaged in “specialty occupations.” A petition for H-1B status is filed with the U.S. Citizenship and Immigration Services (“USCIS”) by the employer sponsoring the foreign national and, if granted, is valid only for employment by such employer and in the position and at the location specified in the petition. Approval of the H-1B petition does not guarantee admission into the U.S. The H-1B beneficiary must also apply for a nonimmigrant visa at the U.S. Consulate in his or her country of residence.

The SGC may sponsor H-1B visas for scientists and specialized technical positions requiring a minimum of a baccalaureate degree. H-1B visas may be issued for a period of three years. The SGC may request an extension for an additional three years.

When H-1B status holders terminate their employment and leave the United States, they may request certain information from the payroll department that may be needed to apply for a “sailing permit” with the Internal Revenue Service.

**TN:** The TN visa is restricted to nationals of Canada and Mexico and is limited to specific professions as defined by the North American Free Trade Agreement. Admission to the U.S. in TN status is granted in one-year intervals. However, the number of years an individual is allowed to remain in TN status is unlimited.

### **Dependents**

Family members of the foreign national (spouses and unmarried children under age 21) will qualify for dependent visas (e.g., H-4 visa for dependents of H-1B visa holders, or J-2 visa for dependents of J-1 visa holders) which will allow them to remain in the U.S. for the length of the primary visa holder’s authorized period of stay. Dependents on H-4 visas are not allowed to obtain employment. Dependents on J-2 visas may work by requesting work authorization from the USCIS.

### **Other Visa Types**

The Administration Department has information on other types of visas, such as the B-1 visa (visitor for business), B-2 visa (visitor for pleasure), and O visa (foreign nationals of extraordinary ability or achievement).

### **Immigrant Visas**

A permanent resident, or immigrant, is a foreign national who has been lawfully admitted to the United States to live and work without time limitations. The SGC may consider sponsoring for permanent residence other Covered Individuals who hold a regular position at the level of director or above.

### **Responsibility for Costs and Expenses**

The SGC will pay for the costs and expenses of preparing and submitting petitions to the Department of Homeland Security for those visa categories in which an SGC Organization is the sponsor of the Covered Individual (such as for an H-1B), including petitions for accompanying spouse and minor children, change of status, and extensions of stay. All other categories and situations, including but not limited to F-1, TN-1 and family-sponsored permanent residency, waiver of the J-1 two-year foreign residence requirement, and naturalization will be the responsibility of the Covered Individual. The costs and expenses, including travel costs, in connection with the preparation and submission of visa applications and retrieval of visas, regardless of the visa category, will also be the responsibility of the individual. Please note the SEVIS fee required by J-1 visa holders is reimbursable through the relocation benefit (if applicable).

### **Extensions and Changes of Status**

It is the status holder's responsibility to be aware of the ending date of his or her non-immigrant status and to submit to the SGC or other sponsoring organization a request for an extension or change of status with sufficient lead-time in order to prevent an interruption of his/her work authorization or a status violation. The request for an extension must be approved by the Covered Individual's supervisor.

### **Travel**

Visa holders who intend to travel abroad are required to contact the Administration Department and the sponsoring organization well in advance of departure to ensure they have the appropriate documents with them for re-entry into the United States.

This policy was approved by the GSSIMR Board of Directors on September 5, 2018.

This policy was last updated by the GSSIMR Board of Directors on November 09, 2020.

This policy will be reviewed by the GSSIMR Board of Directors in 2022.