

**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 administers the Exchange Visitor Program under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 (also known as the Fulbright-Hays Act), 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 for the purposes of: teaching, instructing, studying, observing, conducting research, consulting, demonstrating special skills, or receiving specialized training. Furthermore, Title 8, Section 101(a)(15)(J) of the Immigration and Nationality Act, and the Mutual Educational and Cultural Exchange Act, authorize the exchange programs that permit foreign nationals to enter the United States for the purpose of participation in designated training and internship programs.

Current regulations set forth at 22 CFR Part 62 govern exchange visitor programs, including trainee and intern programs. Department of State designated sponsors of trainee and intern programs are required to ensure that the participants obtain skills, knowledge, and competencies through structured activities such as classroom training, seminars, and on-the-job training. 22 CFR 62.22(i) requires 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. Form DS-7002 has streamlined the training plan process for sponsors, exchange visitors and the Department.

2. The information on the Form DS-7002 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.

Sponsors of programs under 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 and signed by 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 Immigration 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 2014.

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

5. There is minimal impact on small business or entities. The Department of State 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 the Department of State or DHS to meet legislative and regulatory requirements. The form is now in an html format in which all sponsors may obtain a fillable version with any web browser. This will reduce the burden hours for completing the form. 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 the user complete a new Form in its entirety.

6. After nearly four 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. 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 January 18, 2012, 77 F.R. 2602, to solicit public comments. Six comments were received. Under the site of activity section, two comments suggested adding fields to capture the number of full time employees at the host organization and information on a worker's compensation policy. The Department agrees and has incorporated these changes to the site of activity section to capture more information on host organizations. Four comments stated that Section 4 (Training/Internship Placement Plan) should be on a separate page from the certifications. The Department agrees that the actual training plan should be clearly identified and therefore has made the appropriate formatting change. The Department took into consideration six comments regarding the order of questions for each phase and updated the language and added questions to clearly show what information should be captured. The Department has oversight of designated sponsors and does not have contractual agreements with sponsors' third party host organizations; however, six comments from both sponsors and law enforcement regarding specific certifications on the sponsor, supervisor and exchange participant were taken into consideration. Certifications for the exchange participant, host organization representative and sponsor have been updated. Based on two comments, the Department removed one sponsor certification that stated, "sponsors will contact the Department of State if the sponsor believes the trainee/intern is not receiving the type of training or internship delineated on their T/IPP." The Department agrees that this is part of the sponsor's daily monitoring of participants. On the other hand, two comments recommended deleting the sponsor certification that states, "that Trainees or Interns will not displace full-, part-time, temporary, or permanent American

workers...”. The Department upholds this certification as it believes this falls under participant monitoring.

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

10. There are no assurances of confidentiality to the respondents other than those provided in applicable statutes such as the Privacy 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 one and a half hours to complete. Based on these figures it is estimated that the annual hour burden on respondents will be 45,000 hours (1.5 hours x 30,000 responses). The annualized labor cost to respondents is estimated at \$ 10,800.00 (160 sponsors x \$45 loaded wage x 1.5 hours).

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. Transmittal of forms is primarily done electronically, therefore, mailing costs associated with the DS-7002 are de minimis. Total mailing costs are not expected to exceed \$30,000 (30,000 forms x \$1.00 per form).

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 \$4,500.00. Three employees (GS-9 to GS-14) with an average hourly loaded wage of \$45.00, 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 \$4,500.00 (100 hours @ \$45.00 hourly loaded wage). Costs for equipment, overhead, printing or other costs associated with the processing of this information collection are expected to be negligible.

15. The Department has amended the Form DS-7002 to a fillable PDF version which will reduce the burden time by 15,000 hours and permit sponsors to more easily complete a form. One question has been changed on the form to add the category checkbox for Student Intern, and a redundant question on a person's Field of Study has been eliminated. These last two modifications do not impact the burden time. Cost burden has been updated to account for mailing costs to respondents.

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.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.