



GINKGO BIOWORKS
THE ORGANISM COMPANY

**U.S. Immigration Policy of
Ginkgo Bioworks Holdings, Inc.
and its U.S. Subsidiaries**

Contents

1. IMMIGRATION STATEMENT	3
2. U.S. NONIMMIGRANT STATUS	3
2.1 SPONSORING A CANDIDATE OR EMPLOYEE FOR NONIMMIGRANT STATUS	3
2.2 DETERMINING THE PROPER NONIMMIGRANT STATUS	4
2.3 STARTING THE NONIMMIGRANT VISA PROCESS	4
2.4 PARTIES ELIGIBLE TO BEGIN WORK BEFORE NON-IMMIGRANT VISA PROCESS COMPLETED	4
2.5 NONIMMIGRANT VISA/STATUS EXTENSIONS	5
2.6 NONIMMIGRANT VISA EXTENSIONS AND THE EMPLOYMENT AUTHORIZATION DOCUMENT (EAD)	6
2.7 TERMINATION OF EMPLOYMENT	6
2.8 DEPENDENT NONIMMIGRANT STATUS	6
2.9 NONIMMIGRANT STATUS RELATED COSTS COVERED BY THE COMPANY	6
2.10 PREMIUM PROCESSING	7
2.11 OBTAINING THE VISA	7
2.12 TRAVEL	7
3. PERMANENT RESIDENCE/GREEN CARD SUPPORT	8
3.1 ELIGIBILITY FOR COMPANY SUPPORT	8
3.2 DETERMINING EMPLOYMENT-BASED PREFERENCE STATUS FOR PERMANENT RESIDENCE	8
3.3 PERMANENT RESIDENCE STRATEGY	9
3.4 LABOR CERTIFICATION FOR PERM BASED GREEN CARD	9
3.5 IMMIGRANT STATUS RELATED COSTS COVERED BY THE COMPANY	10
3.6 I-140 IMMIGRANT PETITION UPON TERMINATION OF EMPLOYMENT	10
3.7 ADJUSTMENT OF STATUS OR CONSULAR POST PROCESSING	10
3.8 EAD AND TRAVEL DOCUMENTS (ADVANCE PAROLE)	11
3.9 PERMANENT RESIDENCE AC-21 PORTABILITY NOTIFICATION	11
3.10 DEPENDENTS	11
3.11 PRESERVATION OF PERMANENT RESIDENCY STATUS AND RE-ENTRY PERMITS	11
4. OTHER	11
4.1 TRANSFERS AND PROMOTIONS	11
4.2 CHANGE IN WORKSITE LOCATION/REMOTE WORK	12
4.3 NATURALIZATION	12
4.4 RENEWING DRIVER'S LICENSES	12
4.5 EXPORT COMPLIANCE	12
APPENDIX: TYPES OF NONIMMIGRANT STATUS AND EMPLOYMENT AUTHORIZED CATEGORIES	13

1. IMMIGRATION STATEMENT

This document contains the immigration policy (the “Immigration Policy”) of Ginkgo Bioworks Holdings, Inc. and each of its subsidiaries domiciled in the United States (collectively, with Ginkgo Bioworks Holdings, Inc., the “Company”). This Immigration Policy defines procedures and conditions concerning employment-related immigration matters for the Company. This policy does not address our visa sponsorship policy for locations outside of the United States and applies only to the Company’s full-time employees (working 30 hours/wk or greater). The Company complies with all applicable Federal and State immigration laws.

The Immigration Policy is overseen and maintained by the People team. While the People team may consult with other Company departments and personnel in connection with specific immigration situations, the People team is responsible for and may use its discretion when rendering a decision concerning a matter addressed by the policy guidelines below.

The Company is committed to hiring and retaining the most qualified workers to fill our open positions. This commitment, and related shortages of qualified employees, may require the Company to file various immigrant and nonimmigrant petitions on behalf of potential and existing employees. The Company retains full and sole discretion as to whether and when to sponsor an individual for a petition, taking into account relevant immigration laws. The Company’s filing of an immigrant or nonimmigrant petition is not a guarantee of continued employment, nor a guarantee of any fixed terms or conditions of employment, nor a guarantee that the petition will be granted.

The Company reserves the right to amend its Immigration Policy without notice at its discretion.

In order to facilitate the immigration process and ensure that all information is uniform and consistent, all Company-sponsored immigration matters will be processed through the People team with the legal services of the Company’s immigration law firm and/or internal legal resources. In most cases, specific immigration counsel will be assigned to manage individual cases.

2. U.S. NONIMMIGRANT STATUS

2.1 Sponsoring a Candidate or Employee for Nonimmigrant Status

With input from immigration counsel and review by the People team, the Company may elect to sponsor a candidate or new hire in a nonimmigrant category.

There may be situations where the Company has candidates or employees who already possess proper work authorization and do not require initial employer sponsorship (for example, pursuant to valid Employment Authorization Document (EAD)). To ensure continued work authorization in the United States for these employees, these situations must be brought to the attention of the People team **prior to offer**. *(Please see Appendix A of the Immigration Policy for a detailed description of the various nonimmigrant visas.)*

Processing times for nonimmigrant and immigrant status petitions vary according to the availability of information to prepare the petition, backlogs at the Department of Labor, USCIS, and/or the U.S. Consulates, all of which are beyond the control of the Company.

2.2 Determining the Proper Nonimmigrant Status

The People team, with the assistance of designated immigration counsel will consider the following criteria in determining the appropriate classification in which to sponsor a candidate or new hire:

- Individual's background, including without limitation, education and years of experience
- Requirements of the sponsored position the individual will be filling
- If applicable, prior nonimmigrant visa time while in the US
- Length of employment with a Company subsidiary or affiliate outside the United States (if applicable)

The People team (and/or Company's officers) have sole discretion to determine the appropriate immigration category for sponsorship. Selection of appropriate nonimmigrant visa categories will primarily be assessed based on the Company's business needs rather than employee / manager preference.

2.3 Starting the Nonimmigrant Visa Process

For foreign nationals who require U.S. based employer sponsorship, the nonimmigrant petition process can be sought as soon as the candidate has signed the offer letter and the Noncompetition, Nondisclosure and Assignment of Inventions Agreement. The People team will initiate the sponsorship process with the Company's designated immigration law firm and/or internal legal resources. The Company, in its sole discretion, may sponsor a non-immigrant visa petition for an individual who already holds an EAD. The People team, in conjunction with immigration counsel, will confirm the permitted employment start date once all immigration petitions and general new employment requirements have been satisfied.

2.4 Parties Eligible to Begin Work before Non-Immigrant Visa Process Completed

As mentioned in Section 2.1 above, in some instances, foreign nationals may lawfully start working for the Company prior to or while the Company is completing the non-immigrant petition sponsorship process. These are outlined below and will be vetted by the People Team and Recruiting prior to the hiring date:

A. May Start to Work Prior:

- a. *Undergraduate or Graduate level Interns:* The Company may elect to hire a foreign national student on an F-1 Student Visa for a specified period of time or a specific project. Individuals participating in this Curricular Practical Training ([CPT](#)) program are responsible for obtaining work authorization on their own from their school official, before commencing employment with the Company.

b. Recent University Graduates on a F-1 or J-1 student visa:

- i. Some recently graduated foreign nationals on a F-1 student visa may present an EAD, making them eligible to begin work on Optional Practical Training ([OPT](#)) without the Company needing to file any petition for sponsorship.
 - ii. Some recently graduated foreign nationals on a J-1 student visa may present work authorization in the form of [Academic Training](#) authorized by their J-1 Program Sponsor to work for the Company without the Company needing to file a petition for sponsorship.
- c. *EAD Holders:* Candidates who hold valid EADs (e.g., based on H-4, L or E dependent status, F-1 OPT, J-2, humanitarian categories, or a pending I-485 permanent residence application) may commence employment upon presentation of their EAD. If you have a question about whether or not a candidate holds a valid EAD, please consult the People team.

B. May Work While Application is Pending:

- a. *H-1B Transfers to the Company:* Candidates who are maintaining lawful H-1B status with another company may be eligible to transfer to the Company and begin employment once the Company files its H-1B petition with USCIS. H-1B portability provisions permit employment with the new employer to commence upon proof of filing an H-1B petition for candidates transferring between H-1B employers, rather than upon approval of the new employer's petition. Although the Company strongly recommends that employees not commence employment until the H-1B transfer petition is approved, this can be addressed on a case by case basis.

H-1B portability only applies to individuals maintaining lawful H-1B status (i.e. already counted against the H-1B cap) at the time of the filing by the new petitioner. It does not apply to individuals who are in any other visa status and are applying to change to H-1B status. If there is a question as to whether a person qualifies under this provision, the hiring manager should contact the People team.

2.5 Nonimmigrant Visa/Status Extensions

It is the responsibility of the employee to ensure they are properly maintaining their immigration status and do not permit it to expire. There are times when an employee may travel and their admission end date on their [Form I-94](#) may be limited based on their passport validity. Employees must check the validity of their Form I-94 after every admission to the United States and immediately alert the People team and the Company's immigration counsel if they are admitted for less than the validity period on their current I-797A approval notice.

The Company's designated immigration law firm will track expiration dates to the extent possible, but neither the Company nor the immigration law firm will assume responsibility of this function since the employee is best situated to control this matter. In addition, **to the extent the People Team is aware**

of the expiration date, the People team and immigration counsel will initiate a petition for extension of nonimmigrant status approximately six months before the expiration of an employee's current immigration status of record. Should the current immigration status not be eligible for an additional extension, alternative sponsorship options should be initiated by the employee and discussed in advance with the People team and the employee's manager, if applicable.

An employee's manager will be consulted in advance of any extension being initiated. Following consultation, the People team will determine, in its discretion, whether the extension is authorized.

2.6 Nonimmigrant Visa Extensions and Employment Authorization Document (EAD)

The Company will continue to support extensions of non-immigrant status in addition to EAD renewals for employees with pending Form I-485 permanent residence applications where the Company is the sponsoring entity. Self-sponsored or family-based EAD or extension applications will not be covered.

2.7 Termination of Employment

Upon the termination of employment with the Company, any petitions that are in process on behalf of an employee will be discontinued and not filed. Any pending or approved petitions filed by the Company will be withdrawn as required by applicable statutes and regulations. The Company will pay for the reasonable costs of return transportation home when required by the applicable law if the Company dismisses an employee from employment before the end of their period of authorized admission. Terminated employees or employees planning an exit from the Company should consult their own outside legal counsel in order to evaluate their immigration status in the United States.

Additionally, the Company will notify USCIS of the termination of all H-1B employees and request withdrawal of the H-1B petition and the Labor Condition Application following termination of employment for any reason.

2.8 Dependent Nonimmigrant Status

The Company will support the sponsorship of an employee's spouse and/or children with a preference for these to be prepared and filed at the same time as the employee's petition. Major life events that require sponsorship for a new spouse or foreign-born minor dependent do not need to be filed at the same time as an initial petition for an employee.

2.9 Nonimmigrant Status Related Costs Covered by the Company

The Company covers routine and necessary fees associated with obtaining the proper nonimmigrant work authorization for its candidates, employees and their families. Routine and necessary fees include:

- Attorneys' legal fees
- Attorneys' incidental costs
- Government agency filing fees

With approval, the company will cover the following nonimmigrant status related fees:

- A) Initial nonimmigrant petition for a nonimmigrant work-authorized status (e.g., H-1B, L-1, J-1, TN, O-1, E-3, etc.). This also includes spouse and child/ren, if applicable.
- B) Extensions of and/or amendments to nonimmigrant status, including extensions for dependent spouse and child/ren, if applicable.
- C) STEM OPT EAD Extensions: The Company prefers using their designated law firm to assist in the completion of the STEM OPT training plan and filing of the STEM OPT employment authorization document application. Please Note: If the employee wishes to complete the STEM OPT training plan and file the STEM OPT extension independently, the Company will not cover or reimburse any associated filing fee costs or fees nor provide legal assistance in completing the STEM OPT training plan.

The Company does not cover any fees associated with obtaining personal documents, including passport renewals, expedited document requests and/or document retrieval costs, courier service, health forms, travel related to renewal of visa documents or other expenses of this nature.

2.10 Premium Processing

The government's premium processing program allows an employer to pay an additional fee when filing a nonimmigrant petition for faster service. The People team, at their discretion, may authorize immigration counsel to use premium processing for new hires and for extensions where there is a business necessity, or where there is an issue in obtaining municipal benefits (i.e. driver's license).

An employee may choose to pay for premium processing costs. Note that the Company will not reimburse the employee for their costs associated with filing their case under the premium processing provisions.

2.11 Obtaining the Visa

The Company does not cover travel costs to and from the U.S. Consulate. The only exception is for an employee who is required to travel outside of the United States for a Company business-related trip and requires a new visa in order to return to the United States. Travel to a U.S. Consulate should be combined with personal travel or a business trip.

2.12 Travel

Travel outside the United States while the nonimmigrant petition is pending is not recommended. However, if travel must arise, the employee should first consult with the People team and immigration counsel and, if applicable, the employee's manager. Upon re-entry into the United States, an employee must provide the People team and the immigration counsel with a copy of their new I-94 card (arrival/departure record).

Employees are responsible for reviewing their I-94 record each time they arrive in the U.S. to make sure they are admitted in the correct status for the full expected duration of time. If an error is noted, options can be discussed with immigration counsel prior to the expiration of status.

If an employee is delayed in their return to work due to delays in obtaining their new visa, they should immediately contact their manager, the People team, and designated immigration counsel to determine what options exist to remain outside the US while maintaining their employment.

3. PERMANENT RESIDENCE/GREEN CARD SUPPORT

3.1 Eligibility for Company Support

In its sole discretion, the Company may elect to sponsor an employee for permanent residence. The Company's sponsorship is not a guarantee of continued employment, nor a guarantee of any fixed terms or conditions of employment, nor a guarantee that permanent residence will be granted by USCIS.

Approval to initiate permanent residence sponsorship may be granted in the Company's sole discretion and is predicated upon the employee meeting the following requirements:

- A) Employment by the Company for a minimum of six months (or other time period determined at the Company's discretion).
- B) Employee must be in good employment standing, performing well in their job, and not on a Guided Growth Plan.
- C) Employee must be in a role at the Company that qualifies for green card sponsorship and holds the necessary minimum education and experience to qualify.
- D) Employee must be currently admitted into the US on an H-1B, L-1 or O-1 nonimmigrant visa sponsored by the Company. Employees currently admitted in E-3, H-4, and L-2 may also be considered.
- E) Employee must receive their manager's recommendation at the end of six months' employment.
- F) Employees in other immigration statuses not listed above may be considered on a case-by-case basis, dependent in part on role, education and experience, options for future visa categories and eligibility for continuous work authorization in a timely manner.

NOTE: The six months of employment is calculated from the time the individual begins working for the Company, exclusive of any leave time during this period. This requirement may not apply to an employee in the following situations:

- 1. Employees who join the company through an acquisition and have an employer-based green card already in progress.*
- 2. Employees who are hired on a nonimmigrant visa that may be expiring with no possibility of extension and failure to start the green card process in advance of six months of employment could impact their ability to continue working without interruption.*

3.2 Determining Employment-based Preference Status for Permanent Residence

The People team and its immigration law firm or internal legal resource will recommend filing a case in the best immigrant preference category possible based on the following:

1. The Company's requirements for the position.
2. The Employee's academic and work experience qualifications
3. The guidelines issued by the Department of Labor and USCIS

3.3 Permanent Residence Strategy

After the Company approves sponsorship of a permanent residence case, the People team and its immigration law firm will determine the appropriate strategy for obtaining permanent residence.

The following permanent resident categories are classifications in which the Company may provide sponsorship:

- EB-1 A – Extraordinary Ability
- EB-1 B – Outstanding Researcher
- EB-1 C – Multinational Manager
- EB-2 – National Interest Waiver
- EB-2 or EB-3 – PERM Labor Certification

Most employment-based Green Card applications consist of three stages:

- A. Labor Certification (i.e., the PERM process), in which the Company tests the U.S. labor market to demonstrate that there are no U.S. workers available to take the position (this step is not required in all applications such as EB-1B or EB-2/NIW)
- B. Filing the Form I-140 Immigrant Visa Petition
- C. Adjustment of Status process (applying for green card while present in the U.S.) or Consular Processing (applying for a green card at a U.S. Consulate overseas)

Depending on the processing options available and whether dependents are involved, the green card can take less than 18 months to 10+ years to fully complete. The length of time depends on a number of factors, including visa number backlogs based upon the employee's country of birth and filing category as well as processing times at USCIS.

As an alternative to the employment-based process, the Company will support a family-based application if the sponsored employee is eligible for a family-based process and the employee elects to pursue the application through their family member rather than through a Company sponsored petition. In this regard, the Company will support the fees associated with the Green Card process if the employee is otherwise eligible and has been approved for Company sponsorship under 3.1 above. The decision to pay the costs of the family-based green card process in lieu of the employment-based green card process on behalf of an employee is at the sole discretion of the Company.

3.4 Labor Certification for PERM based Green Card

With approval from the employee's manager and the People Team, the Company may initiate the labor certification process. The employee and their supervisors/managers are expected to assist the attorney to the fullest extent possible throughout the process. Involvement of the supervisors/managers is to ensure that all information is correct, and the Company's position and interests are protected. Since the Company must sign these applications under penalty of perjury and criminal exposure exists for false statements, it is imperative that supervisor/managers provide accurate information and work with the Company's attorney regarding relevant issues concerning the labor certification and job requirements.

Job changes (including but not limited to, promotion, transfer or change in duties/title) during this process must be discussed with the People team and immigration counsel prior to enacting the change so that it can be determined what impact these changes could have on the PERM based Green card.

3.5 Immigrant Status Related Costs Covered by the Company

The Company will pay for specific routine and necessary costs to the extent specifically set forth in this Immigration Policy that are associated with obtaining permanent residency for its employees and their spouse and dependents, including:

- Permanent Residency Applications: filing fees, legal fees, and other costs associated with the preparation and filing of the Labor certification (if needed), Immigrant Visa Petition, and Adjustment of Status or Consular Processing for the employee, and if applicable, the employee's spouse and dependent child/ren. Included as part of the Permanent Residence Application are the fingerprinting fees, medical exam fees, and the fees for the photographs. The Company will cover the fees and costs associated with one petition for immigrant visa and one application for permanent resident status per employee. The People team will determine on a case-by-case basis if one upgrade or downgrade will be approved for filing.
- Travel Documents (Advance Parole) for the employee, and if applicable, the initial application for the employee's spouse and dependent child/ren.
- EADs for the employee, and if applicable, the initial EAD application for the employee's spouse to be eligible to work.

The employee must provide the attorney with all necessary family documents and other information necessary to process the adjustment of status promptly and efficiently.

The Company will cover the fees associated with the initial labor certification. However, the Company will not sponsor an employee for a second labor certification unless there is a business necessity. The People team will review these situations on a case-by-case basis and make a determination in its discretion.

3.6 I-140 Immigrant Petition upon Termination of Employment

As a courtesy, the Company will provide a copy of the I-140 Approval Notice to employees who are leaving the Company. The Company will also provide the page(s) of the [Form 9089](#) which contain the job description, SoC Code, and salary determinations.

The Company will cease to support any pending I-140 immigrant visa petitions for any employee whose employment terminates. At its sole discretion, the Company may elect to withdraw or revoke a pending I-140 immigrant visa petition before the I-485 Permanent Residence Application to Adjust Status has been filed or before the I-485 application has been approved.

3.7 Adjustment of Status or Consular Post Processing

The employee can finalize the permanent resident process for him-/her-/them-selves and his/her/their family through either Adjustment of Status or Consular Processing. The Company generally

recommends the Adjustment of Status procedure. An Adjustment of Status is filed while the employee and their family are present in the United States and may be filed concurrently with an Immigrant Visa Petition if an Immigrant Visa number is immediately available, or it may be filed later when an Immigrant Visa number becomes available.

A Consular Processing application is filed and processed at a U.S. Consulate abroad. The Company will not cover the travel costs for the employee or their family members to travel to the interview at the U.S. Consulate and any time taken off work to attend such an interview must be authorized as paid time off by the employee's manager.

3.8 EAD and Travel Documents (Advance Parole)

The Company will support applications for EADs and travel documents (Advance Parole) when filed concurrently with the I-485 Application for Permanent Residence to Adjust Status. The Company will support renewals of EAD and AP applications for employees and dependents while an Application for Permanent Residence is pending.

3.9 Permanent Residence AC-21 Portability Notification

Where recommended by Company counsel, the Company will notify USCIS of permanent residence portability (AC-21) on behalf of an applicant for permanent residence with a pending Form I-485 filed prior to joining the Company.

3.10 Dependents

Spouses and children under the age of 21 are eligible to file Application for Permanent Residence to Adjust Status at the same time as the primary employee's application. The Company will cover fees associated with sponsoring an employee's spouse and/or children provided the petition(s) are prepared and filed at the same time as the employee's application.

3.11 Preservation of Permanent Residency Status and Re-entry Permits

Permanent residents of the United States who will be traveling outside of the United States for an extended period (generally six months or more) may require documentation in addition to the I-551 permanent residence (green) card to ensure reentry into the United States. This generally requires applying for a travel document known as a Reentry Permit that is issued by USCIS. The Company will cover the cost of the Reentry Permit Applications only if the need for extended travel outside the U.S. arises due to business requirements, such as a temporary foreign assignment. This also includes spouse and child/ren, if applicable.

Employees who will be out of the United States for an extended period of time should contact the People Solutions team or their immigration attorney prior to departure.

4. OTHER

4.1 Transfers and Promotions

Generally, a move or change that substantially impacts any of the following areas may affect an employee's nonimmigrant visa and/or permanent residence process:

- Salary
- Location
- Job duties and responsibilities
- Skills/knowledge required to perform the primary functions of the job

Should a change in any of the above be contemplated or occur, the employee and/or the employee's manager should notify the People team and Company's legal contact.

4.2 Change in Worksite Location/Remote Work

Any employee who will be allowed to work from a new Company worksite location or remote location must contact the People team at least 30 days prior to the change of location occurring.

4.3 Naturalization

Upon an employee request, the Company, at its sole discretion, will consider covering the government fees and legal costs to file a naturalization application for that employee.

4.4 Renewing Driver's licenses

Depending on the state where they live, foreign nationals are required to show they are in valid U.S. status in order to extend their driver's licenses. Although not an immigration benefit, a driver's license is a separate benefit possible because of valid U.S. immigration status. Foreign national employees should make sure that they either have extension filed or are in the process of extending status at least 8 weeks before the expiration date of their driver's license.

4.5 Export Compliance

United States export laws may deem a transfer of certain restricted technologies to anyone who is not a U.S. national or permanent resident card holder, or protected person under the Immigration and Nationality Act (INA), to be an export to their country of citizenship. This is known as a deemed export. If a position requires access to restricted technologies, such as encryption among other things, then a foreign national may require an export license or other government clearance in addition to a visa before access can be provided.

For further details on deemed exports, please visit the United States Department of Commerce's web site at <https://www.bis.doc.gov/index.php/policy-guidance/deemed-exports/deemed-exports-faqs>.

If it is determined that a position is bound by export controls and an applicant may require an export license, the Company in its sole discretion will determine whether to sponsor an individual or seek an export license or other government clearance.

Appendix A: Types of Nonimmigrant Status and Employment Authorized Categories

The following nonimmigrant visa categories are classifications in which the Company may use/accept to provide work authorization while in the US:

B-1 Visa Business Visitor - The B-1 business visitor visa allows an individual to come to the United States for a short period of time for purposes that include the following:

- To engage in consultations with U.S. business associates
- To attend short term training that does not entail on-the-job, hands-on activities
- To attend a professional conference or meeting

E-3 Australian Specialty Occupation Professionals - The E-3 visa allows Australian citizens to work in the United States as professionals in a specialty occupation. Similar to the H-1B category, the E-3 job must require at least a bachelor's degree or equivalent in a specialized field of study. A Labor Condition Application (LCA) must also be filed with the Department of Labor. The visa may be obtained directly at a U.S. Consulate without a prior petition filed with USCIS. Spouses of E-3 are eligible to apply for EADs. Maximum duration: 2 year increments with no maximum duration

F-1 Student – The Company may elect to hire a foreign national who holds F-1 student status with the proper work authorization based on his/her enrollment in a U.S. university or their recent graduation from a U.S. university, known as Curricular or Optional Practical Training (CPT and OPT, valid for maximum of one year and OPT STEM for an additional 24 months). Maximum duration: 12 months on OPT, plus an additional 24 months of STEM OPT for 36 months total. Preparation time: Recommend starting 90-120 days in advance of current EAD expiration.

H-1B Specialty Occupation Professionals - H-1B visas may be available for professional occupations requiring specialized academic training. To qualify for H-1B status, an individual must have at least an appropriate bachelor's degree (U.S. or foreign equivalent) in a professional field. Note: If in J-1 status, must be in J-1 status for a minimum of 1 year before the Company will submit you for the H cap lottery. Maximum duration: 3 year increments with a maximum of 6 years.

J-1 Research and/or Short term Scholar - A J-1 Scholar is a visiting researcher or specialist from a country outside of the United States who has been approved to enter the United States for a specific purpose and for a limited amount of time. Maximum duration: One day to 5 years (depending upon exchange category). Preparation time: 45-60 days depending on location of the scholar.

L-1 Intra-company Transfers - The L-1 visa is for the intra-company temporary transfer of an employee from a Ginkgo location or owned subsidiary outside the United States. To qualify, an individual must have been employed abroad as an executive, manager, or specialized professional by a subsidiary or affiliate of the Company for a minimum of one year within the preceding three years prior to filing the visa petition. But it is generally recommended for foreign nationals to have worked at least eighteen months with the foreign Ginkgo Bioworks entity prior to the transfer (esp. in the case of specialized knowledge (L-1B) applicants). Maximum duration: Qualifying L-1A managerial employees have a maximum stay of seven years in the United States. Specialized knowledge L-1B employees have a maximum stay of five years

O-1 Individuals with Extraordinary Ability - The O-1 visa is for foreign nationals with extraordinary abilities in the sciences, education, business, athletics, or the arts. Maximum duration: 3 years initially with the possibility to extend in one year increments with no maximum, other than extensions remain at USCIS's discretion. Preparation time: 2 months plus visa application.

TN-1/TN-2 NAFTA Business Professionals - Through the North American Free Trade Agreement (NAFTA), certain citizens of Canada (TN-1) or Mexico (TN-2) may enter the United States for a period of up to three years at a time to work for a U.S.

company. Eligibility for admission in TN status is predicated on employment in one of the specific permissible occupations on the NAFTA designated TN list. Maximum duration: 3 year increments with no maximum duration.

Employment Authorization Documents (EAD) - There are various types of EADs that permit holders to accept employment with any employer in the United States. These include the following: a dependent status of a spouse holding an L-2S/E-1S/E-2S/E-3S/J-2/H-4, Asylum/Refugee. DACA, TPS, or pending I-485 applicants.