

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Annual Report - J-1 Exchange Visitor Program

OMB # 1405-0151, DS-3097

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, as amended (Public Law 87-256, 22 U.S.C. 2451 *et seq.*). This Program requires DOS designated sponsors to report annually on a variety of educational and cultural exchange activities.

The Annual Report - J-1 Exchange Visitor Program form provides a means for sponsoring organizations to report a summary of exchange visitor activity and an accounting of the number of Forms DS-2019 used. [DS-2019 is the Certificate of Eligibility for Exchange Visitor (J-NONIMMIGRANT) Status.] It also provides a means for assisting the Department in maintaining appropriate oversight of the Exchange Visitor Program.

This collection of information utilizes one form: Form DS-3097 – Annual Report - J-NONIMMIGRANT Exchange Visitor Program.

2. The Exchange Visitor Program Annual Report Form (DS-3097) is used by Department of State designated sponsors (United States government agencies and private sector for-profit and not-for profit organizations) to report annually their activities and program effectiveness to the Department of State. Approximately 1,400 annual reports are received each year. The information provided is used to monitor and maintain appropriate oversight of how the sponsors conduct their exchange visitor programs.
3. Since SEVIS II is not occurring, the Department is working with the Department of Homeland Security (DHS) toward the development of an electronic form for the annual report. Currently sponsors can obtain an annual report of statistical information on their program from the Student and Exchange Visitor Information System (SEVIS), but must print the report, sign it and mail or email it to the Department.
4. Designated sponsors are required to file this form on an annual basis. This information is not otherwise available.
5. This collection does not have significant economic impact on a substantial number of small businesses or other small entities.
6. If the collection of information were not conducted, the Department could not administer the Exchange Visitor Program effectively. We would not be aware of details of existing sponsor program activities that now enable us to assist sponsors in conducting viable exchange programs and monitoring activities to ensure that they are operating their exchange programs

in compliance with the governing regulations (22 CFR Part 62). In addition, there would be no means for a designated sponsor to reconcile the use of Forms DS-2019 or to request additional forms necessary to conduct their exchange programs.

7. There are no special circumstances. The collection of information indicated on the annual report form is an annual submission, filed either on an academic, calendar or fiscal year basis, as directed by the Department in its letter of designation.
8. The Department published a 60-day notice in the *Federal Register* on October 22, 2014, to solicit public comments. Changes were made to the collection based on comments received. The question regarding Cross-Cultural Activities was revised to include activities by the sponsor to promote cultural exchange. J-1 designated sponsors are responsible for ensuring participants receive a cultural component on their exchange. This includes both sponsor provided events as well as the efforts of the employer to educate the participant, host company, and community about successful cultural exchange. A change was also made to include volunteers in the count of staff. As noted by the commenter, many sponsors rely on volunteer staff to conduct their business. The Department agrees that volunteer staff should be included in the counts of staff. A checklist of comments received on different aspects of Form DS-3097 and the Department's response to them is appended.
9. Respondents are not provided with any gifts or payments.
10. There is no assurance of confidentiality provided other than that contained in applicable statutes such as the Privacy Act.
11. There are no questions of a sensitive nature included in the data required by the annual report form (DS-3097).
12. The number of responses expected for the Form DS-3097 is approximately 1,400 annually. This form takes approximately 3 hours to complete. The annual burden for this form is estimated to be 4,200 hours (1,400 sponsors x 3). The annualized hourly burden cost to respondents is estimated at \$264,600 (1,400 sponsors x \$63 weighted wage x 3 hours).
13. There is no additional cost to the respondents over and above their normal business practices. Since this data collection is an element of program administration, it is expected that respondents currently have full capacity to complete, process, and send the form to the Department as part of their current usual and customary business practices. Other costs that may potentially be incurred are not included; as such costs are part of customary and usual business practices. No fee is charged in connection with this form.
14. It is estimated that the annualized cost to the Federal Government is limited to the salary and benefits of Department officials responsible for the administrative oversight of the 1,400 designated sponsors submitting this information. Ten employees (GS-9 to GS-12) with an average weighted hourly wage of \$63.00 will spend approximately five percent of their time, or 100 hours, processing the forms (acknowledging receipt, tracking, reviewing reports, and filing) which yields an annual cost of \$6,300.00 (100 hours x \$63.00 hourly wage). Costs for equipment, overhead, printing or other costs associated with the processing of this information collection are expected to be negligible.
15. Changes to the form are noted in item 8. Adjustment to respondent costs (from \$129,150 to \$0) is the result of erroneously attributing hour cost burden to this category in the last

submission. Changes in respondent numbers are due to a reduction in designated sponsors. The burden hours have changed from two to three hours to accommodate sponsors' information gathering for the report.

16. The Department will not publish the information collected.
17. The Department will display the OMB expiration date.
18. The Department is not requesting any exceptions to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Appendix

Comment	Made by	Action	Notes
Change the question regarding Cross-Cultural Activities to include activities by the sponsor to promote cultural exchange.	CIEE	Added to revised form	The Department agrees with this suggestion. The Department regulates sponsor activities and is interested in both the cross-cultural activities provided by the sponsor as well as their efforts to enhance the cultural component, for example through promotion of cross-cultural activities organized by the host organization(s).
Change the question regarding Cross-Cultural Activities to include activities participants attended on their own volition.	CIEE	No change made for reasons noted	The Department regulates the sponsor, and through the sponsor host organizations and affiliated third parties; we do not wish to collect here information on cross cultural activities that exchange visitors initiated on their own. We wish to know how the sponsor and sponsor-affiliated third parties created or encouraged cross cultural activities for the exchange visitors.
Reconciliation of Forms DS-2019, the system does not generate accurate numbers from SEVIS.	AIC	No change made	The SEVIS system automatically records the use of forms DS-2019 by the sponsor as well as the sponsor allotment of forms DS-2019. It is based on simple subtraction. Used forms are subtracted from the overall allotment.
Record Statuses - Initial status dropped from form	AIC	No change made	Initial status has not been included in the DS-3097 in either 2009 or 2012 and has not been dropped from the form.
Change the reporting year of SEVIS to second year of SEVIS designation.	AIC, Eastern University	No change made	The Department needs to have comprehensive data on SEVIS records and will therefore not adopt this proposed change.
Include a description of staff duties.	AIC	No change made	The Department does not need the description of staff duties. The inclusion of staff descriptions and duties would be a burden to many of the larger organizations and is not necessary in the Department's analysis of the annual reports.
Include volunteers in counts of staff.	AIC	Added to revised form	As noted by the commenter, many sponsors rely on volunteer staff to conduct their business. The Department agrees that

			volunteer staff should be included in the counts of staff.
Agree with addition of program effectiveness.	AIC	No change made	The commenter agrees with the proposed changes.
Change the wording of the certification.	AIC	No change made	The proposed language on the DS-3097 captures the regulatory requirements referenced by the requester and is in meaning the same as the commenter's proposed language.
Agree with inclusion of email submission of form to the Department.	AIC	No change made	The commenter agrees with the proposed changes.
The information currently on the 3097 is not accurately reflected in the <i>Federal Registrar</i> and should include the same wording.	CCI Greenheart	No change made	The Department believes that the language on the DS-3097 reflects accurately the language in the <i>Federal Registrar</i> .
The Annual Report form should be available year round.	CCI Greenheart	No change made	The Department has recently made this and other forms related to the program available on the J-1 visa website.
Request the automation of the annual report form.	CIS, Eastern University, Virginia Mason, Northwestern	No change made	The Department cannot currently automate the submission of the status summary in SEVIS.
Agree with proposed changes.	Minnesota Dept. of Education	No change made	
Elimination of annual summary	Benaroya Research Institute at Virginia Mason	No change made	The Department uses the annual report summary in evaluating the designation applications of sponsors as well as their compliance with regulations. It is necessary for the Department to ensure that sponsors comply with the regulations.
Delete the question requiring submission of one or two brief success stories in program evaluation.	Cultural Vistas	Ohio Department of Education	The Department believes that the request for success stories more specifically explains what the Department is looking for in program evaluation. Success stories allow the Department to demonstrate impact of the Exchange Visitor Program

			and are therefore necessary to include.
Eliminate all exchange visitor programs.	JEAN PUBLIC	No change made	Not related to the form DS-3097.
New format does not incur additional financial cost or time burden	Chantal Duke	No change made	Commenter agrees with proposed changes.
Add additional columns to track which visa term the J-1 is in and which country they returned to	Chantal Duke	No change made	The Department does not regulate or require that sponsors keep track of J-1 participants once they become alumni and therefore declines to include this suggestion.
ROs and AROs provide a more detailed breakdown on effectiveness	Chantal Duke	No change made	Commenter agrees with proposed changes.
Add a category to capture summaries of how J-1 participants will use their experience when they return home; the form takes longer than 2 hours to fill out.	Chantal Duke	No change made	<p>The Department has separate email accounts where sponsors can submit this information on an ad hoc basis. The Department does not regulate or require that sponsors keep track of J-1 participants once they become alumni and therefore declines to include this suggestion.</p> <p>The burden hours have been adjusted to 3-hours to accommodate sponsors' materials gathering for writing the report.</p>