

SUPPORTING STATEMENT

Notice to Student or Exchange Visitor

(Form I-515A)

OMB No. 1653-0037

A. Justification.

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

An academic nonimmigrant student (F-1), vocational nonimmigrant student (M-1), exchange visitor (J-1), or dependent (F-2, M-2 or J-2) seeking admission into the United States as a nonimmigrant under section 101(a)(15) of the Immigration and Nationality Act (Act) is required to present certain documentation. If the F, J or M nonimmigrant is missing any of this documentation, a Department of Homeland Security (DHS) Customs and Border Protection (CBP) officer at the port of entry provides the F, J or M nonimmigrant with the Form I-515A, Notice to Student or Exchange Visitor. The Form I-515A provides a list of the documentation the F, J or M nonimmigrant will need to provide to DHS. The F, J or M nonimmigrant must send the documentation to the Student and Exchange Visitor Program (SEVP), an office of the DHS agency, U.S. Immigration and Customs Enforcement (ICE). SEVP must receive a complete response within 30 days of the F, J or M nonimmigrant's admission. Form I-515A collects information authorized by 8 U.S.C. 1184 in order to confirm that the F, J or M nonimmigrant is eligible for admission into the United States. The Form I-515A enables CBP to avoid having to deny entry into the United States to an otherwise eligible F, J or M nonimmigrant.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

USCBP uses the Form I-515A to allow an academic nonimmigrant student (F-1), vocational nonimmigrant student (M-1), exchange visitor (J-1), or dependent (F-2, M-2 or J-2) who is without proper documentation for entry into the United States to enter temporarily for a 30-day period. To extend the authorized duration of the visit, the F, J or M nonimmigrant must obtain the required documents and, along with the Form I-515A, submit them to the SEVP office within 30-days of entry.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses) and the basis for the decision to adopt this means of collection. Also describe any consideration of using information technology to reduce burden.**

In the near future, the SEVP Student and Exchange Visitor Information System (SEVIS) database will interface with CBP systems to enable the admission process for academic nonimmigrant student (F-1), vocational nonimmigrant student (M-1), exchange visitor (J-1), or dependent (F-2, M-2 or J-2) to be paperless. Until that time, the Form I-515A provides the most efficient means for collecting required data. USICE manages and updates the Form I-515A. USCBP officers issue the Form I-515A to F, J, or M nonimmigrants at a port of entry, as needed. USCBP officers, as the first DHS personnel to have contact with potential alien entrants, must adjudicate admission expeditiously. In the time allowed to USCBP, use of the Form I-515A is essential. The Form I-515A explains to the F, J, or M nonimmigrant what documents to submit and the timeframe. There are no plans to automate this form as the pending interface implementation between USICE and USCBP systems will overcome its need.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

This information is not collected in any form, and therefore is not duplicated elsewhere

5. If the collection of information impacts small businesses or other small entities disproportionately (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.

This information collection does not disproportionately impact small businesses or other small entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The Form I-515A allows temporary admittance to an academic nonimmigrant student (F-1), vocational nonimmigrant student (M-1), exchange visitor (J-1), or dependent (F-2, M-2 or J-2) for a 30-day period to allow the individual to obtain and submit the proper documentation for an extension of stay. Without the use of this information collection, CBP would not be able to admit these F, J and M nonimmigrants into the United States upon arrival. This would seriously deter potential foreign applicants to U.S. academic institutions and exchange visitor programs and would have significant negative economic consequences to those educational and exchange entities.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection requires the academic nonimmigrant student (F-1), vocational nonimmigrant student (M-1), exchange visitor (J-1), or dependent (F-2, M-2 or J-2) respondent to prepare and submit a response within 30 days of arrival in the United States. The use of the Form I-515A constitutes a benefit to the respondent and a calculated risk to the United States. The alternative to this collection is denial of admission.

- 8. If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On August 20, 2012, ICE published a notice in the Federal Register at 77 FR 20297, soliciting public review and comment on the proposed extension of the approval of this information collection for a 60-day period. ICE received no comments during this period. On October 31, 2012, ICE published a follow up notice in the Federal Register at 77 FR 26708, soliciting public review and comment on the proposed extension of the approval of this information collection for an additional 30 day period.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

USICE does not provide payments or gifts to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

There is no assurance of confidentiality provided to the respondents of this information collection.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions in this collection of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and**

explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Annual Reporting Burden:

Number of Respondents	10,229
Number of Responses per Respondent	1
Total Annual Responses	10,229
Hours Per Response	.166 (10 min.)
Total Annual Reporting Burden (hours)	1,698

SEVP derived the projected hours per response for this collection of information by first breaking the process into three basic components:

Learning about the law and the form:	2 Minutes
Completion of the form:	8 Minutes
Assembling and filing the form:	2 Minutes
Total hours per response:	10 Minutes

Annual Reporting Burden

The total annual reporting burden hours are 1,698. This figure was derived by multiplying the number of respondents (10,229) x frequency of response (1) x (.166) hours per response.

Annual Cost Burden

The estimated annual cost burden is \$16,980. This is based on the number of respondents (10,229) x frequency of response (1) x hours per response (.166) x average hourly rate (\$10).

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government or (4) as part of customary and usual business or private practices.**

There are no record keeping, capital, start-up or maintenance costs associated with this information collection.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.

Annualized Cost Analysis:

a.	Collecting and Processing	\$374,791
b.	Total Cost to Program	\$374,791
c.	Fee Charge, if any	\$ 0
d.	Total Annual Cost to Government	\$374,791

Government Cost

The estimated cost to the government is \$374,791. This figure is calculated by using the number of respondents (10,229) x frequency of processing (1) x average time 55 minutes (0.916) required to collect, validate and process information x (\$40) average hourly rate for clerical, officer, and managerial time with benefits.

15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.

SEVP experienced an increase of 2,200 (10,220 current figure - 8,000 year 2009 figure = 2, 220) respondents and an increase of 370 (1,698 current figure - 1,328 year 2009 figure = 370) burden hours from the amounts previously reported in the year 2009 for this collection of information. This respondent and burden hour increase is due to an increase in the total number of academic nonimmigrant students (F-1), vocational nonimmigrant students (M-1) and exchange visitors (J-1) coming to the United States to obtain an education or participate in exchange programs; attendance numbers for the year 2010 rose by 253,352 (or 21.8% more than the 2009 figure of 1,163,146) and attendance numbers for the year 2011 rose by 134,164 (or 11.5% more than the 2009 figure). SEVP has addressed the root causes that lead to the issuance of Form I-515A by directing specific informational and educational materials to the F, J and M nonimmigrants encouraging them to hand carry travel documents rather than place the documents in suitcases, which typically the F, J and M nonimmigrants can't access before reaching the CBP port of entry officer. SEVP issues a Fact Sheet encouraging schools to include such

information, as well as instructions on how to complete the Form I-94, Arrival/Departure Record, in their registration materials. SEVP believes that such efforts are the key in the mitigation of burden hours. SEVP no longer generates print copies of the Form I-515A nor has printing expenses directly related to the issuance of the Form I-515A so the cost line item \$1,660 no longer applies.

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

USICE does not intend to employ the use of statistics or the publication thereof for this information collection.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

USICE will display the expiration date for OMB approval of this information collection.

- 18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

USICE does not request an exception to the certification of this information collection.