I. PROCEDURAL STATEMENT

This document is intended to serve as formal guidance for CU Boulder regarding the use of funds from sponsored projects for visa costs in like circumstances. The university is committed to ensuring costs incurred in support of sponsored research are allowable, reasonable, and allocable to a particular sponsored award, as defined by U.S. Office of Management and Budget’s Uniform Guidance (2 CFR §200.403-405); are in compliance with sponsor requirements; and are administered consistently across the campus for all sponsored research. Procedural statements support the CU Boulder Cost Principles Policy by providing definitions and processes for meeting those standards in like circumstances.

II. DEFINITIONS

Visa costs are defined and described as allowable in the U.S. Office of Management and Budget’s Uniform Guidance, 2 CFR §200.463(d) as:

Short-term, travel visa costs (as opposed to longer-term, immigration visas) are generally allowable expenses that may be proposed as a direct cost. Since short-term visas are issued for a specific period and purpose, they can be clearly identified as directly connected to work performed on a Federal award.

Visa costs discussed in this policy are specifically associated with research-related visas.

III. PROCEDURES

A. Federal Awards

Under the guidelines imposed by the Uniform Guidance, visa costs may be considered allowable direct charges under certain circumstances, and Principal Investigators (PIs) need to demonstrate that such costs fit the criteria provided in the Uniform Guidance. Visa costs are allowable, provided that they meet all four of the following conditions:

- Be critical and necessary for the conduct of the project, and
- Be allowable under the applicable cost principles, and
• Be consistent with the university's cost accounting practices and procedural statement regarding sensitive expenses, and

• Meet the definition of “direct cost” as described in the applicable cost principles (2 CFR 200.413(a) and (b)).

The Uniform Guidance categorizes visa costs as a recruitment cost. Therefore, in like circumstances, visa costs are limited to initial costs only.

**The following visa types may be allowable as a direct charge:**

- **H-1B petition expenses.** An H-1B visa is a non-immigrant visa that allows US companies to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized areas. If the individual is being recruited to work on the sponsored project, H-1B visa fees are chargeable to that sponsored project because that project will receive a direct benefit from the university’s appointment.

- **O-1 Visas.** An O-1 visa is a non-immigrant visa for an individual who possesses extraordinary ability in the sciences, arts, and education. O-1 Visas may be charged to sponsored projects if there is a clear and direct benefit derived by the sponsored project to justify charging the expenses.

- **J-1 Visas.** A J-1 visa is a non-immigrant visa issued to research scholars, professors, and exchange visitors participating in programs that promote cultural exchange. J-1 Visas are allowable when the purpose of the visiting scholar or faculty exchange is to work on one or more sponsored projects.

**The following costs related to visas are generally unallowable:**

- **All student (F-1) visas.** The primary purpose of an F-1 visa holder is to join the university community as a student, and participation on sponsored projects is incidental to their roles as students.

- **J-1 visas.** The policy generally excludes exchange visas for visiting scholars or professors to come to the US to participate in teaching, scholarship, or research, unless the purpose is specifically to participate in a sponsored project. (See J-1 Visas above)

- **All Permanent Residency requests.** The primary beneficiary for a Permanent Residency request is the individual, and direct benefits to individual research projects cannot readily be shown.

- If the newly hired employee resigns within 12 months after hire for reasons within his or her control, all associated relocation costs, including any visa costs, must be removed from the Federal award and charged to a departmental account. If the unit terminates the employee, the costs are still allowable.

- Internal CU Boulder processing fees, and fees for expedited processing, cannot be direct charged to a sponsored project.

- Renewal fees for visas generally cannot be direct charged to a sponsored project. Visa costs are only allowable as part of recruitment, not retention.

**B. Non-Federal Awards**

Section 2 CFR 200.403(c) of the Uniform Guidance requires that we apply our policies and procedures uniformly to both federally-financed and other activities of the university. Therefore, CU Boulder's **Cost Principles Policy** and related procedural statements are
also applicable to non-Federal awards. The basic criteria for including visa costs are similar for non-Federal sponsored projects, but it is important to be familiar with the particular requirements or restrictions of each non-Federal sponsor. When allowed by the sponsor, a justification for the inclusion of visa costs should be provided in order to explain why they are necessary to fulfill the research objective of the project, and to ensure that the cost directly benefits the project.

C. Process

At Proposal
The visa cost should be identified in the proposal budget justification if possible, and justified as to why it is necessary and allocable to the performance of the award. Inclusion in the budget justification is intended to enable the sponsor to review and concur with the need for the cost. Written justification and/or approval is meant to prevent questions regarding the allowability of costs in the event of an audit.

After an Award is Funded
Not every cost can be anticipated at the time of proposal preparation. In the event that an unbudgeted visa cost is required after an award is funded, the department should work directly with their OCG Grant or Contract Officer to ensure that this cost is properly documented prior to when the expense is incurred. The purpose and benefit of the visa costs to the specific project should be fully described in the justification and will be retained in Boulder eRA (BeRA).

D. Frequently Asked Questions

Question: I have a research associate who is coming from outside the US to work on my federal award. Can I charge the cost of their visa to the sponsored project?
Answer: You may charge the visa application fees, including the filing fee and the Anti-Fraud Fee to the award if the researcher is essential and necessary for the project. Internal CU Boulder processing fees and any expedited processing fees cannot be charged to the sponsored project. The department should retain documentation from the PI that the prospective research associate is essential and necessary for the sponsored project.

Question: I have a research associate that needs to have their visa renewed. Can I charge the cost of the visa to the grant?
Answer: No. Visa costs are only allowable as part of recruitment, not retention.

Question: Can I charge a rush visa or premium visa processing fee to a sponsored project?
Answer: Rush or premium fees are not allowable as direct charges to a sponsored project. The department can pay for these fees through a departmental account.

Question: Can I charge CU Boulder internal visa processing fees to a sponsored project?
Answer: Internal fees are not allowable as direct charges to a federal award. In the event of a non-federal award, allowability is determined by the sponsor.

Question: Can I charge visa fees for a spouse to a sponsored project?
Answer: Unless the spouse is directly involved with work on that sponsored project, visa fees for spouses are not an allowable expense to sponsored projects.
**Question:** I have a postdoc who is here on a J-1 visa and is transitioning to an H-1B visa. May I charge the costs of the new H-1B visa to a federal award?

**Answer:** No. Only those visa costs associated with the initial recruitment may be direct charged to a federal award.

**Question:** I am traveling outside of the country to attend a sponsor-approved conference. Entry into this country requires a visa. Can I charge this visa cost to my sponsored project?

**Answer:** Yes, this visa cost is an allowable travel charge to the sponsored project.

**Question:** I have an international collaborator that needs to travel to CU Boulder for five days to discuss a sponsored project. Since they are coming for a business purpose, should this be purchased on a B-1 visa or should I use a different type of visa?

**Answer:** This would not be considered a recruiting cost; visas for collaborators may be allowable as travel costs. Contact the [Office of International Students and Scholars](#) for more information on appropriate visa types.