

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Certificate of Eligibility for Exchange Visitor Status (J- NONIMMIGRANT) DS-2019 OMB Number 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-1 and J-2) 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 administer and conduct a variety of educational and cultural exchange activities.

Individuals entering the United States must be appropriately identified. The Form DS-2019 is the document that provides the information needed to identify an individual seeking to enter the U.S. as an Exchange Visitor in either J-1 or J-2 non-immigrant status. The Form DS-2019 is a Certificate of Eligibility for Exchange Visitor Status (J-NONIMMIGRANT). This form is used by potential Exchange Visitor Program participants to request J-visa status at American Embassies and Consulates abroad. See Title 8, Section 101(a)(15) of the Immigration and Nationality Act; 22 CFR Part 62; and the Mutual Educational and Cultural Exchange Act.

2. An Exchange Visitor Program sponsor must complete the Form DS-2019 for each exchange visitor. When completed, the form is sent to the prospective exchange visitor abroad who takes it to the U.S. Embassy/Consulate to secure Exchange Visitor (J-1) visa status. The completed form provides some of the information that the consular official needs in order to determine whether the individual should be granted J visa status to enter the United States. The Form DS-2019 also may be used to facilitate entry of an exchange visitor's alien spouse or minor unmarried children into the United States (J-2s). Information collected through the Form DS-2019 is also used by the U.S. Department of State for exchange visitor program administration purposes.
3. The Department has incorporated the data fields from Form DS-2019 into the form produced electronically through 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 made 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.

DHS guidance requires sponsors to provide original signatures, in blue ink, on each Form DS-2019. Form DS-2019 is completed online. This serves as a notification and tracking system for each exchange visitor, and, where applicable, any accompanying spouse and dependents. Once submitted online, a paper copy of the form is printed from SEVIS, signed by the Responsible Officer or Alternate Responsible Officer and sent to the exchange visitor. This form enables the prospective participant, and accompanying spouse and dependents, if applicable, to apply for a visa at a U.S. Embassy or Consulate.

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 business entities.
6. If the collection of information is not conducted or conducted less frequently, the Department would be unable to provide the requested information to Congress and other interested parties. Less frequent collection of the information could affect the reliability of the information on record and could affect the period of time that a sponsor has sponsorship responsibility for an Exchange Visitor. A Form DS-2019 may result in the issuance of a visa that could be valid for several years in the case of college students. If a sponsor does not wish to assume sponsorship responsibility for an individual beyond a single year, they may limit the period of program to a single year. If at the end of the first year, the sponsor wishes to extend an individual (and spouse and dependents, where applicable) for a second year, they may extend the period of program for a second year or for several more years, dependent on 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 published a 60-day notice with request for comments. The Department received three comments in response. One comment was determined not germane to this collection because the comment did not make suggestions relating to the information collection or the changes to the Form DS-2019. Comments from the other two commenters were taken into consideration in making revisions to Form DS-2019, as outlined on the appended table.
9. Respondents are not provided with any gifts or payments.
10. There is no assurance of confidentiality provided to respondents as the information collected pertains to foreign nationals.
11. There are no questions of a sensitive nature included in the data required on the Form DS-2019.

12. The number of responses for Form DS-2019 is estimated at 325,000 annually from 1,400 respondents/sponsors. The respondents complete a form for each prospective exchange visitor (and related forms for spouse and dependents, where applicable) and mail it to the participants prior to their visa interview. The average number of exchange visitors (J-1) per sponsor is 232, although some sponsors are responsible for larger numbers of exchange visitors and others for less than ten. This form takes approximately 45 minutes to complete, including proposed new fields. The annual burden for the form is estimated to be 243,750 hours (325,000 responses x 0.75 hour). Sponsor employees responsible for completing DS-2019 forms average a \$20 per hour weighted wage; this is based on an average GS-9 equivalent level for sponsor organization employees, equivalent as well to Bureau of Labor Statistics figures for average hourly earnings for employees of membership associations and organizations. The total annual hour cost burden to sponsors is \$4,875,000 (243,750 hours x \$20).

Component	Respondents	Responses	Annual Hour Burden	Annual Hour Cost Burden
SEVIS	1400	325,000	243,750	4,875,000

13. There is a postage cost to the respondents for mailing the paperwork to the participants that was not accounted for in the previous submission. Based on an average cost of \$7.00 per mailing, total postage costs are $325,000 \times \$7 = \$2,275,000$.

14. The cost for this collection to the Federal Government is based on the results of an independent fee study. Fees of \$3,982 are assessed biannually on each program sponsor to obtain designation or redesignation and recover the costs for services associated with administering the Exchange Visitor Program. These costs include personnel costs, overhead, materials, travel, program enforcement, research, etc. Total annual cost to the government is \$2,787,400 ($\$3982/2 \times 1400 = \$2,787,400$) The administrative annualized cost to the Federal Government is covered 100% by these fees, all of which are collected in advance of the sponsor's use of the DS-2019 form.

15. The number of designated exchange visitor program sponsors has been reduced from 1,460 to 1,400 annually and the number of exchange visitors expected to enter the United States under the purview of sponsors has fallen to 325,000 participants annually. The result is an estimated burden hour of 243,750 (325,000 x 0.75 hour). Changes to the DS-2019 form include the following: The collection will undergo a name change to "Certificate of Eligibility for Exchange Visitor Status (J-NONIMMIGRANT)." There has been a change to the exchange visitor name field to read Surname/Primary Name and Given Name. Changes also have been made to the following fields in the electronic data-gathering portion of the form: e-mail address will be a required field at the time of validation (after arrival in the United States) for all exchange visitors coming to the U.S. under the auspices of designated Exchange Visitor Program sponsors [all categories except for International Visitors (22 C.F.R. 62.28), Government Visitors (22 C.F.R. 62.29) and visitors on U.S. Department of State-funded programs]; there will be an

optional field for the exchange visitor's U.S. telephone number; and there will be fields for both the exchange visitor's U.S. mailing address and physical address. Three changes have been made to the instruction portion of Form DS-2019: Flight Trainees have been removed as an exchange category, as these are no longer part of the Exchange Visitor Program; instructions clarify who should sign the J-1 and J-2 forms; and amounts listed under (f) Insurance have changed to accord with the upcoming publication of the Final Rule, Subpart A (General Provisions), 22 C.F.R. 62.14. Other changes include updates to the Department of State address and the Paperwork Reduction Act Statement on the form. None of the above noted changes to the form fields increases the hour burden for respondents, as most sponsors already collect this information now. The changes mainly allow separate fields for such responses.

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. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Appendix: Notes on Comments

Requested action by commenter	ECA response
Revision of Field 1 to read Surname/Primary Name and Given Name	The Department will revise this section accordingly. As the commenter notes, this is a change that SEVP is making (so that the DS-2019 will coincide with the name-form on other documents).
Revising collection title	The Department will revise to read “Certificate of Eligibility for Exchange Visitor Status (J-NONIMMIGRANT)
Expanding Subject/Field Code Remarks area (electronic entry)	The electronic version of SEVIS already allows 1000 characters to be placed in this field; the Department believes this is enough room to indicate subject/field remarks.
Eliminating Field 8 (Transfer Release Statement)	This field is scheduled for removal in a later update of SEVIS, in around 1.5 years’ time. It is a complex removal due to changes that need to be made in the electronic version of SEVIS to make sure the paper form prints out correctly. The field left blank does not cause any issues in the meantime.
Clarification on which categories of exchange must provide exchange visitor email address at time of validation	The Department will issue guidance that an e-mail address will be a requirement at the time of validation (after U.S. entry) for all exchange visitors coming to the United States under the auspices of designated Exchange Visitor Program sponsors [all categories except for International Visitors (22 CFR 62.28), Government Visitors (22 CFR 62.29), and visitors on U.S. Department of State-funded programs].
Clarification on who signs DS-2019 for J-2 dependents	A new line has been added to the Instructions section of the form clarifying when the J-2 should sign. All J-2s should sign their own forms except for children under the age of 14, in which case, the J-1 exchange visitor, as the parent or legal guardian, should sign the form for the minor.
Collection of the physical address and mailing address, when different (electronic entry)	There will be sections in the electronic form for <u>both</u> mailing address and physical address to accommodate the exchange visitor’s mailing address and physical address, when these are different. The regulation requiring collection of both mailing and physical addresses, when these

	are different, is in the near-term publication of Final Rule, Subpart A (General Provisions) in 62.13.
Removal of Box 6, stamp space	The commenter is misinformed. The box is still currently used for I-515 A purposes (“Deferred inspection”). Accordingly, no change will be made.
Expanding number of characters in Box 5 (electronic entry)	The Department believes that this is a reasonable amount of space for the sponsor to account for the exchange visitor’s available funding options.
Expanding Travel Validation field for RO	ECA feels that, given the travel schedules of a few program participants (such as some professors), this field could expand beyond even the requested <i>three</i> spaces for signature. The sponsor currently has the option at any time to print a revised Form DS-2019 to accommodate any travel that occurs on the part of the exchange visitor. Accordingly, no change has been made on the form.
Introduce Academic Training field	ECA does not wish to add such complex individual-program specific information to this form because it will make the form overly complicated; academic training plans in some cases cover multiple pages (as many as 30 in some cases) and should be collected for the program sponsor’s files, not placed on this form. Accordingly, no change has been made on the form.
Clarify need for position code and position	ECA will issue guidance to sponsors that this DS-2019 field is used by, among others, Consular Affairs to learn/record the current position of the exchange visitor. Accordingly, no change has been made on the form.