

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Supplemental Questionnaire to Determine Identity for a U.S. Passport OMB Number 1405-0215 DS-5520

A. JUSTIFICATION

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

The Supplemental Questionnaire to Determine Identity for a U.S. Passport, Form DS-5520, is used to supplement an application for a U.S. passport when the applicant submits identity evidence that is insufficient or of questionable authenticity. Passport Specialists and Consular Officers will use this form to collect additional information to further establish the identity of a passport applicant who has not submitted adequate evidence with his/her initial passport application.

The DS-5520 solicits data necessary for Passport Services to issue a United States passport in the exercise of responsibilities granted to the Secretary of State in 22 U.S.C. 211a et seq. and Executive Order 11295 (August 5, 1966) for the issuance of passports to U.S. citizens and noncitizen nationals. Such responsibilities require the determination of identity and nationality with reference to the provisions of Title III of the Immigration and Nationality Act (8 U.S.C. sections 1401 – 1504) and the 14th Amendment to the Constitution of the United States, and compliance with 22 U.S.C. 212 and 213. Implementing regulations are found at 22 C.F.R. parts 50 and 51.

By definition, a passport is a travel document issued under the authority of the Secretary of State attesting to the identity and nationality of the bearer (22 C.F.R. 51.1 (d)). An applicant bears the burden of establishing his/her identity and citizenship, and the Department may require an applicant to submit such additional evidence of identity and/or citizenship as it deems to be necessary. 22 C.F.R. 51.23, 51.40, 51.45. The requirements for establishing an applicant's identity and citizenship are outlined in 22 C.F.R. Parts 50 and 51.

The legal authorities under which the information is requested include, but are not limited to the following:

22 U.S.C. 211a et seq.;

22 U.S.C. 2714a(f);

26 U.S.C. 6039E;

Executive Order 11295; and

22 C.F.R. Parts 50 and 51.

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

The Department of State uses this information to verify the respondent's identity for purposes of determining eligibility for a U.S. passport. The information is also used to combat passport fraud and misuse. This form is used to supplement an existing passport application and solicits information relating to the respondent's employment and residence that is needed to corroborate an applicant's identity claim prior to passport issuance. Without adequate information about an applicant, the Department cannot issue that applicant a U.S. passport. Furthermore, inaccurate evidence or information could possibly result in issuance of a passport to a non-U.S. citizen or to a U.S. citizen using an assumed identity. In addition to this primary use of the data, the DS-5520 may be used as evidence in the prosecution of any individual who makes a false statement on the application and for other uses as set forth in the Department's Prefatory Statement of Routine Uses, the Passport System of Records Notice (State-26) and the Overseas Citizens Services System of Records Notice (State-05).

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

The DS-5520 is issued by the Department of State. If the information on the DS-5520 is needed, the passport agency mails the form directly to the applicant for completion and return. Due to its potential role in combatting fraud and misuse, this form cannot be found online at travel.state.gov, nor can it be obtained at acceptance facilities.

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

The information collected does not duplicate information collected elsewhere.

5. *Describe any impacts on small business.*

The collection of information does not involve small businesses or other small entities.

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

The information cannot be collected less frequently. It must be collected to issue a passport, document, or service when the applicant submits insufficient or inadequate identity evidence. Eliminating the Department of State's ability to solicit vital identity information from knowledgeable sources in connection with passport services could result in unnecessary passport denials and/or issuance of passports to ineligible persons.

7. *Are there any special collection circumstances?*

No such special circumstances exist.

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

On June 13, 2019, the Department of State published a 60-day notice for public comment in the *Federal Register* (84 FR 27681) to solicit public comments. No comments were received through email at PPTFormsOfficer@state.gov and one out of two comments on www.regulations.gov required a response. The Department has reviewed the comment and determined that due to its potential role in combatting fraud and misuse, this form cannot be found online at travel.state.gov, nor can it be obtained at acceptance facilities. Additionally, the supporting statement with a list of changes to form DS-5520 was uploaded to the docket file on www.regulations.gov for the public to see the changes to form DS-5520.

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

This information collection does not provide any payment or gift to respondents.

10. *Describe assurances of privacy/confidentiality*

There are no assurances of privacy or confidentiality. The form includes a Privacy Act Statement explaining the routine use and other exceptions to the Act. (5 U.S.C. § 552a). Passport applicants are required to submit their Social Security numbers with the passport application and failure to provide a Social Security number may result in the denial of an application (consistent with P.L. 114-94)

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

The DS-5520 does not ask questions of a sensitive nature.

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

The estimated burden of forty-five minutes required per response is based on a sampling of time required to complete this form.

The DS-5520 is sent to applicants, along with one of three Information Request Letters (IRLs), when applicants need to provide more information to establish their identity. Since it can be estimated that each of these three IRLs contains one form, the average total of forms completed per year equals the total sum of those three IRLs. This number was 21,891 in CY 2018.

Therefore, the number of DS-5520 respondents is estimated at 21,891 per year.

The annual burden is estimated to be 16,418 hours. (21,891 x 45 minutes/60).

The estimated cost to respondents is based on the civilian hourly wage from the Bureau of Labor Statistics website multiplied by the annual time burden (16,418 hours). The average wage is estimated to be \$25.22. The Department used the Employer Costs for Employee

Compensation released by the Bureau of Labor Statistics in 2019.ⁱ

Therefore the estimated annual hour burden cost to respondents is:

$$16,418 \text{ (hour burden)} \times \$25.22 \text{ (average wage)} = \$414,061.96.$$

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

There is no cost to respondent associated with this form.

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

To calculate the cost to the Federal Government, we take into account the hourly wage for a FY 2019 domestic Civil Service GS-11 step 10 (the highest level of a passport adjudicator), which is \$33.52ⁱⁱ, and a weighted wage multiplier.

$$\$33.52 \times 2 \text{ (weighted wage rate multiplier)} = 67.04$$

Department of State employees have access to a lot of resources, so we use two as the weighted wage multiplier.

Passports Services estimates that reviewing the DS-5520 requires 1 minute of a passport adjudicator's time. Dividing \$67.04/hr. by 60 minutes yields a processing time cost of \$1.12 per minute. Multiplying the projected number of respondents (21,891) by \$1.12 yields \$24,517.92. This number is added to the cost to the Federal Government to print the forms and publish the Federal Register Notices (FRNs).

The estimated amount to publish one FRN is \$795ⁱⁱⁱ. A 60-day FRN and 30-day FRN is published for each form with a total cost of \$1,590 to the Federal Government.

The DS-5520 is not available online or at acceptance facilities. It is only available from the U.S. Department of State. When a passport agency requires this information, it mails a physical copy of the form to the applicant. The cost of printing these forms in-house (they are not printed in bulk like other passport forms) is estimated to be about \$0.025 per page, so \$0.075 (3 pages) per DS-5520. Multiplying the projected number of respondents (21,891) by \$0.075 yields \$1,641.83 a year.

Cost to Federal Government

Adjudication cost	21,891 x \$0.56 =	\$24,517.92
Printing cost	21,891 x \$0.075 =	\$ 1,641.83

Federal Register Notice cost	\$795 x 2 =	\$ 1,590.00
TOTAL		\$ 27,749.75

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

The program reflects a steep decrease in respondent's use of this form from 82,347 to 21,891. This can be attributed to better and increased usage of backend databases that specialists use to verify an applicant's identity, eliminating the need, in most cases, to send the particular IRLs that would include the DS-5520.

In addition to general format changes, the following content changes have been made to the form:

Page 1, first section

- Changed "USE OF SUPPLEMENTAL QUESTIONNAIRE TO ESTABLISH ENTITLEMENT FOR A U.S. PASSPORT" to "USE OF THIS FORM"
- Changed web address to travel.state.gov/identification
- Changed "...please refer to Instruction page two of the instructions for the DS-11..." to "...Instruction page 1"

Page 1, second section

- Changed "FORM INSTRUCTIONS" to "IMPORTANT"
- Reworded #3, emphasized – "All questions must be answered to the best of your knowledge."
- Changed #1 to read: "Please submit the information and/or documentation requested with this supplemental questionnaire to the requesting passport office."
- Changed web address to travel.state.gov/identification
- For lists of primary and secondary evidence of identity, go to travel.state.gov/identification (Delete rest of sentence)
- Moved #3 to the top
- Deleted "If you are unsure of the answer to a question, please provide a response to the best of your knowledge."
- #3 (renumbered to #2 in edited version of form), add hyphens to previously issued and first time.
- Moved this sentence from number four to the last sentence in number three: "For example, if you are unsure of an exact address, please provide the city, state, and street name if you can recall them. The Department of State will consider all the information derived from the form in its entirety."

- Deleted #5: "Failure to answer every question will not necessarily preclude passport issuance, as the form is considered in its entirety."

Page 1, third section

- Added "TTY" after "TDD"
- Deleted "Customer Service Representatives are available Monday-Friday, 8:00 a.m.-10:00 p.m. Eastern Time (excluding federal holidays). Automated information is available 24/7."

Page 1, fourth section

- Warning reworded to be consistent with DS-11

Page 1, fifth section

- AUTHORITIES: Deleted "We are authorized to collect this information by 22 U.S.C. ..." and replaced with "Collection of this information is authorized by 22 U.S.C...." to match DS-11
- Added 26 U.S.C. 6039E
- Added "and Other Overseas Records" to State-05
- DISCLOSURE reworded

Page 1, sixth section

- Changed contact office and office address

Page 2, Section A

- Changed "City, State/Country" to "U.S. City & State or City & Country" for consistency

Page 2, Section B

- Changed title of section to just "Family (Living and Deceased)"
- Fixed the formatting for Anytown, Anystate, USA and the address for the brother example
- Added (Fill in as much information as possible. Attach a separate sheet, if needed.) below the section title
- Added "Include maiden name, if applicable" under "Full Name". Emphasized.

Page 3, Section C

- Changed to read "Please list your places of employment (if applicable) starting with your last three"
- Added (Fill in as much information as possible. Attach a separate sheet, if needed.) below the section title

Page 3, Section D

- Added (Fill in as much information as possible. Attach a separate sheet, if needed.) below the section title

Page 3, Section E

- Deleted "as many as possible"

- Added (Fill in as much information as possible. Attach a separate sheet, if needed.) below the section title
- Changed to "Please list all your permanent residences starting with the most recent. Temporary residences of less than 90 days may be omitted."
- Removed some lines for "Schools" (Section D), add more for Residences (Section E); (removed two lines from schools, and added two lines to residences)

Page 3, Section F

- Changed "responses contained" to "statements made" to be consistent with other forms

All

- Removed some lines for "Schools" (Section D), add more for Residences (Section E); (removed two lines from schools, and added two lines to residences)
- Used "Department" instead of "Passport Services"

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

The collection of information will not be published for statistical use.

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

The expiration date for OMB approval will be displayed.

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

No exceptions to the OMB certification statement are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

ⁱ Source: Bureau of Labor Statistics, “Employer Costs for Employee Compensation – December 2018,”
<https://www.bls.gov/news.release/ecec.toc.htm>.

ⁱⁱ Source: Office of Personnel Management, “2019 General Schedule (GS) Locality Pay Tables,”
https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/html/GS_h.aspx

ⁱⁱⁱ Source: Government Printing Office, “Circular Letter No. 1003, March 28, 2018,”
<https://www.gpo.gov/how-to-work-with-us/agency/circular-letters/new-federal-register-publishing-rates>