

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

EVACUEE MANIFEST AND PROMISSORY NOTE

(OMB #1405-0211, Form DS-5528)

A. JUSTIFICATION

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

The purpose of the DS-5528 is to document the U.S. government-coordinated evacuation of all eligible persons who avail themselves of U.S. government assistance, to inform evacuees that the Department may release their information consistent with the provisions of the Privacy Act of 1974, to provide the individuals with the opportunity to authorize release of information to additional designated individuals, and to process the corresponding emergency loans used to fund their travel. The DS-5528 is designed for use when the U.S. government is evacuating employees and their dependents, private U.S. citizens, and foreign nationals from a designated crisis location when their lives are endangered by war, civil unrest, or natural disaster.

[22 U.S.C. § 4802\(b\)](#) requires the Secretary of State to develop and implement policies and programs to provide for the safe and efficient evacuation of U.S. government personnel, dependents, and private U.S. citizens when their lives are endangered. Such policies shall include measures to identify high risk areas where evacuation may be necessary and, where appropriate, to provide staff to United States government missions abroad to assist in those evacuations.

[22 U.S.C. § 2671](#) authorizes the Secretary of State to make expenditures for unforeseen emergencies arising in the diplomatic and consular service. 22 U.S.C. § 2671(b)(2)(A) provides that such emergency expenditures include the evacuation of U.S. government employees and their dependents, private U.S. citizens, and foreign nationals, when their lives are endangered by war, civil unrest, or natural disaster.

[22 U.S.C. § 2671\(b\)\(2\)\(A\)\(ii\)](#) provides that such emergency expenditures (unless made for the evacuation of U.S. government employees and their dependents) are to be made “on a reimbursable basis to the maximum extent practicable.” Such reimbursements are “to be credited to the applicable Department of State (the Department) appropriation and to remain available until expended, except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a reasonable commercial air fare immediately prior to the events giving rise to the evacuation.”

[22 U.S.C. § 2715](#) requires the Secretary of State, in the case of a major disaster or incident abroad that affects the health and safety of U.S. citizens residing or traveling abroad, to “provide prompt and thorough notification of all appropriate information concerning such disaster or incident and its effect on United States citizens to the next-of-kin of such individuals consistent with the Privacy Act of 1974.”

[22 U.S.C. § 2357](#) authorizes any agency of the United States Government “to furnish services and commodities on an advance-of-funds or reimbursement basis to friendly countries, international organizations, the American Red Cross, and voluntary nonprofit relief agencies registered with and approved by the Agency for International Development,” whenever the President determines doing so to be consistent with and in furtherance of the purposes of subchapter I of 22 U.S.C. chapter 32 and within the limitations of that chapter.

Debt collection is pursued in accordance with federal government-wide debt collection laws codified at [31 U.S.C. § 3711](#) through 31 U.S.C. § 3720.

Department of State regulations pertaining to services to U.S. citizens and U.S. non-citizen nationals in distress and reports on catastrophes abroad are published in [22 C.F.R. Part 71](#).

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

The information collected in the DS-5528 is used to: document the evacuation of eligible persons abroad when their lives are endangered by war, civil unrest, or natural disaster; document issuance of a crisis evacuation loan; notify that information may be released consistent with the provisions of the Privacy Act of 1974; obtain consent to facilitate sharing information about the welfare and whereabouts of a U.S. citizen, U.S. non-citizen national, or lawful permanent resident with designated persons; facilitate debt collection; and form the official manifest for the transport(s).

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

An electronic (pdf) version of the DS-5528 currently exists, allowing applicants to type their information into their loan request form. The form must still be printed and signed by the applicant and presented to the consular officer, who adjudicates issuance of the loan on behalf of the Department of State. An alternative input method for evacuees utilizing the Microsoft Forms application has been used by some posts and provides the same functionality as the pdf file. After completing the Microsoft Forms fields, applicants may print out and sign the form and transmit the form to post via email/fax. Alternatively, consular officers may accept a completed but unsigned form electronically, print it out, and then obtain the applicant’s signature on the form prior to the individual boarding the transport. Although the Department does not yet accept electronic signatures for the DS-5528, CA is assessing the feasibility of accepting electronic signatures from consular officers in the field when adjudicating and, when applicable, approving evacuation loan applications on behalf of the Department.

An online application will not supplant the physical DS-5528. In areas where internet access is unavailable or unreliable, if applicants do not have the level of technological literacy to successfully submit an application online, or when other circumstances make the use of the electronic form impracticable (e.g., the crisis has impacted the local internet and/or telecommunications infrastructure), the Department must provide applicants with the choice to use a paper application.

Until electronic submission of the DS-5528 is launched, applicants will continue to provide a paper copy of their application and supporting documentation to a consular officer for adjudication consistent with existing policies and procedures. Consular officials will examine the documentation and coordinate with CA to ensure entry of the information into the pertinent Department of State electronic systems including the Consular Task Force system within the Consular Consolidated Database, covered under State-05, Overseas Citizens Services Records.

4. Does this collection duplicate any other collection of information

The information in the DS-5528 is not duplicative of information maintained elsewhere or otherwise available.

5. Describe any impacts on small business.

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

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

The DS-5528 is essential to provide a mechanism for the expenditures involved in the evacuation of U.S. citizens and other eligible persons from foreign countries during periods of crisis described above. Conducting such evacuations and securing information to obtain reimbursement for certain expenditures are statutory responsibilities of the Department. If the information collection were not conducted, the consequences could include considerable hardship to U.S. citizens in foreign countries during a period of crisis. The DS-5528 is also utilized by consular officers to construct manifests used to determine boarding for aircraft chartered by the Department. The Department's Foreign Affairs Manual authorizes the utilization of the DS-5528 as a boarding pass by consular officers organizing evacuations.

7. Are there any special collection circumstances?

No special circumstances exist.

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

The Department of State will publish a 30-day notice in the *Federal Register* for public comment. The 60-day notice was published with the Federal Register on May 18, 2020 (85 FR 29775). There were no comments from the public.

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

No payment or gift is provided to applicants.

10. *Describe assurances of privacy/confidentiality*

The DS-5528 informs applicants that the Department may release their information consistent with the provisions of the Privacy Act of 1974. The form also provides applicants the opportunity to designate additional persons to whom the Department may provide information about their welfare and whereabouts.

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

Although furnishing the information, including Social Security Number, is voluntary, applicants may not be eligible for the requested assistance if they do not provide the required information.

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

The estimated hour burden of 175 hours per year is based on estimates that the form is completed by approximately 525 persons per year, and only one response is permitted per applicant. This fiscal year to date, approximately 27,000 persons completed this form according to data from the Corona Virus Repatriation Task Force data. Completion time for the form is estimated at 20 minutes. The information collected consists of personal biographic data and the financial cost of evacuation to the United States or a designated foreign safe haven, and does not require any special research.

The annual cost burden to all applicants for providing information, based on appropriate wage rate category, is \$6492.50. The respondents to the form can come from any occupation. The Department used the mean hourly wage rate from Bureau of Labor Statistics – Comparison of All Employee Average Hourly Earnings to determine the mean hourly wage rate.¹ At the end of December 2019, the mean hourly wage rate was 37.10/hr. We multiplied the mean hourly wage rate, which is \$37.10/hr., by 175 burden hours, which yields \$6492.50.

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

The total cost burden to applicants regarding postage is zero. The DS-5528 is not submitted by mail. The form will be submitted manually or electronically by the applicant at a U.S. diplomatic mission; or in a critical situation where it may not be possible to get to the U.S. diplomatic mission, the information collection may be submitted at a remote location (such as a seaport or an aviation tarmac). There is no application fee.

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

Based on historical numbers², the total cost to the Federal Government for evaluating the responses to this information collection is \$10,395. This total comes from calculating the total number of applicants who submitted the DS-5528 form times the cost for a overseas Foreign Service Officer to review. Between 2016 and 2019, the Department received an average of 525 DS-5528 forms per year. Each DS-5528 is reviewed for 15 minutes by an overseas Foreign Service Officer (525 x \$19.80). The hourly rate for an overseas Foreign Service Officer is \$79.20. These calculations are based on the Department of State position costs from the Budget and Planning New Position Cost Model. The cost rates include fringe and overhead costs. Actual costs for 2020 will be significantly higher owing to a greater volume of DS-5528s received by the Department in the course of coronavirus repatriation efforts. While the number of forms received is dynamic, it will be in excess of 25,000.

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

The cost to the government changed since the last renewal because of an adjustment to the Schedule of Fees for Consular Services (22 CFR 22.1).

The form changes are as follows:

- Section 89.3 of the Form DS-5528 was updated to further align with wording of 22 CFR Part 51.
- In section 89.4 of form DS-5528, the address for all mail to CGFS Charleston (whether sent by USPS or courier) was updated to 2010 Bainbridge Ave, North Charleston, SC 29405
- In Part 3 of the form, “Third Country National” was replaced with “Foreign National.”
- Section 94 of the form was updated to provide new language regarding consent to release information under the Privacy Act of 1974 and to include information on collection of the SSN.

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

This information will not be published.

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

The OMB expiration date will be displayed.

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

No exceptions are requested.

B. STATISTICAL METHODS

This collection does not employ statistical methods.

¹ Source: Bureau of Labor Statistics, "Employer Costs for Employee Compensation news release text".
<https://www.bls.gov/news.release/ecec.t02.htm>

²Source: "Bureau of Budget and Planning New Position Cost Model", Department of State, Internal Use Only.