

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

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**TITLE OF INFORMATION COLLECTION:** Collection of Qualitative Feedback through Focus Groups of Industry Representatives

**PURPOSE:** This information collection is part of the High-Skilled Nonimmigrant Labor Study, which will explore the use of H-1B visas in industries requiring high-skilled labor, in order to better understand 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 in an effort to better understand employers' needs for high-skilled nonimmigrant workers, learn about pathways to legal permanent residency for visa holders, and 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 in interacting with and using 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.

Focus groups with industry representatives will yield qualitative information on the continuum of industry experience with the nonimmigrant visa process and the changing need for high-skilled workers. We will collect information on the following: (1) current and projected trends in nonimmigrant labor flow from the perspective of employers, (2) industry's anticipated needs for high-skilled workers in high-growth occupational categories over the next decade, (3) the causes of recent and expected changes in the flow of high-skilled nonimmigrant petitions to the United States, (4) the impact of new developments in business practices, such as teleworking, outsourcing, virtual offices, and the increased use of other visa types (such as L), on the interest in and utilization of high-skilled temporary worker programs such as H-1B; (5) how U.S.-based high-skilled industries perceive the current dynamics of global competition for high-skilled workers, and how well U.S. industry strategies and federal policies in this area are working; (6) how employers experience the petition process and interactions with USCIS and ways in which the process could be improved from the employers' perspective, and (7) recommendations the industry has for USCIS regarding high-skilled nonimmigrant visa processing and agency outreach efforts to industry.

During site visits with companies that employ H-1B visa beneficiaries, we will collect information from a variety of respondents. Focus groups with managers/HR staff will be scheduled when in-depth interviews are not possible or when a large number of people in the organization are involved in the visa holder recruitment, integration, and retention process. These interviews will focus on the nonimmigrant visa process and the changing need for high-skilled workers.

**DESCRIPTION OF RESPONDENTS:**

**Industry representatives:** Respondents will include private sector employees who work in diverse industries and functions. We will conduct a total of five in-person focus groups total in four locations: (1) the Silicon Valley, (2) New York City, (3) Boston, and (4) Houston. Respondents will be screened on the following criteria: industry, title/role (e.g., human resources, recruiter/headhunter, public affairs personnel), diversity of origin countries for recruited/hired H-1B employees, size of company (total number of employees), number of H-1B petitions filed each year, and other criteria of importance to USCIS.

**Focus group participants at site visits:** Respondents will be managers and/or human resources representatives. Respondents will be located at either large companies within the major industries of biotechnology, information technology, and finance, or a small business, such as a start-up, innovative, or entrepreneurial firm, in the Silicon Valley, New York City, Houston or Boston.

**TYPE OF COLLECTION: (Check one)**

- |  |   |
|--|---|
| <input type="checkbox"/> Customer Comment Card/Complaint Form          | <input type="checkbox"/> Customer Satisfaction Survey |
| <input type="checkbox"/> Usability Testing (e.g., Website or Software) | <input type="checkbox"/> Small Discussion Group       |
| <input checked="" type="checkbox"/> Focus Group                        | <input type="checkbox"/> Other:                       |

**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 question:

**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 the focus group during their free time, outside of their normal working hours.

**BURDEN HOURS**

| Category of Respondent   | No. of Respondents | Participation Time | Burden     |
|--|--------------------|--------------------|------------|
| Private sector (Industry representatives focus group potential participants) <sup>1</sup>  | 240 (max)          | 5 minutes          | 20         |
| Private sector (Industry representatives focus group participants) <sup>2</sup>            | 120 (max)          | 105 minutes        | 210        |
| Private sector (Case study managers/human resources focus group participants) <sup>3</sup> | 16 (max)           | 120 minutes        | 32         |
| <b>Totals</b>  | <b>376</b>         |                    | <b>262</b> |

**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         |
| <b>Total</b>  | <b>\$471,061</b> |

**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**

<sup>1</sup> Assumes 50% screen-out rate for potential participants (240 potential participants screened in order to yield 120 invited participants).

<sup>2</sup> Assumes 24 participants invited to each of five focus groups.

<sup>3</sup> Assumes four participants (three manager/one human resources staff member per each of four case study sites).

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 [x] 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.

**Industry representatives:** Respondents will be recruited into the study through a two-pronged approach. First, we will leverage the industry and employer contacts of the subcontractor for this project, which has multiple key contacts, such as advocates, industry representatives, and contacts within businesses, who can serve as liaisons to employers of interest within each targeted geographic area. The subcontractor will initiate contact with these key contacts and explain the purpose of the study. Second, we will connect with the American Council on International Personnel (ACIP). ACIP is a professional group for employers working worldwide to advance employment-based immigration of highly educated professionals. ACIP will help us connect with employers who currently employ visa holders or have done so in the past. We will provide information to employers about the target populations of beneficiaries for the focus groups and obtain permission to provide the company with recruitment materials for dissemination to potential participants. It is highly likely that, during the H-1B visa beneficiary recruitment process, we may also meet many points of contact within companies who may be suitable candidates for industry representative focus groups. If so, we will be able to extend an invitation to them.

**Respondents at site visits (including managers, human resources personnel, and employees with H-1B visas):** We will recruit these respondents 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 the other two sets of focus groups, we will build a list of potential companies to be included in the case studies. The study 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, explain how the employer was selected for inclusion, and 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
  - 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 Focus Group Participants                                |
| Attachment B | Recruitment Letter Attachment for Industry Representatives Focus Group Participants |
| Attachment C | Industry Representative Focus Group Recruitment Screener                            |
| Attachment D | Telephone Script for Reminder Phone Call to Focus Group Participants                |
| Attachment E | Reminder Email to Focus Group Participants  |
| Attachment F | Consent Form for Industry Representative Focus Group Participants                   |
| Attachment G | Industry Representatives Focus Group Pre-Interview Questionnaire                    |
| Attachment H | Focus Group Protocol for Industry Representatives                                   |
| Attachment I | Recruitment Cover Email for Possible Case Study Companies                           |
| Attachment J | Recruitment Email for Company Case Study Participants                               |
| Attachment K | Consent Form for Case Study Interview Respondents                                   |