

# SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

## Electronic Diversity Visa (EDV) Entry Form OMB Number 1405-0153 DS-5501

### A. JUSTIFICATION

1. *Why is this collection necessary and what are the legal statutes that allow this?*

The Department requires the information to establish eligibility for entrants to apply for an immigrant visa through the Diversity Visa program. The Immigration and Nationality Act (“INA”), 8 U.S.C. § 1011 *et seq.*, sets out application and eligibility requirements for individuals seeking immigrant visas. INA Section 203(c), 8 U.S.C. § 1153(c), provides for a class of immigrants known as “diversity immigrants” from countries with historically low rates of immigration to the United States. Pursuant to INA section 204(a)(1)(I), 8 U.S.C. § 1154(a)(1)(I), individuals seeking diversity immigrant status must submit a petition and may apply for a diversity visa only if randomly selected in the diversity visa program. The Secretary of State is authorized to establish, through regulations, the information that must be included in the petition and any documentary evidence required to support the petition. INA Section 204(a)(1)(I)(iii), 8 U.S.C. § 1154(A)(1)(I)(iii). That petition is commonly called the Electronic Diversity Visa Entry Form (EDV Entry Form). The information required includes, but is not limited to, the petitioner’s name, date and place of birth, sex, native country, if other than country of birth, education, and/or work experience. See 22 CFR § 42.33(b)(1); see also 8 U.S.C. § 203(c)(2). The scope of information is also necessary to mitigate fraud among entries for the Diversity Visa program and to hinder the ability of mala fide third parties to submit unauthorized Diversity Visa entries for unwitting individuals.

2. *What business purpose is the information gathered going to be used for?*

The Department of State utilizes the EDV Entry Form, in conjunction with the immigrant visa application, to elicit information necessary to establish the eligibility of the applicant for the diversity immigrant visa. The information requested on the form is limited to what is necessary to conduct the annual Diversity Visa selection in a secure manner. The Department uses the information provided on the entry form to confirm the identity and preliminarily assess the qualifications of the petitioners selected in the DV program.

3. *Is this collection able to be completed electronically (e.g., through a website or application)?*

Yes. The EDV Entry Form is available online at <https://dvprogram.state.gov> and is submitted electronically during the annual registration period.

*4. Does this collection duplicate any other collection of information?*

The EDV Entry Form is used to collect much of the same information required in the DS-260, Immigrant Visa Electronic Application, and the DS-230, Application for Immigrant Visa and Alien Registration. These forms, however, are used for a different purpose since the EDV Entry Form is used to identify applicants who meet the necessary qualifications to apply for an immigrant visa through the Diversity Visa program.

*5. Describe any impacts on small business.*

The information collection does not involve small business or other small entities.

*6. What are consequences if this collection is not done?*

The EDV Entry Form is essential for administering the Diversity Visa Program. An applicant fills out one entry form; it is not possible to collect the information less frequently.

*7. Are there any special collection circumstances?*

No such circumstances exist.

*8. Document publication (or intent to publish) a request for public comments in the Federal Register.*

The Department published a notice in the Federal Register on December 6, 2021, soliciting public comments for a period of 60 days in accordance with the requirements set by the Paperwork Reduction Act. The Department received one non-responsive comment on this publication.

*9. Are payments or gifts given to the respondents?*

No payment or gift is provided to respondents.

*10. Describe assurances of privacy/confidentiality.*

In accordance with INA Section 222(f), 8 U.S.C. § 1202(f), information obtained from applicants in the nonimmigrant or immigrant visa application process 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, except that, in the discretion of the Secretary of State, it may be made available to a court or provided to a foreign government if the relevant requirements stated in INA Section 222(f), 8 U.S.C. § 1202(f), are satisfied.

*11. Are any questions of a sensitive nature asked?*

The form does not seek personal information of a sensitive nature.

*12. Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection.*

The Department estimates that 14,589,023 individuals will complete this form each year. This number was arrived at by averaging the responses we have received for the past three fiscal years. 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 35 minutes. Therefore, the Department of State estimates

that the annual hour burden to visa applicants posed by the additional questions is 8,510,263 hours (14,589,023 applicants x 35 minutes). The weighted wage hour cost burden for this collection is \$345,559,229, based on the calculation of \$27.07<sup>1</sup> (average hourly wage) x 1.5 (weighted wage multiplier) x 8,510,263 hours = \$345,559,229.

*13. Describe the monetary burden to respondents (out of pocket costs) needed to complete this collection.*

Although there is no fee to enter the DV program, individuals completing the online form must submit a digital image, which, depending on a variety of factors, may result in a minimal cost. There are several ways in which individuals 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 individual submitting an electronic entry will be \$5.00. The digital image may also be utilized without additional cost for other purposes, including as a passport and/or visa photographs. We estimate that approximately 14,589,023 individuals will submit entries at an average cost of five dollars, resulting in a total cost to respondents of approximately \$72,945,115.

*14. Describe the cost incurred by the Federal Government to complete this collection.*

The information from the form is processed by the Kentucky Consular Center. The current estimate for future costs for FY 2022 and FY 2023 is \$1,026,982, while FY 2024 is expected to be \$1,094,813. This cost includes quantification of hours and operational expenses (such as staff), in addition to the time it takes staff to compare the data submitted on the EDV entry form to DS-260 data and flagging discrepancies.

*15. Explain any changes/adjustments to this collection since the previous submission*

The Department is not seeking any changes to this collection.

*16. Specify if the data gathered by this collection will be published.*

Data collected on the DV Entry Form will not be published.

*17. If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.*

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

*18. Explain any exceptions to the OMB certification statement below.*

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.