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**Effective Date:** August 22, 2014**Revision History:** Noted Below**Responsible University Officer:** Office of Research Administration (ORA)**Responsible Offices:** Office of Research Administration (ORA)

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**Purpose**

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Form DS-2019, "Certificate of Eligibility for Exchange Visitor (J-1) Status" is required to support an application for an exchange visitor visa<sup>1</sup>. This form permits a prospective exchange visitor to seek an interview at a U.S. embassy or consulate in order to obtain a J visa to enter the United States. Effective February 14, 2014, the University of Miami (UM) Exchange Visitor Program Policy and Procedure process for all UM campuses was updated by International Student and Scholar Services (ISSS) to include review by UM's ORA Export Control Compliance office. This review process was included to comply with federal regulations as well as UM's policy on export controls<sup>2</sup>.

This required process stems from the "[deemed export](#)" rule under the U.S. government's Export Administration Regulations ([EAR](#)) and the International Traffic in Arms Regulations ([ITAR](#)), which provides that the transfer, release, or disclosure of controlled technical data, technology or software to a citizen or national of a foreign country, even if in the United States, is deemed to be an export to that country. It is the responsibility of UM to screen and review applications of foreign nationals for sponsorship prior to submitting to the U.S. Department of State for processing.

It is the responsibility of the Supervisor to monitor changes in job descriptions, responsibilities and/or departmental procedures that may put a foreign national at risk of exposure to controlled or restricted items. Such changes may require a review by the Director, Export Control Compliance to ensure adherence to U.S. export control laws and regulations. Any changes should not impact the status of the individual's visa, unless a license is required and cannot be obtained. No controlled / restricted items may be released to any foreign national until a review is completed by the Director and, if required, a license by the governing agency is received. If, at any point, the Supervisor or sponsoring department is unsure how to complete the form or has questions about items or projects that may be considered controlled or restricted, the Supervisor or sponsoring department should contact the Director, Export Control Compliance for guidance.

This standard operating procedures (SOP) document outlines the procedures that the ORA Export Control Compliance office will follow to review applicants being sponsored through the DS-2019 process.

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**Definitions**

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Please refer to [Office of Research Administration Export Control Compliance website](#) for a list of acronyms and terms commonly found within U.S. export control laws and regulations, as well as UM's export compliance program.

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**Responsibility**

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**Sponsoring Department**

The UM department sponsoring a foreign national under the DS-2019 process. Completes EXPORT-F-006 form and forwards to [exportcontrol@miami.edu](mailto:exportcontrol@miami.edu). Human Resources (HR) or Faculty Affairs (FA) representative assisting department with visa application is to be copied on all email communications, as appropriate.

<sup>1</sup> Visit U.S. Department of State [website](#) for more details on DS-2019.

<sup>2</sup> Export Control Compliance policies, processes and form can be located on the Export Control Compliance [website](#).



<b>Supervisor</b>	Responsible for monitoring changes in job functions or departmental operations so as not to risk unauthorized foreign national access to export controlled / restricted items.
<b>ORA</b>	Reviews EXPORT-F-006 form. Runs Restricted Party Screening (RPS). If applicable, works with Sponsoring Department on applying for export license.
<b>General Counsel (GC)</b>	Collaborates with the Director, Export Control Compliance in understanding of export classifications and regulations, license applications, or other activities where legal input is needed.
<b>HR / FA</b>	Human Resources (HR). Faculty Affairs (FA). Assists the Sponsoring Department with DS-2019 application process, as appropriate.

## Procedure

Step	Responsibility	Action
1	Sponsoring Department	Reviews ISSS Policy & Procedure document. Completes DS-2019 Application.
2	Sponsoring Department	Accesses EXPORT-F-006 from the <a href="#">ORA Export Control Compliance website</a> and completes the form
3	Sponsoring Department	Submits EXPORT-F-006 to the <a href="mailto:exportcontrol@miami.edu">exportcontrol@miami.edu</a> as outlined in the instructions section of the document
4	ORA	Reviews EXPORT-F-006 for legibility and completeness.
5	ORA	Analyzes and reviews documentation for export compliance risks. Conducts restricted party screening (RPS).
5.a	ORA	If the RPS report returns any restricted results: <ol style="list-style-type: none"> <li>1. Verifies that the correct individual was searched; re-runs report.</li> <li>2. Declines EXPORT-F-006 if same results occur on re-run of report.</li> <li>3. Forwards EXPORT-F-006 and RPS results electronically to GC, Sponsoring Department and ISSS so appropriate actions can be taken by applicable parties.</li> <li>4. Files form and correspondence electronically.</li> </ol>
5.b	ORA	If the RPS report returns with no restricted results: <ol style="list-style-type: none"> <li>1. Approves EXPORT-F-006.</li> <li>2. Forwards EXPORT-F-006 form electronically to the Sponsoring Department and HR/FA Rep, as appropriate, making note of any risks.</li> <li>3. Files form and correspondence electronically.</li> </ol>
5.b.1	ORA	If analysis of the form results in requirement for an export license, notifies GC, Sponsoring Department, and appropriate HR/FA Representative.
5.b.1.a	Sponsoring Department	Dean / Department Chair must give approval to apply for export license. If YES, ECO approves EXPORT-F-006; begin license application process. (Steps6-11) If NO, ECO declines EXPORT-F-006. Process complete.
5.c	Sponsoring Department	Attaches approved EXPORT-F-006 form to DS-2019 packets. Submits DS-2019 packet per ISSS policy and process.
6	ORA	Conducts investigation to gather data required for license application.
7	ORA	Submits license application as applicable.
8	ORA	Tracks progress of license application.
9.a	ORA	If license is approved and received, original is filed with the ORA office. Provisos are reviewed with Sponsoring Department. Copies are submitted electronically to the GC and Requesting Department.
9.b	ORA	If the license application is denied, the Sponsoring Department and GC will be contacted to discuss next steps.
11	ORA	Files all correspondence and documentation electronically. Process complete.



**Records retention:** The official record of EXPORT-F-006 is maintained with the office that is responsible for processing the DS-2019 application and other on-boarding documentation per the policy for that office. The Director, Export Control Compliance will retain an electronic copy for 5 years per federal regulations<sup>3</sup>.

## Documentation

<b>DS-2019 Applicant Review Form</b>	ORA's Export Control Compliance office document number: EXPORT-F-006. Required for all foreign nationals being sponsored under DS-2019 application.
<b>Restricted Party Screening</b>	Required for each applicant. Maintained via web-based application and is available for review as deemed necessary.

## References

- [International Student & Scholar Services](#) (ISSS) website. Contact your Human Resources / Faculty Affairs representative for assistance with starting the DS-2019 application process.
- Visit the [Office of Research Administration Export Control Compliance website](#) for details of UM's export control compliance program, policy, references, and training materials.
- Visit the various hyperlinks embedded throughout SOP and Form for DS-2019 Applicant Review Process to various external sources.

## Templates / Forms

**EXPORT-F-006: DS-2019 Applicant Review Form:** Required for all foreign nationals being sponsored under DS-2019 application. The form is to be completed by the UM department sponsoring the foreign national.

## Signature

<b>Print Name:</b>	John L. Bixby, Ph.D.	
<b>Title:</b>	Vice Provost for Research	
Signature on File		8/26/14
<b>Signature</b>		<b>Date</b>

## History

Effective Date	Revision Date	Authors	Description
2014-Aug-22	N/A	Epley, Wendy	Establish procedures for DS-2019 applicants to align with ISSS processes and policy.
	27-Oct-2016	Perrin-Steinberg Michelle	Updated to reflect Office name change and website.

<sup>3</sup> Export Administration Regulations [15 CFR §762.2](#); International Traffic in Arms Regulations [22 CFR §123.22 and 123.26](#).