

Complete Guide to USAID Visa Compliance

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Abstract

The policies and procedures used by USAID Missions and contractors to obtain the paperwork needed for a participant to get a J-1 visa have changed in light of the attacks of September 11, 2001. This document describes the roles, systems and workflow of requesting and maintaining DS-2019 forms for USAID-sponsored participants.

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Introduction

Background

After the attack on the World Trade Center in 1993 and again after the coordinated attacks of September 11, 2001, legislation was passed that resulted in the creation of the Student and Exchange Visitor Information System (SEVIS) by the Immigration and Naturalization Service (INS) and the Department of State to monitor the issuance of F, M and J visas, and to gather and monitor information about students and exchange visitors in the U.S. from entry to exit. In complying with the SEVIS requirements, over 70,000 institutions and organizations must now adhere to a uniform standard of procedures and participant data updates.

As of February 15, 2003, all exchange visitor program sponsors, including USAID, are required to use SEVIS to print DS-2019 J-1 visa applications electronically and must update SEVIS with information on all participants in the United States within specific guidelines and deadlines. Only approved U.S. citizens, located in the U.S., are able to use SEVIS.

In 2004, the INS was integrated into the Department of Homeland Security (DHS), who now shares joint authority for administering SEVIS with the Department of State.

A J-1 visa obtained improperly or fraudulently, through compromised USAID information systems or procedures could cost the Agency immensely. USAID intends to minimize its risk of J-1 visa misuse.

Purpose

Thousands of people a year are brought to the United States and enrolled in training programs managed by USAID implementers. Previous USAID participant training policies and procedures supported a highly decentralized process of each USAID Mission individually initiating visa applications and tracking participants.

Under the SEVIS requirement, however, only a small number of centralized U.S.-based USAID staff are granted access to SEVIS to issue visa applications and track participants.

Therefore, Agency policies, as well as supporting procedures and systems, have changed to address this necessary need for U.S.-based centralization. This document provides an overview and specific guidance regarding procedures and systems required for J-1 visa processing for USAID sponsored participants. Detailed instructions for using the supporting computer systems are provided in accompanying appendices.

Policies governing the participant training are contained in ADS Chapter 253, and policies governing visas are contained in ADS Chapter 252.

Overview

The preparation of the DS-2019 form is a critical step in the process of obtaining a visa for a participant. This controlled form is the application that is presented to the Consular officer, along with supporting documents, to obtain a J-1 visa prior to travel to the United States. Once the training begins, the information required on this form must be kept up-to-date or the participant will be out of status and subject to action by authorities.

The new procedure for processing J-1 visa applications required changes to three components involved in the process:

- **Computer Systems:** a new system (USAID Visa Compliance System or VCS) now automates the process of receiving J-1 visa requests and approvals before they are electronically transferred to SEVIS. This process originates with data entry in the TraiNet system.
- **Roles and Responsibilities:** Most existing roles and responsibilities remained the same, however corresponding responsibilities were altered to fit the new process and to use the appropriate computer systems. A major U.S.-based role was added in the process to manage the submitting of data to SEVIS.
- **Workflow Processes:** Agency policies and workflow have been realigned in light of the new requirements to frequently move information to SEVIS.

Computer Systems

All USAID participants traveling to the U.S. are subject to the policies contained in ADS-252 and 253. USAID Missions and implementers currently use TraiNet to track and report participants to USAID/Washington. USAID's approach for complying with the DHS requirements is to leverage the existing worldwide usage of TraiNet. TraiNet is the sole source of all information on USAID participants bound for the U.S. and the VCS is fed with data collected from TraiNet.

USAID's J-1 visa application process uses two integrated computer systems to gather information about participants and dependents and then verify, approve and submit it to the DHS' SEVIS system.

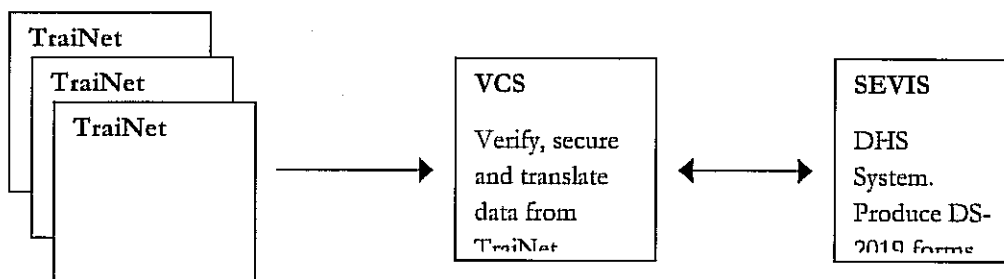


Figure 1 TraiNet, VCS and SEVIS Interaction

TraiNet

Contractors and Missions continue to use TraiNet to capture and update all training data. TraiNet is the point of entry for all required data for the J-1 visa application process. In addition, TraiNet is utilized to update the information required by DHS during the training. TraiNet is available on the web or as a desktop application. The minimum version of the TraiNet desktop application that can be used is 2.1.

USAID Visa Compliance System (VCS)

VCS is a secure web-based system that tracks the approval process of the DS-2019 applications and participant information. VCS facilitates the data interchange between TraiNet and SEVIS. VCS performs three functions: First, it implements a process to verify data from Trainet. Second, it translates Trainet data to the format required by SEVIS and manages its transmission. Lastly, it provides approval management of requests for applications as they move through the workflow process.

VCS users must be approved centrally and assigned a role with the appropriate security precautions addressed. VCS adheres to all USAID password and login procedures, including password length, character sets and password expiration.

Student and Exchange Visitor Information System (SEVIS)

SEVIS is the tracking system created by DHS to monitor student and exchange visitors in the United States. It creates a means for information collection and reporting via the Internet. VCS communicates DS-2019 information to SEVIS, which produces the actual forms. SEVIS reports back errors and alerts related to exchange visitors. All automated processes are handled through VCS, however there are instances that require USAID/Washington Responsible Officers (ROs) to utilize the real-time, web interface to handle particular situations.

Roles & Responsibilities

There are four roles for stakeholders involved in USAID's J-1 visa process:

- **R1 – Initiator (TraiNet Operator):** Using TraiNet, is responsible for entering all required information for initiating visa applications and tracking participants. (See Appendix 1)
- **R2 – Verifier (TraiNet Supervisor):** Using VCS, verifies participant data as transferred to VCS from TraiNet. (See Appendix 2)
- **R3 – Approver (USAID Mission):** Using VCS, provides Mission confirmation of the legitimacy of each participant and training intervention; approves participant data after being verified by R2. (See Appendix 3)

- **R4 – Submitter (USAID/W Responsible Officer):** Using VCS and SEVIS, is responsible for validating each participant and relevant data. Submits approved participant data to SEVIS for processing.

Every participant candidate must be deemed appropriate by each of these roles before a DS-2019 form can be produced. If a candidate is rejected by any of these roles at any time during the process, the candidate is sent back to the R2 – Verifier (TraiNet Supervisor) for final disposition.

Role	Responsibilities
<p>R1: Initiator - <i>TraiNet Operator</i></p> <p>This role is performed by the employee responsible for data entry in TraiNet. All participants nominated for training in the U.S. must be entered in TraiNet.</p> <p>Does not have to be a U.S. citizen. Role can be served by a USAID Contractor, centrally funded organization, or USAID Mission. There is no limit to the number of individuals who may be assigned to the R1 role.</p>	<p>Utilizes TraiNet System:</p> <ul style="list-style-type: none"> • Data Entry in TraiNet to create new Participants and Programs. • Transmits TraiNet data to Washington • Updates data in TraiNet during the course of a program. • Corrects data in TraiNet to resolve data errors.
<p>R2: Verifier - <i>TraiNet Supervisor</i></p> <p>This role is performed by the Supervisor of the TraiNet Operators. They are responsible for ensuring that data entered into TraiNet is complete and correct when imported to VCS.</p> <p>Does not have to be a U.S. citizen. Role can be served by a USAID contractor, centrally funded organization, or USAID Mission, but cannot be served by the same individual(s) in the R1 role. In those cases where the R1 role is performed by USAID staff, the R2 role cannot be performed by a USAID contractor or centrally funded organization. A maximum of only two individuals may be assigned the R2 role for each R1.</p>	<p>Utilizes VCS System:</p> <ul style="list-style-type: none"> • Verifies TraiNet Data that is imported to VCS. • Communicates data errors to TraiNet Operator for correction in TraiNet. • Determines disposition of participant by either removing nomination or moving to USAID Mission for approval through VCS. • Communicates with R3 and R4 roles to determine status of questionable applications. • Receives signed DS-2019 forms from the Approver.
<p>R3: Approver - <i>USAID Mission</i></p> <p>This role is performed by a U.S. citizen at a USAID Mission to approve applications forwarded by their reporting offices and</p>	<p>Utilizes VCS System:</p> <ul style="list-style-type: none"> • Provides Mission confirmation of the legitimacy of each participant and training intervention.

Role	Responsibilities
<p>centrally funded programs with participants from their country.</p> <p>Must be USAID staff and a U.S. citizen. The number of individuals assigned the R3 role is determined by the Mission Director or USAID Representative.</p>	<ul style="list-style-type: none"> ● Approves applications from field offices and sends to USAID EGAT through VCS. ● New applications approved by entering last four digits of passport number and country of citizenship of applicant. ● Can send disapproved applications back to field office for correction or removal. ● Communicates potential problems to TrainNet Supervisors in field offices. ● Nominates people to fill the Verifier (R2) Role.
<p>R4: Submitter - USAID EGAT Responsible Officer and Alternate</p> <p>This role is performed by the Responsible Officer (RO) or Alternate Responsible Officers (AROs) at the USAID EGAT office approved by DOS to access SEVIS.</p> <p><i>Must be an authorized U.S. citizen at the USAID EGAT office.</i></p>	<p>Utilizes VCS and SEVIS Systems:</p> <ul style="list-style-type: none"> ● Submits approved VCS applications to SEVIS through batch transfer function. ● Can send disapproved applications back to Verifier for correction or removal. ● Receives and processes alerts from SEVIS (RTI and batch). ● Communicates potential problems to TrainNet Supervisors in field offices and Officers at USAID Missions. ● RO Serves as User Manager assigning permissions in VCS. ● Manages signing, printing, and shipping of DS-2019 forms back to field offices. ● Manages VCS access of R2, R3 and R4. ● One R4 performs the role of Responsible Officer (others are Alternate Responsible Officers).

It is fully expected that there will be communication among these different roles. Verifiers, for instance, are expected to communicate with their TrainNet Operator and Approver. However, it is never (repeat, never) appropriate to give a participant contact information for the Mission’s Approver without prior consent of the Approver.

Authorization

R4 – Submitters who are designated as VCS User Managers are responsible for assigning user access to the VCS. There is a manual process that is utilized in order to select and authorize potential VCS users. Since it is impossible for one person to physically know every potential world-wide user of the system, the process requires that each VCS role authorize and verify the roles that report to them. The process provides for a mechanism for

communicating User IDs and passwords to prospective users. The processes for authorizing VCS users are detailed below:

R4 – Submitter Authorization Process

1. R4 – Submitters are the SEVIS-approved USAID/EGAT/ED Responsible Officer (RO) and Alternate Responsible Officers (AROs).
2. The RO is responsible for assigning access to other R4 – Submitters.
3. R4 – Submitters, as designated by the USAID RO, can be set-up as a VCS User Manager. VCS User Managers can assign access to other VCS users.

R3 – Approver Authorization Process

1. Mission Director (Acting and/or Deputy) must nominate a U.S. Citizen who is a Mission Employee as the Approver or Alternate Approver in an email addressed to James Nindel, SEVIS RO for program numbers G-2-00370 and G-2-00263 at jnindel@usaid.gov and/or Marina Gelles, Visa Advisor/SEVIS ARO at mgelles@devis.com. The email must include the full name and email address for the nominated individual. CC the VCS Helpdesk at jvisa@devis.com in order to initiate assignment of VCS user name.
2. A NOTARIZED citizenship certificate form for the nominated individual must be sent directly to Marina Gelles via fax at 202-204-2599. These forms should not be sent to the VCS Helpdesk.
3. A User ID is created for the approver by the VCS Helpdesk, usually corresponding to the Approver's email prefix.
4. Password/change of passwords are generated in the system by R-4 (Marina Gelles John Cipperly). Passwords are sent automatically by the system. VCS user must respond via email confirming receipt of password.
5. VCS Helpdesk will forward any request for passwords or changes to passwords via email to Marina Gelles at mgelles@devis.com or John Cipperly at jcipperly@istiinc.com.
6. Requests to remove an Approver or Alternate Approver must be sent by the Mission to James Nindel and Marina Gelles with a cc to the VCS Helpdesk.

R2 – Verifier Authorization Process

1. R3 – Approvers must nominate R2 – Verifiers by sending a list of names and contact information by email directly to the TrainNet/VCS helpdesk at jvisa@devis.com.

2. The TrainNet/VCS helpdesk ensures that R2 – Verifier nominations are received from a current R3 – Approver.
3. The TrainNet/VCS helpdesk then contacts the R2 – Verifier to verify contact information and to provide their VCS User IDs. Passwords will be assigned and communicated by separate means. User ID and Password must never be conveyed in the same communication to a user.
4. Next, the TrainNet/VCS helpdesk provides EGAT/ED with R2 – Verifiers information, including training site.
5. R2 – Verifiers are then entered as VCS users by EGAT/ED User Manager.
6. R2 – Verifiers must change their password upon first login to the VCS.
7. R3 – Approvers are responsible for requesting the removal of R2 – Verifiers by sending their request in writing to EGAT/ED at joindel@usaid.gov.

R1 – Initiator Authorization Process

1. R1 – Initiators are never allowed access to the VCS.
2. R1 – Initiator’s access to Trainet is set by each TrainNet site administrator (individual designated when TrainNet site ID is assigned).

Workflow

USAID policies on training, contained in ADS 253, have been updated in response to the changed requirements. The supporting workflow processes used to obtain a DS-2019 prior to applying for a J-1 visa and to monitor participants during U.S. based training have been updated as well and are contained in ADS 252.

The Agency’s previous requirements were to track participants, their visas and non-returnee status on a quarterly, historical basis. To meet new requirements, information must now be tracked and reported via TrainNet in real-time (same day information is known) and as a prerequisite for training. Sponsoring Units (or implementers, as designated) are responsible for tracking the whereabouts of their participants in the United States and their return status at the conclusion of training. Current information must be provided to the USAID/W Responsible Officers at any time upon request.

New Workflow

The information flow in the workflow process is linear. Data originates in TrainNet and is transferred to the VCS. After approvals, the data is then submitted to SEVIS. Data that does not pass VCS approvals is corrected directly in TrainNet. When SEVIS completes processing the data, it sends a file back to the VCS with the results of its processing. This allows the following major tasks to be centrally managed and controlled:

- **Issuance of DS-2019:** In order to create a Form DS-2019, information about the prospective participant is entered in Trainet and transferred to VCS for verification and approval. Authorized USAID personnel electronically transmit data from VCS to SEVIS. The Form DS-2019 is generated by SEVIS, downloaded, printed and signed in Washington before being sent to USAID Missions.
- **Participant Status Changes:** Throughout a participant's stay in the United States, USAID is required to transmit changes in the participant's status to SEVIS. From within SEVIS, this information is made available to the DHS and Department of State. SEVIS also provides system alerts and basic reports to USAID operators in the United States and DHS field offices. Participant's records in SEVIS are accessible to USAID Responsible Officers in Washington. Status changes flow through the systems in the same manner as initial data entry: first entered into Trainet, approved through VCS, then transferred to SEVIS by an RO for processing.

R1 – Initiation Process

A Sponsoring Unit (or implementer, as designated) intends to request a DS-2019 to allow a participant to apply for a J-1 visa. The organization provides full training intervention and participant biographical information to the Trainet Operator, who enters the request into Trainet. Later, if necessary, the organization must report changes in the participant's data to the Trainet Operator to update the system. Data from Trainet is transferred to VCS, and VCS provides some automated data validation.

R2 – Verification Process

The Trainet Supervisor verifies information transferred to VCS from Trainet on a daily (or as needed) basis. The supervisor may either:

1. Communicate any error to the Trainet operator for correction in Trainet,
2. Reject the application outright, or
3. Verify that the information is correct and send the application onward.

R3 – Approval Process

The USAID Mission receives the verified application data from the Trainet Supervisor and can:

1. Approve that the data is correct and that the participant and intervention is legitimate, or
2. Reject the application and send it back to the R2 – Trainet Supervisor.

R4 – Submission Process

The USAID Responsible Officer (or Alternate) in the U.S. receives the application and can:

1. Review and submit the approved application to SEVIS, or
2. Reject the application and send it back to the R2 - TrainNet Supervisor

The Responsible Officer (RO) in the U.S. is notified by DHS that the DS-2019 is approved or that there are errors. If approved, the RO prints, signs and ships the DS-2019 form as specified in the ADS-policies. If errors exist, the RO communicates the error to the R2 – Verifier for correction.

Signed DS-2019 forms must remain in the control of the USAID Sponsoring Unit (or implementer, as designated) until they are submitted with supporting documents to the U.S. Consulate, where a J-1 visa is issued. The organization must ensure that if a participant does not depart for training as planned, the DS-2019 form is expeditiously returned to the Responsible Officer for disposal with an explanatory cover memo. DS-2019 forms may not be destroyed outside the borders of the United States and must be accounted for by the USAID Responsible Officer.

Where to Get Help

USAID Mission staff may contact Jim Nindel, Responsible Officer, at jnindel@usaid.gov, for information regarding available mechanisms designed to help USAID Missions meet the new visa requirements , as well as provide other participant training procedures and technical services.

Inquiries regarding USAID policies related to visa compliance may be directed to Ms. Marina Gelles, Esq., Visa Advisor, EGAT/ED at mgelles@devis.com.

The TrainNet/VCS helpdesk is available to answer technical and usability questions:

Email: jvisa@devis.com

Phone: +1.703.527.4340

Website: <http://usaidtraining.devis.com>

Website references:

USAID Visa Compliance System: <https://vcs.usaid.org>

TrainNet/Web: <http://trainnetweb.usaid.org>

TrainNet Support (via USAID Training website): <http://www.usaidtraining.net>.

USAID ADS Chapters 252 and 253: <http://www.usaid.gov/policy/ads/200>.