

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**Statement of Exigent/Special Family Circumstances for Issuance
of a U.S. Passport to a Minor under Age 16
OMB Number 1405-0216
DS-5525**

A. JUSTIFICATION

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

The Statement of Exigent/Special Family Circumstances for Issuance of a U.S. Passport to a Minor under Age 16 (DS-5525) is used in conjunction with the Application for a U.S. Passport (DS-11). This form is only for use if the notarized written consent of a parent with legal custody or legal guardian cannot be obtained. The statement must explain in detail the custodial parent's or guardian's unavailability, and recent efforts made to contact that parent/guardian. This form is not to be used if the non-applying parent/guardian refuses, or claims it is inconvenient, to provide notarized consent for the minor applicant.

The DS-5525 form assists the U.S. Department of State to administer the regulations in 22 C.F.R. 51.28 requiring that both parents and/or any guardian consent to the issuance of a passport to a minor under age 16, unless the applying parent has sole custody, or certain exceptions apply. This regulation was mandated by Section 236 of the Admiral James W. Nance and Meg Donovan Foreign Relations authorization Act, Fiscal Year 2000 and 2001 (enacted by Public Law 106-113, Div. B, Section 1000 (a)(7)), and helps to prevent international parental child abduction, child trafficking, and other forms of passport fraud.

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

Form DS-5525 is used by Passport Services to establish a possible exigent/special family circumstance exception to Public Law 106-113, Section 236, requiring two parent consent for a minor's passport application.

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

The DS-5525 is intended to be submitted with the DS-11, which cannot be submitted electronically. As required by 22 C.F.R. Part 51, all DS-11 applicants (and applicants under 16) must appear in person for the execution of a passport application. However, the DS-5525 is on the Department's website, travel.state.gov, available for printing.

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

Aside from necessary basic self-identification data, the information requested does not duplicate information otherwise available.

5. Describe any impacts on small business.

The DS-5525 does not involve small businesses or other small entities.

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

The DS-5525, “Statement of Exigent/Special Family Circumstances for Issuance of a U.S. Passport to a Minor under Age 16” is used in conjunction with the “Application for a U.S. Passport” (DS-11). The DS-5525 can serve as the statement describing exigent or special family circumstances, which is required if notarized written consent of a custodial parent or guardian cannot be obtained when the passport application is executed for a minor under age 16. The statement must explain the reason for the request. The form is not to be used if the non-applying parent or guardian refuses, or claims it is inconvenient to provide notarized consent (using the DS-3053) for the minor applicant. If the required statement is not submitted, or the circumstances do not meet the requirements, the minor shall not receive a passport. Use of the DS-5525 is not mandatory. The required statement may be submitted in other formats provided they meet statutory and regulatory requirements.

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 11, 2019, the Department of State published a 60-day notice in the *Federal Register* (84 FR 27181) to solicit public comments. Three comments were received on www.regulations.gov and zero comments were received through email at PPTFormsOfficer@state.gov. After reviewing the comments, the Department determined that no comments required responses.

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*

This form includes a Privacy Act Statement explaining the routine uses of the information collected under the Act. The Department provides no assurance of confidentiality.

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

The DS-5525 does not ask questions of a sensitive nature. In the course of using this form, the respondent might disclose information involving sensitive family matters.

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

The projected average number of DS-11 respondents from FY 2019-21 is 11,015,000. Through a Department-led frequency analysis, it was determined that 0.34% of DS-11s had a DS-5525 attached to it. Therefore, the projected number of respondents to the DS-5525 over the next 3 years is 37,451.

$11,015,000$ (DS-11 respondents) \times 0.0034 / 3 (years) = **12,484 annual respondents**

Passport Services estimates that the average time required for this information collection is 30 (minutes) per response. Therefore, the estimated total annual burden for the collection is:

$12,484$ (number of respondents) \times 30 (minutes) / 60 = **6,242 hours per year.**

The estimated number of minutes per response is based on a sampling of the time required to search existing data sources, gather the necessary information, provide the information required, review the final collection, and submit the collection to Passport Services for processing.

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 (6,242 hours). The wage is estimated to \$25.22. The Department used the Employer Costs for Employee Compensation released by the Bureau of Labor Statistics in 2019.ⁱ

$$6,242 \text{ (annual hours)} \times \$25.22 \text{ (average wage)} = \mathbf{\$157,423} \text{ (hour burden cost)}$$

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

There is no cost to respondents.

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. Passports Services estimates that reviewing the DS-5525 requires 36 seconds of a passport adjudicator’s time, or 0.6 minutes. Dividing \$33.52/hr. by 60 minutes yields a processing time cost of \$0.56 per minute, multiplied by 0.6 minutes gives you \$0.34. Multiply the projected number of respondents (12,484) by \$0.34 yields **\$4,244.56**. 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 Federal Register Notice (FRN) is \$795ⁱⁱⁱ. A 60-day FRN and 30-day FRN is published for each form with a total cost to the Federal Government of **\$1,590**.

We also take into account the cost to print the forms. The DS-5525 will be produced by a contractor with cost-plus-fixed-fee line items for materials and/or supplies purchase functions. The estimate provided to the Department by the contractor includes costs for contractor labor, supplies, equipment, printing materials, delivery, overhead, support staff, etc.

The current cost is \$28.70 per 1000 forms.^{iv} Based on the projected number of 12,484 respondents (which will be rounded up to 12,500) per year for the next three years, at a cost of \$28.70 per thousand, the contractor printing cost to the Federal Government is **\$358.75**.

Cost to Print the form	\$28.70 x 12.5	=	\$ 358.75
Cost to publish two Federal Register Notices (FRNs)	\$795 x 2	=	\$1,590.00
Time and Expense to adjudicate form	12,484 x \$0.343	=	\$4,244.56
Total Cost to Federal Government			\$6,193.31

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

Demand forecast projections, by their nature, will have some uncertainty in their accuracy, which can explain differences between actual and forecast. The decrease from the previous estimates (43,526 respondents to 37,451) is attributed to the decrease in projected DS-11s over the next three years (from 11,763,831 for FY 2016-2018 to 11,015,000 from FY 2019 to 2021).

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

- Whole form – All instances of the word “minor” have been replaced with the word “child” for plain language purposes and to mirror language on travel.state.gov. This includes the title of the form.
- Whole form – Deleted the hyphen in all instances of the word “e-mail”
- Page 1 Instructions - Section title "Use of this form" changed to "When to use this Form"
- Page 1 Instructions - Section title "Form Instructions" changed to "Important”
- Page 1 Instructions - Added "legal" to "guardian" everywhere, for consistency
- Page 1 Instructions - Added "legal" when referring to custody
- Page 1 Instructions - Deleted “custodial” in phrase “custodial parent/legal guardian”
- Page 1 Instructions – Section titled “Important”: #2 - Added the word “all” and underlined the phrase "answer all questions on this form."
- Page 1 Instructions – Section titled “Important”: #2 – Reordered “city, state, or street name” to be “street name, city, or state.”
- Page 1 Instructions – Added to "Important" section: "If you are unable to get in contact with an incarcerated non-applying parent (e.g., non-applying parent is confined to solitary and not permitted to receive or send mail or have contact with a notary; or non-applying parent is incarcerated overseas where the prison does not have a notary or other amenities), use this form. Otherwise, consent (see Form DS-3053) or a court order is still required."
- Page 1 Instructions – In Information and/or Questions section: Added “TTY” after “TDD”

- Page 1 Instructions – In Information and/or Questions section: Deleted “Automated information is available 24/7”
- Page 1 Instructions – In Information and/or Questions section: Added “for general information” before “email NPIC@state.gov”
- Page 1 Instructions – In Information and/or Questions section: Deleted “www” before “childabduction.state.gov”
- Page 1 Instructions – Changed office address in Paperwork Reduction Act Statement
- Page 2 Information Collection - #5 - Removed "must"
- Page 2 Information Collection - #5 - Changed the “If yes” sentence to “If yes, submit a certified copy of the most recent court order(s)/decree(s) with this form," (to align with the Information Request Letters usually sent for court orders)
- Page 2 Information Collection - #5 - moved check boxes down to white space below
- Page 2 Information Collection - #5 – added guardianship order as an example
- Page 2 Information Collection - #6 - moved check boxes down to white space below
- Page 2 Information Collection - Added question, "When and where did you last see the non-applying parent?" Added as Question #7, renumbered following question to be consecutive
- Page 2 Information Collection - #8, Other - Separated the two sets of information into "Friend/Relative #1" and "Friend/Relative #2"
- Page 2 Information Collection - #8, Changed wording to read, “Relationship to the non-applying parent”
- Page 2 Information Collection - #9 - Reworded to say: "In detail, explain how you have tried to obtain consent from the non-applying parent and why you have not been able to. You may use the information provided in Questions 5-9 to help complete your statement."

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

Quantitative summaries of Department of State passport activities are published periodically on the Department of State website at: travel.state.gov. Such summaries do not involve the use of complex analytical techniques.

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.

The Department is not requesting any exceptions to the certification statement.

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>

^{iv} Source: Passport forms printing contractor Occam Solutions