

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION
Foreign Diplomatic Services Applications
OMB Number 1405-0105**

A. JUSTIFICATION

1. The United States is host to hundreds of foreign embassies, consulates, with thousands of personnel, as well as public international organizations and their official missions and personnel who are entitled to a range of diplomatic or consular benefits, privileges, and immunities. This group (collectively referred to as “foreign missions”) and their eligible personnel (including certain dependents) are hereinafter referred to as “respondents” or “applicants.”

The Department of State seeks to ensure that the benefits, privileges, and immunities of such entities and persons assigned to duty in the United States are properly extended and respected.

Legal supporting authorities for the Office of Foreign Missions (OFM) and the Office of the Chief of Protocol’s documents for this collection include, but are not limited to: the Vienna Conventions on Diplomatic (VCDR) and Consular Relations (VCCR), the Foreign Missions Act of 1982, the Diplomatic Relations Act of 1978 (22 USC 254a-e) (FMA), as well as the International Organizations Immunities Act (IOIA) (22 USC 288) (IOIA).

2. Instruments dealing with information collections from the foreign mission community, to include the electronic data compilation (e-Gov), have been combined under one information collection request, the “Foreign Diplomatic Services Applications” (FDSA). These instruments provide the Department of State with the information necessary to provide and efficiently administer the extension of benefits, privileges and immunities to foreign missions and their eligible members in the United States.

FDSA are necessary in order for the Department of State to be able to perform functions vital to the conduct of diplomatic and consular relations and to fulfill the requirements of law integral to such principles.

3. Currently, over 90% of respondents’ requests to the Department are submitted using the Office of Foreign Mission’s (OFM) e-Gov system (where applicable). The remaining forms, DS-4138, DS-4140, DS-7675, and DS-4298 are submitted electronically by email. The only exception to electronic submission is Travel Control requests, which are submitted by fax. OFM’s e-Gov system is an electronic data submission system used to submit automated service requests to the State Department by foreign missions and their members in the United States. OFM continues to develop its e-Gov system by adding new means through which information can be transmitted 100% electronically to the

Department of State. Reciprocity is a key component of the VCDR, VCCR, and FMA. Because the provision of benefits to foreign mission personnel is generally subject to reciprocity, the Office of Foreign Missions may affirmatively decide to burden a specific foreign government by delaying the electronic processing time to respond when such measures are implemented against our own diplomats abroad, with the aim of encouraging that government to alleviate the burden on our diplomats. Recourse to reciprocal measures is statutorily authorized in the context of foreign missions and their personnel. While the Department of State intended to have all forms automated before the renewal, this has not occurred. It hopes to have all forms automated by the next renewal cycle.

4. This information is not available elsewhere. The Department of State is the only federal agency that maintains comprehensive information concerning foreign missions and their personnel and determines and provides benefits and immunities to this population. The FDSA collection instruments are for specific purposes, used at different times for discrete services (benefits) and safety, each of which is necessary to ensure the United States honors its international legal obligations and protects its missions and personnel abroad.
5. This collection of information does not involve or have impact on small businesses or other small entities.
6. If the necessary information were not collected it would hamper the Department of State's efforts to permit automated service requests, fulfill its obligations to extend privileges and immunities to foreign missions and respondents under international and domestic law, or comply with the requirements of the FMA. Furthermore, non-collection of the information would impede other Department's operations, most significantly, its ability to advise other branches of the United States government as well as state and local authorities, regarding the status of foreign mission personnel. Additionally, if information were not collected about A-3/G-5 visa holders' employment, the Department would find it difficult to ensure that employer-employee relationships are consistent with U.S. law and prevent worker abuse and exploitation.
7. No special circumstances exist regarding the information collection conducted for this set of FDSA collection instruments.
8. The Department published a 60-day notice in the *Federal Register* on December 28, 2017 (**82 FR 61651**) soliciting public comment. The Department received no comments from the public.
9. The Department of State does not provide any payment or gifts to respondents.
10. No specific assurance of confidentiality is provided to respondents.
11. The information collection requests the respondent to provide a Social Security Number on the White House Tour form because it is required by the White House for vetting tour participants who may be U.S. citizens or lawful permanent residents. No questions of a sensitive nature are asked.
12. The estimated annual total number of all respondents and responses are 98,770 per year. The estimated annual average number of respondents and responses are 4,294.35 per form. The estimated annual total time per response is 280 minutes. The average time per

response is 12 minutes. The total estimated annual burden time is 20,726 hours. The estimated annual average burden hours are 901.12 per form. The estimated average wage rate for the respondents is \$23.86/hr. The average wage of \$23.86 times a weighted wage multiplier of 1.4 times 20,726 hours equals a monetized burden of \$692,320.17. Please see chart below.

Information Collection Form No.	Respondents	Paper Responses	Automated Responses	eGov Responses	Estimated Time per Response in minutes	Total Annual Burden Hours	Total Annual Cost
DS-98	2473	0	0	2473	5	206.08	\$6,884.01
DS-99	1681	0	0	1681	5	140.08	\$4,679.34
DS-100	977	0	0	977	15	244.25	\$8,158.93
DS-101	5081	0	0	5081	15	1270.25	\$42,431.43
DS-102	5675	0	0	5675	15	1418.75	\$47,391.93
DS-104	216	0	0	216	15	54	\$1,803.82
DS-1504	10326	0	0	10326	15	2581.5	\$86,232.43
DS-1972D	13944	0	0	13944	10	2324	\$77,630.90
DS-1972T	14244	0	0	14244	10	2374	\$79,301.10
DS-2003	4351	0	0	4351	20	1450.33	\$48,446.93
DS-2004	4351	0	0	4351	20	1450.33	\$48,446.93
DS-2005	4351	0	0	4351	20	1450.33	\$48,446.93
DS-2006	4226	0	0	4226	5	352.17	\$11,763.78
DS-2008	2613	0	0	2613	10	435.5	\$14,547.44
DS-4138	3867	0	3867	0	10	644.5	\$21,528.88
DS-4139	4139	0	0	4139	5	344.92	\$11,521.60
DS-4140	949	949	0	0	10	158.17	\$5,283.40
DS-4155	0	0	0	0	0	0	\$0
DS-4284	258	0	0	258	15	64.50	\$2,154.56
DS-4285	3485	0	0	3485	15	871.25	\$29,103.24
DS-4298	11071	0	11071	0	15	2767.75	\$92,453.92
DS-4299	450	0		450	15	112.50	\$3,757.95
DS-7675	42	42	0	0	15	10.50	\$350.74
						20725.67	\$692,320.17

13. The total additional cost or “above and beyond normal business practices” cost to the respondent is minimal. There are no obligations or other fees associated with the completion of these forms.
14. In 2016, eGov and The Office of Foreign Mission’s Information System (TOMIS) were overhauled. TOMIS is an integrated information system designed to provide information support to OFM’s business processes and houses over 1.5 million records, of which 330,000 are active, for diplomatic staff, personnel, and their dependents to roughly 190

accredited missions and international organizations. TOMIS now automates much of the routine procedures associated with a manual review. Thus, the estimated processing time since the 2015 renewal decreased by 19%. This collection costs OFM roughly \$2,888,200 annually to develop, maintain, and manage TOMIS for fiscal year 2016. Additionally, \$358,264.08 is spent annually for information technology federal support staff to manage all eGov and TOMIS services and ensure both systems meet all federal regulations and security standards. OFM spends approximately \$509,514 to print ID cards, license plates, and registration decals. Supplies cost \$34,500 for this collection. Additional costs associated with this collection include \$761,636.88 annually for leased office space. The average wage to process each response is \$35.15/hr. Please see chart below outlining the processing costs to the federal government total an estimated \$340,181.11 annually. Therefore, the total estimated cost to the federal government is \$340,181.11 + \$2,888,200 + \$358,264.08 + \$509,514 + 34,500 + \$761,636.88 = \$4,892,296.07 annually.

Information Collection Form No.	Respondents	Paper Responses	Automated Responses	eGov Responses	Estimated Time per Response to Process in minutes	Total Annual Burden Hours	Total Annual Processing Costs
DS-98	2473	0	0	2473	2	82.43	\$2,897.53
DS-99	1681	0	0	1681	8	224.13	\$7,878.29
DS-100	977	0	0	977	5	81.42	\$2,861.80
DS-101	5081	0	0	5081	5	423.42	\$14,883.10
DS-102	5675	0	0	5675	5	472.92	\$16,623.02
DS-104	216	0	0	216	5	18.00	\$632.70
DS-1504	10326	0	0	10326	5	860.50	\$30,246.58
DS-1972D	13944	0	0	13944	5	1162.00	\$40,844.30
DS-1972T	14244	0	0	14244	5	1187.00	\$41,723.05
DS-2003	4351	0	0	4351	10	725.17	\$25,489.61
DS-2004	4351	0	0	4351	10	725.17	\$25,489.61
DS-2005	4351	0	0	4351	5	362.58	\$12,744.80
DS-2006	4226	0	0	4226	5	352.17	\$12,378.66
DS-2008	2613	0	0	2613	2	87.10	\$3,061.57
DS-4138	3867	0	3867	0	10	644.50	\$22,654.18
DS-4139	4139	0	0	4139	2	137.97	\$4,849.53
DS-4140	949	949	0	0	5	79.08	\$2,779.78
DS-4155	0	0	0	0	5	0.00	0
DS-4284	258	0	0	258	7	30.10	\$1,058.02
DS-4285	3485	0	0	3485	15	871.25	\$30,624.44
DS-4298	11,071	0	11,071	0	5	922.58	\$32,428.80
DS-4299	450	0		450	30	225.00	7908.75
DS-7675	42	42	0	0	5	3.50	\$123.03
						9677.98	\$340,181.11

15. Several fields/irrelevant instructions were deleted in order to reduce burden time and update categories that were no longer necessary to collect. Additional new fields were

added to account for data integrity, integrate communication directly with the mission via eGov, and to streamline document collection which marginally increased burden time. To ensure applicants know what type of ownership documents to submit, request for ownership type was added to DS-100 and DS-101. In addition, under the 1978 Diplomatic Relations Act, foreign missions and their members are required to carry high levels of liability insurance; therefore, insurance information is now collected under the same forms as well. Updates to DS-102, DS-104, DS-1504, DS-2003, DS-2004, DS-2005, and DS-2006 were previously collected and captured manually. Now, the information is captured and collected at once electronically to streamline document collection and processing. Changes to DS-4284 occurred to streamline the data collection process, reduce duplicative efforts in the security check process, and ensure all guests in the tour group are in the U.S. at least 48 hours prior to the tour date in order to be cleared by the White House.

Federal law prohibits importation or transportation of firearms and ammunition by foreign nationals into the United States. Foreign Protective Escorts are not permitted to enter the United States with weapons and/or ammunition under the Electronic System for Travel Authorization (ESTA) or a nonimmigrant visa waiver. Thus, updates to DS-4285 require the visa foil number to ensure all armed security officers have the appropriate visa in order to enter the country temporarily. Requesting departure information was added to alert Diplomatic Security and Secret Service when the official delegate is traveling with armed security to begin the temporary importation of weapons process.

Further, two new forms (DS-4298 and DS-4299) have been added to this collection as a result of new program requirements, and account for 2,880.25 hours. The DS-4298 was created as some foreign mission and international organization personnel who entered the United States on A or G visas are not entitled to criminal and civil immunity and therefore are ineligible for diplomatic motor vehicle services. Applicants must apply for a non-eligibility letter, issued by OFM, in order to receive motor vehicle services at a local Department of Motor Vehicle facility.

In an effort to combat employment fraud, promote accountability for the fair treatment of domestic workers, and enforce U.S. wage requirements, DS-4299 was added to this document collection. This form supports increased oversight of A-3/G-5 visa holders employed by foreign mission personnel in the United States by requiring information on job duties, employee-employer relationship status, the number of domestic workers currently employed by the foreign mission personnel and their method of entry into the country. Endorsement of the proposed employment relationship by the embassy or international organization is required along with an acknowledgement agreeing to promote employment compliance with legal and policy requirements.

16. Specific information collected via Form Numbers DS-2003, DS-2005, and DS-2008 is used in the publication of the Department of State's Diplomatic List (<http://www.state.gov/s/cpr/rls/dpl/>) and the Department of State's Foreign Consular Offices in the United States (<http://www.state.gov/s/cpr/rls/fco/>). No plans exist to publish any additional information covered by the FDSA collection.
17. The OMB expiration date will be displayed.

18. See item 3 above.- The exception to item (g)(vi) is appropriate based on the Foreign Mission Act's "notwithstanding" clause, which provides that benefits provided by OFM cannot be denied by any act of any agency contrary to the provisions of the FMA. *See*, 22 U.S.C. 4307.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.