

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT

Certificate of Eligibility for Exchange Visitor (J-1) Status (DS-2019)

J-1 Exchange Visitor Program (22 CFR Part 62)

OMB # 1405-0119

A. Justification:

1. 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 (MECEA), as amended (Public Law 87-256, 22 U.S.C. 2451 *et seq.*). This program enables DoS-designated sponsors to conduct educational and cultural exchange activities that further the foreign policy objectives of the United States.

Individuals entering the United States must be appropriately identified. Form DS-2019 is a document that provides information needed to identify an individual seeking to enter the U.S. as an Exchange Visitor. Form DS-2019 is a Certificate of Eligibility for Exchange Visitor (J-1) Status. See Title 8, Section 101(a)(15) of the Immigration and Nationality Act; Exchange Visitor Program regulations (22 CFR Part 62); and MECEA, as amended. DoS regulations pertaining to the issuance of Forms DS-2019 are published at 22 CFR 62.12.

2. A DoS-designated sponsor completes the Form DS-2019. After the form is signed, it is sent to the prospective Exchange Visitor, who submits it to the U.S. Embassy/Consulate to apply for an Exchange Visitor (J-1) visa. The completed Form DS-2019 provides information that the consular official needs to determine whether the individual should be issued a J-1 visa to enter the United States as an Exchange Visitor.

3. The data fields from the Form DS-2019 are used to produce the electronic Form DS-2019 through the Student and Exchange Visitor Information System (SEVIS). The U.S. Department of Homeland Security administers SEVIS, which collects information on non-immigrants entering the United States on F, J, and M visas. Mandatory national implementation of the system began in 2003. SEVIS was developed and put into operation to meet the legislative mandate established by Subtitle D, Section 641 of the Illegal Immigrant Reform and Immigrant Responsibility Act of 1996 (IIRIRA) (P.L. 104-208).

When Form DS-2019 is completed online, it serves as a notification and tracking system for an Exchange Visitor. After the form is submitted online, a paper copy of it is printed from SEVIS, signed by the Responsible Officer or Alternate Responsible Officer and sent to the Exchange Visitor. This print-out enables the prospective participant to apply for a visa at a U.S. Embassy or Consulate. When SEVIS is equipped to collect electronic signatures on official documents, this process will move to a completely electronic, paperless format. This will occur with the implementation of SEVIS II, which is expected in 2013.

4. There is one form per exchange visitor. There is no duplication. This information is not otherwise available.

5. This collection does not have significant economic impact on small businesses or other small entities.

6. The information collected by the Form DS-2019 is essential for determining whether an applicant is eligible for a J visa. It is not possible to collect the information less frequently because, if that were done, DoS would be unable to effectively administer the Exchange Visitor Program or provide the requested information to Congress and other interested parties. Less-frequent collection could affect the reliability of the information on record and the period that a sponsor has sponsorship responsibility for an Exchange Visitor. A Form DS-2019 may result in the issuance of a visa that would be valid for several years in the case of college students. If designated sponsors do not wish to assume responsibility for an individual beyond a single year, they may limit the program to a single year. If at the end of the first year a sponsor wishes to extend a program, an extension may be granted, subject to the regulations governing the category of exchange under which the Exchange Visitor entered the United States.

7. There are no special circumstances. The collection of information indicated on the Form DS-2019 is a one-time procedure for each individual Exchange Visitor.

8. The Department on January 12, 2011, published a 60-day notice in the Federal Register to solicit public comments. One comment was received. The comment recommends several changes to the layout of the Form DS-2019 to give additional space to print such fields as last names with long names or multiple last names and funding from “other organizations”.

The Department has reviewed each of the seven requested modifications from the one public comment and discussed the options with the SEVIS staff. Many of the modifications have been addressed during the development of SEVIS II, but are not possible under the current version of SEVIS. It would require more than a change in the form, but expense in the change of operations. For example, the bar code on the upper right hand corner of Form DS-2019 was never implemented due to the expense it would have burdened each sponsor to install bar code readers in their organization. Bar codes will not be an issue once the form becomes an electronic document.

The request for modifications to the exchange visitor’s last name, position code, subject field code and funding sources require a cost and change to the fields in SEVIS, not merely a change to the layout of Form DS-2019. The current field for the exchange visitor’s last name is currently forty characters. The request for additional characters has been forwarded to SEVIS II developers. An explanation of the position code can be found under the “help” function in SEVIS which explains the purpose of this field. The request to change the title of the field has been forwarded to the developers of SEVIS II.

Finally, the process for transfers has been amended in SEVIS II to accommodate both the institutions in which the exchange visitor will be transferring from and transferring into.

The signature field for transfers will no longer be required in a paper format once SEVIS II is implemented due to the electronic function of the process.

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

10. There are no assurances of confidentiality other than those contained in applicable statutes such as the Freedom of Information Act (FOIA).

11. There are no questions of a sensitive nature included in the data required by the Form DS-2019.

12. There are currently 1460 DoS-designated sponsors issuing a Form DS-2019 to each prospective Exchange Visitor that account for the number of responses, which is estimated at 350,000 annually. The form takes approximately 45 minutes to complete. The annual burden for the form is estimated to be 262,500 hours.

13. There is no cost to the respondents.

14. There is no cost for this collection to the Federal Government. Based on the results of an independent fee study, the fees assessed to obtain designation or redesignation every two years pay the costs associated with administering the overall Exchange Visitor Program.

15. The number of designated exchange visitor program sponsors has remained at approximately 1,460 annually and the number of Exchange Visitors entering the U.S. will remain at 350,000 participants annually, with an estimated burden hour of 262,500 hours (350,000 x 45 minutes).

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 statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does not employ statistical methods.