

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

A. JUSTIFICATION:

1. The Bureau of Educational and Cultural Affairs of 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, 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 visitor 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, including interns in college and university programs. Department of State-designated sponsors of trainee, intern, and student intern programs are required to ensure that participants obtain skills, knowledge, and competencies through structured and guided activities such as on-the-job training, classroom training, and seminars. 22 CFR 62.22(i) requires program sponsors to develop a training or internship plan for each trainee or intern (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, Intern, or Student Intern categories must complete Form DS-7002 for each prospective trainee or intern. The Sponsor and third-party supervisor must complete and sign Form DS-7002 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-Nonimmigrant) visa. The completed Form DS-7002 provides the information that the consular official needs 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.

Department officials responsible for the administrative oversight of the Exchange Visitor Program may use the information collected to monitor 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) to meet a Congressional mandate to develop an electronic system, the Student and Exchange Visitor Information System (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 all data may be collected electronically.

The Form DS-7002 is not a public-facing document. Only approved (designated) sponsors (U.S. organizations) of J-visa programs in the Trainee, Intern, and Student Intern categories of the EVP may access the form and gather trainee and intern placement information from prospective exchange visitors and host organizations that sponsors have already approved to take part in the J-visa program. To complete the Form DS-7002, our office directs trainee, intern, and student intern sponsors to the Exchange Visitor Program (BridgeUSA) website under the Sponsor section and then to the SEVIS password-protected system, which lists trainees and interns accepted into these programs. Only if a trainee or intern applicant is already included in the

SEVIS list of exchange visitors can required users complete the Form DS-7002.

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

5. The Department of State estimates that there are more than 220 sponsors that use Form DS-7002 which include academic institutions, small business entities, or non-profit organizations. There is minimal financial or hour burden (1.5 hours per exchange visitor) impact on small business or other entities. Small businesses with trainees or interns under the Exchange Visitor Program are responsible for providing/using the information collected on Form DS-7002 to administer their programs. The information collected is only that which is required by the Department of State or 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 adjust specific fields of information on the form, as needed, without having the user complete a new form in its entirety.

6. Form DS-7002 and the data collection therein have brought certainty, clarity, and uniformity to the facilitation of training and internship programs conducted under the aegis of the Mutual Educational and Cultural Exchange Act of 1961, as amended. 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, 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. On May 16, 2024, the Department published a 60-day notice in the Federal Register in order to solicit public comments. One comment was received and is attached. The Department has adopted most of the comment suggestions, as follows:

(a) The commenter suggested that the word "stipend" be removed from use on the form and that we use the word "compensation" instead. The commenter

stated that the word “stipend” confuses host organizations. We agree and have used the terms “monetary” and “non-monetary compensation” on Form DS-7002.

(b) The commenter suggested removing the fax number for Training Plan Supervisor and adding an email address instead. We agree with removing the fax number field. The supervisor’s email is already collected on Form DS-7002.

(c) The commenter suggested putting the question about cultural activities last under Phase Information. We agree and have revised this on Form DS-7002.

(d) The commenter suggested adding a question on supervisor qualifications to the Phase questions on the form. We note that the form already contains a question about the phase supervisor, which states, “Please list the names and titles of those who will provide continuous (for example, daily) supervision of the trainee/intern, including the primary supervisor.” The Department expects that sponsors will address supervisor qualifications and supervisory expectations when they vet a host organization and provide an orientation on the host organization’s administration of an internship or training program.

(e) The commenter suggested that we consolidate questions on the trainee/intern role under the Phase questions. We agree and have consolidated the two questions, “Specific Goals and Objectives for this Program or Phase” and “What specific knowledge skills, or techniques will be learned?” into one question.

(f) The commenter suggested removing phase dates from the form, as, in the view of the commenter, these tend to be “predictive” rather than actual. We disagree. These dates provide clear expectations to the exchange visitors and host organizations regarding the length of phases and the overall commitment to phases during the trainee/intern experience. The dates are important for our office’s efforts to track exchange visitors and ensure compliance with training/intern plan commitments. Sponsors should continue to enter the anticipated dates for each phase and ensure that there are no gaps between phases. If the dates of individual phases change, sponsors should update the exchange visitor’s SEVIS record accordingly.

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

10. There are no assurances of confidentiality of the information provided in connection with the Exchange Visitor Program regulations.

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

12. Each year, over 220 sponsors will be responsible for completing a Form DS-7002 for each of the 33,000 prospective exchange visitors in the Trainee Intern, and Student Intern categories. Each form takes approximately 1.5 hours to complete. Based on these figures it is estimated that the annual hour burden on respondents will be 49,500 hours (1.5 hours x 33,000 responses). The annualized labor cost to respondents is estimated at \$1,559,250 (33,000 interns/trainees x \$31.50 weighted hourly wage x 1.5 hours), based on the Bureau of Labor Statistics' estimation of labor costs averaged for male and female non-profit and for-profit educational services employees. See <https://www.bls.gov/spotlight/2023/for-profit-nonprofit-and-government-sector-jobs-in-2022/home.htm>

13. 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, provide a copy to the exchange visitor and host organization, if applicable, and ensure that exchange visitors follow training plan requirements during their exchange. It is expected that respondents 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. It is estimated that the annualized cost to the Federal Government is limited 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). Costs for equipment, overhead, printing, or other costs associated with the processing of this information collection are expected to be negligible.

15. The number of respondents for Form DS-7002 has increased from 120 to over 220 to account for academic institutions that sponsor student interns. Cost burden has been calculated based on an estimated 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 Bureau of Labor Statistics figures for educational services employees in the non-profit sectors as stated in <https://www.bls.gov/spotlight/2023/for-profit-nonprofit-and-government-sector-jobs-in-2022/home.htm>

17. The Department will display the OMB expiration date. Implementation of the revised form will occur when implementation in SEVIS is complete.

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.