



United States Agency for International Development
West Bank and Gaza Mission

January 4, 2002

REF: 2002-WBG-003

TO: See attached list of Contractors & Grantees

SUBJECT: Participant Training – Sponsoring Unit Responsibilities and Non-Returnees

REF: Automated Directive System (ADS) 253.5

Dear Chief of Party:

The purpose of this letter is to provide all contractors and grantees with a reminder of your duties and responsibilities regarding sponsorship of participant trainees as set forth in detail in ADS 253. We would like to further draw your attention to the ADS 253.5 requirements wherein the following is specified:

“E253.5.2b Documentation

Participants studying in the U.S. must possess a completed medical examination form except when covered by the 30-day HAC policy which requires no medical exam, as well as a Health and Accident Coverage (HAC) identifying number, a stakeholder compact, a Conditions of Training Form (**Form AID 1381-6**), and a Mission-approved Information Agency Program Form 66A (**Form IAP-66A**) for requesting the J-1 non-immigrant exchange visitor visa.

Stakeholder Compacts include, but are not limited to:

- 1) Definition of expected outcomes from training, in performance terms;
- 2) The agreed-to date that the returnee will appear for work to apply the benefits of training on the job, and other specific conditions of training;
- 3) A plan for attaining agreed-to performance objectives through training and follow-on, including stakeholder responsibilities;
- 4) Proposed means to measure training impact; and
- 5) Notification of the responsibility of USAID regarding medical claims that exceed the limits of medical coverage provided by the USAID HAC program.

Additional provisions may be added depending on the individual circumstances of the program and participant.

Sponsoring units or their contractors, grantees, and cooperating partners must also ensure that:

- 1) A tax-related Individual Taxpayer Identification Number (ITIN) is obtained for each U.S. participant using the Immigration and Naturalization Service (INS) W-7 request form;
- 2) A Statement of Expenditures (detailing training-related expenditures paid from U.S. sources on behalf of the participant) accompanies each income tax filing on behalf of participants; and
- 3) Non-returnees (see definition) are reported in a timely manner. A Non-Returnee Report must be provided to the Bureau for Global Programs, Field Support, and Research, Human Capacity Development Center (G/HCD) for filing with the appropriate district office of the INS.

E253.5.2c Non-Returnees

All sponsoring units must track participants for timely return to their workplace or professional setting in their home countries. Efforts at non-returnee rate reduction must be continuous and focused on the planning, design, participant selection, and progress monitoring as well as on tracking participants' post-training whereabouts and reporting to G/HCD if a non-returnee is back in the country.

Sponsoring units or their monitors must report all non-returnees to G/HCD in writing. G/HCD then reports the participant to the Immigration and Naturalization (INS) office having jurisdiction over the non-returnee's training site.

A participant becomes a non-returnee upon exceeding the return date agreed to by all parties in the stakeholder compact/conditions of training. The return date must be specified, and shall be:

- The date determined in the stakeholder compact for the participant to return to work;
- The scheduled date of departure from the U.S. on the IAP66A Form, with provision made for travel time home; or
- The agreed-upon date of a formal meeting between the returnee and the USAID Mission or in-country contractor.

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253.5.6a EXTERNAL: VISAS

U.S. Government regulations require any foreign national attending a training activity in the U.S., who is sponsored fully or in part with U.S. Government funds, to enter the U.S. on a J-1 visa (non-immigrant student visa for formally sponsored students/participants). This regulation applies to programs of any length, including those of under two weeks. Accordingly, all USAID participants traveling to the U.S. must use the J-1 visa exclusively.

Participants who already hold valid B-1/B-2 visitor visas to the U.S. are still required to obtain, use, and abide by the terms of the J-1 visa to participate in USAID-sponsored training. Returnees from U.S. training may continue to use valid B-1/B-2 visas for short trips while fulfilling the two-year, home-country residency requirement before permanent U.S. residence is allowed.

- 1) J-1 VISA: J-1 visas must be used by the host country's legal permanent residents nationals or non-U.S. citizen residents of the host country when coming to the United States to engage in any training activity, including conferences.

J-1 visas are issued for the projected duration of training only.

2) J-1 VISA DOCUMENTATION:

Sponsoring units and their contractors, grantees, or cooperating partners are responsible for preparing in a timely fashion the IAP66A form required as visa documentation for each participant. The accompanying documentation must include the certification of medical eligibility, Health and Accident Insurance Coverage (HAC), and English proficiency. The signed IAP66A form must be presented to the U.S. Consular Official as part of the participant's J-1 visa request."

For this region in particular, contractors and grantees should be further advised that visas for male participants between the ages of 16 and 60 now take an estimated additional 45 days. For purposes of this letter, the terms "grants" and "grantees" also include cooperative agreements and recipients of cooperative agreements.

If you have any questions regarding the requirements and responsibilities as a sponsoring entity, or other matters related to participant training and ADS 253, please contact our training team at the Mission, Ms. Evelyn Levinson at 972-3-511-4846 or Mr. Fadi Khoury at 972-3-511-4814.

Sincerely,



Erin Elizabeth McKee
Contracting Officer