

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION
Supplemental SIV Chief of Mission Application OMB 1405-0134
DS-157**

A. JUSTIFICATION

1. Section 602(b)(1) of the Afghan Allies Protection Act (AAPA) (Public Law 111-8 Section 602) states that the Secretary of State in consultation with the Secretary of Homeland Security, may provide certain aliens described in section 602(b)(2) with the status of a special immigrant under section 101(a)(27) of the Immigration and Nationality Act (INA) (8 U.S.C 1101 (a)(27)) if the alien or an agent acting on behalf of the alien, submits a petition for classification under section INA 203(b)(4) (8 U.S.C. 1153(b)(4)); is otherwise eligible to receive an immigrant visa; is otherwise admissible to the United States for permanent residence (excluding the grounds for inadmissibility specified in INA 212(a)(4) (8 U.S.C.1182(a)(4)); and, clears a background check and appropriate screening, as determined by the Secretary of Homeland Security.

Section 602(b)(2)(A) of the AAPA, as amended, describes an eligible alien as one who is a citizen or national of Afghanistan; has qualifying employment for the required period of time, as further described in Section 602(b)(2)(A)(ii); has provided faithful and valuable service to the United States Government, subject to Chief of Mission approval, which is documented in a positive recommendation or evaluation from the employee's senior supervisor or the person currently occupying that position, or a more senior person, if the employee's senior supervisor has left the employer or has left Afghanistan; and has experienced or is experiencing an ongoing serious threat as a consequence of the alien's employment by the United States Government. AAPA sections 602(b)(2)(B) and (C) further provide that the eligible spouse or child or surviving spouse or child of the alien described in 602(b)(2)(A) may also receive special immigrant status.

As indicated above, the AAPA requires applicants to receive Chief of Mission approval.

2. Department of State uses Form DS-157 (Supplemental SIV Chief of Mission Application) in order to facilitate the Chief of Mission approval process required for special immigrant visa (SIV) applicants under the AAPA. The information requested on the form is requested to facilitate the Chief of Mission to approve SIV applicants. The DS-157 is only being used for the Chief of Mission approval process. As a result, SIV applicants who receive Chief of Mission approval are then also required to submit the DS-260 in order to complete visa processing.

3. The DS-157 is available electronically in PDF format on Travel.State.Gov.

4. The information collected by the DS-157 is not duplicative of information maintained elsewhere or otherwise available.

5. The information collection does not involve small businesses or other small entities.

6. This information collection is essential for determining whether an applicant is eligible to apply for a SIV. An applicant fills out the form one time per application for Chief of Mission approval; it is not possible to collect the information less frequently as up to date information is necessary to efficiently determine whether an applicant is eligible for Chief of Mission approval.

7. No special circumstances exist.

8. The Department of State (Visa Office, Bureau of Consular Affairs) published a 60-day notice in the Federal Register on November 7, 2017 (82 FR 51667) soliciting public comment on this collection. The Department received three nonresponsive comments in response to this notice. No changes will be made to the collection in response to these comments.

9. No payment or gift is provided to respondents.

10. In accordance with Section 222(f) of the INA, information pertaining to the issuance or refusal of visas or permits to enter the United States is considered confidential and is to be used only for the formulation, amendment, administration, or enforcement of the immigration, nationality, and other laws of the United States. Certified copies may be made available to a court which certifies that the information is needed in a case pending before the court. Visa records can also be shared with foreign governments in certain circumstances.

11. The questions on the collection are designed to solicit the information necessary to determine whether a SIV applicant is eligible under Section 602(b)(2)(A) of the AAPA. In order to determine the applicant's eligibility for a special immigrant visa, the application form asks for information such as the alien's travel history and previous employment. As noted in item #10 above, such information is considered confidential under Section 222(f) of the INA.

12. For fiscal year 2018, the Department estimates that 8,700 applicants will submit the DS-157. The information collected by the DS-157 relates to the applicant's personal biographic data and personal history. Although the information collected does not require any special research on the part of the applicant, finding the necessary background information is estimated to require that an applicant spend one hour to fill out the entire form. Therefore, the annual hour burden to respondents is estimated to be 8,700 hours (8,700 applicants x 1 hour). Based on the U.S. hourly wage of \$33.40, the weighted wage hour cost burden for this collection is approximately \$207,582 (1 hour x \$33.40 hour wage x 8,700 respondents = \$290,580)

13. The DS-157 is filed by email. There is no cost burden to respondents completing the DS-157.

14. The annual hour burden to the Federal Government for the DS-157 is estimated to be \$540,661.50. Most Chief of Mission applications take an estimated 90 minutes to review. The Department estimates the average hourly salary of those reviewing the application to be \$41.43 (GS-11, step 10). Therefore, the cost burden to the Federal Government is estimated to be \$540,661.50 (8,700 applications X 1.5 hours X \$41.43 per hour.)

15. The title of the collection has been updated to reflect the current use of the DS-157. This form was previously used as a supplement for nonimmigrant visa applicants, and was titled to reflect that use; however, the use of the form evolved as described in the last information collection renewal. The new title more appropriately reflects the current use of this collection. The last renewal inaccurately stated that this form was used as a supplement to the DS-260 (OMB Control Number 1405-0185) and presented no additional cost burden to the Federal Government. While an applicant who receives Chief of Mission Approval will complete a DS-260, it is not considered a supplement to that collection. The Department has updated its cost burden to the Federal Government to correct this.

As a part of this renewal the Department reviewed this form to streamline the collection to remove unnecessary fields and add certain biographic fields. Requests for a United States contact, membership in organizations, special skills, prior military service, participation in armed conflict, and education were removed from the form. The following necessary biographic fields for the applicant are being added: (1) aliases; (2) date of birth; (3) place of birth; (4) passport number; (5) national identity number; (6) gender; (7) names and dates of birth for all children under age 21; and (8) an email address and phone number. Rather than two prior employers, applicants will be asked to provide five prior employers and provide the reason for separation. A precise employer address was removed in favor of the actual work location. A phone number for prior employers was removed in favor of a supervisor's email address. Applicants will be asked if they have filed for Chief of Mission approval before, and for any prior case numbers. A signature block was added that contains language to inform the applicant that the information provided should be accurate and may be shared with U.S. government agencies in certain circumstances.

All applicants are required to obtain Chief of Mission approval for purposes of applying for a SIV and must complete the DS-157. For fiscal year 2018, the Department estimates that 8,700 applicants will submit the DS-157. The number of DS-157 applications has increased from 8,000 to 8,700. As a result, the burden hours for applicants has increased by 700, up from the previous reported total burden hours of 8,000. This increase is indicative of an increase in the number of applicants requesting Chief of Mission approval.

16. A quantitative summary of all Department of State visa activities is published in the annual Report of the Visa Office.

17. The Department will display the expiration date for OMB approval of the information collection.

18. The Department is not requesting any exception to the certification statement.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.