

SUMMARY OF HSPD-12 BADGE REQUIREMENTS BY IMMIGRATION STATUS

If your immigration status does not appear on this chart, please check with your employer for the appropriate documents before coming to the DIS/ORS, or e-mail DIS@mail.nih.gov. All individuals requiring badge clearance will be asked to provide their initial date of entry in to the United States in a significant status.

Immigration Status	Description	Documents to Present for HSPD-12 Badge Clearance
Adjustment of Status Applicant	Individuals with a pending Adjustment of Status application under Section 245 of the INA with a valid EAD	<ul style="list-style-type: none"> • Valid Employment Authorization Document (EAD) [(c)(9) or (c)(16) or (c)(24)]
A-1 & A-2	<p>Foreign Diplomatic Personnel Individuals in the U.S as employees of a foreign government, e.g., ambassador, minister, diplomat, or consular officer.</p> <p>Dependent of A-1/A-2 Visa Holder Immediate family members of foreign government officials (Dependents also carry A-1/A-2 status)</p>	<p>Principal</p> <ul style="list-style-type: none"> • Not authorized to work as a contractor at NIH <p>Dependent</p> <ul style="list-style-type: none"> • Valid EAD [(c)(1)]
B-1	<p>Visitor for Business Individuals in the U.S. for a short time to engage in business activities such as negotiating with business associates, attending professional conferences, or conducting independent research. May not engage in any employment in the U.S., including salaried work or services performed on an independent basis.</p>	<ul style="list-style-type: none"> • B-1 letter of invitation (if available) • Passport • Form I-94 <p><i>Note: B-2 status is not appropriate to engage in business activities</i></p>
WB	<p>Waiver for Business Individuals permitted to enter the U.S. without a visa for a stay limited to 90 days. Available only to citizens of countries designated by the U.S. State Department. Allows visitor to engage in business activities such as negotiating with business associates, attending professional conferences, or conducting independent research. May not engage in any employment in the U.S., including salaried work or services performed on an independent basis.</p>	<ul style="list-style-type: none"> • WB letter of invitation (if available) • Passport with entry date-stamp marked as “WB” • Form I-94 <p><i>Note: WT status is not appropriate to engage in business activities.</i></p>

E-1	<p>Treaty Trader Individuals in the U.S. to conduct trade under a treaty between their country and the U.S., and key employees of companies trading under such a treaty.</p>	<p>Principal</p> <ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) • Proof of Placement at NIH (see web page for examples) • Passport • Form I-94 <p>Dependent</p> <ul style="list-style-type: none"> • Valid EAD [(a)(17)]
E-2	<p>Treaty Investor Individuals in the U.S. to develop and direct the operations of an enterprise in which they have invested substantial capital, and employees of companies making such investments. Must be based on a treaty between visa holder's country and the U.S.</p>	<p>Principal</p> <ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) • Proof of Placement at NIH (see web page for examples) • Passport • Form I-94 <p>Dependent</p> <ul style="list-style-type: none"> • Valid EAD [(a)(17) or (c)(12)]
E-3	<p>Temporary Worker in a Specialty Occupation Limited to citizens of Australia; perform professional services for a sponsoring employer in a specific position for a fixed period of time. Annual cap of 10,500.</p> <p>Employment authorization is granted for an initial period of up to 2 years. Extensions can be granted indefinitely in increments of up to 2 years. Employee may be granted up to 240 days of extended employment authorization while a timely-filed petition requesting an extension of stay is pending with USCIS.</p>	<p>Principal</p> <ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable), if applicable • Proof of Placement at NIH (see web page for examples) OR copy of Labor Condition Application (LCA – Form ETA 9035) with the NIH as Location/Place of Employment • Australian Passport • Form I-94 • <u>If E-3 Extension Petition is pending:</u> <ul style="list-style-type: none"> ○ Form I-797 Receipt Notice (copy acceptable) for extension petition in lieu of I-797 Approval Notice ○ All additional documents listed above <p>Dependent</p> <ul style="list-style-type: none"> • Valid EAD [(a)(17)]

F-1	<p>F-1 Student Individuals in the U.S. engaging in a full course of academic study in an accredited educational program. May include elementary school, academic high school, college/university, conservatory, or language training. (Students enrolled in vocational training are given M-1 visas.)</p>	<p>Extended on-campus employment</p> <ul style="list-style-type: none"> • Form I-20 • Letter of authorization from Principal Designated School Official (PDSO)/Designated School Official (DSO) • Passport • Form I-94 <p>Economic hardship</p> <ul style="list-style-type: none"> • Valid EAD [(c)(3)(iii)] <p>Curricular Practical Training</p> <ul style="list-style-type: none"> • Form I-20 with endorsement by PDSO/DSO reflecting NIH as place of employment • Passport • Form I-94 <p>Optional Practical Training</p> <ul style="list-style-type: none"> • Valid EAD [(c)(3)(A) or (c)(3)(B) or (c)(3)(C)] • If a STEM extension is pending: copy of the USCIS I-765 Receipt notice for STEM extension (in addition to the above) <p><i>Note: F-2 dependents are not authorized to work.</i></p>
G-1, G-2, G-3 & G-4	<p>Representative of International Organization Individuals in the U.S. as representatives of an international organization—e.g., the United Nations—and their dependents.</p>	<p>Principal</p> <ul style="list-style-type: none"> • Not authorized to work at NIH <p>Dependent</p> <ul style="list-style-type: none"> • Valid EAD [(c)(4)]

<p>H-1B</p>	<p>Temporary Worker in a Specialty Occupation Individuals in the U.S. to perform professional services for a sponsoring employer in a specific position for a fixed period of time.</p> <p>Employment authorization is granted for an initial period of up to 3 years. Extensions for an additional 3 years are possible up to a total of 6 years. Further extensions permitted under certain circumstances. Employee may be granted up to 240 days of extended employment authorization while a timely-filed petition requesting an extension of stay is pending with USCIS.</p>	<p>Principal</p> <ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) • Proof of Placement at NIH (see web page for examples) <u>OR</u> copy of Labor Condition Application (LCA – Form ETA 9035) with the NIH as Location/Place of Employment • Passport Form I-94 • <u>If</u> H-1B Extension Petition is pending: <ul style="list-style-type: none"> ○ Form I-797 Receipt Notice (copy acceptable) for extension petition in lieu of I-797 Approval Notice ○ All additional documents listed above <p>Dependent</p> <ul style="list-style-type: none"> • Valid EAD [(c)(26)]
<p>H-1B Portability</p>	<p>Individuals in H-1B status who were previously under the sponsorship of another H-1B employer are authorized to accept new employment pursuant to a timely filed H-1B petition by the <i>new</i> employer while the new petition is undergoing adjudication.</p>	<ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) for Prior H-1B Employment • Form I-797 <i>Receipt</i> Notice (copy acceptable) for New H-1B Employment • Proof of Placement at NIH (see web page for examples) <u>OR</u> copy of Labor Condition Application (LCA – Form ETA 9035) with the NIH as Location/Place of Employment • Passport • Form I-94
<p>H-2B</p>	<p>Skilled or Unskilled Worker Individuals in the U.S. in a temporary position for which a shortage of U.S. workers exists, working for a specific employer for a fixed period of time.</p>	<ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) • Proof of Placement at NIH (see web page for examples) <u>OR</u> copy of Temporary Labor Certification in Non-agricultural Occupations (Form ETA 9142) with the NIH as Location/Place of Employment • Passport • Form I-94

H-3	Trainee Individuals in the U.S. in a temporary period to participate in a training program provided by a specific employer	<ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) • Proof of Placement at NIH (see web page for examples) • Passport • Form I-94
J-1	Exchange Visitor (Student) Individuals in the U.S. as Exchange Visitors for the primary purpose of studying at an academic institution under the auspices of the U.S. Department of State and a Designated Program Sponsor	<ul style="list-style-type: none"> • Valid Form DS-2019 • Letter of authorization from Responsible Officer (RO)/Alternate Responsible Officer (ARO) authorizing off-campus or academic training • Passport • Form I-94
J-1	Exchange Visitor (Short-term Scholar, Professor, Research Scholar; Specialist; Trainee; Alien Physician) Individuals in the U.S. as exchange visitors under the auspices of the US Department of State and a Designated Program Sponsor	<ul style="list-style-type: none"> • Valid Form DS-2019 with NIH listed as “Primary Site of Activity” <ul style="list-style-type: none"> ○ If NIH is not listed on the DS-2019: submit a Letter of authorization from Responsible Officer (RO)/Alternate Responsible Officer (ARO) authorizing activities • Passport • Form I-94
J-2	Dependent of J-1 Visa Holder Individuals in the U.S. as a dependent (spouse or unmarried child under the age of 21) of a J-1 Exchange Visitor	<ul style="list-style-type: none"> • Valid EAD [(c)(5)]
K-1	Fiancé(e) of a U.S. citizen Individuals coming to the U.S. to marry a U.S. citizen	<ul style="list-style-type: none"> • Valid EAD [(a)(6)]
K-2	Dependents of K-1 Visa Holder Individuals (minors) who are dependents of a K-1 visa holder	<ul style="list-style-type: none"> • Valid EAD [(a)(6)]
K-3	Spouse of U.S. Citizen Individual who married a US citizen and is waiting for immigrant visa	<ul style="list-style-type: none"> • Valid EAD [(a)(9)]
K-4	Dependent of K-3 Visa Holder Individuals (minors) who are dependents of a K-3 visa holder	<ul style="list-style-type: none"> • Valid EAD [(a)(9)]
L-1	Intracompany Transferee Individuals in the U.S. who have been transferred from a subsidiary, affiliate, or branch office overseas to the U.S. to work in an executive, managerial, or specialist capacity	<ul style="list-style-type: none"> • Form I-797 Approval Notice (copy acceptable) • Proof of Placement at NIH (see web page for examples) • Passport • Form I-94

L-2	Dependent of L-1 Visa Holder Individuals in the U.S. as a dependent of an L-1 visa holder Only an L-2 <i>spouse</i> is employment eligible	<ul style="list-style-type: none"> Valid EAD [(a)(18)]
M-1	M-1 Student Seeking Practical Training after Completion of Studies	<ul style="list-style-type: none"> Valid EAD [(c)(6)]
NATO 1-6	NATO Personnel Individuals in the U.S. as members of the armed services of the nations of the North Atlantic Treaty Organization, staff members, attendants, servants, and personal employees of NATO personnel	Principal <ul style="list-style-type: none"> Not authorized to work at NIH Dependent <ul style="list-style-type: none"> Valid EAD [(c)(7)]
O-1	Person of Extraordinary Ability Individuals of extraordinary ability in the sciences, arts, education, business, or athletics who are in the U.S. to work for a sponsoring employer or organization	<ul style="list-style-type: none"> Form I-797 Approval Notice (copy acceptable) Proof of Placement at NIH (see web page for examples) Passport Form I-94 <p><i>Note:</i> O-3 dependents are not authorized to work.</p>
O-2	Accompanying Personnel Personnel accompanying O-1 visa holders	<ul style="list-style-type: none"> Form I-797 Approval Notice (copy acceptable) Proof of Placement at NIH (see web page for examples) Passport Form I-94
T-1, T-2, T-3 & T-4	T-1 Victim/Witness of Trafficking T-2 Spouse of T-1 T-3 Child of T-1 T-4 Parent of T-1	<ul style="list-style-type: none"> Valid EAD [(a)(16) or (c)(25)]
TN	Trade NAFTA (only for citizens of Canada & Mexico) Individuals in the U.S. to perform professional services for a sponsoring employer in a specific position for a fixed period of time, pursuant to the provisions of the North American Free Trade Agreement	<ul style="list-style-type: none"> TN Offer Letter of Employment Form I-797 Approval Notice (copy acceptable), if applicable Proof of Placement at NIH (see web page for examples) Passport Form I-94 <p><i>Note:</i> TD dependents are not authorized to work.</p>

U-1, U-2, U-3, U-4 & U-5	U-1 Victim/Witness of Certain Criminal Activity U-2 Spouse of T-1 U-3 Child of T-1 U-4 Parent of T-1 U-5 Unmarried sibling under age 18 of a U-1	<ul style="list-style-type: none"> Valid EAD [(a)(19) or (a)(20)]
VAWA	Principal beneficiary or qualified child of an approved Violence Against Women Act (VAWA) petition	<ul style="list-style-type: none"> Valid EAD [(c)(31)]
V-1, V-2 & V-3	V-1 Spouse of Lawful Permanent Resident Individuals in the U.S. who are spouses of U.S. Lawful Permanent Resident that have been waiting more than three years for an immigrant visa. V-2 Minor unmarried child of U.S. Lawful Permanent Resident V-3 Minor unmarried child of V-1 or V-2	<ul style="list-style-type: none"> Valid EAD [(a)(15)]
Asylee	Individuals who have been granted asylum status after arrival in the U.S. based on a well-founded fear of persecution in their home country.	<ul style="list-style-type: none"> Letter from USCIS or Immigration Judge order approving asylee status <u>OR</u> valid EAD [(a)(5) or (c)(8)] <u>OR</u> Form I-94 showing asylee status Passport
DACA	Deferred Action for Childhood Arrivals (DACA)	<ul style="list-style-type: none"> Valid EAD [(c)(33)]
Refugee	Individuals admitted to the U.S. who have proven a well-founded fear of persecution in their home country. Admitted to the U.S. for one year, after which time they can apply to become lawful permanent residents.	<ul style="list-style-type: none"> Letter from USCIS approving refugee status <u>OR</u> valid EAD [(a)(3) or (a)(4)] <u>OR</u> Form I-94 showing refugee status Passport or Travel Document

<p>Temporary Protected Status (TPS)</p>	<p>Special protection from deportation is available to qualified nationals of designated countries. Extended by U.S. government, generally in one-year periods.</p>	<ul style="list-style-type: none"> • Valid EAD [(a)(12) or (c)(19)] <p>Please note: most will have a valid EAD, but there are also special provisions automatically extending the employment authorization for designated countries. To find out if a specific TPS-country has had the work authorization automatically extended, see: http://www.uscis.gov/tps</p> <ul style="list-style-type: none"> • Please provide a receipt notice for an extension with the original EAD if available • For an automatic extension period, please provide the original EAD
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