

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION
Electronic Diversity Visa Entry Form
OMB 1405-0153
DS-5501**

A. JUSTIFICATION

1. The Immigration and Nationality Act (“INA”) [8 U.S.C. § 1011, et seq.] statutorily mandates the application and eligibility requirements for aliens seeking to obtain immigrant visas and alien registration. INA section 221(a) [8 U.S.C. § 1201(a)] provides that a consular officer may issue an immigrant visa to an alien who has made proper application therefor. INA section 203(c) [8 U.S.C. § 1153(c)] provides for the Secretary of State to prescribe regulations to determine issuance procedure for the diversity visa immigrant program. Such selection also provides that the petition shall be in such form as the Secretary of State may by regulation prescribe and shall contain such information and be supported by such documentary evidence as the Secretary of State may require. Department of State regulations pertaining to diversity immigrant visas under the INA are published in 22 CFR 42.33
2. The Department of State utilizes the Electronic Diversity Visa (EDV) Entry Form to elicit information necessary to ascertain the applicability of the legal requirements identified in Section 1. The information requested on the form is limited to that which is necessary to conduct the annual Diversity Visa lottery. The EDV Entry Form is the first step in the diversity visa process. The Department uses the information provided on the entry form to contact the diversity visa winners, and provide them with information on the next steps of the process.
3. The EDV Entry Form is available online at www.dvlottery.state.gov and can only be submitted electronically during the annual registration period. An electronic registration system was created to enhance national security by enabling the Department to use Facial Recognition technology and other means to identify duplicate and fraudulent entries. All available information technology has been incorporated into the design and processing of the EDV Entry Form to reduce the reporting burden.
4. The EDV Entry Form is used to collect specific information required of aliens entering the Diversity Visa lottery to obtain a diversity immigrant visa. The information collected by the form is not duplicative of information maintained elsewhere or otherwise available.
5. The information collection does not involve small business or other small entities.
6. The EDV Entry Form is essential for administering the Diversity Visa Lottery Program. An applicant fills out one entry form; it is not possible to collect the information less frequently.
7. There are no special circumstances associated with this collection
8. The Department of State (Visa Services, Bureau of Consular Affairs) published a 60-day Notice on the reauthorization of Form DS-5501 in the Federal Register (78 FR 12132, February 21, 2012), as required by 5 CFR 1320.8(d). One comment was received. After reviewing the comment, Visa Services determined that the comment was unrelated to the

information collection and instead addressed the underlying visa category which is a statutory program mandated by Congress. The Visa Office meets with student groups, business groups, immigration attorneys, and other interested groups to discuss their opinions and suggestions regarding visas procedures and operations.

9. No payment or gift is provided to respondents.
10. No assurance of confidentiality is provided on the EDV Entry Form. In accordance with section 222(f) of the INA, visa records are considered confidential and are to be used only for the formulation, amendment, administration, or enforcement of the immigration, nationality, or other laws of the United States. Certified copies of visa records, such as the EDV Entry Form, may be made available, at the discretion of the Secretary of State, to a court which has certified that the information is needed in a case pending before the court. Visa records may also be shared with foreign governments in certain circumstances.
11. The form does not seek personal information of a sensitive nature
12. Approximately eight million respondents completed and submitted the entry form in the previous fiscal year. Although the information collected does not require any special research on the part of the applicant, finding and entering the necessary information to complete the entire form is estimated to take 30 minutes. Therefore, the annual burden is four million hours. Based on an hourly wage of \$21, the weighted wage hour cost burden for this collection is \$ 117,600,000 (\$21 hourly wage x 1.4 weigh factor x 4,000,000 hours).
13. Although there is currently no fee charged to enter the DV lottery, aliens completing the online form must submit a digital image, which, depending on a variety of factors, may result in a minimal cost. There are a number of ways in which aliens will be able to complete the entry. Many foreign nationals may already have access to the necessary equipment to submit a digital image without incurring any additional out-of-pocket costs. Those that do not will either rely on a friend or family member in the U.S. to submit an entry on their behalf, or use a facilitator. Historically, friends and relatives, including those in the United States, have participated actively in the visa lottery submission process on behalf of applicants. The Department estimates that the average cost to an alien of submitting an electronic photograph will be ten dollars. Applicants, who do have to pay to capture a digital image in order to complete the online form, can store the image electronically and use it again if they wish to participate in the lottery in subsequent years. The digital image may also be utilized without additional cost for other purposes, including passport and visa photographs. We estimate that approximately six million aliens (75% of total applicants) will need to submit entries with a digital photograph at an average cost of ten dollars, resulting in a total cost to respondents of approximately sixty million dollars. Due to pervasive fraud and abuse it is no longer feasible for the USG to collect lottery entries in paper format and transform them into electronic records within the available timeframe for administering the DV program. The Department utilizes facial recognition technology and other electronic means to detect multiple entries by the same foreign national.
14. The information from the form is processed by contractors who will perform this function as part of a competitive fixed-unit-price contract administered by the Kentucky Consular Center. The annual cost will be \$400,000 which covers staffing, operational support, operational hardware, software, and program monitoring.

15. There is a program adjustment with this reauthorization. The DS-5501, Electronic Diversity Visa Entry Form has seen an increase in the number of applicants applying over the past fiscal years. From Fiscal Year 2010 to 2012, there was an increase from six million applicants to eight million applicants per year. However, the cost to the Federal Government has not increased. We estimate that approximately 75% (6 million) of all applicants will incur a cost of \$10 for a digital image. Some applicants may use a stored electronic image that was stored electronically and used for other purposes such as passport and/or visa applications. As stated previously, the Department utilizes facial recognition technology and other electronic means to detect multiple entries by the same foreign national.
16. The DV lottery registration period typically begins in early October and ends in early November in the fiscal year prior to the year in which the selected aliens may receive visas (for example, registration for the DV2015 cycle takes place from October to November 3013, which is the beginning of the 2014 fiscal year). The Department will issue a publication in the subsequent fiscal year indicating the number of DV lottery winners by foreign state of chargeability. A quantitative summary of all Department of State visa activities is published in the annual Report on the Visa Office. The Report of the Visa Office is an annual report providing statistical information on immigrant and non-immigrant visa issuances by consular offices, as well as information on the use of visa numbers in numerically limited categories. The Visa Office currently has annual reports available from 2000 to 2012. The link to the site is: http://travel.state.gov/visa/statistics/statistics_1476.html.
17. The Department will display the expiration date for OMB approval of the information collection.
18. No exceptions are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.