

SUPPORTING STATEMENT FOR
PAPER REDUCTION ACT SUBMISSION

Recording, Reporting, and Data Collection Requirements Under 22 CFR Part 62, The Exchange Visitor Program -- Student and Exchange Visitor Information System (SEVIS); OMB No. 1405-0147, Forms DS-3036, DS-3037 and DS-7000 (SEVIS).

A. JUSTIFICATION

1. The Bureau of Educational and Cultural Affairs of the US. Department of State (DOS) administers the Exchange Visitor Program (J-Visa) under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 (MECEA), 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 to conduct a variety of educational and cultural exchange activities.

This collection of information required under 22 CFR Part 62, utilizes the Student and Exchange Visitor Information System (SEVIS) (DS-7000) and two forms: DS-3036 - Exchange Visitor Program Application and DS-3037 - Update of Information on Exchange Visitor Program Sponsor.

The Exchange Visitor Program Application and the Update of Information on Exchange Visitor Program Sponsor provides a means for interested organizations to apply for designation by the Department of State to become a sponsor and for designated sponsors to keep the Department abreast of changes in their program and to request DS-2019 forms and Exchange Visitor Program brochures. Without these forms and the information they provide, the activities conducted under the Exchange Visitor Program could not continue.

2. The Exchange Visitor Program Application (DS-3036) is used by United States Government agencies and public and private organizations to apply to the Department of State to become designated to administer an exchange visitor program. Approximately 150 applications are received each year. The information provided is used to determine whether the interested organization meets the requirements to receive designation as a sponsor and, if approved, to create a database entry for tracking purposes. The Update of Information on Exchange Visitor Program Sponsor (DS-3037) is used by the approximately 1,460 designated sponsors to notify the Department of changes in the address, telephone numbers, fax numbers, etc. of the organization, and to request a change of the Responsible Officer or Alternate Responsible Officers.

3. The Department incorporated Forms DS-3036 and DS-3037 electronically into the Student and Exchange Visitor Information System (SEVIS). SEVIS, which is administered by the Department of Homeland Security to meet the legislative mandate established by Subtitle D, Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) (P.L. 104-208), was developed and operational in 2002 to collect and

submit information on non-immigrants entering the United States on F, J, and M visas. Mandatory national implementation of the system began in 2003.

Because of the regulatory requirements for sponsors to provide original signed or notarized copies of documents on the establishment and operation of their proposed exchange programs, the application process (Form DS-3036) is handled partly electronically and partly in paper form. The application form is completed on-line. This serves as a notification and tracking system for new applications. Once submitted on line, the applicant must submit a paper copy of the complete application with all required signed and notarized documents to the Department. The Department is working with the Department of Homeland Security in moving toward the development of a newer version of SEVIS (SEVIS II). It is expected that when the ability to collect electronic signatures and official documents is in place, the application process will move to a completely electronic format. This will enable us to better serve the public and will reduce administrative and financial burdens on the Department of State for the reproduction costs and time necessary to maintain information and mail the forms. The ability to provide information electronically will also reduce the administrative and financial burdens on the 1,460 sponsors in notifying the Department of changes in their programs and in ordering forms and other supplies. It will also decrease the Department's response time in serving the public.

A proposed rule for Subpart A was published on September 22, 2009. The Department received 656 comments which are currently under review and being analyzed. The proposed rule identifies several new collections, both in SEVIS and in the sponsor's administration of their exchange programs. Such proposed collections will include criminal background checks on Responsible and Alternate Responsible Officers, finances and other relevant documentation in support of a redesignation request, and management audits. These new collections, if adopted, will become a part of the DS-7000 collection in the future. The Department expects to publish a Final Rule for Subpart A later this year.

4. There is one form per potential sponsor for the Application and approximately two forms filed by currently designated sponsors annually. This information is not otherwise available.
5. This collection does not have significant economic impact on small business entities.
6. If the collection of information is not conducted, the Department could not administer the Exchange Visitor Program. We would not be able to designate new sponsors to administer exchange programs. In addition, there would be no means for a designated sponsor to request forms required to administer their program or to provide the Department with essential information to maintain the Exchange Visitor Program database on existing designated sponsors.
7. There are no special circumstances for this collection.

8. The Department received two public comments. One comment was related to another rule and had no relevance to Forms DS-3036 and DS-3037. The other comment submitted suggested many formatting and grammatical revisions. The Department agreed with many of the suggestions and revised Form DS-3036 accordingly. In addition, the Department's address was updated. The changes to Form DS-3036 will be built into SEVIS in early 2011.

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

10. No promises of confidentiality were made.

11. There are no questions of a sensitive nature included in the data required.

12. The number of responses for the Form DS-3036 is approximately 150 annually. The respondents complete the form if they wish to be considered for designation as an Exchange Visitor Program sponsor. This form takes approximately 1 hour to complete and an additional 7 hours to gather supporting application documentation. The annual burden for this form is estimated to be 1200 hours.

Form DS-3037 is used by designated sponsors to notify the Department of any changes in contact information for the sponsor, to request brochures, and to request a change in Responsible or Alternate Responsible officers on their exchange program. This form takes approximately 20 minutes to complete. It is estimated that approximately 1,460 respondents will submit 2 requests annually for a total 2,920 submissions. The annual burden for this form is approximately 973 hours.

Form DS-7000, the SEVIS Electronic Application, includes all Department's record keeping, reporting and data collection information required under 22 CFR Part 62 and the many functions performed through SEVIS by program sponsors. A detailed breakdown of the respondents, number of responses, and burden figures are attached in table format. Please see Attachment 1 for a detailed burden accounting of data collection and reporting activities conducted through SEVIS. Please see Attachment 2 for Non-SEVIS recordkeeping and data collection activities.

Respondents for this DS-7000 collection include designated program sponsors, applicants/potential sponsors, host families, exchange visitors, and U.S. medical schools, yielding an estimated total of 190,200 respondents per year. The annual number of responses is approximately 1,620,377. The total aggregate annual hour burden is estimated to be 1,321,087 hours. The total annual cost to respondents is estimated to be, \$21,891,320. The table below shows the aggregate burden figures for all requirements under 22 CFR Part 62.

Component	Respondents	Responses	Annual hour burden	Annual Cost burden
SEVIS	1500	23,530	10,790 hours	\$1,490,870
Non-SEVIS	190,000	1,596,847	1,310,297 hours	\$20,400,450
Totals:	190,200*	1,620,377	1,321,087 hours	\$21,891,320

(* There is an overlap of respondents for SEVIS and Non-SEVIS component.)

13. Both Forms DS-3036 and DS-3037 are available on-line and are transmitted electronically to the Department. There is a filing fee of \$1,748.00 for the review and evaluation of an application for designation as an Exchange Visitor Program sponsor (DS-3036). The estimated annual burden cost to respondents for this form would be \$262,200 (150 x \$1,748). This figure is included in the SEVIS burden in #12.
14. The cost incurred by the Department is the time of staff necessary to review and analyze requests and in maintaining information in office files and databases. The estimated cost to the Federal Government is approximately \$51,484.20. This estimate is based on the number of responses (DS-3036 – 150; DS-3037 – 2,920), the average hourly processing time (DS-3036 - 4 hours; DS-3037 – 20 min.), and the average hourly salary (GS-13/5 \$44.00; GS-9/5 \$25.00). For Form DS-3036, 150 respondents times 4 hours equals 600, times \$44.00, equals \$26,400.00. For Form DS-3037, 2,920 respondents times 20 minutes equals 973, times \$25.00, equals \$24,325.00. The printing costs equal \$759.20 (\$0.26 per response times responses, 2,920). \$26,400.00 plus \$24,325.00 plus \$759.20 yields a total cost burden of \$51,484.20.
15. There is an increase in burden hours for this collection to account for the revised estimated time it takes to prepare all supporting documentation for submission of Form DS-3036. The revised estimate of the time necessary to gather and submit supportive material has increased the total burden time to 8 hours per submission. The increase cost burden reflects an increase in the application fees associated with the Form DS-3036, which went from \$799 to \$1,748.
16. The Department will not publish the collected information.
17. The Department will display the OMB expiration date.
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.