

**SUPPORTING STATEMENT  
FOR PAPERWORK REDUCTION ACT SUBMISSION**

**Courier Company Forms**

**OMB #1405-XXXX (DS-5538 and DS-5539)**

**A. JUSTIFICATION**

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

Passport Services recognizes that some applicants who are using the Expedited Passport service may want to hire private courier companies to hand deliver their passport applications to a passport agency for processing and retrieve their issued passports. To facilitate the processing of passport applications and promote fair and efficient use of Department resources, the Department is formalizing a program that allows private courier companies to hand deliver their passport applications and issued passports to and from passport agencies. The Department is concurrently submitting a regulation for the National Courier Program for Passports that describes how commercial courier companies can register to participate in the program and the requirements for hand delivering passport applications to passport agencies and retrieving completed passports and supporting materials on the behalf of their customers. The National Courier Program for Passports is restricted to domestic courier companies and U.S. passport agencies.

The Department will use information requested on these forms to register private courier companies wishing to perform this service. The requested information is necessary to verify the identity of individuals authorized to perform hand delivery services for applicants, establish channels of communication with registered companies, and protect the integrity of the passport application process.

The Secretary of State is authorized to issue U.S. passports under 22 U.S.C. 211a and is authorized to establish, maintain and operate passport agencies pursuant to 22 U.S.C. 2670(m). The Department of State, Bureau of Consular Affairs, administers the U.S. passport issuance program and manages twenty-six U.S. passport agencies within the United States with public counters. The Department derives the authority to manage the delivery of applications to its passport agencies from its statutory authority to issue U.S. passports and manage the U.S. passport issuance program.

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

The Department currently asks companies to provide contact information and a list of individuals who will perform hand delivery services. The Department will now ask private courier company owners to certify that they are over the age of eighteen, legally authorized to work in the United States, are free of felony or misdemeanor convictions

related to dishonesty or fraud, and that they are not currently under indictment or investigation for a felony or relevant misdemeanor charge. Additionally, the Department will ask private courier company owners to provide a photocopy of the front and back of their government-issued photo identification card, and submit a photocopy of proof of the company's registration with the city or state, such as a valid business tax license or certificate, as appropriate, where each passport agency at which they wish to register with is located. The Department will also ask private courier employees to self-certify that they are over the age of eighteen, legally authorized to work in the United States, are free of felony or misdemeanor convictions related to dishonesty or fraud, and are not currently under indictment or investigation for a felony or relevant misdemeanor charge. The Department will use this information to ensure that employees handle the hand delivery of U.S. passports and passport applications, which contain sensitive personally identifiable information, meet a minimum standard of trustworthiness.

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

No.

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

No. The DS-5538 asks for the name of the private courier company, the name and signature of the private courier company owner(s), the company's address. In addition, the DS-5538 asks company owners to certify responses to questions regarding the owner's work authorization and criminal history. Company owners must provide a photocopy of the front and back of a government-issued identification card, as well as a photocopy of proof of the company's registration with the city or state (such as a valid business tax license or certificate), where each passport agency at which they wish to register is located. The DS-5538 is the sole Department form used to register private courier companies in the National Courier Program for Passports.

The DS-5539 asks for the employee's name, contact information, signature, and for the employee to certify responses to questions regarding the employee's work authorization and criminal history. Employees must also provide a photocopy of the front and back of a government-issued identification card. Aside from company names and contact information, which is also listed on the DS-5538, the information requested on the DS-5539 does not duplicate information available elsewhere. The DS-5539 is the sole Department of State form used to register individuals who will perform hand delivery services for private courier companies registered in the program.

5. *Describe any impacts on small business.*

This information collection creates a minimal burden on private courier companies, some of which are small businesses. Company owners that wish to register to hand deliver U.S. passport applications at a Department of State passport agency or center and pick up

passports and supporting documentation submitted in connection with passport applications, and the employees performing these services, must use these forms to register with the Department's National Courier Program for Passports. The time required for a private courier company owner and employee(s) to submit the company's contact information, certify responses to questions such as work authorization and criminal history, and provide photocopies of relevant documents is minimal. Private courier companies and their employees would not be required to expend any resources updating technological systems or pay additional fees to complete the information listed on the form.

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

If a company does not complete a DS-5538 for the company and corresponding DS-5539 forms for each employee, the Department will not allow the company and/or employees to participate in the Department's National Courier Program for Passports.

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*

The Department of State will publish a 60-day notice in the *Federal Register* to solicit public comments.

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. Applicable federal statutes and regulation govern the protection of respondent personal information.

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

Yes. To register in this program, courier companies must annually provide their contact information at participating passport agencies at which they wish to register. The DS-5538 will also require courier company owners to certify that they are over the age of eighteen, are legally authorized to work in the United States; that they do not have a record of a felony or any misdemeanor related to mismanaging funds, identity theft, or document fraud; and that they are not under indictment for such an offense. The DS-5538 also asks company owners to provide a copy of their photo identification and proof of the company's registration with the city or state, such as a business tax license or certificate, as appropriate, where each passport agency at which they wish to register with is located.

Source: Bureau of Labor Statistics, "Employer Costs for Employee Compensation – March 2019," <https://www.bls.gov/news.release/ecec.toc.htm>.

Employees trusted with delivering applications and retrieving issued passports and supporting materials are required to annually provide their contact information at the passport agencies where they register to perform hand delivery services. The DS-5539 will also requires company employees to certify that they are over the age of eighteen; are legally authorized to work in the United States; and that they do not have a record of a felony or any misdemeanor related to mismanaging funds, identity theft, and/or document fraud, and are not under indictment for such an offense. In addition, their employer must certify that the employee is legally authorized to work in the United States and acknowledge responsibility for employee conduct.

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

Passport Services estimates that the average time required for form DS-5538 is 20 minutes per response and 20 minutes per response for form DS-5539. Therefore the estimated total annual burden for the collection is:

(number of registered courier companies / employees, or “respondents”) x (minutes) / 60  
= **Total hours per year**

Form	Number of Respondents	Minutes per Response	Total Hours per Year
DS-5538	370	20/60	123.33
DS-5539	1285	40/60	856.67
<b>Total</b>	<b>1655</b>	<b>60</b>	<b>980</b>

To estimate the cost to respondents for form DS-5538 based on the hourly wage and weighted wage multiplier, the Department calculated the following:

\$54.41 (mean hourly earnings for managers based on estimated income per hour from the Bureau of Labor Statistics) x 1.4 (weighted wage multiplier) = **\$76.17** weighted wage.

123.33 (annual hours) x \$76.17 (weighted wage) = **\$9,394.05** (hour burden cost)

To estimate the cost to respondents for form DS-5539 based on the hourly wage and weighted wage multiplier, the Department calculated the following:

\$14.42 (mean hourly earnings for couriers and messengers based on estimated income per hour from the Bureau of Labor Statistics) x 1.4 (weighted wage multiplier) = **\$20.19 weighted wage**

856.67 (annual hours) x \$20.19 (weighted wage) = **\$17,296.17 (hour burden cost)**

Form                      Mean hourly earnings      Wage multiplier      Weighted Wage      Annual Hours      Hour burden cost

Source: Bureau of Labor Statistics, “Employer Costs for Employee Compensation – March 2019,”

<https://www.bls.gov/news.release/ecec.toc.htm>.

DS-5538	\$54.41	1.4	\$76.17	123.33	\$9,394.05
DS-5539	\$14.42	1.4	\$20.19	856.66	\$17,296.17
<b>Total</b>					<b>\$26,690.22</b>

Total hour burden cost for both forms is estimated to be \$26,690.22.

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, review the final collection, and submit the collection to Passport Services for processing. The sampling was completed through consultation with a group of Consular Affairs employees to validate the time.

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

Courier companies will submit DS-5538 and DS-5539 forms to the passport agency where the company wishes to register via email. Therefore, there are no postage fees or additional transportation costs associated with this form. The Department will make the DS-5538 and DS-5539 form available on travel.state.gov. As a result, the only additional costs imposed on private courier companies are those associated with making copies of the form, the company's business tax license or certificate, and photo identification.

The cost of printing is based on a quote from FedEx is \$0.22 each (black and white).

**DS-5538:**

Cost of Printing Form - Black & White	370	x	2 pgs	x	\$ 0.22/pg	=	\$162.80
Cost of Photocopy of Government-Issued Photo Identification Card	370	x	1 pg	x	\$ 0.22/pg	=	\$81.40
Cost of Photocopy of Valid Business Tax License/Certificate	370	x	1 pg	x	\$ 0.22/pg	=	\$81.40
<b>Total Cost to Respondents</b>							<b>\$325.60</b>

**DS-5539:**

Costs imposed on private courier employees are those associated with making copies of the form, and providing copies of the employee's ID.

Cost of Printing Form - Black & White	1285	x	2 pgs	x	\$ 0.22/pg	=	\$565.4
Cost of Photocopy of	1285	x	1 pg	x	\$ 0.22/pg	=	

Source: Bureau of Labor Statistics, "Employer Costs for Employee Compensation – March 2019," <https://www.bls.gov/news.release/ecec.toc.htm>.

Government-Issued Photo Identification Card							\$282.7
<b>Total Cost to Respondents</b>							<b>\$848.10</b>

**TOTAL: \$325.60 + \$848.10 = \$1,173.70**

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

As the Department will post the forms on its official website at [travel.state.gov](http://travel.state.gov), equipment or overhead costs and printing costs associated with the form are negligible. Companies will email completed forms to the Department. Internal processing and filing of the form will be handled by the Customer Service Manager or his/her designate at the passport agency or center at an average cost of \$67.12 an hour. Review and filing takes approximately two hours at each agency. Therefore:

**DS-5538:**

\$67.12 (average hourly rate) X 2 (hours daily per agency) X 370 (respondents) + estimated cost of publishing the two federal register notices (\$1590) = **\$51,258.80 cost to federal government.**

**DS-5539:**

\$67.12 (average hourly rate) X 2 (hours daily per agency) X 1285 (respondents) + estimated cost of publishing the two federal register notices (\$1590) = 174,088.40 **cost to federal government.**

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

With the exception of the proof that the company has registered its business in the state or city where the passport agency is located at which they wish to register, and various work authorization and criminal history information certifications, this collection is currently in use without an OMB number. The basic framework of the information collection was created in order to better track the intake of passport applications and materials hand delivered by courier companies once it became clear this new workflow was going to become common practice. The Department of State is seeking OMB approval of this collection in an effort to rectify any potential inconsistencies with the Paperwork Reduction Act and authorize the collection of new information.

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

Quantitative summaries of Department of State passport activities, including the Office of Authentications, are published periodically on the Department of State website at [www.travel.state.gov](http://www.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.*

Source: Bureau of Labor Statistics, "Employer Costs for Employee Compensation – March 2019," <https://www.bls.gov/news.release/ecec.toc.htm>.

The expiration date for OMB approval will be displayed.

18. *Explain any exceptions to the OMB certification statement below. If there are no exceptions, write*

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.