

INTERN & TRAINEE PROGRAM INCIDENT REPORTING RUBRIC

This reporting rubric is to be used as a general guideline for reporting incidents to the U.S. Department of State (DOS) pursuant to 22 CFR 62.13(d). The examples provided below are not meant to be exhaustive (e.g., there may be other serious situations, not listed below, that could endanger the health, safety, or welfare of an exchange visitor or otherwise could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor's exchange visitor program into notoriety or disrepute). Please inform DOS' Office of Private Sector Exchange Administration (OPA) of the following by emailing an incident report to OPA at: InternTraineeNotify@state.gov. While an incident report is preferred in all situations, an e-mail regarding an evolving situation, to be followed later by an incident report, is acceptable.

Nature of Incident or Allegation

- **Dangerous or Unsuitable Living Conditions** (e.g., non-vetted people in the home, theft, pest infestations, mold, filth, fire hazards, inadequate food, etc.)
- **Exchange Visitor Death**
- **Exchange Visitor Missing, Absconder, or Overstay** (e.g., whereabouts unknown or intentionally left the program without notifying sponsor)
- **Incidents Involving the Criminal Justice System** (e.g., arrest, charges, incarceration, detention, or other law enforcement involvement)
- **Litigation (Lawsuits) or Other Legal Actions** (related to the Exchange Visitor Program, in which a sponsor, site of activity, or an exchange visitor may be a named party)
- **Serious Mental Health Concerns** (e.g., suicidal ideation or attempt, eating disorder, self-harm, psychiatric hold, or early program end due to mental health concerns)
- **Actual or Potential Negative Press** (i.e., incident expected to bring DOS, the sponsor, or the Exchange Visitor Program into notoriety or disrepute)
- **Serious Behavioral Problems** (e.g., substance abuse, bullying, or harassment)
- **Public Security Event or Natural Disaster Directly Involving Exchange Visitor Safety** (e.g., bombing, shooting, other act of violence, civil unrest, fire, tornado, flood, or hurricane)
- **Serious Medical Issues** (e.g., cancer diagnosis, surgery, or any condition requiring hospitalization for 48 hours or more)
- **Serious Third Party Issues** (sponsor terminating partnership agreement with a third party due to repeat serious concerns and/or regulatory infractions)
- **Sexually-Related Incident or Abuse** (e.g., incident or allegation involving sexual exploitation, harassment, assault, or misconduct)
- **Sponsor Violations** (e.g., self-recognition of errors in vetting, oversight, or staffing)
- **Unsuitable Host/Work Conditions** (e.g., exchange visitor removal from host organization for health, safety, and/or welfare reasons)
- **Work Hour and Wage Violations** (e.g., regulatory infractions or pursuit of enforcement actions against a host organization for work hour or wage violations, or work hour and/or wage-related complaints reported to sponsor by exchange visitors)
- **Lost or Stolen Immigration Documents** (e.g., lost or stolen passport or stolen Form DS-2019)
- **Foreign Government Involvement** (including Foreign Embassy or Consulate involvement)
- **Fraud** (e.g., visa, immigration, financial fraud or scam)

Report Incidents within One Business Day

22 CFR 62.13(d) *Serious problem or controversy.* Sponsors must inform the Department of State on or before the next business day by telephone (confirmed promptly in writing by facsimile or email) of any investigations of an exchange visitor's site of activity or serious problem or controversy that could be expected to bring the Department of State, the Exchange Visitor Program, or the sponsor's exchange visitor program into notoriety or disrepute, including any potential litigation related to a sponsor's exchange visitor program, in which the sponsor or an exchange visitor may be a named party.

INTERN & TRAINEE PROGRAM REPORTING REQUIREMENTS

The following federal regulations (22 CFR Part 62 Exchange Visitor Program: Subpart A - General Provisions) pertain to the sponsor's responsibility to inform DOS of serious problems or incidents, and cooperate with inquiries and investigations:

- **22 CFR 62.10(d)(1),(2) *Monitoring of exchange visitors.*** Exchange visitors' participation in their exchange program must be monitored by employees of the sponsor. Sponsors must:
 - (1) Ensure that the activities in which exchange visitors are engaged are consistent with the category and activity listed on their Forms DS-2019;
 - (2) Monitor the physical location (site of activity), and the progress and welfare of exchange visitors to the extent appropriate for the category.
- **22 CFR 62.10(e) *Requests by the Department of State.*** Sponsors must, to the extent lawfully permitted, furnish the Department of State within the Department-requested timeframe all information, reports, documents, books, files, and other records or information requested by the Department of State on all matters related to their exchange visitor program.
- **22 CFR 62.10(f) *Inquiries and Investigations.*** Sponsors must cooperate with any inquiry or investigation that may be undertaken by the Department of State or the Department of Homeland Security.