

**NAFSA: Association of  
International Educators**

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Marlene M. Johnson

February 13, 2012

ECA/EC, SA-5, Floor 5  
U. S. Department of State  
2200 C Street, NW  
Washington, DC 20522-0505

ATTN: *Federal Register* Notice Response

RE: Form DS-3097, Exchange Visitor Program Annual Report  
OMB Control Number 1405--0151

Via Email: [JExchanges@state.gov](mailto:JExchanges@state.gov)

Dear Sir or Madam:

I write today on behalf of NAFSA: Association of International Educators with respect to the notice of request for public comments published at 76 Fed. Reg. 77581 (December 13, 2011) and concerning Form DS-3097, Exchange Visitor Program Annual Report. NAFSA is the world's largest nonprofit association for international education professionals, with nearly 10,000 members at approximately 3,500 colleges and universities throughout the United States and around the world. Our membership includes Responsible Officers (ROs) who administer college and university Exchange Visitor Programs throughout the country and are required to complete and submit Form DS-3097. For this reason, NAFSA is well situated to provide comments addressing the necessity of the form and comments to assist you in enhancing it and minimizing the reporting burden associated with it.

We believe that the implementation of the Student and Exchange Visitor Information System (SEVIS) has rendered the form unnecessary, at least in its current iteration. SEVIS gathers the data used to populate items in the "statistical report" section of the form, such as "activity by category," "reconciliation of Forms DS-2019," and "record statuses." This information is better accessed by the Department of State (Department) directly through SEVIS, the source of the information, rather than through a document populated by SEVIS and mailed to the Department by the RO. We recognize the Department's interest in collecting the information provided through the narrative "program evaluation" section of the form, such as a summary of cross-cultural activities provided by the sponsor and the nature and extent of reciprocity occurring in the sponsor's program. We

would, therefore, urge the Department to revise Form DS-3097 to include only the narrative “program evaluation” items. We believe that this revision would best accomplish the requirements set out in the Department’s regulations at 22 CFR § 62.15, since the sponsor would submit the narrative information described in paragraphs (a) through (d) of the regulation, and the Department would gather the numerical information described in paragraphs (e) and (f) regulation directly from its source, SEVIS.

We appreciate mention in the Notice that “the Department is currently working with the Department of Homeland Security to expand SEVIS functions and enable collection of electronic signatures” and that “annual reports will be submitted to the Department electronically as soon as the mechanism for doing so is approved and in place during the implementation of SEVIS II” [76 Fed. Reg. 77581]. We would point out, however, that the Student and Exchange Visitor Program now anticipates implementation of SEVIS II in 2014, if there are no further delays in this much-delayed implementation process. Rather than require ROs and institutions to undertake the current antiquated and cumbersome process for at least two more years, the Department should immediately implement electronic submission of the form with electronic signatures.

In the meantime, the Department should provide ROs with detailed information about the specific sources of the data used to populate each item in the “statistical report” section of the current Form DS-3097. ROs are required to verify and certify that the information on the form is “complete and correct,” and they often have questions about the specific sources of the data and the calculations of it. Since they are asked to verify and certify the accuracy of the data, ROs must be provided a full explanation of its source. Providing them this information would both enhance the quality, utility, and clarity of the form and reduce the reporting burden it carries.

Thank you for considering these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Marlene Johnson", written in a cursive style.

Marlene M. Johnson  
Executive Director and CEO