

Request for Approval under the Collection of Qualitative Feedback through Focus Groups (OMB Control Number: 1615-0126)

TITLE OF INFORMATION COLLECTION: Collection of Qualitative Feedback through Key Informant Interviews

PURPOSE: This information collection is part of the High-Skilled Nonimmigrant Labor Study that will explore the use of H-1B visas in industries requiring high-skilled labor. The purpose is to better understand both the trends in high-skilled nonimmigrant labor and the factors that influence labor flows to facilitate resource planning, revenue projections, and improvements in the efficiency of visa processing. The key components of this study will include: (1) a site visit to the California USCIS service center, (2) a comprehensive literature review, (3) analysis of visa petition data from the past 10 years, (4) focus groups with current and former H-1B visa beneficiaries, (5) focus groups with industry representatives involved in the H-1B visa process, and (6) in-depth case studies of companies that employ H-1B visa holders. This information collection is related to components (4), (5), and (6).

Specifically, this information collection seeks to expand what is known about this group of visa holders to gain a better comprehension of employers' needs for high-skilled nonimmigrant workers, to learn about pathways to legal permanent residency for visa holders, and to improve the H-1B visa petition process for high-skilled nonimmigrant workers. In particular, the information collection will engage individuals with knowledge of the H-1B visa process in a dialogue about the procedural aspects of visa adjudication and demand for foreign labor in order to learn more about the demand for H-1B and other high-skilled nonimmigrant visas. In doing so, we will gather information on the successes and challenges experienced by beneficiaries, industry representatives, and companies that interact with and use the visa system. Moreover, participants will provide information to USCIS that will inform its processes to improve the visa program from the perspectives of both high-skilled nonimmigrant workers and the companies that employ them. Collecting this type of information will contribute to a more in-depth understanding about how policies, processes, and procedures are interpreted, articulated, and implemented.

During site visits with companies that employ H-1B visa beneficiaries, we will collect information from a variety of respondents. We will collect information from managers about the demand for high-skilled nonimmigrant employees, including how they fill the company's needs; recruitment of these employees; the H-1B petition process (including the influence of caps on timing of employment); and recommendations for improving the petition process and U.S. high-skilled immigration policies more generally. Our interviews with human resources personnel will focus on the details of the processes for recruiting foreign high-skilled workers and applying for H-1B visas through USCIS, as well as the specific types of jobs that H-1B beneficiaries hold and their experiences in the workplace.

DESCRIPTION OF RESPONDENTS:

Key informants at site visits: Respondents will be managers and human resources representatives. Respondents will be located at large companies within three major industries (biotechnology, information technology, and finance) in the Silicon Valley, New York City,

Houston, or Boston. Companies will be selected for case studies using Labor Condition Application (LCA) data, in order to identify companies that file a large numbers of H-1B petition requests, as well as I-129 data, in order to identify companies that are granted H-1B visas for their workers. Targeting high-volume petitioners and recipients within the predominant industries in each site will allow us to hear from companies which use the program most often within the targeted industries in these regions.

TYPE OF COLLECTION: (Check one)

- Customer Comment Card/Complaint Form
- Usability Testing (e.g., Website or Software)
- Focus Group
- Customer Satisfaction Survey
- Small Discussion Group
- Other: Key Informant Interviews

CERTIFICATION:

I certify the following to be true:

1. The collection is voluntary.
2. The collection is low-burden for respondents and low-cost for the Federal Government.
3. The collection is non-controversial and does not raise issues of concern to other federal agencies.
4. The results are not intended to be disseminated to the public.
5. Information gathered will not be used for the purpose of substantially informing influential policy decisions.
6. The collection is targeted to the solicitation of opinions from respondents who have experience with the program or may have experience with the program in the future.

Name: _____

To assist review, please provide answers to the following questions:

Personally Identifiable Information:

1. Is personally identifiable information (PII) collected? Yes No
2. If Yes, is the information that will be collected included in records that are subject to the Privacy Act of 1974? Yes No
3. If Applicable, has a System or Records Notice been published? Yes No N/A

Gifts or Payments:

Is an incentive (e.g., money or reimbursement of expenses, token of appreciation) provided to participants? Yes No

We will offer focus group participants a \$25 gift card to compensate for their travel expenses and as an incentive for them to participate in their free time, outside of their normal working hours.

BURDEN HOURS

| Category of Respondent | No. of Respondents | Participation Time | Burden |
|--|--------------------|--------------------|--------|
| Private sector personnel (Preliminary contact with | 4 | 120 minutes | 8 |

| Category of Respondent | No. of Respondents | Participation Time | Burden |
|---|--------------------|--------------------|-----------|
| on-site liaison) ¹ | | | |
| Private sector personnel (Key informant managers) ² | 20 | 90 minutes | 30 |
| Private sector personnel (Key informant human resources) ³ | 12 | 90 minutes | 18 |
| Totals | 36 | | 56 |

FEDERAL COST: The estimated annual cost to the federal government is \$471,061.

| Activity | Cost |
|---|------------------|
| Task 3 (Qualitative Design Report and OMB Request for Approval) | \$142,113 |
| Task 4 (H-1B Focus Group Data Collection) | \$100,794 |
| Task 5 (Industry Representatives Focus Group Data Collection) | \$47,052 |
| Task 6 (Case Study Data Collection) | \$86,102 |
| Travel for all data collection | \$95,000 |
| Total | \$471,061 |

If you are conducting a focus group, survey, or plan to employ statistical methods, please provide answers to the following questions:

The selection of your targeted respondents

1. Do you have a customer list or something similar that defines the universe of potential respondents, and do you have a sampling plan for selecting from this universe?
 Yes No

If the answer is yes, please provide a description of both below (or attach the sampling plan). If the answer is no, please provide a description of how you plan to identify your potential group of respondents and how you will select them.

Managers and human resources personnel that we will interview during our site visits will be recruited at the firm level. By leveraging the subcontractor’s existing contacts and building on the contacts we make in the field as we recruit individuals for our other qualitative information collection (focus group interviews), we will build a list of potential companies to be included in the case studies. Then, the team will identify an on-site liaison to serve as the main point of contact within the organization who will help the study team gain access to the company and its staff. The study team will call or email the on-site liaison, who is likely to be a human resources manager, to introduce the study, to explain how the employer was selected for inclusion, and to screen the eligibility of the company on a set of criteria.

Administration of the instrument

1. How will you collect the information? (Check all that apply.)
 Web-based or other forms of Social Media
 Telephone

¹ Assumes one liaison per each of four sites
² Assumes five manager interviews per each of four sites
³ Assumes three human resources staff members per each of four sites

- In-person
- Mail
- Other: Explain

2. Will interviewers or facilitators be used? Yes No

Please make sure that all instruments, instructions, and scripts are submitted with the request.

The following instruments are attached:

| | |
|--------------|--|
| Attachment A | Recruitment Cover Email for Possible Case Study Companies |
| Attachment B | Recruitment Email for Company Case Study Participants |
| Attachment C | Consent Form for Case Study Interview Respondents |
| Attachment D | Master Protocol for Case Study Interviews with Human Resources Representatives or Managers |