

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. The Department had once had the intent of working with the Department of Homeland Security (DHS) toward the development of an electronic form; however, no funding is currently available to develop such a Form. However, the Annual Report may be e-mailed to the Office of Private Sector Exchange, rather than be sent in paper format. This is stated on the Annual Report form. In addition, sponsors may also officially sign the Annual Report Form using E-Forms and its successor system, or they may sign by hand and scan their report to the Department via e-mail. Sponsors already receive their annual report of statistical information on their program from the Student and Exchange Visitor Information System (SEVIS) to use to fill out the DS-3097.

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 visitor 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 notice in the Federal Register on February 8, 2017 (82 FR 9955) soliciting public comments. Two comments were received. One comment is not germane to the collection and the Department will not make changes to the form based on this comment. The second comment in its section I applaud any increased automation of the Form DS-3097. Currently, the electronic signature option is limited to government sponsored participants (G-1) only, but that will not remain the case.

The Department is working now with DHS to identify the functionality required for SEVIS modernization and electronic signatures for all applications and requests. The timing for the modernization has been based on funding, which up until this year, was not available from DHS. The annual report has been viewed as a key function to get up and running as soon as possible. When that occurs, sponsors will have the ability to respond to the narrative portion of the annual report in the SEVIS modernization. In the meantime, sponsors may sign their report and e-mail it to the Department, or use the myData electronic system to sign their report and send it to the Department.

The second comment in its section II notes that the Record Statuses line has been removed. The reason for this is that the Department would like the status lines of all reports to be uniformly the Initial Status, which is available on the Form 3097. The Department wishes to keep this requirement the same as it has been so that it can compare sponsor-submitted records uniformly on the annual report.

The second comment in its section III involves a) technical errors for populated program statistics, b) standardizing reporting based on DS-2019 creation date, and c) improving report generation capacity. The Department is not at present changing the way that the statistics pull into the report from SEVIS. To the extent that any sponsor counts of exchange visitors are not generated accurately by SEVIS (the Student and Exchange Visitor Information System), the sponsor can already (and can continue to) correct for technical errors by manually adjusting the Form DS-3097 counts based on its own records before submitting Form DS-3097 to the Department. As part of the Department's activities to modernize SEVIS, the Department is planning to remove the requirement for sponsors to reconcile Forms DS-2019. In addition, the statistics captured in Sections 1 and 3 of the Annual Report will be based on program-begin date instead of the SEVIS

record creation date, so that the reporting will be standardized. For example, if a sponsor on a calendar year reporting cycle runs an annual report for 2017, it will include all exchange visitors with a program-begin date between January 1, 2017 and December 31, 2017. If there is funding, the Department will consider creating the profile of sponsor activity, but sponsors themselves should have records of their own activity in their database. The Department cannot include a mechanism that enumerates the participants who are being counted, as those specific participant records are PII.

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 2 hours to complete. The annual burden for this form is estimated to be 2,800 hours (1,400 sponsors x 2). The annualized hourly burden cost to respondents is estimated at \$176,400 (1400 sponsors x \$63 weighted wage x 2 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 using information available from their current usual and customary 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. The number of designated Exchange Visitor Program sponsors has slightly remained around the same since 2014. The total estimated burden for the annual report is 2,800 hours. There is only one minor change to the format and content of the form. The address has been updated in the PRA Statement, indicating that sponsors should submit the form using e-mail. This change does not impact the hour burden of the collection.

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. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.**

This collection does not employ statistical methods.