

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**OMB No. 1405-0170
Training/Internship Placement Plan
Form DS-7002**

A. JUSTIFICATION

1. Why is this collection necessary and what are the legal statutes that allow this?

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 (Public Law 87-256, 22 U.S.C. 2451 *et seq.*). 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. A foreign national who has been selected to participate, and intends to participate, in the Exchange Visitor Program seeks to enter the United States as a nonimmigrant exchange visitor. See 22 CFR § 41.62(a), Title 8, Section 101(a)(15)(J) of the Immigration and Nationality Act, as amended, and 8 CFR § 214.2(j).

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 exchange visitors obtain skills, knowledge, and competencies through structured activities such as classroom training, seminars, and on-the-job training. Program sponsors must have a training or internship plan in place for each trainee or intern (Form DS-7002). See 22 CFR 62.22(i). Form DS-7002 has streamlined the training plan process for sponsors, exchange visitors and the Department.

2. What business purpose is the information gathered going to be used for?

The information on Form DS-7002 sets forth the terms and conditions of the training or internship program, and serves to document the obligations of the parties that are involved – the sponsor, along with host organizations if they are used in the conduct of the training or internship, and the trainees and interns. Sponsors of programs under the trainee or intern categories must complete Form DS-7002 for each prospective trainee or intern. Form DS-7002 must be completed and signed by the sponsor and signed by the training/internship 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 a J-nonimmigrant 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-nonimmigrant 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. Is this collection able to be completed electronically (e.g. through a website or application)?

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. Form DS-7002 has already been incorporated into SEVIS so that 100% of the data may be collected electronically.

4. Does this collection duplicate any other collection of information?

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

5. Describe any impacts on small business.

There is minimal impact on small business entities. The Department of State estimates that approximately 120 program sponsors, which are usually small business entities or non-profit organizations, use Form DS-7002. The information collected is only that which is required by the Department of State or the Department of Homeland Security (DHS) to meet legislative and regulatory requirements. The data entered through the electronic form by sponsors is 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. What are consequences if this collection is not done?

After more than 10 years of use, Form DS-7002 and the data collection therein have brought certainty, clarity and uniformity to facilitation of training and internship programs conducted under the aegis of the Mutual Educational and Cultural Exchange Act of 1961, as amended. As Form DS-7002 must be completed prior to issuance of Form DS-2019, it has streamlined the process to the benefit of the exchange visitor, sponsor, host organizations, 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 visitor's program. The Department requests copies of these forms during a review of a complaint or compliance issue.

7. Are there any special collection circumstances?

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

8. Document publication (or intent to publish) a request for public comments in the Federal Register

The Department published a 60-day notice in the *Federal Register* on November 5, 2020 to solicit public comments. Only one comment was received. The content of this comment on the DS-2002 has been noted in the table below:

Comment	Commenter	Department reply
---------	-----------	------------------

<p>1. To help assure information is concise and pertinent, we would suggest combining the following questions: “Description of Trainee/Intern’s role for this program or phase” and “Specific goals and objectives for this program or phase”. Suggested alternative: “Description of Trainee/Intern’s role for this program or phase, including specific goals and objectives”</p> <p>2. Specifically regarding the PDF version of the Training/Internship Placement plan, the formatting could be adjusted as follows to reduce the size of the document and redundancy of information.</p> <ul style="list-style-type: none"> - Remove the following fields from Section 4 as they already appear in Section 1: Program Sponsor, Program Number, The Exchange Visitor Is: (Intern/Trainee). - Relocate from Section 4 to Section 2: Main Program Supervisor/POC at Host Organization (and associated fields). This information is only contained on page 1 (Host Organization section) of the DS-7002 generated in SEVIS, which also seems appropriate for the PDF version. 	<p>Spirit Cultural Exchange</p>	<p>1. We need to first collect information on the intern/trainee’s role in the program or phase and then separately have the specific goals and objectives for the program or phase spelled out. We are concerned that if these two items are rolled into one on Form DS-7002, we will not get specific enough answers to either item. We would like to keep these two blocks separate.</p> <p>2. How we use the information on submitted Forms DS-7002 requires us to have this information submitted in two places. But to make the submission easier for sponsors, for those using the electronic version, Section 4 pre-populates from the answers given in Section 1. Section 2 also pre-populates from Section 1. Very few sponsors, if any, use the PDF version of Form DS-7002. We would like to keep these items the same on Form DS-7002.</p>
--	---------------------------------	---

9. *Are payments or gifts given to the respondents?*

Respondents are not provided with any gifts or payments.

10. *Describe assurances of privacy/confidentiality*

There are no assurances of confidentiality of the information provided in connection with the Exchange Visitor Program regulations other than those provided in applicable statutes such as the Privacy Act.

11. *Are any questions of a sensitive nature asked?*

There are no questions of a sensitive nature on the Form DS-7002.

12. *Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection*

Each year, around 120 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 (1.5) 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 \$1,417,500 (30,000 interns/trainees x \$31.50 weighted hourly wage x 1.5 hours), based on the Bureau of Labor Statistics' 2016 estimation of labor costs for non-profit and for-profit educational services employees.¹ There is no increase from the previous submission based on Bureau of Labor Statistics data for the hourly wages of education services workers in for profit and non-profit organizations. Electronic preparation of Form DS-7002 has improved efficiencies in completing it.

13. *Describe the monetary burden to respondents (out of pocket costs) needed to complete this collection.*

We estimate that there will be no costs to the respondents other than the annualized labor costs. 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 host organization, if applicable. It is expected that sponsors currently have full capacity to complete, process, and send the form to participants electronically as part of their current usual and customary business practices.

14. *Describe the cost incurred by the Federal Government to complete this collection.*

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 \$6,300. Three employees (GS-9 to GS-13) with an average hourly weighted wage of \$63.00, will spend approximately five percent of their time, or 100 hours, processing the forms (reviewing them for accuracy and their adherence to the educational goals of the J-nonimmigrant category of 22 CFR Part 62). This yields an annual cost of \$6,300.00 (100 hours x \$63.00 weighted hourly wage).² Costs for equipment, overhead, printing, or other

¹ <https://www.bls.gov/opub/mlr/2016/article/nonprofit-pay-and-benefits.htm>

² <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/>

costs associated with the processing of this information collection are expected to be negligible.

15. *Explain any changes/adjustments to this collection since the previous submission*

There are no adjustments to the number of respondents or to Form DS-7002 itself. Cost burden is calculated based on the number of program participants multiplied by the number of hours respondents (sponsors) need to complete the form multiplied by \$31.50 for the hourly weighted wage of educational services employees. We have calculated the weighted wage of sponsor employees at \$31.50 per hour, using the latest Bureau of Labor Statistics figures for educational services employees in the for-profit and non-profit sectors as stated at <https://www.bls.gov/opub/mlr/2016/article/nonprofit-pay-and-benefits.htm>.

16. *Specify if the data gathered by this collection will be published.*

The Department will not publish the information collected.

17. *If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.*

The Department will display the OMB expiration date.

18. *Explain any exceptions to the OMB certification statement below.*

The Department is not requesting any exceptions to the certification.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.