AMERICAN IMMIGRATION LAWYERS ASSOCIATION

September 17, 2025

Department of State
2401 E Street, NW
Washington, DC 20520-30106

Submitted via http://www.regulations.gov

RE: 30-Day Notice of Proposed Information Collection: J-1 Visa Waiver Recommendation Application (OMB Control Number: 1405-0135) Public Notice 12803

To Whom It May Concern:

The American Immigration Lawyers Association (AILA) submits the following comments in response to the 30-Day Notice of Proposed Information Collection: J-1 Visa Waiver Recommendation Application.

AILA is a voluntary bar association of more than 18,000 attorneys and law professors practicing, researching, and teaching in the field of immigration and nationality law. Our mission includes the advancement of the law pertaining to immigration and nationality. AILA members regularly advise and represent businesses, U.S. citizens, lawful permanent residents, and foreign nationals regarding the application and interpretation of U.S. immigration laws.

We appreciate the opportunity to comment on the Department of State (DOS or State) Form DS-3035. We renew two of our requests from a previous collection in 2014, add three additional suggestions to make the form more user-friendly, and note two technical questions.

Saving the Electronic Form During the Submission Process

We renew our request from Public Notice 8654 (2014) for Electronic Storage of Draft Forms. We understand that DOS is working on introducing the capability to save drafts of the DS-3035 when completing the form online. This would be a much-appreciated improvement as it would enable attorneys to prepare a draft form, send it to a client for review, and make any additional edits needed to the draft without having to re-enter all of the data into the form. This would also be helpful if the attorney or client needs to look for a piece of information to complete the form

and return to the form later to complete it. AILA very much hopes that State will introduce this technology in the near future.

Interface with Case Management Systems

In addition, AILA renews its request that State permit the submission of DS-3035 forms generated by immigration forms software programs that are identical to the State generated form. This too facilitates preparation and electronic storage of the application form and prevents data entry errors. While we understand that forms completed online simultaneously assign a case number and bar code identifier to the application, it is hoped that alternative ways to create this data could be explored.

Credit Card or Online ACH Payments

At the Fall 2024 liaison meeting with DOS, we learned that the Waiver Review Division was exploring using the Pay.gov platform. We encourage DOS to pursue this option - it would save time in processing, particularly if the application could be then submitted directly to DOS rather than through the Missouri lockbox.

Formatting Parameters Are Restrictive

We note that the formatting parameters for the text boxes are restrictive. For example, using a symbol such as "/" leads to an error message, but the error message does not clarify the specific issue. The form will not allow many common punctuation marks such as apostrophes. This appears frequently in the statement of reason section, where for example, a word is intended to be possessive, but it cannot be represented that way. We suggest that symbols other than letters or numbers be added to the DS-3035 functionality.

Notification of Updates

Our members report in some cases not receiving notices on the DS-3035, such as requests for additional evidence. They find out information by regularly checking online at the U.S. State Department Waiver System, and then reaching out to the Waiver Review Division for a copy of the update. We would appreciate DOS checking and improving the process of generating notices and updates sent by email.

Technical Comments on the Form

1. Page 7, Basis of Waiver page, there is a free text box. We assume there is a cut off for the number of characters. It would be helpful to have that stated.

2. Page 18, Is there a limit on the number of dependents that can be added?

Conclusion

AILA appreciates the opportunity to comment on this notice, and we look forward to a continued dialogue with State on issues concerning this important matter.

Sincerely,

The American Immigration Lawyers Association