

# **SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION**

## **Electronic Diversity Visa Lottery (EDV) Entry Form OMB Number 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 procedures 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 are published in 22 CFR 42.33.
2. The Department of State utilizes the Electronic Diversity Visa Lottery (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](http://www.dvlottery.state.gov) and can only be submitted electronically during the annual registration period. The Department created an electronic registration system 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. No such circumstances exist.
8. The Department of State (Visa Services, Bureau of Consular Affairs) published Public Notice 9504 in the Federal Register soliciting feedback from the public on the EDC Entry Form on March 30, 2016 (81 FR 17755). No comments were received from the public. .
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 to a court that 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 form does not seek personal information of a sensitive nature.
12. To calculate the number of respondents we have averaged the respondents for the last 3 fiscal years. Approximately 11,072,400 respondents will complete and submit the entry form each 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 5,536,200 hours. According to the U.S. Department of Labor, Bureau of Labor Statistics website ([www.bls.gov](http://www.bls.gov)), the weighted average hourly wage of all employees on private payrolls (chosen because the respondent could be from any occupation) is estimated to be \$35.13 per hour (\$25.09 average wage x 1.4 weighted wage multiplier). Therefore, the estimated annual burden cost to respondents is \$194,486,706 (5,536,200 annual burden hours x \$35.13).
13. Although there is no fee 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 individuals may already have access to the necessary equipment to submit a digital image without incurring any additional out-of-pocket costs. Those who do not may rely on a friend or family member in the United States to submit an entry on their behalf, or use a facilitator. The Department estimates that the average cost to an alien of submitting an electronic entry will be \$5.00. The digital image may also be utilized without additional cost for other purposes, including passport and visa photographs. We estimate that approximately 11,072,400 aliens will submit entries at an average cost of five dollars, resulting in a total cost to respondents of approximately \$55,362,000. 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 individual.
14. The information from the form is processed by the Kentucky Consular Center. The annual cost will be \$3,478,946, which includes quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. This number was reached by a cost study conducted by the Office of the Comptroller, which compiled and analyzed routine costs associated with processing this form.
15. The burden has increased to reflect an increase in respondents in the past three fiscal years.
16. The DV lottery registration takes place each fall. The Department generally issues a press release in June of the subsequent fiscal year indicating the number of DV lottery winners by foreign state of chargeability. A quantitative summary of Department of State visa activities is published in the annual Report of the Visa Office.

17. The Department will display the OMB approval number and expiration date.
18. The Department is not requesting any exception to the certification requirements.

**B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.