

## **SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION**

### ***Annual Report - J-NONIMMIGRANT Exchange Visitor Program OMB # 1405-0151, DS-3097***

#### **A. JUSTIFICATION**

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

The Bureau of Educational and Cultural Affairs of the U.S. Department of State (DOS) administers the Exchange Visitor Program (J-Visa) under the provisions of the Mutual Educational and Cultural Exchange Act of 1961, as amended (Public Law 87-256, 22 U.S.C. 2451 *et seq.*). This Program requires DOS designated sponsors to report annually on a variety of educational and cultural exchange activities.

The Annual Report – J-NONIMMIGRANT Exchange Visitor Program form provides a means for sponsoring organizations to report a summary of exchange visitor activity and an accounting of the number of Forms DS-2019 used. (DS-2019 is the Certificate of Eligibility for Exchange Visitor Status (J-NONIMMIGRANT).) It also provides a means for assisting the Department in maintaining appropriate oversight of the Exchange Visitor Program.

This collection of information utilizes one form: Form DS-3097 – Annual Report - J-NONIMMIGRANT Exchange Visitor Program.

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

The Department of State operates 15 categories of exchange visitor programs. While some exchanges are funded through grants, most are operated by third party organizations, including academic institutions, educational and cultural organizations, and corporations, and are overseen by the Office of Private Sector Exchange. The Exchange Visitor Program Annual Report Form (DS-3097) is used by private sector exchange sponsors (U.S. federal, state, and local government agencies and private sector for-profit and not-for profit organizations) to report annually their activities and program effectiveness to the Department of State. Box 1 of the “Statistical Report,” allows respondents to provide summary information regarding the total number of participating individuals over the previous calendar year. This information is broadly already available to the Department of State and the sponsor organization via the Student and Exchange Visitor Information System (SEVIS), as sponsors must create records for each exchange participant in SEVIS. However, there may be minor discrepancies in SEVIS due to records created for individuals who ultimately did not participate in the exchange. Box 2 of the DS-3097 facilitates sponsors reconciling the data they have recorded in SEVIS over the past year with their internal paperwork that includes the true count of exchange participants via copies of the DS-2029, which is issued to

prospective participants before they receive their J-Visa. When discrepancies are identified via reconciliation on the DS-3097, the respondent is expected to correct the record in SEVIS.

The second portion of the form, the “Program Evaluation” provides the Department of State with qualitative information regarding the sponsor’s programs, which facilitates, ensuring compliance with Department of State regulations and policies, identifying potential challenges or opportunities where the Department can provide support, and sharing information about successes in the program.

Approximately 1,500 annual reports are received each year. The information provided is used to monitor and maintain appropriate oversight of how the sponsors conduct their exchange visitor programs.

3. *Is this collection able to be completed electronically (e.g., through a website or application)?*

Much of the information provided in the “Statistical Report” section of the form is automatically generated by SEVIS based on previous records created by the respondent over the year. While there is no web application for submitting the DS-3097 to the Department, respondents may submit the collection via email, and the entire form DS-3097 is a completely fillable PDF, while the narrative section must be emailed or scanned to the Department. No funding is currently available to develop an electronic form or web application This is stated on the Annual Report form. In addition, sponsors may also officially sign the Annual Report Form using E-Forms, or they may sign by hand and scan their report to the Department via e-mail.

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

Much of the information provided in the “Statistical Report” is also available to the Department via SEVIS, where the respondent should have been maintaining accurate records regarding program participants throughout the year. However, part of the purpose of the DS-3097 is to provide an opportunity for respondents to validate and reconcile their internal records against what they have entered in ROCIS. As such this information collection is not duplicative. This information is not otherwise available.

5. *Describe any impacts on small business.*

This collection does not have significant economic impact on a substantial number of small businesses or other small entities.

6. *What are consequences if this collection is not done?*

If the collection of information were not conducted, the Department could not administer the Exchange Visitor Program effectively. We would not be aware of details of existing sponsor program activities that now enable us to assist sponsors in conducting viable exchange programs and monitoring activities to ensure that they are operating their exchange programs in compliance with the governing regulations (22 CFR Part 62). In addition, there would be no means for a designated sponsor to reconcile the use of Forms DS-2019 or to request additional forms necessary to conduct their exchange programs.

7. *Are there any special collection circumstances?*

There are no special circumstances. The collection of information indicated on the annual report form is an annual submission, filed either on an academic, calendar or fiscal year basis, as directed by the Department in its letter of designation.

*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 April 17, 2020 to solicit public comments. No comments were received. The Department will publish a notice in the *Federal Register* soliciting public comments for a period of 30 days.

*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 is no assurance of confidentiality provided other than that contained 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 included in the data required by the annual report form (DS-3097).

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

The number of responses expected for the Form DS-3097 is approximately 1,500 annually. This form takes approximately 2 hours to complete. The annual burden for this form is estimated to be 3,000 hours (1,500 sponsors x 2). The annualized hourly burden cost to respondents is estimated at \$189,000 (3000 annual hours x \$63<sup>1</sup> weighted wage).

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

There is no additional cost to the respondents over and above their normal business practices. Since this data collection is an element of program administration, it is expected that respondents currently have full capacity to complete, process, and send the form to the Department as part of their current usual and customary business practices. Other costs that may potentially be incurred are not included; as such costs are part of customary and usual business practices. No fee is charged in connection with this form.

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

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<sup>1</sup> Source: [federalpay.org](https://www.federalpay.org), "General (GS) Pay Schedule Table for 2020, Washington, DC locality pay," [federalpay.org/gs/locality/Washington-DC](https://www.federalpay.org/gs/locality/Washington-DC).

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 1,500 designated sponsors submitting this information. Ten employees (GS-9 to GS-12) with an average weighted hourly wage of \$63.00<sup>2</sup> will spend approximately five percent of their time, or 100 hours, processing the forms (acknowledging receipt, tracking, reviewing reports, and filing) which yields an annual cost of \$6,300.00 (100 hours x \$63.00 hourly wage). Costs for equipment, overhead, printing or other 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.*

The number of designated Exchange Visitor Program sponsors has slightly increased since 2017. The total estimated burden for the annual report is 3,000 hours. There are only two minor changes to the format and content of the form. The address has been updated in the PRA Statement, as the Office of Private Sector Exchange has moved. We also indicate that sponsors should submit the form and any comments on burden using e-mail. These changes do not impact the hour burden of the collection.

*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 statement.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.

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<sup>2</sup> Source: [federalpay.org](http://federalpay.org), "General (GS) Pay Schedule Table for 2020, Washington, DC locality pay," [federalpay.org/gs/locality/Washington-DC](http://federalpay.org/gs/locality/Washington-DC).