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ADS Chapter 252

Visa Compliance for Exchange Visitors

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ADS 252 – Visa Compliance for Exchange Visitors

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ADS 252 – Visa Compliance for Exchange Visitors

252.1 OVERVIEW

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This chapter provides policy directives and required procedures related to visa compliance for foreign nationals who are traveling to **or are in** the United States (U.S.) as beneficiaries (not providers) of USAID development assistance for any purpose, including invitational travel (see [ADS 522, Performance of Temporary Duty Travel in the U.S. and Abroad](#)) and are financed in whole or in part, directly or indirectly, by USAID. With certain exceptions (see **252.3**), these foreign nationals are considered Exchange Visitors (EVs). USAID-sponsored EVs enter the U.S. on the J-1 exchange visitor nonimmigrant visa, unless determined otherwise by a U.S. consular officer.

USAID visa compliance processes and systems must not be used to assist individuals who are not sponsored in any part, directly or indirectly, with USAID funds in obtaining a J visa.

252.2 PRIMARY RESPONSIBILITIES

Effective Date: 04/26/2021

- a. The **Bureau for Management, Office of Management Policy, Budget, and Performance (M/MPBP)** manages the Agency's J-1 visa designation and ensures the Agency's compliance with the Department of Homeland Security (DHS) and Department of State (DoS) regulations contained in [22 CFR 62.1-90](#). **M/MPBP** collects EV data from Sponsoring Units and **Program** Implementers and manages the Agency's EV approval process. These activities fulfill a mandatory central USAID function of providing the DHS, including Immigration and Customs Enforcement (ICE) and DoS, with information about individuals sponsored for activities in the U.S.
- b. The **Office of the General Counsel (GC)** and/or **Resident Legal Officers (RLOs)** interpret and provide advice regarding laws and regulations related to visas.
- c. **Sponsoring Units** ensure that partner organizations comply with the requirements of this ADS chapter. **The Sponsoring Unit must inform the Contracting Officer/Agreement Officer (CO/AO) if an activity anticipates foreign nationals in the U.S., so the applicable EV clauses and provisions can be added to the award.**
- d. **Program Implementers**, whose accountability to USAID is set by the terms of a contract, grant, or cooperative agreement, assist Sponsoring Units with essential responsibilities related to this ADS chapter.
- e. **Mission Directors** and **USAID/Washington (USAID/W) Office Directors** approve exceptions to the J-1 visa requirement policy, waiving non-presence country ineligibility, and approving dependent travel.

- f. The **Responsible Officer (RO)** is the designated official in charge of maintaining USAID's official designation as an EV program sponsor. The RO develops and implements policy and procedures to ensure that the Agency complies with the external regulations governing its official designation. Due to [external requirements](#), USAID is limited to one RO who must be located within the physical borders of the United States.
- g. **Alternate Responsible Officers (AROs)** are the designated alternate officials in charge of working with the RO to maintain USAID's official designation as an EV program sponsor.
- h. The **R3 - Approver** is a U.S. citizen and a USAID Mission staff member who approves EVs and dependents traveling to the U.S. (see section **252.3.5.3**) and certifies that a Security Risk Inquiry has been conducted on each approved EV and dependent (see section **252.3.3**). Missions conduct Security Risk and Fraud Inquiries and carry out the R3 - Approver role for each EV and dependent whose legal residence is in a Mission's covered country, unless alternate agreed upon arrangements are made with another Mission or Washington R3. The Mission or USAID/W Office Director appoints the R3 (see section **252.3.5.3**).
- i. The **Regional Security Officer** or **USAID's Office of Security (SEC)**, at the request of a Mission or USAID/W, consults on the development of Security Risk and Fraud Inquiry (SRFI) procedures.

252.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

Effective Date: 04/26/2021

The policy directives and required procedures provided in this section are applicable to all Agency-sponsored activities taking place in the U.S.

All USAID Sponsoring Units involved in sponsoring U.S.-based EVs must familiarize themselves with the references in section **252.4.2**, including the [Training and Exchanges Automated Management System \(TEAMS\) User's Manual \(ADS 252maa\)](#), and apply such guidance when required or applicable.

Any foreign national traveling to the U.S. for any purpose, including invitational travel (see [ADS 522](#)) funded by USAID in whole or in part, directly or indirectly, is considered an EV; except:

- a. Individuals employed by USAID, including Personal Services Contractors (PSCs) and U.S. Government (USG) employees under interagency agreements with USAID.
- b. Individuals working under a USAID contract or sub-contract.
- c. Individuals working under a competitively awarded USAID cooperative agreement or sub-agreement, grant, or sub-grant.

- d. Individuals working under a non-competitively awarded USAID cooperative agreement or sub-agreement, grant, or sub-grant, who are traveling to the U.S. for the purposes of internal USAID project or program administration business.
- e. Individuals who are in transit through an American port on their way to a third country. For purposes of this section, an individual is in transit if he or she will be in the U.S. solely for the purpose of immediate and continuous travel en route to a third country. USAID-sponsored individuals **must** obtain any required transit visas.
- f. Individuals employed by a Public International Organization (see [ADS 308, Agreements with Public International Organizations](#)).
- g. Individuals sponsored by a Public International Organization (PIO) under a USAID-funded program contribution (see [ADS 308](#)), unless the PIO is voluntarily adhering to Agency policy in consultation with USAID staff. Under a USAID-funded program contribution, the Agency generally relies on the PIO's internal systems and procedures for program implementation; therefore, the PIO itself is the EV's sponsor rather than USAID. However, PIOs may voluntarily agree to adhere to Agency policy provided in this ADS chapter, but in such cases the PIO must adhere to all requirements of this ADS chapter in its entirety and USAID will thereby be the EV's sponsor rather than the PIO. This provision applies specifically to program contributions to PIOs and does not apply to other types of awards to PIOs (*i.e.*, cost-type grants, general contributions, etc.) (see [ADS 308](#)).

Except under exceptional circumstances (see section **252.3.1**), all USAID-sponsored EVs must obtain, use, and abide by the terms of the J-1 visa processed under the USAID program number.

The Department of State has designated USAID as a Student and Exchange Visitor Program (SEVP) sponsor. USAID's program number is **G-2-00263**. The Agency is designated for a wide range of EV categories, as defined in [22 CFR 62](#), which encompass all possible Agency-sponsored activities. The categories are:

- i. **Student** – The EV is entering the U.S. to study at a degree-granting post-secondary accredited educational institution. The EV may participate in a degree or a non-degree program. The maximum duration of participation for the Non-Degree Student sub-category is two years. There is no maximum duration of participation for the associate's, bachelor's, master's, or doctoral degrees sub-categories (see [22 CFR 62.23](#)).
- ii. **Short-Term Scholar** – The EV is entering the U.S. for a period up to six months for the purpose of lecturing, observing, consulting, training, or demonstrating special skills at research institutions, museums, libraries,

post-secondary accredited educational institutions, or similar types of institutions (see [22 CFR 62.21](#)).

- iii. **Specialist** – The EV is an expert in a field of specialized knowledge and is entering the U.S. for a period up to one year to observe, consult, or demonstrate special skills (see [22 CFR 62.26](#)).
- iv. **Research Scholar** – The EV is entering the U.S. for a period up to five years primarily to conduct research, or to observe or consult in connection with a research project at research institutions, corporate research facilities, museums, libraries, post-secondary accredited institutions, or similar types of institutions (see [22 CFR 62.20](#)).

Individuals may not travel as Research Scholars if they have traveled to the U.S. under an F or J visa within the previous 12 months unless their presence in the U.S. was for less than six months. EVs who travel as Research Scholars may not return to the U.S. as a Research Scholar for two years following the completion of their program.

- v. **Government Visitor** – The EV is entering the U.S. for a period up to 18 months and is an individual who is influential or distinguished, selected by USAID to consult, observe, train, or demonstrate special skills (see [22 CFR 62.29](#)).

252.3.1 Exceptions to the J-1 Visa Requirement

Effective Date: 04/26/2021

Mission Directors or USAID/W Office Directors may, in consultation with RLOs or GC, and, on a class or case-by-case basis, exempt certain individuals from USAID's policy of requiring the use of a J-1 visa, when one of the following is evident:

- The consular official issuing the visa determines that another type of visa is appropriate for the travel;
- The individual is sponsored by USAID/Mexico for a program of no more than 14 days in duration (from program start date to program end date), is traveling to the U.S., and is holding a B-1/B-2 Border Crossing Card (BBBCC) or B-1/B-2 Border Crossing Visa (BBBCV);
- The individual's travel is required to meet urgent, sensitive, and high-priority Mission program requirements; or
- Such action is deemed in the best interest of the Agency.

The Mission Director or USAID/W Office Director must sign the completed [AID Form 252-2, Exemption of Requirement for Use of J Visa](#). The Sponsoring Unit (or Program Implementer in accordance with their award) must keep a copy of the

completed form in the EV's file and forward one copy to the USAID Responsible Officer. The [AID Form 252-2](#) is intended for internal Agency management control purposes only, is not related to the Nonimmigrant Visa Referral (form DS-4034/5) process and must not be shared with anyone outside of the Agency.

Individuals sponsored by USAID for travel to the U.S. under a visa other than a J-1 are not subject to the two-year home residency requirement (see section **252.3.6.1**) but are still subject to the Security Risk and Fraud Inquiry using either the Standard or Alternate procedure (see section **252.3.3**).

In a case where a consular officer issues a visa other than J-1 to a USAID-sponsored EV, certain **ADS 252** provisions remain applicable as Agency policy. Those **ADS 252** provisions that remain applicable (with noted conditions) are as follows:

- **252.3.3**, EV and Dependents Security Risk and Fraud Inquiry
- **252.3.4**, Dependents Certification
- **252.3.5.1**, Initiation of EV Data
- **252.3.5.2**, Verification of EV Data
- **252.3.5.3**, Approval of EV **Selection and Data**
- **252.3.6**, EV Conditions of Sponsorship and Pre-Departure Orientation
- **252.3.6.2**, EV Health and Accident Insurance
- **252.3.6.4**, EV Employment
- **252.3.6.5**, EV English Language Proficiency
- **252.3.8**, Tracking EVs and Dependents
- **252.3.8.1**, Cancellation of EVs
- **252.3.8.2**, Validation of EV Arrival **at U.S. Program Site**
- **252.3.8.3**, EV Biographical Data Updates
- **252.3.8.4**, Dependents Biographical Data and Status Updates
- **252.3.8.5**, Validation of EV Travel Outside the U.S.
- **252.3.8.6**, Validation of EV Departure from the U.S.

- **252.3.8.7**, Reporting No Show and Non-Returnee EVs
- **252.3.10**, Documenting EVs and Dependents
- **252.3.11**, Compliance Monitoring and Verification

The following **ADS 252** provisions are not applicable (with noted conditions):

- **252.3.5**, Certification of Eligibility for EV Status (except **252.3.5.1** and **252.3.5.3**)
- **252.3.6.1**, EV Two-Year Foreign Residency Requirement and Waiver
- **252.3.6.6**, Transferring EV Visa Sponsorship
- **252.3.6.7**, Termination of EV Status
- **252.3.7**, Changing Visa or Status to USAID Sponsorship.

252.3.2 **EV and Dependents Security Risk and Fraud Inquiry (SRFI)**
Effective Date: 04/26/2021

USAID Missions must conduct a Security Risk and Fraud Inquiry on every potential EV and dependent whose legal residence is in a Mission's covered country, regardless of whether or not the EV is sponsored by that Mission or another USAID Sponsoring Unit, unless alternate agreed upon arrangements are made with another USAID Mission to conduct the inquiry. Sponsoring Units must request the appropriate Mission to conduct an SRFI on every potential EV and dependent, utilizing the SRFI process established by that Mission. Travel to the U.S. must begin no more than 120 days (four months) after completion of the SRFI. If travel commences more than 120 days after completion of the SRFI, the **Mission** must update the EV's SRFI through re-verification of the information used in the initial inquiry.

Missions must establish an SRFI, including the process for conducting it. The purpose of the SRFI is to identify individuals who could pose a threat to the security of the U.S. and to identify individuals seeking to obtain a J-1 visa with the intent of defrauding USAID. Individuals who are found unsuitable for selection due to findings that resulted from an SRFI are not eligible for USAID sponsorship.

USAID Implementers may assist Missions in conducting the SRFI, however an SRFI must not be based on information obtained solely from an Implementer. Missions must consult with the Consulate's Fraud Prevention Manager when developing their SRFI and are encouraged to consult with the Embassy, Consulate, Regional Security Officer (RSO), and/or USAID's Office of Security when developing or reviewing it. The SRFI only supplements and does not duplicate, substitute, or supersede other fraud or security measures in place or determined to be appropriate by the aforementioned.

The process for conducting the SRFI must address:

- How the SRFI will be conducted,
- Who will conduct the inquiry,
- The point at which the inquiry must occur in the EV selection and pre-departure process, and
- The procedure for maintaining documentation of the SRFI.

a. Standard SRFI

Because security and fraud concerns vary in Missions around the world, there is no single formula or prescribed process to cover all situations. The majority will be subject to a Mission's standard SRFI. Missions must establish a standard SRFI based on, but not limited to, the following:

- Evidence the Mission staff determines to be appropriate in the local environment, including the results of inquiries to such U.S. Government officials as RSOs, Homeland Security Officers (HSOs), consular officers;
- Formal background checks;
- Police reports;
- Verification of employment and of the likelihood of continued employment upon return;
- Verification of personal or biographical information provided by the EV;
- Letters of recommendation from past or current employers in **residence** or host country;
- Personal knowledge of the EV's or dependent's conduct from Mission staff or Implementers;
- Information and impression based on the formal interview; and
- Any combination of the above.

A USAID staff member or Implementing Partner staff member must physically meet the potential EV **in-person** to verify his or her identity.

b. Alternate SRFI

Missions may also establish an alternate SRFI to be used in instances where certain USAID or Embassy staff personally knows an EV or dependent, or when an EV or dependent is of a substantially high profile. This alternate SRFI may rely solely on the assertion of U.S. citizen Mission or USAID/W Office staff that the EV or dependent neither poses a threat to the security of the U.S. nor intends to defraud USAID.

Missions must document such assertions in an EV **and/or SRFI files**.

The Mission Director identifies what level of staff may assert personal knowledge of an EV or dependent as the basis for this alternate SRFI.

Missions are encouraged to include their SRFI and/or alternate SRFI and the process for conducting it in a Mission Order or Directive for Visa Compliance for Exchange Visitors. The Mission Executive Officer (EXO) is normally responsible for the establishment and maintenance of a Mission directives system that may include Mission Orders and Notices (see [ADS 527, Functions of the Mission Executive Officer](#)).

Missions are strongly encouraged to share their Mission Orders or directives with **the POC of this ADS chapter to ensure regulatory and policy compliance**.

252.3.3 Dependent Certification

Effective Date: 04/26/2021

USAID considers spouses of any age and children under the age of 21 traveling to the U.S. to accompany, join, or visit U.S.-based USAID-sponsored EVs to be dependents. This provision applies to same-sex spousal-dependents in the same manner as opposite-sex spousal-dependents.

To avoid unnecessary liabilities and to minimize the possibility of non-returnees, USAID strongly discourages dependent travel. USAID Mission Director or USAID/W Office Director (or designee) approval must be obtained **in writing** for all dependent travel regardless of the visa type being used by the dependent for travel.

Each Mission must establish a policy governing all aspects of dependent certification, including criteria for the approval of dependents. Missions may permit EVs to bring family members to the U.S. either for an EV's full duration of stay or for short visits, only if the EV possesses adequate financial resources to support an accompanying spouse and dependents.

Missions must consider whether: a) cultural or religious norms require an EV to be accompanied, joined, or visited in the U.S. by a dependent; b) the separation from family during the EV's duration of stay in the U.S. will pose a hardship likely to affect the EV's ability to fully engage in the sponsored activity; and c) if the EV is likely to be distracted from program goals by family obligations in their **residence** country. The Approver (R3) must upload the **approval document(s) of the approved dependent** to the EV's **TEAMS** record (see section **252.3.5.3**). The Sponsoring Unit must keep a hard (paper) copy of the **dependent approval** on file with other EV documents.

All dependents of USAID-sponsored EVs must obtain, use, and abide by the terms of the J-2 visa processed under a USAID program number, unless the consular official issuing the visa makes a determination that another type of visa is appropriate for the travel.

The same J visa application procedures that apply to EVs also apply to dependents (see section **252.3.5**).

Missions must conduct the same SRFI on EV dependents that they conduct on EVs (see section **252.3.2**). Missions must document the specific evidence they used to make the required dependent SRFI. Sponsoring Units must keep security risk determination evidence on file with other EV documents.

USAID has no financial obligation related to dependents, and support of dependents is the EV's sole responsibility. Adequate financial expenditure estimates are based on the cost of living in the area where the USAID-sponsored activity is taking place. The USAID Mission (or USAID/W for centrally approved EVs) must consider the total number of dependents and the expected length of stay in the U.S. in determining total expenditure estimates. **These estimates must be specified in the dependent approval documentation.**

Sponsoring Units must inform the EV that the EV is responsible for:

- Arranging, maintaining, and paying for each dependent's health insurance coverage and ensuring that the insurance remains in effect for the duration of the dependent's presence in the U.S.
- **Obtaining** maternity coverage benefits for dependents, if appropriate.
- **Ensuring that dependents' airplane tickets do not expire and are kept updated with the issuing airline.**

Sponsoring Units should inform EVs that they may obtain information on dependent health insurance coverage in the U.S. from the Foreign Student Advisor at academic institutions or by writing to the National Association for Foreign Student Affairs.

Sponsoring Units are encouraged to provide a pre-departure orientation for dependents.

252.3.4 **Certificate of Eligibility for Exchange Visitor Status (Form DS-2019)**
Effective Date: 04/26/2021

USAID-sponsored EVs must enter the U.S. on a J-1 (nonimmigrant Exchange Visitor) visa processed under a USAID program number, unless a U.S. consular officer determines otherwise. EVs must submit a [Certificate of Eligibility for Exchange Visitor Status \(Form DS-2019\)](#) (generated electronically) and other supporting

documents to the U.S. consulate in order to apply for a J-1 visa, unless the use of a visa other than a J-1 has been approved (see section **252.3.1**).

Agency policies, procedures, and information systems used for obtaining a DS-2019 form reflect requirements of the Student and Exchange Visitor Information System (SEVIS), a web-based system for maintaining information on international students and EVs in the U.S. The Student and Exchange Visitor Program, a division of U.S. Immigration and Customs Enforcement of the Department of Homeland Security, administers SEVIS. For more information on SEVIS, see: <http://www.ice.gov/sevis/index.htm>.

To obtain a DS-2019 form for a prospective USAID-sponsored EV, information about the individual must be gathered and managed in the following manner:

- An assigned initiator (R1) must enter the information, initiating the flow of information, using the USAID Training and Exchanges Automated Management System (TEAMS), a USAID data system;
- An assigned verifier (R2) must verify the information, using TEAMS;
- An assigned Mission or USAID/W Office Approver (R3) must approve the information, also using TEAMS; and
- The RO (R4) or ARO to SEVIS submits the information to SEVIS.

SEVIS generates the DS-2019 Form, and the USAID RO or ARO signs and expeditiously sends it to Mission or USAID/W Office Approvers for facilitating consular interviews. For further systems and procedural guidance, see the [TEAMS User's Manual \(ADS 252maa\)](#).

252.3.4.1 **Initiation of EV Data**

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The R1 must enter EV information in TEAMS allowing sufficient time for the Verifier (R2) and Approver (R3) to carry out their respective roles, and the EV to receive the DS-2019 Form (see section **252.3.5**) and to arrange for a consular interview. R1 – Initiators must use standard English language characters when entering data into TEAMS.

In the event that a Mission Director or USAID/W Office Director has exempted an individual who is participating in a U.S.-based activity from USAID's policy of requiring the use of a J-1 Visa (see section **252.3.1**), Sponsoring Units must enter data for the activity and sponsored-individual in TEAMS within 30 days of the program end date.

252.3.4.2 **Verification of EV Data**

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Once entered in **TEAMS**, all EV data must be verified by a Verifier (R2) who has been nominated to serve the R2 role by an Approver (R3). The R2 must verify data in **TEAMS**, allowing sufficient time for the Approver (R3) to carry out their role, and the EV to receive the DS-2019 Form and to arrange for a consular interview. **TEAMS** is a secure web-based system that facilitates both the approval process related to producing the DS-2019 and the data interchange between **TEAMS** and SEVIS.

The R1 and R2 must enter and verify EV data at least three weeks prior to the EV's planned travel date. Visa processing procedures for some countries may require a more extended lead time.

- a. Mission or USAID/W Office Approvers (R3) must appoint individuals authorized to verify required data in **TEAMS** as Verifiers (R2s) and must submit those appointments to the **TEAMS** helpdesk (**teams@usaid.gov**).

The **TEAMS Initiator** (R1) cannot perform this data-verifying role and therefore must not verify data that they entered into **TEAMS** as an R1. The R2 must be the supervisor of the **TEAMS Initiator** (R1), within the same organization as the **TEAMS Initiator** (R1), unless otherwise approved in writing by the RO.

- b. Verifiers (R2) must verify that all **TEAMS** data is complete, correct, and error-free. Verifiers (R2) must take appropriate supervisory action to rectify Initiator (R1) data entry errors.
- c. Mission and USAID/W Office Approvers (R3) must maintain their roster of appointed Verifiers (R2) by requesting **any R2s who are no longer associated with a USAID activity be removed from TEAMS.**

252.3.4.3 Approval of EV Selection and Data

Effective Date: 04/26/2021

All data necessary for obtaining a DS-2019 Form for each U.S.-bound EV must be approved using **TEAMS**, found at <https://teams.usaid.gov>. Missions must carry out the Approver (R3) role for EVs and dependents whose legal residence is in a Mission's covered country, regardless of whether or not the EV is sponsored by that Mission or another USAID sponsoring unit, unless alternate agreed upon arrangements are made with another USAID Approver (R3) to carry out the role.

The Mission Approver (R3) must carry out the R3 approval function for all initial or updated EV **TEAMS** data, except U.S. arrival validation (see section **252.3.8.2**), and **residence** country **return**. The R3 must approve initial EV data at least two weeks prior to the EV's planned travel date. Visa processing timelines for some countries may require a more extended lead time.

- a. The Mission Director or USAID/W Office Director must appoint Mission or Washington office staff members who are U.S. citizens to approve required

data (Approvers) and must submit those appointments directly to the RO in USAID/W. R3 appointments must not be sent to the systems helpdesk.

- b. Sponsoring Units must provide Mission Approvers (R3) with the following reference documents required for the approval function, and either the R2 (see section **252.3.5.2**) or R3 must upload these documents to the EV's **TEAMS** record, prior to the R3 approving the EV:
- EV Biographical Information;
 - A copy of the face page of the EVs passport, clearly showing the face, passport number, and country of citizenship;
 - [AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities](#) (dated 12/2013 or later) [English-version] (signed by both the **EV** and USAID Official);
 - SRFI documentation, including date conducted, evidence, and findings (see section **252.3.3**);
 - Health and accident insurance enrollment documentation; and
 - A [Dependent Certification](#) form approved by the Mission Director or USAID/W Office Director, if applicable.
- c. Approvers (R3) must certify that, to the best of their knowledge and based on representations made to them, the following occurred or will occur when approving EV data:
- USAID conducted an SRFI and noted the date on which USAID completed it (completion of the SRFI is required prior to approving an EV in **TEAMS** and cannot be conducted after the fact);
 - USAID will conduct the exchange visit in accordance with the requirements of **ADS 252**;
 - The EV and their program are legitimate;
 - The data in **TEAMS** is valid;
 - Each EV traveling to the U.S. (see [22 CFR 62.12 \(b\)](#)):
 - Meets eligibility requirements,
 - Is qualified to be selected for the EV activity, and

- Has been approved to participate in the activity in which they will be participating;
- The Mission approves any dependent travel;
- USAID authorizes **the R3** to approve the data; and
- The R3 is a citizen of the U.S. and staff member of a USAID Mission or USAID/W.

Unless the foregoing can be certified, an Approver must not approve an EV's data in **TEAMS**.

- d. If applicable, Approvers (R3) must upload **the dependent approval document(s) approved by** the Mission Director or USAID/W Office Director to the EV's file **in TEAMS**.

252.3.4.4 Submission of EV Data

Effective Date: 04/26/2021

Once the EV's biographical and activity information required for obtaining a Certificate of Eligibility for Exchange Visitor Status (Form DS-2019) (see section **252.3.5**) has been approved by an R3-Approver using **TEAMS**, the USAID RO or ARO submits the information to SEVIS. DHS administers the SEVIS. SEVIS generates the DS-2019 form. The RO or ARO **must** print and sign the form and send it by international courier to Mission or USAID/W Office Approvers for consulate filing.

The Mission or USAID/W Office Approver must retain control of the signed DS-2019 until they submit it, with supporting documents, to the U.S. Consulate. The Mission Approver must ensure that if an EV does not depart for the U.S. as planned, the DS-2019 form is immediately returned to the RO, with a brief explanation of the reason for the return. The Mission or USAID/W Office Approver must return all unused DS-2019 forms to the RO.

252.3.5 Conditions of Sponsorship and Pre-Departure Orientation

Effective Date: 04/26/2021

All EVs must sign the English-version of the **[AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities](#)**, indicating that they understand and agree to the contents of the form before accepting USAID sponsorship. The EV may also sign a version translated into their primary language if a translation is available. Sponsoring Units must use the most recent version of this form (dated 12/2013 or later). The Sponsoring Unit and the Implementer must retain a signed copy in accordance with the terms of their award. The R2-Verifier (see section **252.3.5.2**) of an EV's or dependent's **TEAMS** record must scan and upload a signed copy of the form to **TEAMS**. The Sponsoring Unit **(or Program Implementer in accordance with their award) must also provide the EV with a fully signed copy of the form but must** first remove page 3 of this

form (the page with a grey “FOR USAID STAFF ONLY” box) **which is intended** for internal USAID use only.

Sponsoring Units must ensure that all EVs take part in a pre-departure orientation to prepare them for their trip to the U.S.

The following subsections detail the minimum essential conditions of sponsorship that must be addressed during an EV’s pre-departure orientation.

252.3.5.1 EV Two-Year Foreign Residency Requirement and Waiver

Effective Date: 04/26/2021

Section 212(e) of the Immigration and Nationality Act (8 USC 1182) requires that J-1 visa holders reside for a total of 24 months, whether consecutive or non-consecutive, in their respective **residence** country before being eligible to apply for the following:

- Certain types of nonimmigrant visas (e.g., H-1 or L-1), or
- Legal permanent residence in the U.S. (commonly known as a green card).

USAID incorporated this requirement into **AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities**. USAID EVs may continue to travel to the U.S. during this 24-month period if the individual holds another type of nonimmigrant visa that permits such travel (such as a B-1/B-2, tourist/business visa). Time spent outside the **residence** country is not counted toward fulfillment of the two-year home residency requirement.

All USAID Sponsoring Units must inform EVs of the two-year home residency requirement, which is specified as a condition of sponsorship. Further, they must explain that the EV’s failure to fulfill this requirement may result in USAID seeking recovery of all costs associated with their sponsorship.

EVs may apply for a waiver of the two-year home residency requirement. The Department of State, Waiver Review Division administers the waiver review process. Only the DHS/U.S. Citizenship and Immigration Services has the authority to grant or deny a waiver of the two-year home residency requirement. USAID, as an EV Sponsor, is not authorized to grant a waiver of the two-year home residency requirement but does provide Program Sponsor Views of the waiver request to the (DoS) Waiver Review Division. Program Sponsor Views represent the position of the Agency regarding whether or not the waiver should be granted or denied.

If the DoS Waiver Review Division grants the waiver of the two-year home residency requirement over the objection of USAID, the Agency may issue a Bill of Collection to the J-1 visa holder for all costs associated with USAID’s sponsorship of that J-1 visa holder. If the Agency determines that the waiver should be granted, USAID will not issue a Bill of Collection to the J-1 visa holder.

The RO considers each waiver request on a case-by-case basis and provides Program Sponsor Views accordingly to the DoS for its determination. For EVs traveling under the Government Visitor category, USAID will not object to granting a waiver of the two-year home residency requirement.

252.3.5.2 EV Health and Accident Insurance

Effective Date: 04/26/2021

Sponsoring Units must enroll EVs in health and accident insurance coverage that meets or exceeds the Federal requirements established to implement the Mutual Educational and Cultural Exchange Act of 1961, as amended, Public Law 87–256, 22 U.S.C. 2451, *et seq.* (1988) as set forth in the Code of Federal Regulations, Title 22, Part 62.14 ([22 CFR 62.14](#)), as periodically updated.

Additionally, when selecting appropriate health and accident insurance coverage, Sponsoring Units must also comply with these additional coverage considerations:

- EVs may be enrolled in health and accident coverage offered by a U.S. college or university, or by a private insurance provider that is typically used by the activity implementer or identified through a search of qualified insurance providers. Selected insurance provider coverage must meet or exceed the coverage requirements specified in this ADS chapter. If EVs participating in an academic program are required by a U.S. college or university to enroll in a particular health and accident coverage policy offered by the college or university that does not meet the coverage requirements specified in this ADS chapter, Sponsoring Units must ensure that EVs are enrolled in additional insurance coverage that does meet or exceed the coverage requirements specified in this ADS chapter.
- Health and accident insurance coverage must begin the day the EV departs his or her residence country to travel to the U.S. and must remain in effect through the day the EV returns to his or her residence country.
- USAID is not responsible for any medical claims in excess of the coverage provided by the EV's health and accident insurance or for medical claims ineligible for coverage under the EV's health and accident insurance.
- Coverage for HIV/AIDS-related medical claims must be confirmed by the Sponsoring Unit and EV through contact with the individual health care provider. Sponsoring Units must not assume that coverage for HIV/AIDS is provided unless it is contained in the individual health and accident insurance policy.
- An EV must be repatriated to his or her country of origin if diagnosed with a mental or physical disease or disorder while in the U.S. that will unduly delay

or prevent the EV's successful completion of his or her sponsored activity. The Sponsoring Unit may waive this requirement only if both the Agency RO and the Mission Director or USAID/W Office Director provide the Sponsoring Unit with concurrent approval.

- In cases of terminally ill or incapacitated EVs, the health and accident insurance must cover medical costs only until the point of repatriation at an EV's **residence** country port of entry. If repatriation is delayed for medical reasons, health and accident insurance coverage must terminate as of the first date a treating physician deems the EV medically able to travel.
- The EV is ultimately responsible for ensuring that all claims for medical services are submitted to the insurance provider. All claims should be submitted within the timeframe set forth by the insurance provider.
- The Sponsoring Unit must submit premium payments within the deadline established by the provider. Non-payment of premiums may trigger automatic suspension of all health and accident insurance under the EV's enrollment agreement until full payment is received by the insurance provider.

Sponsoring Units must ensure that approved J-2 dependents are enrolled in health and accident insurance coverage during the period the dependent is in the U.S. that meets or exceeds the aforementioned minimum [22 CFR 62.14](#) coverage requirements and additional considerations for EVs.

252.3.5.3 EV Automobile Operation

Effective Date: 04/26/2021

To operate a motor vehicle in the U.S., **EVs must** have prior written approval from the Sponsoring Unit. When Sponsoring Units approve EV operation of a motor vehicle in the U.S., the Sponsoring Unit must:

- Ensure that the EV has obtained all necessary personal, liability, and health and accident insurance, and licenses to meet state and local requirements for the operation of a motor vehicle; and
- Inform the EV that they must pay for the cost for the medical treatment of injuries sustained as a result of a motor vehicle accident.

252.3.5.4 EV Employment

Effective Date: 04/26/2021

USAID-sponsored EVs with J-1 visas can be employed in the U.S. in connection with an assistantship or on-the-job experience that is an integral, documented part of the sponsored activity if the Sponsoring Unit approves it. USAID-sponsored **EVs in** U.S.-based **programs** can also be employed in the U.S. when the employment is not part of

the approved sponsored activity under certain conditions. Sponsoring Units must inform the RO or ARO when an EV is employed while under USAID-sponsorship.

252.3.5.5 EV English Language Proficiency

Effective Date: 12/29/2010

Sponsoring Units must verify that an EV is proficient in English if the individual will undertake a U.S.-based Exchange Visitor program that is conducted in English. Even if accompanied by an interpreter, the EV must have sufficient English language skills to understand and respond to basic questions at the U.S. port of entry. USAID cannot waive this external requirement of English language proficiency determination (see [22 CFR 62.10\(a\)\(2\)](#)).

252.3.5.6 Transferring EV Visa Sponsorship

Effective Date: 08/25/2014

The USAID RO or AROs have the sole authority delegated from the DoS to transfer J-1 visa sponsorship from one of USAID's programs to another Sponsor's program (*i.e.*, a university J-1 program). However, USAID will not transfer its program sponsorship except for when the EV was originally identified, in error, as a USAID-sponsored EV.

USAID-sponsored EVs who entered the U.S. on a J-1 visa processed under an authority other than USAID's must change their J-1 visa/status to a USAID-authorized J-1.

252.3.5.7 Termination of EV Status

Effective Date: 04/26/2021

Every EV must be notified at his or her pre-departure orientation that USAID may terminate the individual's status in SEVIS if the EV violates any of the Conditions of Sponsorship; invokes any of the bases of termination of program sponsorship as described in the [AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities](#) (*i.e.*, failure to file the appropriate U.S. Federal and state tax forms or bringing dependents to the U.S. without prior USAID approval); or if the EV (or dependent, as applicable):

- Is convicted of a crime,
- Is engaged in unauthorized employment,
- Has failed to pursue program activities,
- Has failed to submit change of address within 10 days,
- Has failed to maintain health insurance,
- Has failed to maintain a full course of study,

- Has been suspended involuntarily,
- Has violated sponsor rules governing the program, or
- Has violated EV program regulations.

The USAID RO is authorized to initiate a termination in SEVIS for any of the above-listed reasons. Sponsoring Units must inform EVs that termination in SEVIS may harm their ability to re-enter the U.S. in the future. EVs whose programs have been terminated cannot apply for an extension, reinstatement, or change of category, and along with all dependents, must leave the U.S. within three calendar days (seven calendar days for long-term programs of six months duration or longer).

The interpretation in [9 FAM 40.21\(a\) N3](#) concerning conviction of a crime in the context of visa eligibility informs this basis of termination in SEVIS (consult with the GC or your RLO for guidance on this issue).

When an EV's program is terminated in SEVIS, the RO or ARO **must** inform the R3-Approver associated with the EV's **TEAMS** record. The R3-Approver must then inform the consular officer of the EV's program termination.

252.3.6 Changing Visa or Status to USAID Sponsorship

Effective Date: 01/01/2005

USAID-sponsored EVs who entered the U.S. on an F-1 visa, which was processed under an authority other than USAID, must change their F-1 visa/status to a USAID-authorized J-1.

One of the following two procedures can accomplish a change of visa/status from F-1 to J-1, according to the circumstances:

- 1) From outside the U.S., the EV must consult with the U.S. Consulate regarding the appropriate procedures for applying for a J-1 visa and must re-enter the U.S. under J-1 visa classification.
- 2) Within the U.S., the EV must file the appropriate application (currently I-539) to request a change of status while remaining in the country. The EV must file the [I-539, Application to Extend/Change Nonimmigrant Status](#) and all supporting documents within one academic semester of the start of USAID sponsorship, if the duration of the program exceeds one semester.

252.3.7 Tracking EVs and Dependents

Effective Date: 12/29/2010

The vital importance to the U.S. Government of tracking international students and other EVs enrolled in U.S.-based activities is indicated in the [Enhanced Border Security and Visa Entry Reform Act of 2002 \(Pub. L. 107-173\)](#). The DHS, ICE, and DoS, through the SEVIS, manage the issuance of J-1 and J-2 visas, track students and EVs, and monitor information relative to each EV.

USAID policies and supporting procedures and systems for tracking USAID-sponsored EVs reflect SEVIS requirements. Sponsoring Units must track the whereabouts of EVs and dependents at all times while they are in the U.S.

252.3.7.1 Cancellation of EVs

Effective Date: 04/26/2021

Sponsoring Units must cancel in **TEAMS** the participation of EVs who will not be traveling to the U.S. for their USAID-sponsored activity. Reasons for EV cancellation can range from the EV's inability to obtain a J-1 visa, to personal issues that preclude an EV's participation in the sponsored activity, to the cancellation of an entire USAID-sponsored program.

Upon becoming aware that an EV will not travel, the R1 (see section **252.3.5.1**) must update the status of the EV to "cancelled" in **TEAMS**. The R2 (see section **252.3.5.2**) must verify and the R3 (see section **252.3.5.3**) must approve this update in **TEAMS**, allowing sufficient time for the USAID RO or ARO to submit the cancellation to SEVIS prior to the program start date. The R3 must return the unused DS-2019 form to the USAID RO or ARO for appropriate destruction and disposal.

252.3.7.2 Validation of EV Arrival at U.S. Program Site

Effective Date: 04/26/2021

USAID considers the content of an EV program to include travel from the EV's **residence** country to the U.S. in addition to the technical or practical components of the program; therefore, the start date of an EV's program is the day the EV is scheduled to depart his or her **residence** country for travel to the U.S. An EV must not depart from **their residence** country more than three calendar days (seven calendar days for long-term programs) prior to the first scheduled U.S.-based activity of their program.

Within three calendar days of the program start date (indicated on the EVs DS-2019 form), the Sponsoring Unit, and Implementers in accordance with the terms of their awards, must confirm that the EV has arrived in the U.S. and has begun their program. Upon confirmation, the R1 (see section **252.3.5.1**) must update the status of the EV in **TEAMS**. The R2 (see section **252.3.5.2**) verifies this update in **TEAMS** and the USAID Responsible Officer submits it to SEVIS. USAID refers to this process as "validation." An EV's arrival must not be validated prior to his or her actual arrival. For further details on the validation process, please refer to the [TEAMS User's Manual \(ADS 252maa\)](#).

It is vitally important to validate the arrival of EVs in **TEAMS**. Failing to do so will result in the EV being placed in “No Show” status with ICE. This status is an adverse or negative designation in the EV’s record with ICE. If it is verified that the EV did indeed arrive in the U.S. and began the program, USAID must then request the reinstatement of the EV through an official process involving DoS and DHS. USAID relies on its Implementers to pay the non-refundable reinstatement fee levied by DoS.

In the event that an EV does not begin their program upon arrival in the U.S., the Sponsoring Unit, and Implementers in accordance with the terms of their awards, must report the EV immediately to the RO or ARO. This notification to the RO/ARO will result in the EV being placed in “No Show” status with ICE (see section **252.3.8.7**).

252.3.7.3 EV Biographical Data Updates

Effective Date: 04/26/2021

During the course of an EV’s program, Sponsoring Units must immediately update in **TEAMS** any changes in the following information. It is particularly important that changes in current U.S. address (EV residence) be reported within 10 calendar days.

- Current U.S. address – For short-term activities (21 days or fewer) with multiple site visits, where the EV’s current address will change frequently, the U.S. address of the Implementer administering the activity may be used. However, USAID Sponsoring Units, and Implementers in accordance with the terms of their awards, must always track the whereabouts of their EVs while they are in the U.S. (see section **252.3.8**);
- Current site of activity – If the **program** provider has not been identified at the time of initial data entry, the Implementer’s name and U.S. address may be used until the provider is known. Once known, provider information must be entered as a **program** site information update into **TEAMS**. The Implementer’s name and U.S. address may also be used for EV activities where no **program** provider is being used;
- Activity start and end dates;
- USAID or other funding contributions;
- Program completion;
- Name;
- Sex;
- Country of birth;

- City of birth;
- Country of citizenship;
- Country of legal permanent residence;
- Position code; and
- Field of study.

252.3.7.4 Dependent Biographical Data and Status Updates

Effective Date: 04/26/2021

During the course of an EV's activity, **Sponsoring Units must immediately update in TEAMS** any changes in the following information pertaining to an EV's dependent:

- Name,
- Arrival of EV at their place of residence in the U.S.,
- Current U.S. address,
- Sex,
- City of birth,
- Country of birth,
- Country of citizenship,
- Country of legal permanent residence, and
- Departure from the U.S.

252.3.7.5 Validation of EV Travel Outside the U.S.

Effective Date: 04/26/2021

EVs must obtain the approval of the Sponsoring Unit for travel outside the U.S., while enrolled in a USAID-sponsored activity. Sponsoring Units must ensure that the EV's DS-2019 Form (see section **252.3.5**) is validated with the signature of the USAID RO or ARO before the EV departs the U.S. for such travel. Only the RO or an ARO may validate travel. Travel validation will only be provided for an EV who is in an appropriate status in SEVIS.

The institution must mail the DS-2019 Form, along with prepaid return express mail postage and a letter on institutional letterhead asserting that the EV is in good standing in his or her program, to the RO or ARO for handling.

The R2-Verifier (see section 252.3.5.2) of the EV's TEAMS record must upload the following documents related to Travel Validation to the EV's TEAMS record:

- The letter on institutional letterhead asserting that the EV is in good standing in their program, and
- The EV's DS-2019 Form with RO/ARO (R4) signature validating travel outside the U.S.

252.3.7.6 Validation of EV Departure from the U.S.

Effective Date: 04/26/2021

USAID considers the content of an EV program to include travel from the U.S. to the EV's residence country in addition to the technical or practical components of the program; therefore, the end date of an EV's program is the day the EV is scheduled to arrive back in their residence country from the U.S.

An EV must arrive back in their residence country within three calendar days (seven calendar days for long-term programs) after the last U.S.-based activity of their program, unless circumstances preclude the departure and the USAID RO or ARO approves the exception in writing. This policy is intended to accommodate those EVs who are unable to depart the U.S. due to reasons beyond their control. It is not intended to accommodate individuals who seek to remain in the U.S. to participate in personal business, including visits to friends or family members who reside in the U.S. The RO approval is contingent upon written justification and assurance that the Sponsoring Unit will track the EV's whereabouts and cover all associated costs including, but not limited to, health and accident insurance.

Sponsoring Units, and Implementers in accordance with the terms of their awards, must track the U.S. departure and Residence Country return statuses of their EVs and update TEAMS accordingly.

In the event that an EV does not arrive back in their residence country within three calendar days (seven calendar days for long-term programs) after the last U.S.-based activity of the program, the Sponsoring Unit, and Implementers in accordance with the terms of their awards, must report the EV immediately to the RO or ARO. This notification to the RO/ARO may result in the EV's program being placed in "Terminated" status with ICE for violating sponsor rules governing the program (see section 252.3.8.4). The EV may also be classified as a "Non-returnee" by the Sponsoring Unit precipitating the Bureau for Management, Office of the Chief Financial Officer (M/CFO) procedures governing the recovery of EV program costs for non-returnees (see [ADS 625, Accounts Receivable and Debt Collection](#)).

252.3.7.7 Reporting No Show and Non-Returnee EVs

Effective Date: 08/25/2014

In the event that an EV becomes a “No Show” (see section **252.3.8.2**) or a “Non-returnee” (see section **252.3.8.3**), the Sponsoring Unit, and Implementers in accordance with the terms of their awards, must inform the RO immediately upon learning of such circumstances.

Sponsoring Units, and Implementers in accordance with their awards, must attempt to contact an EV who has been identified as a “No Show” or a “Non-returnee” and inform the individual they will be reported to DHS and that USAID may attempt to collect its sponsorship costs from the EV (see [ADS 625](#)). If a Sponsoring Unit cannot ultimately locate an EV for tracking purposes, the Sponsoring Unit must complete the following actions:

- Solicit information regarding an EV’s whereabouts from all available sources, including fellow students, friends, and relatives, and report such information both to police and the RO or ARO;
- File a “missing persons” police report, if feasible;
- Immediately notify the RO or ARO in writing, for possible program termination in SEVIS; and
- Provide the RO or ARO with all documentation in support of the SRFI that was conducted on the EV.

252.3.8 EV U.S. Taxes

Effective Date: 04/26/2021

All J-1 visa holders assisted with funds from U.S. sources, including USAID, are subject to the U.S. Internal Revenue Service requirement to file U.S. tax returns, regardless of whether or not tax payments are due.

Sponsoring Units (or Implementers, in accordance with their awards) must:

- a. Determine if each EV is eligible to receive a Social Security Number (SSN) (see [SSA Publication No. 05-10096](#)), and if the EV is eligible, ensure that he or she obtains a SSN using [SSA Form SS-5, Application for a Social Security Number](#). Please note that most USAID EVs are ineligible to receive an SSN because they are not authorized to work in the U.S. and do not have a valid non-work reason for SSN issuance and must therefore obtain an Individual Taxpayer Identification Number (ITIN).

- 1) Long-Term Programs (six months or longer)

For long-term programs (six months or longer), if an EV is ineligible to receive an SSN (see section **252.3.9a**), the Sponsoring Unit must inform the EV (preferably during Pre-Departure Orientation – see section **252.3.6**) that they, or their authorized representative, must apply for an ITIN in accordance with IRS application instructions (see [IRS Publication No. 54092G](#)) using the IRS Form W-7 (see [IRS Form W-7, Application for IRS Individual Taxpayer Identification Number](#)).

2) Short-Term Programs (less than six months)

For short-term programs (less than six months), if an EV is ineligible to receive an SSN (see section **252.3.9a**), the Sponsoring Unit must carry out the following actions that are required to obtain an ITIN for the EV:

- i. Collect, review, and scan the following identifying documentation required for the ITIN application process from the EV, ideally prior to the EV's departure from **their residence** country to the U.S., e.g., during pre-departure orientation (see section **252.3.6**):
 - Passport - Face page (with issue and expiration date, date of birth, full name, and face photo);
 - Passport - Signature page (if passport holder's signature is not on face page); and
 - Valid J-1 visa issued by the U.S. Department of State.
- ii. Scan the EV's signed (by USAID RO/ARO) Form DS-2019 (see section **252.3.5**).
- iii. Scan the EV's [AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities](#) (see section **252.3.6**).
- iv. Prepare and scan a signed (by the EV or authorized representative) [IRS Form W-7, Application for IRS Individual Taxpayer Identification Number](#). Under "Reason you are submitting Form W-7", boxes f. and h. must be checked, and on line h., claim exception 2c; or, if the EV is claiming tax-treaty benefits: claim exception 2b, and enter the name of the treaty country and treaty article number (see [Form W-7 Graphic](#)).
- v. Prepare and scan a cover letter using the provided mandatory template (see [W-7 Package Cover Letter](#)) on Sponsoring Unit (or Implementer, in accordance with their award) letterhead, stating that:

- The collected, reviewed, and scanned current identifying documentation was an original or a duplicate certified by the issuing agency; and
 - The applicant is not eligible for an SSN, will not be securing employment in the U.S. or receiving any type of income from personal services, and is receiving only non-compensatory income from scholarships, fellowships, or grants that is subject to IRS information reporting and/or Federal tax withholding requirements during the current tax year.
- vi. Assemble the aforementioned scanned documents (items 1-5) as one merged document called “W-7 package” (one separate W-7 package for each EV) and attach the W-7 package(s) to an email. The Sponsoring Unit must send this email to **itin@usaid.gov** requesting that USAID prepare an official letter of certification and submit the W-7 application package to the IRS.
- vii. Upload each W-7 package to each EV’s record in **TEAMS**.
- b. Provide a Statement of Expenditures (or IRS Form 1042-S; or IRS Form 1099) to the EV detailing **program**-related expenditures paid from U.S. sources on behalf of the EV.
- c. Assist the EV with filing appropriate Federal tax forms with the IRS, or file on their behalf.
- d. Fund all Federal, state, or local taxes on sponsored EVs’ U.S. source income resulting from the official USAID-funded, U.S.-based program.

Income tax payment exclusions are as follows:

- Tax, penalties, or interest associated with an Implementer’s failure to comply with Federal, state, or local statutes and regulations governing the timely reporting, withholding, payment of withholding tax on amounts of an EV’s U.S. source of income or an EV’s **residence** country tax liability;
- Tax, penalties, or interest for any period of time when EVs are in Non-Returnee status;
- Tax, penalties, or interest on any sponsored EVs’ incomes received from sources outside the U.S.;
- Tax, penalties, or interest on any sponsored EVs’ income received from non-USAID sources, except from approved assistantships, approved paid internships, and approved on-the-job **experiences**; and

- Tax, penalties, or interest for EVs who return to the U.S. after completion of their USAID-sponsored **program** and incur retroactive tax liabilities for the time spent under USAID sponsorship.

The procedures concerning EV taxes are contained in the [Internal Revenue Code, 1986](#).

252.3.9 Documenting EVs and Dependents

Effective Date: 04/26/2021

Sponsoring Units, and Implementers in accordance with the terms of their awards, must handle, maintain, and safeguard EV documentation in compliance with the USAID Records Management Program (see [ADS 502, The USAID Records Management Program](#)).

The R2-Verifier (see section **252.3.5.2**) or R3-Approver (see section **252.3.5.3**) of an EV's or dependent's **TEAMS** record must scan and upload the following documents to **TEAMS**. They must also retain hard (paper) copies of all of the following administrative file documents:

- A black and white copy of the signed DS-2019 form (see section **252.3.5**);
- The face page of the passport;
- EV's biographical data information—including names and contact information of family members residing in the U.S.;
- SRFI documentation;
- [AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities](#) [English-version] (signed by both the **EV** and USAID Official);
- Dependent Certification form, if applicable; and
- Description of dependent U.S. school enrollment, if applicable.

Sponsoring Units must retain, and may also upload to **TEAMS**, hard (paper) copies of all the following administrative file documents related to EVs, dependents, and sponsored activities:

- English language proficiency documentation;
- Medical clearance confirmation, if applicable;
- Dependent medical certification, if applicable;

- Documentation proving dependent health insurance enrollment, if applicable;
- SEVIS identification number; and
- All other documentation/correspondence related to visa compliance.

Sponsoring Units may require the retention of other documentation. Sponsoring Units must not make color copies of the DS-2019 Form.

252.3.10 RO Compliance Monitoring and Verification

Effective Date: 04/26/2021

Missions and USAID/W Offices must make every reasonable effort to accommodate Agency compliance monitoring and verification, including periodic site visits by the Agency RO or AROs (see section **252.2**). The ultimate goal of the Agency strategy is to obtain assurance that USAID is making all reasonable efforts to identify and accept only those individuals who will respect U.S. laws and return to their **residence** country, and to ensure that USAID is providing the U.S. Department of Homeland Security with accurate and timely information regarding USAID-sponsored EVs.

252.4 MANDATORY REFERENCES

252.4.1 External Mandatory References

Effective Date: 04/26/2021

- [8 U.S.C 1182](#)
- [22 CFR 62](#)
- [Pub. L. 107-173/H.R. 3525, Enhanced Border Security & Visa Entry Reform](#)
- [U.S. Internal Revenue Code, 1986](#)

252.4.2 Internal Mandatory References

Effective Date: 04/26/2021

- [ADS 205, Integrating Gender Equality and Female Empowerment in USAID's Program Cycle](#)
- [ADS 206, Prohibition of Assistance to Drug Traffickers](#)
- [ADS 252maa, TEAMS User's Manual](#)
- [ADS 302, USAID Direct Contracting](#)

- e. [ADS 303, Grants and Cooperative Agreements to Non-Governmental Organizations](#)
- f. [ADS 306, Interagency Agreements](#)
- g. [ADS 308, Agreements with Public International Organizations](#)
- h. [ADS 502, The USAID Records Management Program](#)
- i. [ADS 522, Performance of Temporary Duty Travel in the U.S. and Abroad](#)
- j. [ADS 527, Functions of the Mission Executive Officer](#)
- k. [ADS 625, Accounts Receivable and Debt Collection](#)
- l. [AIDAR, USAID Acquisition Regulation](#)

252.4.3 Mandatory Forms

Effective Date: 04/26/2021

- a. [AID Form 252-1, Conditions of Sponsorship for U.S.-Based Activities](#)
- b. [AID Form 252-2, Exemption of Requirement for Use of J Visa](#)
- c. **Certificate of Eligibility for Exchange Visitor Status, Form DS-2019**
This form is generated electronically by SEVIS. Please refer to **252.3.5** for a comprehensive discussion of this form.
- d. [Dependent Certification](#)
- e. [DS-160, Nonimmigrant Visa Application](#)
- f. [I Form 9, Employment Eligibility Verification](#)
- g. [I-539, Application to Extend/Change Nonimmigrant Status](#)

252.5 ADDITIONAL HELP

Effective Date: 04/26/2021

- a. [ADS 252saa, W-7 Package Cover Letter](#)
- b. [ADS 252sab, Form W-7 Graphic](#)

252.6 DEFINITIONS

Effective Date: 04/26/2021

See the [ADS Glossary](#) for all ADS terms and definitions.

Beneficiary

Any foreign national who is a recipient of, derives advantage from, or is helped by USAID development assistance. Such individuals are not employees of USAID nor providers of USAID development assistance. (**Chapter 252**)

Covered Countries

Countries identified annually as major illicit drug producing or drug-transit countries under Section 490(h) of the FAA as well as any country or portion of a country that the Department of State determines is to be treated as a covered country under the 487 regulations. (**Chapters 206 and 252**)

DS-2019 Form (Certificate of Eligibility)

A form generated electronically by SEVIS and issued by the USAID Responsible Officer in Washington, DC to potential EVs certifying the individual's eligibility to participate in their EV program and indicating the program start and end date. EVs are authorized for a duration of stay in the U.S. limited to the program start and end date. (**Chapter 252**)

Exchange Visitor (EV)

Any foreign national who is traveling to or is already in the U.S. as a beneficiary (not provider) of USAID development assistance for any purpose, including invitational travel (see [ADS 522](#)) and is financed in whole or in part, directly or indirectly, by USAID. All USAID-sponsored EVs must obtain, use, and abide by the terms of the J-1 visa exclusively even if they already have a valid nonimmigrant visa (e.g., B-1/B-2). All Individuals traveling under Invitational Travel (see [ADS 522](#)) must also travel on a J-1 visa as a USAID-sponsored EV. (**Chapter 252**)

Health and Accident Coverage (HAC)

A health and accident insurance policy for all U.S. EVs. (**Chapter 252**)

Host Country

The country in which a USAID-funded activity takes place. (**Chapter 252**)

Host Country National

A citizen of a Host Country. (**Chapter 252**)

Implementer

The individual or entity that carries out program and management planning and oversight of an EV's program. (**Chapter 252**)

J-1 Visa

A nonimmigrant visa issued by the U.S. Embassy for an individual who has a residence in a foreign country which he has no intention of abandoning and who is coming temporarily to the U.S. as an EV for the purpose of consulting; demonstrating special skills; presenting; lecturing; conducting research; attending professional meetings, conferences, workshops, or observational study tours; and degree and non-degree

academic studies (full course load); and specialty and non-specialty **EV** activities. (Chapter 252)

Non-presence Country

A country where USAID does not have a Mission or Representative Office. (Chapter 252)

Non-returnee

An EV who has remained in the U.S. after the conclusion of his or her program. Non-returnees may include individuals who have remained in the U.S. and have applied for a waiver of the two-year home residency requirement. They may also include “no-shows” and individuals who fail to appear for their EV program. A non-returnee may also be an individual who departs the U.S. but does not return to their residence country. (Chapter 252)

Participant

See Exchange Visitor (EV). (Chapter 252)

Presence Country

See Host Country. (Chapter 252)

Program Provider

Any institution, organization, or individual, whether public, private, non-profit, or for-profit, that directly furnishes program components to an Exchange Visitor under full or partial USAID funding. Distinct from Implementers who arrange for such programs and are also known as program Implementers or Programming Agents. (Chapter 252)

R1

Also known as the Initiator, this individual is responsible for entering Exchange Visitor information into **TEAMS** accurately and completely without error, thus initiating the J-1 visa issuance process. The R1 is also responsible for entering Exchange Visitor status changes and changes to the Exchange Visitor’s biographical information throughout the course of the program. (Chapter 252)

R2

Also known as the Verifier, this individual is generally the supervisor of the R1, and accesses the **Training and Exchanges Automated Management System (TEAMS)** and verifies that all information in **TEAMS** regarding all Exchange Visitors is complete, correct, and error free. The R2 is also responsible for verifying Exchange Visitor status changes and changes to the Exchange Visitor’s biographical information throughout the course of the program. A Mission or Bureau/Independent Office Approver must nominate all R2’s. The role of the R2 must not be performed by an R1. (Chapter 252)

R3

Also known as the Approver, this individual is a U.S. citizen member of the Mission or Bureau/Independent Office staff who is responsible for approving all exchange visits to the U.S. and some Exchange Visitor status changes and biographical updates. The R3 also certifies that a Security Risk Inquiry has been conducted for each Exchange Visitor and dependent who is approved for travel to the U.S.. The Mission or USAID/Washington Office Director must appoint the R3. (**Chapter 252**)

R4

Also known as the Submitter, the R4 is the Responsible Officer or Alternate Responsible Officer for USAID's sponsorship designation under the Department of State's Student and Exchange Visitor Program. The R4 accesses both the **Training and Exchanges Automated Management System (TEAMS)** and the Student and Exchange Visitor Information System (SEVIS). All data regarding an Exchange Visitor that must be updated or input into SEVIS must be submitted by the R4. The R4 is responsible for printing, signing and expeditiously shipping to USAID Missions, all Exchange Visitor Certificate of Eligibility for Exchange Visitor (J-1) Status (Form DS-2019) generated by SEVIS. (See [22 CFR 62](#) for information on the nomination process.) (**Chapter 252**)

Residence Country

Country where the Exchange Visitor claims legal residency. (**Chapter 252**)

Responsible Officer (RO)

The USAID official listed with the Department of State as assuming the responsibilities described in Code of Federal Regulations pertaining to Exchange Visitor programs and designates Alternate Responsible Officers as appropriate. (**Chapter 252**)

SEVIS

The Student and Exchange Visitor Information System (SEVIS) is the Department of Homeland Security, Immigration and Customs Enforcement controlled database of Exchange Visitors traveling to the U.S. to pursue Exchange Visitor activities, pursuant to the Enhanced Border Security and Visa Entry Reform Act of 2002 Pub. L. 107-173/H.R. 3525. (**Chapter 252**)

Sponsoring Unit

The Mission or Bureau/Independent Office that expends USAID funds for an Exchange Visitor activity or for design, implementation, or evaluation **related to these** activities. (**Chapter 252**)

Statement of Expenditure

The accounting of expenditures that must accompany each U.S. Exchange Visitor's income tax return, detailing the **program**-related expenditures paid from U.S. sources on behalf of the Exchange Visitor. (**Chapter 252**)

Training and Exchanges Automated Management System (TEAMS)

USAID's data system for the reporting of information on all USAID Exchange Visitor activities. TEAMS is USAID's single repository of Exchange Visitor data. TEAMS is a

web-based application that helps Missions, contractors, and contractor systems at various locations to collaborate in approving and reporting EVs. The system serves as USAID's data interface with the Department of Homeland Security's (DHS) Student and Exchange Visitor Information System (SEVIS). (**Chapter 252**)

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