

Opportunity for Universities to Accelerate Economic Development with the J-1 STEM Research Initiative

By Amy Nice

A challenge facing university-based spin-outs and any relatively new STEM venture in the local economy is assembling the best possible team. University-based spin-outs and other tech start-ups using or developing [critical and emerging technology fields](#) are often commercializing technologies which draw on very specialized technical knowledge held by only a very small group of researchers. Anecdotally, it is quite common that the “right” researcher for a given company venture in critical or emerging technologies will be a foreign national, either already in the United States (sometimes as a postdoc on a J-1 visa) or one outside the United States known by faculty or others involved in the company.

There are three ways the J-1 visa [STEM Research Initiative](#), administered by the State Department’s long-established [BridgeUSA exchange visitor program](#), can directly help:

First, all research universities in the U.S. have existing J-1 Research Scholars engaging in scholarly activities on campus, including post-docs, and under the State Department’s J-1 STEM Initiative these individuals can have more than one site of STEM activity, and that second site can be off-campus, at a company, including a start-up – and can be off-campus *without* continuing to hold an on-campus role. This requires that the J-1 visa holder be pursuing or contributing to research at the company that is related or similar to the research that was performed on-campus, but does not require a university appointment if the activities are solely off-site, although a university may prefer to have all J-1 researchers they sponsor have a courtesy appointment.

Second, the university’s faculty and lab staff undoubtedly have extensive networks outside the U.S., or at peer institutions around the country, of foreign-born STEM experts who could play a critical role in spin-outs or other entrepreneurial activities in STEM research where scientists, technologists, or engineers are needed. Notably, participation in the J-1 STEM Initiative does not require a PhD, and many individuals with STEM Masters earned at top universities inside and outside the U.S. could be important potential collaborators by being sponsored as a J-1 Researcher to be hosted by the spin-out or other new technology venture, coming directly to the U.S. to work for the company.

Third, as an anchor for entrepreneurial and economic activity in your local economy, the university could partner with a local chamber, innovation hub organization, or governmental entity focused on economic development. For example, the university’s J-1 Researcher program for off-site STEM R&D could be limited to either university spinoffs or companies validated by the partner chamber, hub, or economic development organization as sites of activity.

The time is right to pursue any of these avenues, understanding the importance of industry-academic collaboration and given that many university spin-outs and other companies that university faculty collaborate with touch on AI, quantum, biotech and other [critical and emerging technology](#) fields.

The State Department’s Bureau of Educational and Cultural Affairs’ BridgeUSA program has validated how universities might utilize the STEM Research Initiative to authorize J-1

researchers to be hosted off-campus by companies, and paid by the company employer, by publishing official [FAQs](#), including (emphasis added):

Is it correct that the STEM Research Initiative allows academic institutions to sponsor researchers who are placed off campus at host site STEM organizations?

- Yes. For example, a Department-designated university can sponsor a J-1 Research Scholar to conduct research at a STEM business. *This includes STEM start-ups.*

If a Department-designated university sponsor currently has J-1 Research Scholars on campus and those exchange visitors would like to continue their research off campus with a U.S.-based STEM business, can the university still be their sponsor?

- Yes. A J-1 Research Scholar can continue their research off campus with a STEM business if the primary objective of the exchange will remain the same e.g., to research a particular subject. Department-designated sponsors must have robust procedures in place to confirm the bona fides of any host organization, lab, or office that will serve as a host organization for their exchange visitors. Sponsors must add the site of activity in the exchange visitor's SEVIS record and may amend the length of an exchange visitors' program in SEVIS within the category's maximum duration to avail of new eligible sites of activity (e.g., a STEM business). Once the SEVIS record is amended, the sponsor should issue an updated Form DS-2019 to the exchange visitor. While not required, any program sponsor can charge a fee for participating host companies or individual J-1 exchange visitors. Sponsors should properly disclose any fee in their program materials.

Use of the J-1 STEM Research Initiative can be a key in supporting a university's mission to anchor economic development in their community, promote entrepreneurship, and commercialize technology developed by faculty through spin-outs.