

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

### ***Electronic Diversity Visa Entry*** **OMB Number 1405-0153,** **DS-5501**

#### **A. JUSTIFICATION**

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

The DS-5501 collection is necessary because the Department requires certain information to verify eligibility of aliens who enter the Diversity Visa program. Immigration and Nationality Act (“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)], all aliens seeking diversity immigrant status must submit a petition (the DS-5501) but may apply for a diversity visa only if randomly selected in the diversity visa lottery and only during the specific fiscal year for which they were selected. 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. Accordingly, 22 CFR § 42.33(b) outlines the specific information that must be included in the petition as well as documentation required to support the petition.

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

The Department of State uses the DS-5501, in conjunction with the immigrant visa application, to elicit information necessary to establish an alien’s identity and the eligibility for the diversity immigrant visa. The information requested on the form is limited to what is necessary to conduct the Diversity Visa selection in a secure manner. The Department uses the information provided on the DS-5501 to confirm the entrant’s identity and ensure they meet the basic criteria to participate in the selection process. The information provided also helps to identify and deter fraudulent activity.

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

Yes. The DS-5501 will be available online at [www.dvprogram.state.gov](http://www.dvprogram.state.gov) during the annual designated entry period. This collection can only be submitted electronically.

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

The DS-5501 requires similar biographical information as the DS-260, Immigrant Visa Electronic Application, and the DS-230, Application for Immigrant Visa and Alien Registration. The DS-5501, however, is shorter and used to identify whether aliens meet the necessary criteria to participate in the DV selection process. The Department must collect this biographical information to identify entrants and prevent fraudulent entries.

*5. Does this collection impact 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 DS-5501 is required to administer the Diversity Visa Program. Information requested on the form is necessary for the Department to fulfill statutory obligations associated with the program.

*7. Are there any special collection circumstances?*

No. There are no special collection circumstances associated with this collection.

*8. Did the Department solicit public comments on the collection?*

The Department will publish a notice of proposed rulemaking (NPRM) in the Federal Register soliciting public comments for a period of 45 days.

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

No. No payments or gift is provided to respondents.

*10. Are any assurance of privacy/confidentiality provided to respondents?*

The form includes a confidentiality statement as assurance of privacy and confidentiality. The applicant is informed that, in accordance with INA section 222(f), 8 U.S.C. § 1202(f), information obtained from respondents in the 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. The statement further notes that, at the discretion of the Secretary of State, copies of visa records may be made available to a court which certifies that the information contained in such records is needed in a case pending before the court.

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

The form requests biographical information, including full name, sex, birth date, birth location, education background, and marital status. The respondent is also required to submit basic biographical information for his or her spouse and eligible children.

The form further requests the unique serial or issuance number associated with the respondent's valid, unexpired passport (as defined in both INA 101(a)(30) and 22 CFR 42.64(a)), country or authority of passport issuance, and passport expiration date, unless the petitioner would be exempt from the passport requirement pursuant to 22 CFR 42.2(d), (e), or (g)(2). This information is necessary to identify whether the alien is eligible for a diversity immigrant visa and to prevent fraudulent entries.

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

The expected amount of time respondents will take to complete the DS-5501 is an estimated 50 minutes per response. If we multiply this by 25 million (the annual estimate for submissions), we calculate a total hour time burden of 22,833,333 hours and 20 minutes.

To calculate the hour cost burden, the Department analyzed [wage data](#) from the International Labor Organization for [countries](#) eligible to participate in the DV Program for DV-2025. The analysis used average hourly wage when available and minimum hourly wage otherwise. All wages were then converted to U.S. dollars and averaged for a total estimated hourly wage of \$4.56 per hour across all the DV-eligible countries.

Using this wage, the total hour cost burden is \$95,000,000 (25 million responses x 50 minutes per response x \$4.56 hourly wage).

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

Respondents completing the DS-5501 must submit a digital image of themselves and their derivatives, which may result in a minimal cost. Many respondents will already have access to the necessary equipment to submit a digital image without incurring any additional out-of-pocket costs. We estimate the average cost for respondents to obtain the required photo(s) will be \$5.00 per response, for a total \$125 million (25 million responses x \$5).

Additionally, respondents will be subject to the passport requirement. The average price of a passport in countries that are eligible to participate in the DV Program is \$74.43. The Department does not have data to determine how many entrants would need to obtain passports before submitting the DS-5501. However, if 50% of respondents needed to obtain a passport exclusively for the purpose of entering the Diversity Visa selection process, there would be an additional out-of-pocket cost of \$930,375,000.

Using the two prior estimates, the estimated total monetary burden to respondents is approximately \$1,055,375,000.

*14. What are the costs incurred by the Federal Government to complete this collection?*

Although an estimated 25 million entrants could complete the form, respondents are not guaranteed a diversity visa -no more than 55,000 diversity visas are issued each year. The selection process is automated, and the cost incurred by the federal government to collect the form is not affected by the number of entries received.

All costs associated with processing and screening selected entrants for diversity visas are accounted for in the DS-260 immigrant visa application, which is submitted by selected entrants when they apply for the diversity visa.

*15. Are there any changes/adjustments to this collection since the previous submission?*

The Department is adjusting burden estimates to account for updated entrant data, an updated hourly wage estimate, the addition of the passport requirement, and the addition of Pay.gov.

The DS-5501 will require the entrant to provide valid passport information as well as a photo/scanned copy of his or her passport biographic and signature page. With the addition of a DV entry fee, the Department is also adding a payment page to the application. The Department estimates this will add an additional 20 minutes per response, so the time burden will change from 30 minutes per entry to 50 minutes per entry.

The estimated cost to the federal government reflects a significant decrease, since the Department is no longer including CoSM model estimates for the cost of every diversity visa issued.

*16. Will any data gathered by this collection will be published?*

A quantitative summary of all Department of State visa activities is published in the annual Report of the Visa Office. The Report of the Visa Office is an annual report providing statistical information on immigrant and non-immigrant visa issuances, 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 2023. The link to the site is: <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-statistics.html>.

*17. Will the OMB expiration date be displayed?*

Yes. The Department will display the OMB expiration date on the collection.

*18. Are any exceptions to the OMB certification statement being sought?*

No. The Department is not seeking exceptions to the OMB certification statement.

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

This collection does not employ statistical methods.