



**U.S. Department of State
Bureau of Educational and Cultural Affairs
Private Sector Exchange**

December 13, 2011

Guidance Directive 2011-05

Summer Work Travel Program: A Cultural Experience

The Department of State recognizes that sponsors are engaged in placing participants for the 2011-2012 winter session of the Summer Work Travel (SWT) Program and that sponsor preparations for summer 2012 placements are under way. With this in mind, and with additional rulemaking planned for 2012, the Department of State is providing interim guidance to make clear our expectations for SWT placements and to assist sponsors in ensuring that all participants enjoy safe and successful visits to the United States. Calendar year 2012 is the first placement season that falls completely under the regulations published in the *Federal Register* last spring and which took effect July 15, 2011. Accordingly, the Department reminds the sponsor community of the need to place serious focus on (i.e., to give “the broadest exposure to”) the “cultural exchange” aspect of Summer Work Travel category of the Exchange Visitor Program.

The primary purpose of Summer Work Travel is to offer young men and women from around the world, the majority of whom are between 18 and 30 years old, an opportunity to increase their knowledge and understanding of the United States firsthand through a combined cultural and work experience. Recognizing that not all foreign university students can afford to visit the United States as tourists or students, the Summer Work Travel program offers participants the opportunity to work legally in the United States as a means of defraying their travel and living expenses. Sponsors must accordingly ensure that all placements provide participants with a balanced program, including a meaningful cultural experience, a variety of opportunities to meet Americans, and a chance to learn firsthand about American society, culture and values. In recent years, the work component of this exchange program has too often overshadowed the core cultural component that qualifies Summer Work Travel as an Exchange Visitor Program.

The July 15, 2011 regulations require sponsors to verify the bona fides of both employers and jobs for *all* Summer Work Travel participants. While employment is a critical element, it is neither the only nor the primary element of a J-1 exchange visitor program. Sponsors must also consider carefully the overall experience for the participant before making any job placement. This consideration includes, but is not limited to: the appropriateness of the job, the availability and suitability of housing and transportation in relation to the location of the job site, and opportunities for cultural activities and community engagement. The balance between work time and free time, the nature of the work itself, and the opportunities for interaction with Americans during the workday, are also key factors. In order to confirm that each job placement leads to a

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meaningful cultural exchange experience, the Department advises sponsors to consider the following questions about each job placement:

- Is the job consistent with the applicable regulations and statutes (e.g., is not prohibited or likely to bring notoriety or disrepute to the program; meets minimum wage requirements)?
- Is the job seasonal and temporary?
- Does the position allow for routine interaction with Americans?
- Is there convenient, safe, and reasonably priced housing available for the participant?
- Is there convenient, safe, and reasonably priced transportation available for the participant?
- Does the location of the job provide opportunities for cultural activities and community engagement?
- Does the job provide sufficient income for the participant to pay day-to-day living expenses (and allow sufficient savings ideally to afford some travel at the end of the work portion of the program)?

Moreover, sponsors must be fully transparent when informing participants about the conditions of all direct-placed jobs (i.e., jobs the sponsor arranged), the geographic location of the jobs and housing, the availability of suitable housing and transportation. The Department has submitted Form DS-7007 for OMB approval; until it is approved and becomes effective, we encourage sponsors, as a best practice, to share with SWT participants the critical job placement information it will contain: name of employer; address of employment site; duties required by the job; whether the participants will receive any remuneration for housing and living expenses (and if so, the amount); and estimates of the living expenses and other costs the participants are likely to incur while in the United States.

Finally, sponsors are reminded that the requirement to monitor participants monthly cannot be met through “one way” communications. While reaching out to participants demonstrates an effort to initiate monitoring, monitoring is not complete until the participants have responded and sponsors have concluded any necessary follow-up. Sponsors should inform participants that the failure to make reasonable efforts to reply to sponsor inquiries may result in the termination of their programs. To this end, sponsors should:

- Confirm the participants’ current U.S. addresses and sites of activity.
- Confirm that the participants’ expectations are being met. If approved, Form DS-7007 will serve to document those expectations.

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- Inquire about the participants' cultural exposure and activities.
- Suggest local cultural events or activities that could expand on the "exchange" portion of the program.

Sponsors and their foreign partners must also remind participants they are required to report to their sponsors upon arrival in the United States and within ten days of changing residences (or face termination of their programs) and that they may not change jobs or accept additional jobs without prior sponsor verification and approval.

The Department of State is currently re-evaluating the Summer Work Travel program regulations and intends to publish revised regulations in the *Federal Register* in 2012. We invite sponsors and other interested parties to share ideas on how to emphasize the cultural component of this program and to better ensure that all participants enjoy safe, balanced, and integrated international exchanges when participating in the Summer Work Travel exchange visitor program. Please continue to use SWTSponsors@state.gov to correspond with us on matters related to the Summer Work Travel program.



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