

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Statement of Non-receipt of a U.S. Passport OMB Number 1405-0146 DS-86

A. JUSTIFICATION

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

The Statement of Non-receipt of a U.S. Passport, form DS-86, is used by the U.S. Department of State to collect information for the purpose of issuing a replacement passport to applicants whose passport applications have been approved but who have not received their passport documents in the mail. The Secretary of State is authorized to issue U.S. passports under 22 U.S.C. § 211a et seq, 8 U.S.C. § 1104, and Executive Order 11295 (August 5, 1966). Pursuant to 22 C.F.R. § 51.2, only U.S. nationals may be issued a U.S. passport, and, unless authorized by the Department, no person may bear more than one valid passport of the same type. Form DS-86 therefore seeks information to ensure the applicant entitled to a U.S. passport has not received the passport(s) already issued and mailed by the Department. Form DS-86 is also used in preventing passport fraud or misuse.

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

The information collected on form DS-86 is used by the Department of State to help ensure that no person bears more than one valid or potentially valid U.S. passport book and/or passport card at any one time, except as authorized by the Department. The information on the form is also used to address passport fraud and misuse.

Form DS-86 is retained in the files of the U.S. Department of State as a record attesting to an applicant's non-receipt of a U.S. passport or passports after the approval of the applicant's passport application and the Department's subsequent issuance and mailing of a U.S. passport to the applicant. Information from form DS-86 may also be shared with other federal agencies on a need-to-know basis. Personnel from those agencies may lawfully be given access to such information.

Form DS-86 becomes part of the applicant's passport file, which is covered by the Privacy Act. The information contained in this file cannot be released except as provided by the Privacy and Freedom of Information Acts.

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

Form DS-86 is currently available online as a printable PDF at travel.state.gov. Applicants can complete the form online and print it for manual signature and submission.

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

Aside from necessary basic self-identification data, the information requested does not duplicate information collected elsewhere. Form DS-86 is the sole U.S. Department of State form used by applicants whose passport applications have been approved but who have not received their passport documents in the mail.

5. *Describe any impacts on small business.*

Form DS-86 does not significantly impact small businesses or other small entities.

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

The information collected on form DS-86 is crucial to establishing whether to issue a replacement passport. The information cannot be collected less frequently, as it must be collected whenever an applicant whose passport application has been approved has not received his/her U.S. passport in the mail. Eliminating this collection would impede prompt re-issuance of passports to such applicants.

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 April 29, 2020, the Department of State published a 60-day notice in the *Federal Register* (Federal Register Number: 2020-09105) to solicit public comments. One comment was received through regulations.gov suggesting that the Department use a return receipt to require a signature when sending completed passports to applicants. After reviewing the comment, the Department determined that a return receipt would not provide additional security since the Department would not be able to match the signature of the applicant to the signature on the return receipt. The Department issues an average of 20 million U.S. passport products each year and provides a tracking number for all passports mailed to applicants. The tracking number is used to identify where the product is in the delivery process and whether or not it was delivered.

The Department will publish a request for public comments in the *Federal Register* for 30 days.

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

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

10. *Describe assurances of privacy/confidentiality.*

This form includes a Privacy Act statement explaining the routine uses of the information collected under the Act. There are no promises of confidentiality to the applicant other than those contained in federal statutes and regulations.

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

Form DS-86 does ask questions of a sensitive nature. Form DS-86 asks for the applicant's Social Security number to assist in establishing and verifying the applicant's identity. The applicant's identity must be established before a passport can be issued (or re-issued).

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

The Department does not collect data on the amount of forms DS-86 received, so we must rely on the amount of passports issued with endorsement 47 (indicating a reissued passport) when calculating the projected annual amount of forms DS-86. Although passports can be reissued for other reasons outside of non-receipt (data corrections, name change within one year of issuance, or extending validity of limited passports) this is still considered our best source of data. The data collected on reissued passports is not separated into categories based on the reason for the reissue, so we recognize that our projections are overestimated.

From FY 2017-2019, 68,603 passports were reissued and included endorsement 47. Therefore, the projected average annual number of applicants using form DS-86 over the next three years is 22,868.

$68,603$ (total number of passports with endorsement 47 from FY 2017-2019) / $3 = 22,868$

Passport Services estimates that the average time required for this information collection is 15 minutes per response. Therefore, the estimated total annual burden for the collection is:

$22,868$ (number of form DS-86 applicants) x 15 (minutes) / $60 = 5,717$ **annual hours**

The estimated number of minutes required per response is based on a sampling of the time required to search existing data sources, gather the necessary information, provide the information required, make photocopies of the front and back side of the applicant's identification document, review the final collection, and submit the collection to the Department for processing.

The estimated cost to applicant is based on the civilian hourly wage from the Bureau of Labor Statistics website multiplied by the annual time burden (5,717 hours). The wage is estimated to be \$25.43. The Department used the Employer Costs for Employee Compensation released by the Bureau of Labor Statistics in 2019.¹

$5,717$ (annual hours) x $\$25.43$ (average civilian wage) = **\$145,383.31 (hour burden cost)**

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

There is no application fee associated with this collection. To properly complete and submit a form DS-86, Statement of Non-receipt of a U.S. Passport, an applicant must submit a clear photocopyⁱⁱ of the front and back side of an original, valid, photo identification. The applicant will have to pay for up to two photocopies (photocopy of the front and the back).

Since form DS-86 is usually submitted by mail, the applicant will have to pay for postageⁱⁱⁱ to return the form and any additional documents. Once received, the form DS-86 is matched by the passport agency to the previously submitted application.

Therefore, we estimate the total cost burden to applicant is **\$20,352.52**:

Document	Total applicant/ year		Cost		Total
Proof of Identity Black & White Photocopy of Front and Back	22,868	x	\$ 0.34 (2 @ \$0.17 each)	=	\$ 7,775.12
Postage	22,868	x	\$ 0.55	=	\$ 12,577.40
Total Cost to Applicant					\$20,352.52

14. *Describe the cost incurred by the federal government to complete this collection.*

The estimated total cost incurred by the federal government to complete this collection is **\$11,394.66**.

Adjudication cost:

To calculate the cost to the federal government, we consider the hourly wage for an FY 2020 domestic Civil Service GS-11 step 10 (the highest level of a passport adjudicator), which is \$34.39^{iv} and a weighted wage rate multiplier:

$$\$34.39 \times 2 = \$68.78$$

Department of State employees have access to a lot of resources, so 2 is used as the weighted wage rate multiplier—as suggested by the Office of Management and Budget.

Passport Services estimates that reviewing form DS-86 requires 21 seconds of a passport adjudicator's time, or 0.35 minutes. Dividing \$68.78/hr. by 60 minutes yields a processing time cost of \$1.15 per minute, multiplied by 0.35 yields \$0.40 per minute of

adjudicator's time. Multiplying the projected number of applicants (22,868) by \$0.40 yields **\$9,147.20**.

Printing Cost:

Form DS-86 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 \$28.75 per 1000 forms^y. Based on the projected number of 22,868 applicants per year for the next three years, at a cost of \$28.75 per 1000, the contractor printing cost to the Federal Government is **\$657.46**.

Federal Register Notice:

The estimated amount to publish one Federal Register Notice (FRN) is \$795. A 60-day FRN and 30-day FRN is published for each form with a total cost to the federal government of **\$1,590**.

Cost to Federal Government

Time and expense to adjudicate form DS-86	22,868 x \$0.40 =	\$ 9,147.20
Cost to print form DS-86	28.75 x 22.868 =	\$ 657.46
Cost to publish two Federal Register Notices (FRN)	2 x \$795 =	\$1,590.00
Total Cost to Federal Government		\$ 11,394.66

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

The previous submission shows that it calculated the number of applicants using form DS-86 based on the number of applicants who applied for a passport on form DS-11. This is not the best source of data given it does not include applicants who used form DS-86 in response to non-receipt of passports applied for with forms DS-82. As described in question 12, this submission uses data from the number of passports issued with endorsement 47 indicating that the passport was reissued. This data collection is far more accurate.

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

Pages 1 and 2:

- Put instructions on page 1 of 2 and the information collection on page 2 of 2 to be consistent with how other passport forms are formatted.
- Deleted “Attention: Read WARNING INSTRUCTIONS” on page 2 to be consistent with changes made to other passport forms.
- Reworded and moved the first paragraph of “Important Notice” to “How To Use This Form” at the top of the instruction page to consolidate instructions on one page and information collection on the other page.
- Reworded and moved the second paragraph of “Important Notice” to “Protect yourself against identity theft – Report the non-receipt of your U.S. passport book or U.S. passport card.”
- Deleted “Type or print legibly in black ink in the white areas only” and replaced it with “Use black ink only. If you make an error, complete a new form. Do not correct,” to be consistent with changes made to other passport forms.
- Increased the font size of “Select the product(s) which you are reporting as not received.”
- Deleted “Primary” from “Primary Telephone Number.”
- Deleted “Secondary Telephone Number.”
- Reworded the request for an explanation about the steps taken to locate the passport for clarity.
- Changed “documentary evidence” to “supporting documents” in the question about documentary evidence for consistency with language used in other forms.
- Deleted “IN THE DESIGNATED AREA ” from “YOU MUST SIGN AND DATE THE APPLICATION IN THE DESIGNATED AREA BELOW.”
- Added “...or my local U.S. embassy or consulate if I applied outside of the United States...” to the last sentence in the section above the signature block title “YOU MUST SIGN AND DATE THE APPLICATION BELOW.”
- Reworded “HOW TO USE THIS FORM” for clarity.
- Reworded “WARNING” to be consistent with other passport forms.
- Reworded “PRIVACY ACT STATEMENT” to be consistent with other passport forms.
- Updated the address in the “PAPERWORK REDUCTION ACT 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 use of complex analytical techniques.

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

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 – September 2019,” <https://www.bls.gov/news.release/ecec.toc.htm>.

ⁱⁱ Source: FedEx Office, <https://www.fedex.com/en-us/office.html>

ⁱⁱⁱ Source: United States Postal Service, “Mailing & Shipping Prices,” <https://www.usps.com/business/prices.htm>

^{iv} Source: Office of Personnel Management, “Pay & Leave,” <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/>

^v Source: Passport forms printing contractor Occam Solutions