

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION
OMB No. 1405-0170
Training/Internship Placement Plan
Form DS-7002**

A. Justification:

1. The U.S. Department of State (DoS) manages the Exchange Visitor Program under the provisions of the Mutual Educational and Cultural Exchange Act of 1961, as amended. This program enables U.S. Government agencies and public and private organizations as Department designated program sponsors to conduct a variety of educational and cultural exchange activities whereby foreign nationals enter the United States to work, study, train, teach or engage in research. Furthermore, Title 8, Section 101(a)(15) of the Immigration and Nationality Act; Title 22 CFR Part 62; and the Mutual Educational and Cultural Exchange Act specifically authorize programs that permit foreign nationals to enter the United States for the purpose of participation in training and internship programs.

Current regulations set forth at 22 CFR § 62.22(i) require program sponsors to develop a training or internship plan for each trainee/intern or for each group of similarly situated trainees/interns using one uniform plan, Form DS-7002. Current regulations set forth at 22 CFR 62.23(i) require sponsors to complete and secure the requisite signatures on Form DS-7002. Form DS-7002 has streamlined the training plan process for sponsors, exchange visitors and the Department.

2. The information on the Form sets forth the terms and conditions of the training or internship program, and serves to document the obligations of the three parties that are involved - the trainee or intern, sponsor, and the third party placement organization, if a third party organization is used in the conduct of the training or internship.

A DoS designated Exchange Visitor Program sponsor in the trainee or intern category must complete Form DS-7002 for each prospective trainee or intern. Form DS-7002 is to be completed and signed by the sponsor, participant and the third party supervisor, prior to the issuance of Form DS-2019 (Certificate of Eligibility for Exchange Visitor Status, OMB # 1405-0119). When completed, Form DS-7002 is sent to the prospective exchange visitor abroad who takes it to the U.S. Embassy/Consulate, along with his/her Form DS-2019, to apply for an Exchange Visitor Program (J-1) visa. The completed DS-7002 provides the information that the consular official needs in order to determine whether the individual named on Form DS-2019 will be participating in a bona fide training or internship program. With a favorable determination of eligibility, a J-1 visa may be issued.

The information collected will be used by Department officials responsible for the administrative oversight of the Exchange Visitor Program to monitor the compliance of designated exchange visitor program sponsors with program regulations.

3. Pursuant to the provisions established in Subtitle D, Section 641 of the Illegal Immigrant Reform and Immigrant Responsibility Act of 1996 (IIRIRA) (Public Law 104-208), as amended, the Department worked with the Department of Homeland Security (DHS) in 2003 to meet a Congressional mandate to develop an electronic system, the Student and Exchange Visitor Information System or SEVIS, to collect and submit information on foreign nationals entering the United States on F, J, and M (nonimmigrant) visas. This system is currently being expanded to achieve better efficiencies and functionality. The Department is working with DHS to incorporate Form DS-7002 into SEVIS, allowing all data to be collected electronically. This is estimated for completion in 2010.

4. Form DS-7002 does not collect information that exists elsewhere.

5. DoS estimates that 160 program sponsors, which are generally small business entities, use Form DS-7002. The information collected is only that which is required by DoS or DHS to meet legislative and regulatory requirements. When the Form is built into SEVIS, the data entered by sponsors will be stored electronically, thus making it possible for the user to make adjustments to specific fields of information on the Form, as needed, without having to complete a new Form in its entirety.

6. After one and a half years of use, Form DS-7002 and the data collection therein has brought certainty, clarity and uniformity to facilitation of training and internship programs conducted under the aegis of the Mutual Educational and Cultural Exchange Act, as amended (Fulbright-Hays Act). Form DS-7002 must be completed prior to issuance of Form DS-2019 and has streamlined the process to the benefit of the exchange visitor, sponsor and the Department. Sponsors must have a completed Form DS-7002 for each trainee or intern accepted into their program and must maintain a copy of Form DS-7002 for a minimum of three years following completion of the exchange participant's exchange program. The Department requests copies of these forms during a review of a complaint or compliance issue.

7. There are no special circumstances associated with Form DS-7002.

8. The Department published a 60-day notice in the *Federal Register* on February 3, 2009, 74 F.R. 5968, to solicit public comments. Eight comments were received. Three comments were not germane to the revision of Form DS-7002. The five remaining comments provided suggestions on language in the participant information and site of activity sections and suggested certifications under the contract agreement section. The Department has incorporated several changes to the participant information and site of activity sections. However, the contract agreement section remains unchanged. The Department has oversight of designated sponsors and does not have contractual agreements with sponsors' third party host organizations. It was also suggested that the burden hour was not sufficient. Based on the different lengths and complexity of programs, the Department has determined that the burden hour should be increased to two hours.

9. Respondents are not provided with any gifts or payments.

10. Sponsors are given no assurance of confidentiality of the information provided in connection with the Exchange Visitor Program regulations other than those provided under the provisions of the Privacy Act and Freedom of Information Act.
11. There are no questions of a sensitive nature on the Form DS-7002.
12. Each year, 160 sponsors will be responsible for completing a Form DS-7002 for each of the 30,000 prospective exchange visitors in the trainee and intern categories. Each Form takes approximately two hours to complete. Based on these figures it is estimated that the annual hour burden on respondents will be 60,000 hours (2 hours x 30,000 responses).
13. We estimate that the cost to the respondents will be minimal. No fee is charged in connection with this Form. The respondents are required to fill out the Form, keep a copy for their files and provide a copy to the exchange visitor program participant and third party, if applicable. It is expected that respondents currently have full capacity to complete and process the Form as part of their current customary and usual business practices. Mailing costs associated with the DS-7002 are de minimis.
14. It is estimated that the annualized cost to the Federal Government is confined to the salary and benefits of Department officials responsible for the administrative oversight of the training and internship sponsors submitting this information. The total estimated annual cost to the Federal Government is \$3500.00. Three employees (GS-9 to GS-14) with an average hourly wage of \$35.00, will spend approximately five percent of their time, or 100 hours, processing the forms (reviewing them for accuracy and inputting data into the database), which yields an annual cost of \$3500.00 (100 hours x or @ \$35.00 hourly wage).
15. Form DS-7002 has been revised to incorporate public comments and best practices after one year and a half of use within the J-1 visa training and internship programs. Burden hours have also been adjusted.
16. The Department will not publish the information collected.
17. The Department will display the OMB expiration date.
18. The Department is not requesting any exceptions to the certification on Form 83i.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.