

NIH SUPPLEMENTAL VISITING FELLOW AWARD PROGRAM
Statement of Supplemental Program Provisions

A. PURPOSE AND POLICY

Under the Supplemental Visiting Fellow Award (SVFA) Fellowship Program, supplemental funding may be made available to pre- and postdoctoral scientists who wish to come to NIH for a period of research training under the auspices of fellowships or grants awarded by outside organizations or institutions. These new fellowship opportunities are established as adjuncts to the postdoctoral Visiting Fellow component of the NIH Visiting Program. Under the Supplemental Program, NIH may augment the funding provided by outside (i.e., non-NIH) sponsors, when outside funding is insufficient to support the recipient during a period of training in NIH's intramural laboratories.

Policies and provisions of the Supplemental Visiting Fellow Award Program emphasize the need for equitable treatment of fellows who receive supplemental NIH funding through this Program as compared to those who are fully funded by a regular Postdoctoral Visiting Fellow Award, or a pre- or postdoctoral IRTA award for U.S. citizens and permanent residents. Specific features of the Program, including those relating to eligibility, duration, stipend levels and adjustments, travel, health benefits, etc., reflect the need to maintain consistency and equity between these fellowship groups.

B. QUALIFICATIONS

1. Predoctoral Supplemental VFA Fellowships may be awarded to students enrolled in Ph.D., M.D., D.D.S., D.M.D., D.V.M., or equivalent degree programs at fully accredited U.S. universities. Students must be admitted to graduate school and be doctoral degree candidates before they can be considered. Training in NIH laboratories must be undertaken as an integral part of the students' academic program. Written verification from the school of the student's scholastic status, the curricular training agreement, and current immigration status is required.
2. Postdoctoral Supplemental Fellowships may be granted to scientists with Ph.D., M.D., D.D.S., D.M.D., D.V.M., or equivalent degrees, and five years or less of relevant postdoctoral research experience.
3. Candidates must have prior approval of, or already begun support under, an outside fellowship before they may be considered for an SVFA. Candidates may not receive support under the National Research Service Awards (NRSA) Program, nor may they be employees of the outside sponsor must be less than the minimum amount authorized for similarly qualified pre- or postdoctoral Fellows who receive full funding from the NIH. Verification that an outside fellowship has been awarded, as well as its terms and conditions, must be provided.

C. FELLOWSHIP DURATION

1. SVFA fellowships may be authorized only during periods when outside fellowship support is effective, and must be terminated when outside support ceases.
2. Initial SVFA fellowships may be made for periods of not less than three months and not greater than one year, and may be renewed in similar increments. Renewal of awards beyond the initial period is based on demonstrated progress in the training assignment and mutual agreement between the SVFA Fellow and the appropriate ICD and school (as applicable) officials, approval of extension of stay in the United States under immigration regulations, and subject to the following limitations:
 - a. Postdoctoral SVFAs may not exceed a maximum duration of five years, subject to continuation of stay in the U.S. under immigration regulations.

- b. Predoctoral SVFAs are normally limited to a maximum duration of three years or until the student receives his or her doctoral degree, whichever comes first. However, in individual cases, renewals beyond three years may be considered provided the outside fellowship continues and the student is making reasonable and acceptable progress towards obtaining the doctoral degree, and his or her immigration status in the U.S. remains valid.
3. At the conclusion of outside fellowship support, Predoctoral Supplemental Visiting Fellows may be considered for regular Postdoctoral Visiting Fellow awards as appropriate, with full NIH funding, provided they continue to meet the eligibility and qualifications requirements for these Programs, and subject to their immigration status in the United States. Any time spent as a Predoctoral Supplemental Visiting Fellow will not count against the maximum duration of the corresponding Visiting Fellow fellowship program, provided the individual is eligible to remain in the United States under immigration regulations.
4. SVFA fellowships may be terminated prior to their specified expiration date for scientific or other forms of misconduct, or based on a finding that the Fellow has failed to comply with the terms or conditions of the award, or to carry out or satisfy the purpose for which it was made, or for a violation of the Fellow's nonimmigrant visa status in the United States. When termination is proposed for such reasons, the Fellow will be given an opportunity to address those reasons before a decision is rendered. Awards also may be terminated because of programmatic changes, budgetary constraints or lack of funds, or other administrative reasons.

D. STIPENDS

1. The amount of supplemental stipend provided under the SVFA will be determined by the ICD and will vary depending upon the level of support provided by the outside sponsor. For each individual Fellow, the supplemental stipend will be fixed at such a rate that the combined level of stipend support (from both NIH and the outside sponsor) will be equivalent to that authorized for a similarly qualified Pre- or Postdoctoral Visiting Fellow or IRTA Fellow.
2. Supplemental stipends are paid from the ICD operating funds. Upon receipt of notification of the SVFA activation, OFM makes every effort to expedite receipt of the first stipend check. However, there may be some delay and SVFAs should plan accordingly. Subsequent checks are issued by the Treasury Department either by mail or by direct deposit (Electronic Transfer of Funds) to the fellow's bank account. Stipend payments received by direct deposit are normally received on the first business day of the month. Checks that are mailed are usually received by the 10th working day of the month. Please note that checks cannot be sent to an NIH address.
3. ICDs may grant an annual stipend increase for SVFAs on the anniversary date of their award. The combined level of annual increase (from both NIH and the outside source) may not exceed the amount of annual increase authorized under the predoctoral fellowship, the current postdoctoral NIH Visiting Fellow, or the IRTA Programs. If the increase authorized by the outside sponsor exceeds SVFA limits, then the level of NIH support must be decreased accordingly.

E. BENEFITS

1. Supplemental VFA Fellows must be covered by adequate health insurance in order to receive training in NIH facilities. Two approved plans of insurance that meet both NIH's and United States Information Agency's (USIA) requirements for Exchange Visitors (J-1 visa) are available through the NIH provider; enrollment will be completed upon arrival at NIH. When specific health benefits coverage and/or funds for this purpose are not provided by the outside sponsor, then NIH will provide funds for the purchase of low option individual or family policy issued in the Supplemental VFA Fellow's name. Fellows who purchase a policy in their own name from another private source will be reimbursed for either the actual cost of coverage or in an amount equivalent to the cost of the low option policy available at NIH, whichever is less. All non-NIH policies for Exchange Visitor (J-1 visa) SVFA fellows must be verified at NIH to assure that they meet USIA requirements.

When the outside sponsor provides separate but insufficient funding for the purchase of health benefits coverage, then NIH may provide supplemental funding to permit the purchase of the low option policy available at NIH in the Fellow's name or (if the Fellow so elects) a policy from another private source, whichever is less. However, the total combined amount available from both sources may not exceed the cost to purchase the lowest option policy at NIH or other private coverage (if less).

NIH will only provide funds for a health insurance policy that is issued in the name of the SVFA Fellow. The requirement to have adequate health insurance coverage may be satisfied by a policy held in a spouse's name with the Fellow identified as a "family member"; however, there will be no reimbursement.

2. SVFA Fellows do not earn annual or sick leave, since they are not Federal employees. They are, however, excused on Federal holidays. NIH sponsors may, at their discretion, excuse SVFA Fellows for reasonable cause such as ill-health and personal emergencies, and may grant a reasonable period annually to allow for vacation and personal relaxation.
3. Travel (i.e., mileage and per diem) to the NIH from within the United States to begin the training assignment may be authorized for the SVFA Fellow only, in compliance with U.S. Government regulations. Allowances are generally not provided for dependents, movement of household goods, or return travel. When a separate travel allowance is available through the outside sponsor for travel to the training assignment, then NIH may supplement that allowance only to the extent that outside funding is insufficient to pay U.S. Government authorized mileage and per diem. The amount of this funding must be reported to FIC/ISB on the initial request for all Exchange Visitor (J-1 visa) Supplemental Visiting Fellows who are sponsored under NIH's J-1 program.
4. At the discretion of the ICD, and subject to the availability of funds, allowances may be authorized for attendance at scientific meetings and/or for training directly related to the purpose of the SVFA Fellowship. All requests must be approved in advance by appropriate administrative and program officials, and must be carried out in compliance with appropriate U.S. Government regulations.

F. DEDUCTIONS

1. SVFA Fellows are not Government employees, and are therefore not eligible to participate in the Federal Employees Retirement System or Health Benefits Program. Since SVFA Fellowships are considered awards for training, neither Social Security nor Medicare is deducted from stipends.

Definitive determinations regarding Social Security obligations and coverage must be made by the Internal Revenue Service (IRS) and the courts. Nevertheless, it is the opinion of the NIH Legal Advisor that Fellows receiving supplemental stipends from the NIH would not be considered self-employed for purposes of Social Security Act coverage (assuming they are not employees of the outside sponsor--which would preclude their participation in the SVFA program, and therefore need not make Social Security or Medicare payments based on the SVFA Fellowship on their own behalf.

2. SVFA Fellowships are subject to Federal, State, and local income taxes. Supplemental Fellows are required to file quarterly estimated State income tax returns since NIH does not withhold State taxes from stipends of nonimmigrants. Federal taxes will be withheld from stipends of nonimmigrants at the rate of 14% unless exempted under an international tax treaty between the United States and the individual's country of nationality or last residence prior to entering the United States. The State of Maryland does not recognize Federal international tax treaties.

(Note: Permanent Residents of the U.S. will not have Federal taxes withheld from their stipends; they must file quarterly estimated Federal income tax returns with the Internal Revenue Service.)

3. Under Section 6041 of the Internal Revenue Code of 1986, as amended, the NIH is required annually to file with the IRS form IRS 1099-G, Statement for Recipients of Certain Government Payments, or Form IRS 1042S, Foreign Person's U.S. Source Income Subject to Withholding (for nonimmigrant aliens), on all fellows paid \$600 or more in a calendar year. For this purpose, each SVFA Fellow will be required upon arrival at NIH, to provide his or her Social Security Number.
4. Interpretation and implementation of the tax laws are the domain of the IRS and the courts. SVFA Fellows should consult their local IRS office about the applicability of the current tax code to their own situations, and for information about tax code changes, taxability of fellowship stipends, and the proper steps to be taken regarding their tax obligations. The International Services Branch (ISB), Fogarty International Center, provides free periodic international income tax orientations and seminars; however, no individual counseling is available. Call (301) 496-6166 for information.

G. OUTSIDE WORK

Outside employment for foreign nonimmigrant Fellows is not permitted. An occasional lecture or consultation for post-doctoral Research Scholar Exchange Visitors (J-1 visa) may be approved if there are no conflict of interest issues, and the Responsible Officer of the Exchange Visitor Program has given the Exchange Visitor employer-specific written permission in advance. F-1 and J-1 Students are prohibited from any further outside activity beyond their presence at NIH. Call the International Services Branch, Fogarty International Center, (301) 496-6116, for guidance for NIH-sponsored J-1 visa holders; other Exchange Visitors should call the Responsible Officer of their respective programs.

H. PUBLICATIONS AND PATENTS

The publication and presentation of scientific discoveries by SVFA Fellows are governed by the same policies that apply to other scientists either employed by or in training at the NIH. Under Executive Order 10096 and NIH policies, the Government does reserve its rights to inventions and discoveries on the basis of the trainee's use of NIH facilities, equipment, and materials, and assistance by NIH employees during their research training. Refer to NIH Manual Chapter 1183 "Publications" and Chapter 1190 "Patents and Inventions."