

Chapter 8

FOREIGN NATIONAL WORKERS AND VISITORS IN ARS FACILITIES

This chapter covers ARS guidelines for handling requests for and reports on Foreign Research Associates, foreign workers, and short-term visits by foreign nationals at ARS facilities.

Acronyms: See [Chapter 22](#) for a comprehensive list of commonly used acronyms.

References: NPA PM 01-002 – Security at NPA Locations
www.ars.usda.gov/npa/policies

Cross Reference(s): [Chapter 30](#) – Security

Web Sites: ARS Homeland Security
<http://arsnet.usda.gov/HSS/foreign/index.htm>

Forms: Form [ARS 215](#) – Memorandum of Understanding Between the Foreign Visiting Scientist and the Agricultural Research Service

- Attachment 1: Foreign National Workers and Visitors in ARS Facilities
- Attachment 2: Edward B. Knipling Memorandum 5/19/03 – Foreign Scientists, Employees, and Visitors in ARS Facilities and Laboratories
- Attachment 3: Non-Citizens in ARS Facilities (Policy Update: May 10, 2004 and amendment)
- Attachment 4: ARS Form 230
- Attachment 5: Documents Required for DS-2019
- Attachment 6: Requirements for Health Insurance for J-1 Visas
- Attachment 7: Letter of Invitation for DS-2019
- Attachment 8: Template to Request DS-2019 Issuance
- Attachment 9: How to Read Immigration Documents
- Attachment 10: Types of Visas

Points of Contact:

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FOREIGN NATIONAL WORKERS AND VISITORS IN ARS FACILITIES

All non-citizens who work/visit in ARS facilities must be tracked, regardless of the source of their visa sponsorship, their employer, or how/if they are paid.

Definitions:

- Worker: Any non-citizen in ARS facilities for 2 weeks or more. These non-citizens are not ARS employees, but are reported as “Workers” and require an ARS-230 form submission.
- Visitor: Non-citizens who are in ARS facilities for less than 2 week are considered visitors. They must sign in and out on a log each time they enter/leave the facility.

Weekly reports for both new foreign visitors and new information on foreign workers are to be submitted electronically on a weekly basis to the Area Human Resources Office.

Ban on Entry: Citizens from countries that are on the Department of State’s (DOS) list of State Sponsors of terrorism are not permitted in ARS facilities, even as visitors. Information on this can be obtained at <http://arsnet.usda.gov/HSS/foreign/prohibited.htm>. The exception is visits that are sponsored by a Federal Government Agency such as DOS. In such instances, approval MUST be obtained from ARS Homeland Security (ARSHS) prior to the visit. Prior approval MUST be obtained for all non-citizen visitors to BSL-3 or Select Agent facilities.

ARS-230 Form: Prepare an ARS-230 (revised 6/2007) for all non-citizen workers. See Attachment 4.

- ❖ The ARS-230 needs to be filled out no sooner than 120 business days before the beginning of the visit and no less than 45 business days before the expected arrival of the foreign national. In the initial ARS-230, include as much information as is known and send the form electronically via encrypted e-mail to Kathi White. Information will be input into the Homeland Security System, and this will initiate a name trace request. Non-citizens must be accompanied (presence known and accounted for at all times) until a favorable name trace clearance is received. LAO’s will be notified once name trace is approved.
- ❖ Send an amended ARS-230 anytime additional information is received or information changes. Amended ARS-230’s are required when the visitor actually arrives and when they actually depart. For amended ARS-230’s, provide name, DOB, SSN, and information being added/changed.
- ❖ If an anticipated USDA sponsored non-citizen worker fails to arrive on schedule or is absent without notifying the host of the reason, the location will immediately determine the reason for non-arrival or absence and notify the Area Office and ARS Homeland

Security via e-mail. ARS Homeland Security will then notify the Office of Inspector General (OIG) and Foreign Agricultural Service (FAS) and they must notify Immigration and Naturalization Service of the absence/failure to report.

BSL-3 Facilities:

- ❖ For non-citizen workers at Biosafety Level 3 (BSL-3) facilities, locations will 1) insure workers have a valid visa and the provisions of ARS DM 9610-1, USDA Security Policies and Procedures for Biosafety Level 3 Facilities, Section 11, *Personnel Suitability*, are adhered to, including requirements for background investigations, and escorting; 2) complete the Non-Citizen Data Sheet; and 3) forward it to the Area Office and ARS Office of Homeland Security (ARS HS).
- ❖ For short term visits to BSL-3 facilities, locations will 1) insure that the visit is warranted; 2) insure that visitors who lack background investigations and reliability clearances are continually escorted while in containment; 3) follow the provisions of ARS DM 9610-1, USDA Security Policies and Procedures for Biosafety Level 3 Facilities, section 9e, *Security and Restricted Access Areas*; 4) complete the Non-Citizen Data Sheet; 5) forward it to the Area Office and ARS Homeland Security Office. (ARS HS **will** need notification of visitors to BSL-3 facilities for tracking in the central database.)

Workers Requiring Issuance of DS-2019: For non-citizen workers requiring issuance of a DS-2019, the following data/information is required and will be submitted by the Area Human Resources Office to Homeland Security following notification of favorable name trace:

- ❖ Memo from scientist hosting the non-citizen. This memo is through Research Leader/Center Director, Area Director, Director of Homeland Security to Carol Kramer LeBlanc at FAS.
- ❖ ARS-215 form (must have original signature of foreign sponsor)
- ❖ ARS-215 form is available on REE Webforms.

Non-Citizen Federal Post Docs: Non-Citizens selected for Federal post doc appointments, must first complete an ARS-230 and receive a favorable name trace request before the employment process can begin. For this reason, it is best to submit ARS-230's on any prospective candidates as soon as possible. Once the name trace request is completed and clearance received, then the SF-52 and related paperwork may be submitted and the H-1B1 visa process begun. The Area Human Resource Office is responsible for obtaining the H-1B1 visa and the location is responsible for associated costs.

Weekly Reports: All locations must submit weekly reports for all non-citizen workers and non-citizen visitors. These reports are put on templates provided by the Area Office Human Resources and only new/updated information should be sent weekly.

May 19, 2003

SUBJECT: Clearance Procedures for Non-Citizens to Work in ARS Facilities

TO: Administrator's Council
Research Leaders

FROM: Edward B. Knipling /s/
Acting Administrator

I am pleased to inform you that effective May 1, 2003, the Department of Agriculture (USDA) restored the ability of USDA agencies to sponsor visa applications of non-citizen scientists and technical experts to allow them to work in USDA facilities. USDA has long recognized the important contributions that these individuals make to USDA program.

Following the tragic events of September 11, 2001, USDA undertook a thorough security review of USDA operations. These security assessments included such areas as pathogen controls, physical security of facilities, cyber security, and human reliability. As a result, USDA discovered that fully adequate methods were not in place to determine that non-citizens working in USDA facilities were legitimate researchers or technical experts, and not someone who might present a threat to the U.S. Visa sponsorship by USDA agencies was temporarily suspended on February 27, 2003, until satisfactory system for human reliability verification was established.

We are fully aware of the many inconveniences that have occurred as a result of this temporary suspension over the past 14 months, and we appreciate your patience during this period. Special clearance procedures on behalf of ARS and all of USDA.

The new clearance procedures involve initiating a Name Trace Request for all non-citizens working in ARS facilities. (*Workers are visiting scientists, students, volunteers, collaborators/consultants/contractors, maintenance personnel, etc. who are actually conducting "hands on" research or work in ARS facilities*). This includes, but is not limited to, non-citizens who ARS hires or sponsors for visas. At this time, it does not include visitors. (*Visitors are persons who are provided short-term access to ARS facilities for the purposes of tours, workshops/meetings, procurement, training, etc. Non-citizen visitors may or may not have a sponsor; they may be foreign businesspersons or tourists, but they must have a valid visa or permanent resident status.*)

The new procedures for non-citizens working in ARS facilities are briefly outlined as follows:

1. Locations must submit form ARS-230, Non-Citizen Data Sheet, to their Area Office as soon as it is known that a non-citizen has been identified to be worker at the location. The ARS-230 is available on <http://www.pgec.usda.gov/ARS-230.doc>
2. The Area Office reviews the ARS-230 for completeness and forwards the form to the ARS Office of Homeland Security (ARSHS). Area Offices are to hold all other paperwork (*see below*) until clearance to proceed is received from ARSHS.

3. ARSHS will submit the data to the Counterintelligence Field Activity (CIFA) of Department of Defense for a Name Trace Request. This process should take no longer than 2 weeks.
4. ARSH will notify the submitting Area Office if the Name Trace Request has been satisfactorily completed. Thereafter, one of the following actions should be followed:
 - a. Hire - If ARS is going to hire and fund an individual, the Area Office will forward the SF-52 and accompanying documents to Human Resources Division (HRD) for employment request.
 - b. Sponsor Visa (Funded) – If ARS is going to sponsor the visa for a non-citizen and provide support funding (but not hire), the Area Office must submit a completed ARS-215 and a memo from the requestor through supervisory channels and through ARSHS to the Foreign Agricultural Service (FAS). The memo should request visa application and request setting up a reimbursable agreement with Office of International Cooperation and Development (OICD) for maintenance payments.
 - c. Sponsor Visa (Unfunded) – If ARS is going to sponsor the visa for a non-citizen but not provide support funding, the Area Office must submit a requesting memo for visa application, an ARS-214 and an ARS-215 from the requestor through supervisory channels and through ARSHS to FAS.
 - d. Non-USDA sponsor of Visa (Funded) – If the non-citizen has a valid visa sponsored by a non-USDA source and ARS will provide support funding; the Area Office must submit a memo from the requestor through supervisory channels and through ARSHS to FAS, requesting a reimbursable agreement with OICD for maintenance payments.
 - e. Worker Only (non-USDA sponsor of Visa) (Unfunded) – Need an approved ARS-230 Only. EXCEPTION: If the individual will be working in a BSL-3 facility, ARSHS must provide specific, written approval before the non-citizen may begin work.

Please note that if the non-citizen is to be hired by ARS, the approval of the Human Resource Development servicing specialist must be received prior to the Location Administrative Officer submitting paperwork for the H-1B or TN visa to the Bureau of Citizenship and Immigration Services (formerly the Immigration and Naturalization Service, U.S. Department of Justice). Detailed information on obtaining H-1B and TN visas is available on the HRD website under Employment of Non-citizens in Excepted Service Positions.

Check with your Area Office for more detailed instructions and questions on procedures.

cc: Area Administrative Officers

NON-CITIZENS IN ARS FACILITIES

Policy Update: May 10, 2004.

This update is to clarify the policy for non-citizens in ARS facilities.

Non-Citizen. Anyone who is not a U.S. citizen. A green-card holder or other type of legal permanent resident is treated as if he/she were a U.S. Citizen for the purpose of these policies.

There are two broad groups of non-citizens:

- a. **Visitors.** Non-citizens having short-term (generally days or at the most two weeks) access to ARS facilities for tours, workshops/meetings, training, etc. They must have a valid visa or permanent resident status.
- b. **Workers.** Non-citizens include visiting scientists, students, contractors, collaborators/consultants, maintenance personnel, etc., who will actually be working in the facility.

Ban on Entry. Citizens from countries that are on the Department of State's (DOS) list of State Sponsors of terrorism are not permitted in ARS facilities, even as visitors. At present these countries are Cuba, Iran, Iraq, Libya, North Korea, Sudan, or Syria (*). The exception is visits that are sponsored by a Federal Government Agency such as DOS. In such instances, approval MUST be obtained from ARS Homeland Security (ARSHS) prior to the visit. Prior approval MUST be obtained for all non-citizen visitors to BSL-3 or Select Agent facilities.

Tracking of Visitors. Previous policies as described in the January 10, 2003 memo from Edward B. Knipling, and attachments, remain in effect, including the requirement for a Visitor's Log at all ARS facilities. All visitors should be escorted.

Tracking of Workers. An ARS-230 must be filled out for all workers and submitted through the Area Office to ARSHS as soon as possible, but definitely before the arrival of the non-citizen worker.

Name Trace Request. ARSHS is responsible for submitting and obtaining a Name Trace Request (NTR) from BOTH the FBI and CIA based on the information in the ARS-230. Requirement for a completed NTR depends on the type of visa that the non-citizen is getting.

- a. USDA sponsored visa or employment requires that a negative response (no record found) be obtained from both agencies before the visa process can be initiated. This requirement may be modified for non-citizens who have resided in the U.S. for 4 years or more, provided the ARS-230 has been submitted (contact ARSHS for additional information).

(*) NOTE: PLEASE REFER TO <http://arsnet.usda.gov/OHS/noncitizen/index.htm>

At the present time, a valid visa sponsored by another organization, such as a university, company, foundation, etc., does not require a negative response to the NTR before the person may work in an ARS facility, but the NTR must still be run. This may change if the NTR process becomes more rapid. HOWEVER, reasonable precautions should be taken to ensure that the non-citizen has only limited access to critical ARS assets until the NTR is finished.

- b. The identification of derogatory information on a non-citizen by the FBI or CIA will be grounds for their immediate removal from the ARS facility.

Access to Select Agent or Other High Security Facilities. All persons without a suitable Public Trust background investigation or a National Security Clearance, whether citizens or non-citizens, will not be allowed unescorted access to Select Agents, or the Exclusion Areas of high security facilities (such as the vaults of major gene banks).

Amendments to the memo dated May 10, 2004 from Michael Ruff.

Non-Citizen

- a. **Visitors:** Non-citizens having a short-term (generally days, **or at the most five days**) access to ARS facilities for tours, workshops/meeting/training, etc. They must have a valid visa or permanent resident status.

Ban on Entry

Currently, only Cuba, Iran, Sudan and Syria are the countries on the Department of State's list of State Sponsors of Terrorism. They are not permitted in ARS facilities. Not even as visitors. Visit <http://www.state.gov/s/ct/c14151.htm> to keep up-to-date on this list of countries.

U.S. DEPARTMENT OF AGRICULTURE FOREIGN NATIONAL DATA SHEET

SECTION I (REQUIRED)		(USDA Office Use Only) <input type="checkbox"/> NEW REQUEST <input type="checkbox"/> UPDATE/CHANGE		(ARS Office Use Only)	
NAME (Family Name, First and Middle Name with no abbreviations):					
OTHER SURNAMES USED (Maiden, Religious, Professional, Aliases):			OTHER FIRST OR MIDDLE NAMES USED:		
DATE OF BIRTH (MM/DD/YYYY):		PLACE OF BIRTH (City & Country):		CITIZENSHIP OR NATIONALITY:	
MARITAL STATUS:		SEX: <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE		COUNTRY OF RESIDENCE:	
PASSPORT COUNTRY (If you do not yet have one, the country that will issue it):		HOME ADDRESS (include apartment or house number, street, city, state or province, postal code, and country):			
HOME TELEPHONE NUMBER:			MOBILE/CELLULAR TELEPHONE NUMBER:		
FACSIMILE (FAX) NUMBER:			E-MAIL ADDRESS:		
RESIDENTIAL ADDRESSES IN OTHER COUNTRIES DURING THE PAST 7 YEARS (Where did you live and how long did you live there):					
OCCUPATION (If a student, write "student"):			NAME OF PRESENT EMPLOYER OR SCHOOL:		
EMPLOYER/SCHOOL'S ADDRESS:					
EMPLOYER/SCHOOL'S TELEPHONE NUMBER:			EMPLOYER/SCHOOL'S FAX NUMBER:		
IF YOU ARE A STUDENT WHAT IS YOUR SUBJECT OF STUDY:					
USDA FACILITY YOU WISH TO ACCESS (Facility Name, Address, Building Number, Room Number(s), City, State, and Zip code):					
USDA HOST'S NAME:		HOST'S TELEPHONE NUMBER:		HOST'S E-MAIL ADDRESS:	
PURPOSE OF YOUR TRIP TO THE USDA FACILITY LISTED ABOVE (One paragraph summary):					
DATE YOU EXPECT TO ARRIVE AT THIS FACILITY (MM/DD/YYYY):			DATE YOU EXPECT TO DEPART THIS FACILITY (MM/DD/YYYY):		
WHO WILL FUND THIS TRIP:			AMOUNT PROVIDED (in U.S. Dollars): \$		
WILL ANYONE ACCOMPANY YOU ON THIS TRIP?: <input type="checkbox"/> NO <input type="checkbox"/> YES (if yes, please complete the following questions for each person)					
First, Middle and Last Name		Birth Date (MM/DD/YYYY):		Place of Birth (City & Country)	
Relationship					
DO YOU CURRENTLY HAVE HEALTH INSURANCE ACCEPTED IN THE U.S.: <input type="checkbox"/> NO <input type="checkbox"/> YES (Insurance is REQUIRED for Exchange Program participation. Please see the U.S. Department of State's website state.gov for specific insurance requirements.)					
COMMENTS:					

SECTION II (REQUIRED: if you do not yet know answers to the questions below, you will have an opportunity to provide them upon arrival at the facility listed in Section I)

AT WHAT ADDRESS WILL YOU STAY WHILE IN THE U.S. (include the apartment, house, or building number, street, city, state, postal code, and country):

TELEPHONE NUMBER FOR THE ADDRESS ABOVE:

Photocopies will be made of the documents listed below so please ensure you have them with you upon arrival

PASSPORT NUMBER:	COUNTRY OF ISSUE:	EXPIRATION DATE (MM/DD/YYYY):
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VISA TYPE:	VISA #:	EXPIRATION DATE (MM/DD/YYYY):
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U.S. EMBASSY OR CONSULATE LOCATION WHERE THIS VISA WAS ISSUED (City & Country):

DATE OF ENTRY INTO U.S.:

U.S. PORT OF ENTRY (City & State):

WHAT IS YOUR IMMIGRATION STATUS? (if checking a box with more than one choice listed please also circle the applicable status):

NON-IMMIGRANT ASYLEE/REFUGEE/TEMPORARY PROTECTED STATUS (TPS) IMMIGRANT/LAWFUL PERMANENT RESIDENT

FORM I-94 (ARRIVAL-DEPARTURE RECORD) #:

ADMITTED UNTIL DATE:

I-20/DS-2019 (CERTIFICATES OF ELIGIBILITY)
PREPARED BY (Program Sponsor and Number):

I-20/DS-2019 #:

EXPIRATION DATE (MM/DD/YYYY):

(Box 2 information: I-20 School name and Code)

(Located in the top-right corner)

("not later than" on I-20 or "To" on DS-2019)

SOCIAL SECURITY OR INDIVIDUAL TAXPAYER IDENTIFICATION #:

EMPLOYMENT AUTHORIZATION #:

EXPIRATION DATE (MM/DD/YYYY):

ALIEN REGISTRATION NUMBER (A# on your Green Card):

GREEN CARD#:

EXPIRATION DATE (MM/DD/YYYY):

COMMENTS:

SECTION III (complete this section only if your information has changed while at USDA)

If reporting a change that involves a document (i.e. a new visa) please provide it to your Host for photocopying

U.S. RESIDENCE ADDRESS CHANGE:

CHANGE OF HOME TELEPHONE NUMBER:

E-MAIL ADDRESS CHANGE:

EXTENSION OF A VISA/I-20 OR DS-2019 (state the reason for extension):

CURRENT EXPIRATION DATE
(MM/DD/YYYY):

NEW EXPIRATION DATE (MM/DD/YYYY):

VISA TYPE CHANGED TO:

State the reason for the change:

NEW VISA #:

SOCIAL SECURITY OR INDIVIDUAL TAXPAYER IDENTIFICATION #:

IMMIGRATION STATUS HAS CHANGED TO: ASYLEE/REFUGEE LAWFUL PERMANENT RESIDENT NATURALIZED CITIZEN
(checking ASYLEE/REFUGEE please also circle which) EFFECTIVE DATE (MM/DD/YYYY):

ALIEN REGISTRATION NUMBER (A# on your Green Card):

GREEN CARD#:

EXPIRATION DATE (MM/DD/YYYY):

ANY CHANGE NOT LISTED ABOVE:

SECTION IV (for USDA use only)

ACTUAL USDA ARRIVAL DATE (MM/DD/YYYY):

ACTUAL USDA DEPARTURE DATE (MM/DD/YYYY):

COMMENTS:

INSTRUCTIONS FOR FILLING OUT THE FORM ARS-230

This form provides information for the system ARS uses to track facility access and, when necessary for USDA's Foreign Agricultural Service (FAS) or Forest Service International Programs to prepare a DS-2019 (Certificate of Eligibility for Exchange Visitor Status) to assist you in obtaining a J-1 Visa at an U.S. Embassy or Consulate, and if sponsored by FAS, to notify the Department of Homeland Security of changes in your status. All foreign nationals desiring access to a facility owned, operated, or controlled by USDA are required to complete this form. The form should be completed by the individual requesting access however circumstances may require someone else to complete the form on their behalf. If you are preparing the form on behalf of someone else, you must indicate this in the comment box at the bottom of Section I. Most of the form's questions are self-explanatory and for others we were able to provide clarification on the form. However, there are additional questions which without additional information would remain unclear. Explanations for those questions are addressed below.

Once you have completed Section I and if possible Section II, please return this form to your prospective USDA host.

Section I - Information required by USDA and the FAS/Forest Service.

- **Name:** your family or surname, first or given name (that name which distinguishes you from other members of your family) and complete middle name with no initials or abbreviations. If you have no middle name please indicate this by writing NMN (no middle name). If however your middle name is only an initial, please note this in parenthesis.
- **Country of Residence:** the name of the country which has granted you permission to legally reside within its borders whether permanently or for a fixed period.
- **Marital status:** please indicate if you are single (never married), married, divorced, separated, or widowed.
- **USDA facility:** the name of the research unit or office to which you are requesting access (when entering the facility's name, do not abbreviate anything other than USDA or ARS). If you are unsure of this information, the USDA employee with which you will study, visit, or work can provide this information to you.
- **Expected USDA arrival/departure dates:** the date you expect to arrive at this facility and the date you expect to leave it.
- **Purpose of your trip:** a brief paragraph describing your intended activities at the facility.

Sections II - Information related to your entry into the United States.

- **Visa Type:** the category of visa that you were issued by the U.S. government such as a B1/B2. If you do not know, this information can be found on the right side of your visa under the heading Visa Type/Class.

Canadian Professional Workers: if you are a citizen of Canada eligible for a [NAFTA Professional \(TN\) Visa](#) your I-94 Form (see below) is also your visa.

Visa Waiver Program (VWP) Participants: if you are in the United States under the visa waiver program write "visa waiver program" or "VWP" where you are asked to put a visa number. Also supply the ESTA registration number in the Comments box at the end of Section II. If you are not from a visa waiver country and do not have a visa please explain in the comments section provided.

Lawful Permanent Residents: do not put "Green Card" in this field (a separate section has been provided for this information). The Visa Type field is for information about the visa issued to you prior to gaining Lawful Permanent Resident status--even if that visa is now expired.

- **Visa #:** the 8-digit number in red on the lower right of the visa. If your visa was issued between October 1989 and January 1995 the number is located near the top of your visa centered in the blue border. If however, your visa was issued prior to October 1989 the number that appears at the top next to the word "No." is your visa number.
- **I-20/DS-2019 issued by:** the name of the institution, organization, or company that requested the U.S. Department of State (State Department) to issue you a F-1 or J-1 Visa.
- **I-94 #:** You should have received this form (also called an Arrival – Departure Form) upon arrival into the United States. The form contains an 11-digit number pre-printed in the upper left-hand corner. We ask that you provide the date you have been admitted until (listed on the form as Admitted Until). This form should also include your visa category listed as "CLASS".
- **Green Card:** If you have not yet received your Form I-551 (Green Card) but a request is being processed please indicate this in the box that asks for the card number. If your card was issued before January 1998, it does not have a number; please write N/A in the number box. If it was issued between January 1977 and August 1989 it has neither a number nor an expiration date; please write N/A in the number and expiration date boxes. If it was issued after January 1998 the number is etched into the card on the reverse. It appears in the lower-right corner just to the left of the card's designation number (I-551).

Section III – Provided for personal information changes while at USDA.

- Changes to information provided previously in any section of the ARS-230 requires the submission of an amended form. The fields provided in this section are changes you are most likely to experience.

PRIVACY ACT NOTICE

We have asked you to provide information about yourself on this form in accordance with United States Department of Agriculture policies. United States laws give USDA specific legal rights to request this information. We will not share your information with any other U.S. Government agency except where required to process your request for access. Access to a Government facility is a privilege not a right. Therefore, failure or refusal to provide any of the information above may result in a denial of access to USDA facilities, and in the case of participation in a Government-sponsored program could result in the termination of your participation in the program.

PAPERWORK REDUCTION ACT NOTICE

We have tried to create a form that can be easily understood with instructions that provide additional information for questions that might cause unnecessary confusion. Our intention is to collect required information while imposing as little burden on you as possible.

We estimate the average time to complete this form after having gathered the necessary documents will not exceed 30 minutes. You may experience extraordinary circumstances which may require additional time to complete the form. With this in mind, we have designed the form in such a way that you may have two separate opportunities (prior to your arrival in the U.S., and upon arrival at the facility) to complete it. Additionally, we have provided a third section should your information change while at our facility.

If you have any comments regarding the accuracy of our estimate or suggestions for making this form simpler, please write to: Agricultural Research Service, Attn: Forms Manager, 5601 Sunnyside Avenue, 2-1114A, Beltsville, Maryland 20705-5141. Please include this form's title "Foreign National Data Sheet" with your correspondence. **Please do not send your completed form to this address.**

Documents Required for Assistance Memo Processing

(Note: all documents must be in English)

ARS-Funded (travel expenses, maintenance, insurance, etc.) Requests:

- ARS-230
- Copy of the passport data page (page with the photo and personal information)
Note: if the passport number does not appear on this page please include a copy of the page that shows the holder's name and passport number
- Letter of invitation
- Student Transcripts (if the person's a student)
- CV (if the person isn't a student)
- Proof of any supplemental (non-ARS) funding
- Proof of acceptable insurance* (if not being purchased by ARS)
- AD-672 (inter-agency agreement – do NOT send the AD-700)

Unfunded Requests:

- ARS-230
- Copy of the passport data page (page with the photo and personal information)
Note: if the passport number does not appear on this page please include a copy of the page that shows the holder's name and passport number
- Letter of invitation
- Student Transcripts (if the person's a student)
- CV (if the person isn't a student)
- Proof of funding
- Proof of acceptable* insurance

Extension/Change Requests:

- ARS-230 (even if there are no changes/updates)
- Any other relevant document as listed above.

* Insurance is required for Exchange Visitors (J-1s) and any accompanying family members (J-2s) under Title 22, Part 62, Section 14 of the Code of Federal Regulations (22 CFR 62.14). Coverage must provide the minimum following:

Medical benefits of at least \$50,000 per accident or illness; \$7,500 for repatriation of remains; expenses associated with medical evacuation to the home country in the amount of \$10,000; and a deductible that does not exceed \$500 per accident or illness.

If an Exchange Visitor wants to use their home country's insurance coverage, the carrier must provide a certified letter which states that they have read and understand the requirements (letter should cite them) and believe their coverage meets or exceeds them.

REQUIRED INSURANCE INFORMATION FOR J-1 VISAS

Here are the minimum insurance requirements as outlined in Title 22 Part 62, Section 14 of the Code of Federal Regulations (22 CFR 62.14):

Medical benefits of at least \$50,000 per accident or illness; \$7,500 for repatriation of remains; expenses associated with medical evacuation to your home country in the amount of \$10,000; and a deductible that does not exceed \$500 per accident or illness.

As promised, here are links for four companies. The first two are used by the Foreign Agricultural Service and the second two by the Forest Service's International Programs:

<http://www.nriol.net/>

<http://www.travelinsure.com/what/vusahigh.htm>

<http://www.culturalinsurance.com/>

<http://www.hthworldwide.com/>

The insurance must be good through the last date listed the DS-2019 (Certificate for Exchange Eligibility). Should the lab desire to extend the foreign national, the insurance coverage would also need to be extended.

Date

SUBJECT: Letter of Invitation

TO:

FROM:

(Invitees Name):

I am pleased to extend an invitation to you to visit and work with the Agricultural Research Service (ARS), (unit name) in (location). As proposed, you will collaborate closely with me and our ARS support staff on research related to (subject of study/visit). We hope the collaborative research will meet your goals of gaining knowledge about (insert reason for visit). This invitation is for a program lasting (how long), beginning approximately (date) and concluding (date). Your participation in this program is contingent on your ability to obtain a J-1 visa and pass the necessary security checks.

During your stay here, ARS will provide you with office space, computer, and possibly internet access. As part of your sponsorship the (unit name) will purchase the health and emergency evacuation insurance coverage for you as required by the State Department for Exchange Program participation. The Forest Service International Programs (FS/IP) Office will provide you with information about this coverage in your welcome packet. Previous e-mails from you have indicated you will be supported (how, by whom and amount) during your stay in (location city). The minimum amount required per month is \$1,150. The Forest Service International Programs Officer will require proof of this grant in order to process your Exchange Program eligibility certificate. ARS cannot provide you with any form of salary or stipend for this particular project, however, ARS will provide facilities, ongoing collaboration and transportation to and from field plots to conduct research. Our staff will identify options for temporary housing and their estimated costs and forward this information to you in the coming weeks. These costs and all living expenses as well as local transportation costs will be borne by you.

If you intend to request bringing dependents on J-2 Visas, you will need to include their information on the attached ARS-230 form. In order for them to be sponsored you will need to demonstrate to the Consular Officer during your visa interview that you can financially support your dependents (\$500/month for your spouse and \$333/month for each child) while in the U.S. Additionally, you will need to purchase health and emergency evacuation insurance coverage for them as required by the Exchange Visitor program requirements. ARS is prohibited from purchasing this insurance for your dependents. We will need to discuss your request and make a decision on whether or not it is suitable for you to bring dependents.

You will also need to complete the attached ARS-215 form and provide us with a scanned copy of your passport and the passport of each accompanying family member.

An authorized representative from your sponsoring organization needs to sign and date the ARS-215 in box #8. You will need to send the original ARS-215 with the sponsor's signature to me. Items 9 and 10 are to be completed upon your arrival in our facilities.

Once the ARS-230, ARS-215 and related paperwork have been processed and a background check completed, the FS/IP Office will issue a Certificate of Eligibility for Exchange Visitor (J-1) status (Form DS-2019), the document necessary to apply for a J-1 visa. Enclosed you will find the forms ARS-230, and ARS-215. Please complete these forms and return them as soon as possible. The FS/IP Office will also provide you with additional information regarding the Exchange Visitor Program regulations and your responsibilities. Please note that your participation is contingent upon eligibility for J-1 exchange visitor status. During your stay here you are responsible for adhering to all USDA, ARS, Exchange Program regulations and procedures, and applicable immigration laws.

We must carefully coordinate your program and travel dates as Exchange Program regulations require you to arrive in the U.S. within 30 days of the program start date printed on your DS-2019. In the event your program start dates must be delayed or postponed please notify our office as soon as possible so we may adjust your program dates appropriately.

We look forward to your time here with the Agricultural Research Service. I believe our program and the interests you expressed overlap and intersect in many areas. Our mutual interests and this opportunity for exchange will certainly allow us to learn much from each other.

Host Scientist's Name in CAPS
Host Scientist's Title

NOTE: This needs to be on unit letterhead

February 16, 2011

SUBJECT: Request for Issuance of DS-2019

TO: Valdis Mezainis, Director
Forest Service, International Programs (FSIP)

THROUGH: Jeff Hayes, Director
ARS Homeland Security

W. H. Blackburn
Area Director

FROM: (Host Scientist)

The memorandum is to request U. S. Forest Service (USFS), International Programs, assistance in providing the following services related to (foreign visitor's name) visit to the (insert unit name and location) for the period from (leave blank; Homeland Security will insert period of time once clearance is obtained and we have a better idea) to (insert ending date).

We are requesting the following services:

- 1) DS-2019 – Required for J-1 visa
- 2) Health Insurance (\$57 x # of months of stay)
- 3) Overhead (USFS-IP – 15%)

TOTAL:

Please use accounting code (insert accounting code information) to cover the services and costs show above.

Please use Fed Ex accounting code (insert your Fed Ex account number) for priority Fed Ex services **for mailing of the DS-2019 to the foreign national.** Mailing information is as follows:

Insert Mailing Address and phone number for foreign national

Attachments

Cc: Jim Quaratino
Kathi White

visa while a B2 is a “Pleasure” visa. **Note:** in the example shown above the “R” listed beside the B1/B2 is a code used by the State Department and is not part of the visa type.

Immigrant Visas: Immigrant visas are used by people coming to the United States to live permanently. Prior to 2003 immigrant visas were usually collected at the time of entry into the country. In 2003 the Department of State began issuing immigrant visas on the same stock as non-immigrant visas. They remain the the bearer’s passport after entry.

Visa number: the visa number is the eight digit number in **red** located in the lower right-hand corner. If the visa was issued prior to 2002, the visa will look slightly different than the picture above but the number is located in the same place. For visas issued before 2000, the number is located at the top of the visa in the center. Like the other two it is also **red** in color. Visas issued prior to 2000 should be a rarity however, if a foreign national happens to have one (for example an individual who came to the United States as an Immigrant), the number is in six digits in length and located next to the abbreviation for number (no) in **blue**.

For foreign nationals that were admitted into the United States as Immigrants and have a Green Card see below ...

Visa Waiver Program (VWP) Participants: if the foreign national is in the United States under the visa waiver program they should write “visa waiver program” or “VWP” where they are asked to put a visa type. N/A, not applicable, or none should be written where they are asked for the visa number.

In addition, beginning January 12, 2009, all foreign nationals applying for admission to the U.S. as a VWP participant are required to complete ESTA registration prior to submitting a Foreign National Data Sheet (ARS-230). Additionally, these individuals will need to list their ESTA confirmation in the box provided for “Comments” in Section II. The following link provides more information about ESTA and access to the system: http://cbp.gov/xp/cgov/travel/id_visa/esta/.

Lawful Permanent Residents (Immigrants with Green Cards)

N/A in the number and expiration date boxes. If it was issued after January 1998 the number is etched into the card on the reverse. It appears in between the card's barcode and the form designation number (I-551) in the lower right-hand corner.

And we're still asking for you to send a send Homeland Security copies of the both sides of the Green Card.

I-94 (Arrival and Departure Form)

Departure Number: **742832036 01**

U.S. IMMIGRATION
250 WAS

Immigration and Naturalization Service

I-94
Departure Record

SEP 13 1991

ADMITTED L-1
UNTIL: July 10, 1993 (CLASS)

14. Family Name DOE	16. Birth Date (Day Mo. Yr.) 11.6.04.62
15. First (Given) Name JOHN	
17. Country of Citizenship U.K.	

All foreign nationals applying for admission into the United States as non-immigrants are required to complete a Form I-94 (even Visa Waiver participants). An Immigration Officer will keep the arrival section and staples the "Departure" section into the foreign national's passport. The 11 digit number (twelve counting the space) in the upper left-hand corner is the I-94#.

The form should (though it's not uncommon for information to be missing) contain the foreign national's visa type and the date that they are allowed to remain in the U.S. until. In the above sample, John Doe was admitted into the U.S. on an L-1 Visa September 13, 1991. He is allowed to remain in the country until July 10, 1993.

Only those foreign nationals being sponsored for an exchange (J) or student (F) visa whose I-94 lists "D/S" (Duration of Status) are eligible for extension beyond the date listed on their I-94. All other foreign nationals must leave the country or risk being labeled as an "overstay" which would make them ineligible for entry into the U.S. at a later date. Foreign nationals believing that they received an admitted till date on validation must apply to Customs and Border Protection (CBP) to extend or change their non-immigrant status using Form I-539.

DS-2019/I-20

In order to obtain a J-1 (Exchange) Visa or a F-1 (Student) Visa a foreign national must be issued either a DS-2019 or I-20 form respectively. These forms serve as a "sponsorship" letter stating the named individual is being sponsored by the organization whose name also appears on the form.

In order to be granted access to the U.S. a foreign national Exchange Visitor or Student must have in their position a valid J-1 Visa and DS-2019 or F-1 and I-20. The visa itself only needs to be valid long enough for the foreign national to arrive in the country. Once in the country, these forms (DS-2019/I-20) are used to prove legal status. The foreign national is required to provide information about their J-1 or F-1 Visa even if it has expired (please see the section on visa above).

Like the I-94 (above) the DS-2019 or I-20 will receive an immigration endorsement stamp. In this stamp an immigration officer will have hand-written an expiration date. This date should match the date listed on the I-94. Foreign nationals should examine both documents to ensure these stamps match.

When completing an ARS-230 there are separate fields for information about the DS-2019/I-20 and the visa. Individuals should not be putting the “N” number from their DS-2019 or I-20 in the Visa # field but rather the field below it. In addition to the SEVIS Number (the “N” number), we are asking for their school name and code (I-20) or their program sponsor and program number (DS-2019). On both forms this information is contained in Box 2.

DS-2019



U.S. Department of State

CERTIFICATE OF ELIGIBILITY FOR EXCHANGE VISITOR(J-1) STATUS

OMB APPROVAL NO:1605-0119
EXPIRES: 03-31-2005
ESTIMATED BURDEN TIME: 45 min
See Page 2

Form with fields for Name, Birth, Address, Program Sponsor, Dates, Financial Support, Signature, and Certification. Includes a large 'SAMPLE' watermark and a QR code.

Please read Instructions on Page 2

This page must be completed and signed in the U.S. by a designated school official.

SEVIS

<p>1. Family Name (surname): _____</p> <p>First (given) Name: _____ Middle Name: _____</p> <p>Country of birth: <u>INDIA</u> Date of birth (month/day/year): _____</p> <p>Country of citizenship: <u>INDIA</u> Admission number: _____</p>	<p>For Immigration Official Use</p>	<p>Student's Copy #0000:</p>														
<p>2. School (School district) name: <u>University of Pennsylvania</u> <u>University of Pennsylvania</u></p> <p>School Official to be notified of status: <u>Alan Johnson</u> <u>SEVIS Coordinator and I-20</u></p> <p>School address (include zip code): <u>3701 Chestnut Street</u> <u>Suite 1M</u> <u>Philadelphia, PA 19104-2199</u></p> <p>School code (including 3-digit suffix, if any) and approval date: <u>PHI214900151000</u> approved on: <u>01/21/2003</u></p>	<p>3. This certificate is issued to the student named above for: <u>Continued attendance at this school.</u></p> <p>4. Level of education the student is pursuing or will pursue in the United States: <u>DOCTORATE</u></p> <p>5. The student named above has been accepted for a full course of study at this school, majoring in <u>Business Administration and Management</u>. The student is expected to report to the school no later than <u>09/09/2004</u> and complete studies not later than <u>08/06/2004</u>. The normal length of study is <u>72</u> months.</p>	<p>6. English proficiency: <u>This school requires it.</u> <u>The student has the required proficiency.</u></p> <p>7. This school estimates the student will require _____ (up to 12) months to be:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">a. Tuition and fees</td> <td style="width: 50%; text-align: right;">\$ <u>4,344.00</u></td> </tr> <tr> <td>b. Living expenses</td> <td style="text-align: right;">\$ <u>12,500.00</u></td> </tr> <tr> <td>c. Expenses of dependents (if any)</td> <td style="text-align: right;">\$ <u>0.00</u></td> </tr> <tr> <td>d. Other (specify): <u>summer expenses</u></td> <td style="text-align: right;">\$ <u>3,000.00</u></td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$ <u>20,044.00</u></td> </tr> </table>	a. Tuition and fees	\$ <u>4,344.00</u>	b. Living expenses	\$ <u>12,500.00</u>	c. Expenses of dependents (if any)	\$ <u>0.00</u>	d. Other (specify): <u>summer expenses</u>	\$ <u>3,000.00</u>	Total	\$ <u>20,044.00</u>				
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Total	\$ <u>20,044.00</u>															
<p>8. This school has information showing the following as the student's means of support, estimated for an academic term of _____ months (Use the same number of months given in item 7).</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">* Student's personal funds</td> <td style="width: 50%; text-align: right;">\$ <u>0.00</u></td> </tr> <tr> <td>from this school</td> <td style="text-align: right;">\$ <u>0.00</u></td> </tr> <tr> <td>specify type: _____</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td>from another source</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td>specify type: _____</td> <td style="text-align: right;">\$ _____</td> </tr> <tr> <td>campus employment</td> <td style="text-align: right;">\$ <u>0.00</u></td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$ _____</td> </tr> </table> <p>9. Remarks: _____</p>	* Student's personal funds	\$ <u>0.00</u>	from this school	\$ <u>0.00</u>	specify type: _____	\$ _____	from another source	\$ _____	specify type: _____	\$ _____	campus employment	\$ <u>0.00</u>	Total	\$ _____	<p>10. School Certification: I certify under penalty of perjury that all information provided above in items 1 through 9 was completed before I signed this form and is true and correct; I executed this form in the United States after review and evaluation in the United States by me or other officials of the school of the student's application, transcripts, or other records of courses taken and proof of financial responsibility, which were received at the school prior to the execution of this form; the school has determined that the above named student's qualifications meet all standards for admission to the school; the student will be required to pursue a full course of study as defined by 8 CFR 214.2(i)(6); I am a designated official of the above named school and am authorized to issue this form.</p> <p style="text-align: right;">SEVIS Coordinator and I-20 <u>Alan Johnson</u> <u>Immigration Specialist</u> <u>05/07/2003</u> <u>Philadelphia, PA</u></p> <p>Name of School Official Signature of Designated School Official Title Date Issued Place Issued (city and state)</p>	
* Student's personal funds	\$ <u>0.00</u>															
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from another source	\$ _____															
specify type: _____	\$ _____															
campus employment	\$ <u>0.00</u>															
Total	\$ _____															
<p>11. Student Certification: I have read and agreed to comply with the terms and conditions of my admission and those of any extension of stay as specified on page 2. I certify that all information provided on this form refers specifically to me and is true and correct to the best of my knowledge. I certify that I seek to enter or remain in the United States temporarily and solely for the purpose of completing a full course of study at the school named on page 1 of this form. I also authorize the name _____ to be interviewed by the INS pursuant to 8 CFR 214.3(g) to determine my nonimmigrant status.</p>	<p>Name of Student: _____ Date: _____</p> <p>Name of parent or guardian (if student under 18): _____ Signature of parent or guardian: _____ Address (city): _____ (State or Province) (Country): _____ (Date): _____</p>															

SAMPLE

SAMPLE

SAMPLE

TYPES OF VISAS

NOTE: In most cases only non-citizens with Permanent Residency (Green Cards) or Employment Authorization Cards may be employed in Excepted Service (temporary) appointments. Post docs are hired using the H-1B1 visa and the Area Office obtains the visa. The post doc cannot report for work until the H-1B1 application is approved by Immigration.

The information below on types of visas will be useful when completing the ARS-230 form for foreign workers in our facilities.

- B-1 This is a business visa. It is usually valid for 6 months. A visitor on B-1 visa may not be paid a salary, but may be reimbursed for expenses. Also, the visitor may not have an I-94.
- B-2 This is a tourist visa, valid until expiration date. This type of visitor may not have an I-94.
- EAD Employment Authorization Document (Card). It is valid until the expiration date. It will have a 9 digit number beginning with A. This visitor may have an I-94 and a visa.
- F-1 This is an academic student visa. It is valid for the length of the student's program. The student can be employed if they have an EAD issued by INS and are from a country on the approved list. This student will have an I-20 and I-94; they may have an EAD.
- Green Card Issued to legal permanent residents (including political asylees and refugees) of the U.S. The card will have a 9-digit number, beginning with A.
- H-1B This is a temporary specialty occupation employment visa. It is valid for up to 3 years with one 3-year extension. (NOTE: For ARS purposes, H-1B1 visas are requested for 2 years with possible 2 year extension.) This visa holder must be sponsored by an employer, will have an I-94 and may have an EAD.
- H-2A This is an agricultural worker visa issued for performance of agricultural work of a temporary or seasonal nature. The holder of this visa will have an I-94.
- I-94 This document is attached to the visa upon boarding plane. It will have an 11-digit number and includes expiration date or D/S (duration of stay). The duration of stay is the longer of the periods during which the DS-2019, I-20, EAD or I-94 is valid.

- J-1 This is an exchange visitor visa. It is valid for length of program to maximum of 3 years. The holder of this visa may be employed upon graduation from a U.S. university if the university Responsible Officer approves them for “practical training”. Will have I-94, but may not have expiration data, just D/S and DS-2019 number.
- M-1 This is a vocational or other non-academic student visa. It is valid for length of program. The holder of this visa will have I-20 and I-94.
- O-1 This visa is granted to those with extraordinary ability in sciences, arts, education, business or athletics visa. Valid for 1 year; must be extended by BCIS each year. The holder of this visa must have an EAD.
- TN NAFTA Treaty visa which is issued to Canadian or Mexican nationals. This visa requires an offer of employment from a U.S. employer. The holder of this visa will have an I-94 and may also have an EAD.
- VWP Visa Waiver Program for nationals from the following countries: Andorra, Austria, Australia, Belgium, Brunei, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovakia (Slovak Republic), Slovenia, South Korea (Republic of), Spain, Sweden, Switzerland, and the United Kingdom. Permits the visitor to enter the U.S. without a visa for 90 days or less, with a passport issued by a VWP country that is valid for 6 months beyond the intended stay. (The VWP is not the J-1 visa waiver program which waives the requirement that a J-1 return to the home country for 2 years before returning to the U.S.). Will have an I-94.