

Attn: Department of State Desk Officer  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
725 17th Street, N.W.  
Washington, DC 20503

Bureau of Consular Affairs, Visa Office  
U.S. Department of State  
2201 C Street, N.W.  
Washington, DC 20520

October 2, 2017

Re: 82 Fed. Reg. 36180, OMB Control No. 1405-0226; Supplemental Questions for Visa Applicants

Dear Sir or Madam:

The undersigned organizations write to express our serious concerns about the Department of  
oposed policy

on any travel to an ISIS-controlled territory.<sup>2</sup> Travel information from applicants must include travel and even potentially domestic travel.<sup>3</sup>

First, the request for fifteen



they will be held a

This is to say nothing of the challenges posed by non-verbal communication on social media. On Facebook, for instance, users can react to a posting with a range of emojis. The actual meaning of these emojis is highly contextual. If a Face



## **II. The Proposed Collection Will Primarily Burden Applicants on the Basis of National Origin**

The burdens detailed above would be substantial regardless of the faith or ethnicity of a visa applicant. While the State Department has stated that

society, and legitimate military targets.<sup>34</sup> It is difficult to see the connection between a visitor's view of the role of women in society and terro



at Muslims, that assurance seems less than credible.

### III. Information Collection may Facilitate Bulk Data Mining and Algorithmic Analysis Efforts that Amplify Privacy and Discrimination Concerns

While the ICR

what those efforts will consist of or how the State Department will use or store the data it obtains. Will it be able to analyze such large amounts of data? If so, through what means, and based on what criteria? Presumably this information about visa applicants from around the world will be recorded in government databases; for what purposes will these databases be used? Exploiting this data for bulk mining or algorithmic analysis would further amplify many of the privacy and discrimination-oriented concerns highlighted above.

The sensitive applicant information collected would likely be shared with the Department of Homeland Security, which may use the information as an input into new technological tools it wants developed as part of an <sup>43</sup> For this initiative, the Department of Homeland Security reportedly intends

in President Executive Order 13780.<sup>44</sup> Vetting would be dynamic: this computerized system would attempt to the country using information

[and] internet sites. <sup>45</sup>

positively contributing member of society as well as their ability to contribute to national <sup>46</sup> Naturally, the program would seek to predict whether those entering the U.S. intended

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<sup>43</sup> See, e.g. State Department, *60-Day Notice of Proposed Information Collection: Supplemental Questions for Visa Applicants*, 82 FR 36180, 36181 (Aug. 3, 2017) <https://www.federalregister.gov/documents/2017/08/03/2017-16343/60-day-notice-of-proposed-information-collection-supplemental-questions-for-visa>



terrorist on U.S. soil.<sup>52</sup> According to a Cato Institute study, only five foreign-born terrorists have

Access Now  
Advocacy for Principled Action in Government  
American Library Association  
Americans United for Separation of Church and State  
Arkansas United Community Coalition  
Article 19  
Asian Americans Advancing Justice  
Brennan Center for Justice at NYU School of Law  
CASA  
Center for Democracy & Technology  
Center for Media Justice  
Center for Security, Race, and Rights  
Committee to Protect Journalists  
Council on American-Islamic Relations (CAIR)  
Data & Society  
Defending Rights & Dissent  
Electronic Frontier Foundation  
Free Press  
Government Information Watch  
Human Rights Watch  
Immigrant Law Center of Minnesota  
Iranian American Bar Association  
Japanese American Citizens League  
Legal Aid Justice Center  
Marhaba Service LLC  
Mi Familia Vota  
Muslim Community Network  
Muslim Justice League  
Muslim Public Affairs Council  
NAACP  
National Asian Pacific American Women's Forum (NAPAWF)  
National Center for Transgender Equality  
National Hispanic Media Coalition  
National Immigrant Justice Center  
National Immigration Law Center  
National Korean American Service & Education Consortium (NAKASEC)  
New America's Open Technology Institute  
New York Immigration Coalition  
OpenTheGovernment  
PEN America  
Poligon Education Fund  
Resilient Communities, New America  
Services, Immigrant Rights, and Education Network (SIREN)  
South Asian Americans Leading Together (SAALT)  
Southern Poverty Law Center  
The Constitution Project

United Church of Christ, OC Inc.  
Yemen Peace Project