

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
U.S. Passport Renewal Application for Eligible Individuals
OMB #1405-0020 (Form DS-82)**

A. JUSTIFICATION

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

The U.S. Passport Renewal Application for Eligible Individuals (Form DS-82) is used by eligible citizens and non-citizen nationals (hereinafter, collectively referred to as “nationals”) of the United States seeking to renew their current or recently expired U.S. passport (a travel document attesting to one’s identity and U.S. nationality).

The DS-82 solicits data necessary for Passport Services to issue a United States passport (book and/or card format) in the exercise of authorities granted to the Secretary of State in 22 United States Code (U.S.C.) Section 211a *et seq.*, and Executive Order (E.O.) 11295 (August 5, 1966).

The issuance of U.S. passports requires the determination of identity, nationality, and entitlement with reference to the provisions of Title III of the Immigration and Nationality Act (INA) (8 U.S.C. sections 1401-1504), the 14th Amendment to the Constitution of the United States, other laws and implementing regulations at 22 C.F.R. Parts 50 and 51. The specific regulations pertaining to the Application for a U.S. Passport by Mail (i.e., the U.S. Passport Renewal Application for Eligible Individuals) are 22 C.F.R. 51.20 and 51.21.

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

The information collected on the DS-82 is used primarily to facilitate the issuance of U.S. passports to U.S. nationals. The primary purpose for soliciting the information is to establish nationality, identity, and entitlement to the issuance of a U.S. passport, and to properly administer and enforce the laws pertaining to the issuance thereof.

The DS-82 is retained in the files of the Department of State along with other documentation related to passport applications, adjudication, and issuance. Among other uses within the Department of State, these records are consulted when a U.S. passport has been lost and the bearer has no evidence of nationality available or in support of any derivative claims to nationality made by the passport bearer’s children. The records may also be consulted by consular personnel in the event of an emergency abroad involving U.S. nationals; the application has a block for the name, address, and telephone number of a person to notify in the event of an emergency. Information from the DS-82 may also be shared with certain parties outside of the Department of State, as permitted by the Privacy Act of 1974, as amended, including as set forth in the Department of State’s Prefatory Statement of Routine Uses (the Department’s System of Records Notice (SORN)), the SORN for Passport Records (STATE-26)), and the SORN for Overseas

Citizens Services Records and Other Overseas Records (STATE-05) available in the Federal Register and online at <https://www.state.gov/system-of-records-notices-privacy-office/>.

The DS-82 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)?*

An electronic option to this paper-based form, the DS-82 is currently posted on the Department's website at travel.state.gov where applicants can fill out forms online and print them for submission. With the completed application, a 2-D barcode will print on each application. This barcode will be scanned by Passport Services and will automatically record the applicant's information in the system. This process will save both Passport Services and the applicant time and reduce errors.

In pursuit of the goals of the Government Paperwork Elimination Act and Executive Order 13571, the Department is working with numerous stakeholders (Consular Systems and Technology, Consular Affairs' Fraud Prevention Program, Consular Affairs' Office of the Comptroller, Department of State Comptroller and Global Financial Services, Diplomatic Security (DS), the U.S. Department of the Treasury, and others) to develop a live DS-82 online application. The Department's goal is to have a completely functional Online Passport Renewal electronic application available to the public by December 2022.

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. The DS-82 is the Department of State form used by those U.S. nationals who meet the qualifications to apply for a U.S. passport book and/or passport card renewal by mail.

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 the DS-82 is crucial for documenting a U.S. national's request for a renewal passport and for establishing the applicant's entitlement to a U.S. passport.

7. *Are there any special collection circumstances?*

The DS-82 is one of three (3) information collections under review that requires development and testing of multiple supporting systems used to complete, adjudicate, and

process the application. OMB approved changes to the three (3) information collections will require simultaneous systems development and testing. Therefore, it will be necessary to receive OMB approval of the DS-11, DS-82, and DS-5504 together.

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

The Department published a 60-day notice in the Federal Register to solicit public comments on this collection. The public submitted three comments to regulations.gov about changing “sex” to “gender” on the form and passport and omitting the “sex” field from the form and passport.

The Department coordinated with the Center for Disease Control (CDC) to conduct a two-part qualitative study with the intent to have a scientific backing to the overall, federal definition of “X”. CDC’s results focused on participants’ responses surrounding the three themes of inclusivity, privacy, and clarity. The study results concluded that “unspecified or another gender identity” is the most appropriate definition for “X” gender marker. “Unspecified” is also the International Civil Aviation Organization’s (ICAO) standard for third gender markers, aligning our efforts with that of the international community and further facilitating smooth travel for all U.S. citizens regardless of their gender identity. The Department updated the form to replace the term “sex” with “gender” and to be pronoun inclusive of all genders. The U.S. passport conforms with the standards set by the ICAO, which among other things determine the labels of the various fields on the passport’s bio data page. The Department acknowledges that the existing markers for male “M” or female “F” reflect an individual’s gender rather than their sex, but the label on the data field on the actual passport will not change unless the ICAO standards are amended.

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. More information on the routine uses for the information collected can be found in the Department of State’s Prefatory Statement of Routine Uses (the Department’s System of Records Notice (SORN)), the SORN for Passport Records (STATE-26)), and the SORN for Overseas Citizens Services Records and Other Overseas Records (STATE-05) available in the Federal Register and online at <https://www.state.gov/system-of-records-notices-privacy-office/>.

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

The DS-82 does not ask questions of a sensitive nature. The DS-82 collection of information asks the respondent to provide a Social Security number to help confirm the applicant’s identity. Failure to provide a Social Security number may result in the denial of an application (consistent with 22 U.S.C. 2714a(f)) and may subject the applicant to a penalty pursuant to 26 U.S.C. 6039E, which is enforced by the U.S. Department of the Treasury, Internal Revenue Service.

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

The estimated number of respondents for this collection was calculated by taking the average number of projected respondents for the next three years.

	DS-82s
FY 2021	4,901,648
FY 2022	6,185,379
FY 2023	7,443,622
Average	6,176,883

Passport Services estimates that the average time required for this information collection is 40 minutes per response. 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 Department of State employees to validate the time. Therefore, the estimated total hour time burden to the respondent to complete this collection is:

$$6,176,883 \text{ (respondents)} \times 40 \text{ (minutes)}/60 \text{ hour} = \mathbf{4,117,922 \text{ hour time burden}}$$

The estimated cost to respondents is based on \$27.07 (mean hourly earnings) based on estimated income per hour from the Bureau of Labor statistics¹ x 1.4 (weighted wage OMB multiplier) = \$37.89 (weighted hourly wage). Therefore, the estimated total hour cost burden to the respondent to complete this collection is:

$$\mathbf{\$37.89 \text{ (weighted hourly wage)} \times 4,117,922 \text{ (hours)} = \mathbf{\$156,028,064.58 \text{ hour cost burden}}}$$

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

To properly complete and submit a DS-82 passport application, an applicant must

¹ Source: Bureau of Labor Statistics, “Employer Costs for Employee Compensation – May 2020,” https://www.bls.gov/oes/current/oes_nat.htm#00-0000.

submit a photograph that meets criteria specified in the instruction pages. The estimated cost of photographs is based on the average price of \$14.99 from Walgreens (\$14.99) ², CVS (\$14.99) ³, and the United States Postal Service (USPS) (\$15).⁴

DS-82 applications are submitted by mail and are accepted in-person at passport agencies and U.S. embassies and consulates overseas. The Department strongly encourages applicants to mail in their applications via trackable mail, and the current price for a flat rate Priority Mail envelope is \$7.70⁵.

The Department estimates that most respondents domestically submit their application to their local U.S. Post Office for processing, which is estimated to be an average distance of approximately three (3) miles one way and six (6) miles round trip. This distance is estimated to take an amount of five (5) minutes each way for a total of 10 minutes round trip. The Department has no way to calculate the average distance overseas applicants may have to travel to submit the DS-82s. To determine the travel cost to the applicant, the Department is factoring in the General Services Administration (GSA) reimbursement rate of \$0.58 per mile for privately owned vehicles (POV).⁶

Therefore, the total cost to the respondents is as follows:

6,176,883 (1) Passport Photo	X	\$14.99	=	\$92,591,476.17
6,176,883 (1) Postage	X	\$7.70	=	\$47,561,999.10
6,176,883 x 6 miles – Average Travel Cost	X	\$0.58	=	\$21,495,552.84
Total Cost to Respondent				\$161,649,028.11

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

Total Cost to Program: \$679,458,720

The estimated cost to the Federal Government, which is funded by Department of State fee collections, is calculated by multiplying the estimated number of respondents (6,451,667) by the unit cost to process the application (\$96.93). The cost includes the full cost to the Federal Government for passport application processing and production. This cost includes the cost of producing the DS-82 form. It also includes the suggested hourly rate for clerical, officer, and managerial time with benefits, plus a percent for the

² Source: Walgreens, “Passport Photos,” <https://photo.walgreens.com/store/passport-photos>.

³ Source: CVS, “Passport Photos,” <https://www.cvs.com/photo/passport-photos>.

⁴ Source: U.S. Postal Services, <https://www.usps.com/international/passports.htm#>.

⁵ Source: USPS, “Priority Mail,” <https://www.usps.com/ship/priority-mail.htm>.

⁶ Source: General Services Administration, “Privately Owned Vehicles (POV) Mileage Reimbursement Rates,” <https://www.gsa.gov/travel/plan-book/transportation-airfare-rates-pov-rates/privately-owned-vehicle-pov-mileage-reimbursement-rates>.

estimated overhead cost for printing, stocking, and distributing and processing of this form.

$$6,176,883 \text{ (number of respondents)} \times \$96.93 \text{ (Unit Cost)} = \mathbf{\$598,725,269}$$

The estimated cost to the Federal Government is added to the cost to publish two Federal Register Notices (FRN). The estimated amount to publish one 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.

$$\$598,725,269 + \$1,590 \text{ (cost of publishing two FRNs)} = \mathbf{\$598,726,859}$$

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

The hour burden adjustments indicated reflect a decrease in the number of projected respondents from 6,451,667 (FY 2019 – FY 2021) to 6,176,883 (FY 2021 – FY 2023). The demand has leveled off in the last couple years after the surge in demand around 2017 and 2018. Using the actual historical application count for FY 2018 - 2020, the average total DS-82 receipts amounted to 6,544,315. Demand forecast projections, by their nature, will have some uncertainty in their accuracy, which can explain differences between actual and forecast. The change in Federal Government costs reflects the decrease in the number of projected respondents.

In March 2020, Form DS-82 received OMB approval renewing the continued use of this information collection for three years. (In July 2021, OMB approved a non-substantial change to add the DS-82 Online Passport Renewal (OPR) which will allow customers to renew their U.S. passport electronically in the near future.) This form has been amended based on a recent change in Department policy. The Department's new policy permits passport applicants to select the gender marker on their passport without presenting medical documentation. This policy change includes updating forms to add a third gender marker, X, for applicants identifying as unspecified or another gender identity (in addition to the existing M and F gender markers).

In addition to plain language changes and general format changes, which are consistent with the Form DS-11, the following content changes have been made to the form:

- Instruction Page 3 - More information is provided about field "3. Gender" (formerly titled "3. Sex") on Page 1 and the gender marker options "M" (Male), "F" (Female), and "X" (Unspecified or Another Gender Identity) to be printed in a U.S. passport.
- Page 1 – Changed field "3. Sex" to "3. Gender" and provided the gender marker options "M" (for Male), "F" (for Female), and "X" (Unspecified or Another Gender Identity). Added a self-attestation statement that reads, "Changing gender marker? Yes" to verify that the applicant is changing their gender marker from what they listed on a previously issued passport.

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. 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.