

**Exchange Visitor Program Committee in the Philippines**

**RESOLUTION NO. 02-2003**

**AMENDMENTS TO THE GUIDELINES AND PROCEDURES ON THE  
WAIVER OF THE TWO-YEAR HOME COUNTRY RESIDENCY  
REQUIREMENT FOR EXCHANGE VISITORS**

**WHEREAS**, the Exchange Visitor Program (EVP) Committee in the Philippines is mandated to promulgate policies, rules and regulations to implement Philippine participation in the EVP;

**WHEREAS**, the EVP Committee promulgated and approved the "Guidelines and Procedures on the Waiver of the Two-Year Home-Country Residency Requirement for Exchange Visitors" on 16 November 2001, providing, among others, the requirements in the application for No Objection Statement (NOS) by EVP participants, the bases for the grant of NOS, and the procedures for alternative arrangement;

**WHEREAS**, amendments to the "Guidelines and Procedures" are being proposed to prescribe requirements for applicants who are still on training, provide the criteria for the grant of NOS to those who have not completed or attended their training program, and the criteria for the grant of NOS to those with approved project proposals;

**RESOLVED THEREFORE**, that the Committee hereby approves and adopts the following amendments to the said "Guidelines and Procedures":

**SECTION 6. APPLICATION REQUIREMENTS**

- b. (3) Original copy of certificate of completion of EVP program from the training/sponsoring institution.

**In cases wherein the applicant is currently on training at the time of application, he/she shall submit a certificate from the host institution indicating the specific period of attendance, applicant's good standing, and confirming the applicant's eligibility to complete the program.**

**SECTION 10. BASES FOR THE GRANT OF NOS**

The EVP Committee shall grant NOS to applicants in the following cases, provided that the exchange program was not funded wholly or in part by any agency of the

Philippine Government, or any public or private educational or other institution in the Philippines, and that the participant has no outstanding financial or service obligations with any government agency, or any public or private institution in the Philippines:

- a. The skill/profession of the exchange visitor participant is not in the Skills List of the Philippines;
- b. The applicant is married to a US citizen or legal permanent resident, or has a minor child who is a US citizen residing in the United States;
- c. The applicant is a religious worker (priest, nun, missionary) in a recognized religious denomination; and
- d. The applicant has an ailing family member in the United States and his separation from the latter would cause a severe and direct threat to the life of the said family member.

**The EVP Committee shall not grant NOS to applicants who have not attended or have not completed their training programs, unless the reasons for non-completion or non-attendance are any of the following:**

- a. violations of the participant's recognized rights by training institution or sponsor, as proven by supporting documents; and
- b. cancellation, suspension, or termination of the training program for causes not attributable to the applicant.

#### SEC. 16. PROCEDURES FOR ALTERNATIVE ARRANGEMENT

The procedures and requirements in the processing and evaluation of NOS application under the alternative arrangement are as follows:

- f. **The EVP Committee shall only grant the No Objection Statement upon compliance by the applicant of the following conditions:**
  - (1) **If the project proposal involves the conduct of training/lecture/seminar or donation of materials to a partner institution, full compliance shall be required;**
  - (2) **If the project proposal involves research and development for a duration not exceeding**

one (1) year, partial completion shall be required;

- (3) If the project proposal involves research and development for a duration exceeding one (1) year, substantial compliance shall be required.

The Committee shall determine the degree of project completion by the applicant depending on the nature of the project.

- g. [Upon signing of the agreement,] The EVP Committee shall inform the Philippine Embassy in Washington, D.C. of the approval of the NOS, for endorsement to the US Government.

**ADOPTED** this 17<sup>th</sup> day of January 2003 during the regular EVP Committee meeting in Manila, Philippines.

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