

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
Request for Overseas U.S. Citizen Vital Records Services
OMB #1405-XXXX (DS-5542)**

A. JUSTIFICATION

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

The Request for Overseas U.S. Citizen Vital Records Services (form DS-5542) permits U.S. citizens and third parties to request services provided by the Office of Records Management within the Passport Services Directorate in the Bureau of Consular Affairs. The Office of Records Management issues certified or authenticated copies of overseas U.S. citizen vital records such as Consular Reports of Birth/Death Abroad, Certificates of Witness to Marriage, and Panama Canal Zone documents pursuant to authorized requests. Requests for correction, amendment, or replacement of such vital records may be made using this form also. The Department provides vital record services for citizens under the general authority of 22 CFR Parts 50 (Nationality Procedures) and 71 (Protection and Welfare of Citizens and Their Property) and the statutory authorities cited therein.

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

Form DS-5542 solicits limited data to permit the Office of Records Management to validate and process authorized requests for vital records under the general authority of 22 CFR Parts 50 and 71.

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

Form DS-5542 cannot be submitted electronically; however, a PDF fillable form will be available on the Department's website, travel.state.gov, where it can be printed for manual signature and submission. The Department is also continuing its efforts to make available more complete electronic options, while still meeting statutory requirements and standards for protecting U.S. national security.

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

Aside from necessary basic self-identification data, the information requested does not duplicate information available elsewhere. Form DS-5542 will be the sole Department of State form used by U.S. citizens and third parties who require overseas U.S. citizen vital record services.

5. *Describe any impacts on small business.*

This collection of information 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-5542 is crucial for facilitating the processing of retrieval of documents from mail-in requests. For the front end of the process, it verifies that documents submitted were in fact received by the Office of Records Management. For the back end of the process, it requires that every document is reconciled and accounted for delivery to the proper entity, which limits the chances of lost or misplaced documents.

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 August 24, 2021, the U.S. Department of State published a 60-day notice in the Federal Register (84 FR 18149) to solicit public comments. Regulations.gov received two comments. The Department determined that one comment required a response regarding the type of records issued. The Office of Records Management issues certified or authenticated copies of overseas U.S. citizen vital records such as Consular Reports of Birth/Death Abroad, Certificates of Witness to Marriage, and Panama Canal Zone documents pursuant to authorized requests.

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. There are no promises of confidentiality to the respondents.

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

Form DS-5542 collects contact information from the U.S. citizen or third-party submitting the form (minimal personally identifiable information) to identify the nature of the request and aid in validating and issuing a certified vital record.

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

Currently, applicants submit notarized letters to request this service in the absence of a form. The estimated number of respondents for this new information collection is derived from the average number of applicants who submitted notarized letters to request this service. The Department does not calculate future projections for this form so we relied on data from the past three fiscal years.

	Respondents
FY 2018	18,207
FY 2019	19,045
FY 2020	13,286
Average	16,846

Passport Services estimates that the average time required for this information collection is 40 minutes per response. Therefore, the estimated total annual burden for the collection is: 16,846 (annual average of respondents) x 40 (minutes) / 60 = 11,231 **hours per year.**

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 (11,231 hours). The wage is estimated to be \$25.91 per hour. The Department used the Employer Costs for Employee Compensation released by the Bureau of Labor Statistics in 2020.¹
 $11,231 \text{ (annual hours)} \times \$25.91 \text{ (average wage)} = \mathbf{\$290,995 \text{ (hour burden cost)}}$

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

To properly complete and submit a DS-5542, Request for Overseas U.S. Citizen Vital Records Services, a respondent must provide the following:

- Proof of identity - A respondent must submit a photocopy of the front and back sides of their valid government issued identification. The estimated cost of a black and white copy is based on a quote from Staples.²
- Postage³
- Notarization

Form DS-5542 must be notarized, so respondents may be required to pay a notarization fee. Notarized request letters are received from applicants located in the United States and overseas. The national average cost to have a document notarized in the United States according to the National Notary Association is \$5.13.⁴ The actual cost for notarial services at a U.S. embassy or consulate is \$50 according to the Schedule of Fees for Consular Services.⁵ The average notary cost is \$28 (\$5.13 average national cost) + (\$50 U.S. embassy/consulate notarial service fee) / 2 = (\$28 average notary cost). Since some

¹ Source: Bureau of Labor Statistics, "Employer Costs for Employee Compensation – March 2020," <https://www.bls.gov/news.release/ecec.toc.htm>.

² Source: Staples Document Printing Cost, <https://www.staples.com/services/printing/copies-documents-printing/>

³Source: U.S. Postal Service, "Notice 123 January 26, 2020," <https://pe.usps.com/text/dmm300/Notice123.htm>

⁴ Source: National Notary Association, "Notary Fees By State," <https://www.nationalnotary.org/knowledge-center/about-notaries/notary-fees-by-state>

⁵ Source: U.S. Department of State and Foreign Service, "Schedule of Fees for Consular Services", January 1, 2016

respondents are expected to have access to cost-free notary services, we have calculated that 50 percent of respondents will incur a notarization fee.

Therefore, the total estimated cost burden to respondents is **\$248,815**. (16,846 respondents x \$28 average fee x 0.50 probability of incurring a fee).

Form DS-5542 is only accepted through the mail. Therefore, there are postage fees.

When combining all the individual estimated cost burdens associated with Form DS-5542, the total annual cost burden for approximately 16,846 respondents is **\$ 248,815**.

A complete breakdown of the involved costs is outlined below.

Proof of Identity - Black & White Copy	16,846 (2 @ \$0.13 each) x \$0.22	=	\$ 3,706
Postage	16,846 x \$0.55	=	\$ 9,265
Notarization	16,846 x \$28 x .50	=	\$ 235,844
Total Cost to Respondents			\$ 248,815

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

The estimated annual cost to the Federal Government for this collection is **\$3,342,738**.

This cost includes the average hourly rate for clerical and officer/managerial staff time with benefits, plus a percent for the estimated overhead costs including printing, stocking, IT costs, rent, and distributing and processing of this form for service. The fully burdened rates for the domestic clerical staff and civil service passport officers/managers are calculated by the Department's Cost of Service Model, based on FY 2019 actual costs.

Average annual number of respondents x (Full burdened hourly rate for clerical staff x Number of hours spent on each application by clerical staff) = Total clerical staff costs.

$$16,846 \times (\$37.90 \times 3.47 \text{ hours}) = \$2,215,468$$

Average annual number of respondents x (Fully burdened hourly rate for officer/manager staff x Number of hours spent on each application by officer/manager staff) = Total officer/manager costs.

$$16,846 \times (\$81.49 \times 0.82 \text{ hours}) = \$1,125,680$$

$$\text{Total fully burdened cost} = (\$2,215,468 + \$1,125,680) = \$3,341,148$$

This number is added to the cost to the Federal Government to publish the Federal Register Notices (FRNs). 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**.

\$3,341,148 + \$1,590 (cost of publishing two FRNs) = \$3,342,738

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

This is a new collection.

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

Quantitative summaries of Department of State passport activities, including requests for overseas U.S. citizen vital records services, 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.