

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
U.S. Passport Renewal Application for Eligible Individuals

OMB Number 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. The DS-82 solicits data necessary for the Department of State (Department) 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 identity, nationality, 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 along with other documentation related to passport applications, adjudication, and issuance. Among other uses within the Department, 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, as permitted by the Privacy Act of 1974, as amended, including as set forth in the Department’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)?*

The Department features an online application process called Online Passport Renewal (OPR). Using the online platform, eligible applicants can complete the required steps for passport renewal. Additionally, an electronic option to the paper form is currently posted on the Department's website at travel.state.gov where applicants can complete the form online and print it for manual signature and submission by mail or in person. 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 increases processing efficiency and reduces data errors.

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 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 passport renewal applications 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 information collections currently 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 collections will require simultaneous systems development and testing. Therefore, it is necessary to receive OMB approval of the DS-82 together with the Form DS-11 Application for a U.S. Passport's, and the Form DS-5504 Application for a U.S. Passport for Eligible Individuals' approvals.

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 on November 26, 2024 (89 FR 93390) to solicit public comments on this collection. The Department received no public comments, and is now soliciting comment on this collection for 30 days.

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’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. Consistent with E.O. 14168, “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” the DS-82 also requests the applicant’s biological sex at birth.

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

Respondent Hour Time Burden and Hour Cost Burden

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

| | DS-82 Projected Respondents |
|----------------|------------------------------------|
| FY 2025 | 7,727,515 |
| FY 2026 | 8,343,637 |
| FY 2027 | 8,893,500 |
| Average | 8,321,500 |

The estimated number of minutes 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. Passport Services estimates that the average time required for

this information collection is 40 minutes per response. Therefore, the estimated **total annual respondent hour time burden is 5,547,700 hours.**

(8,321,500 annual respondents x 40 minutes / 60 = 5,547,700)

The estimated cost to respondents is based on the civilian hourly wage listed in the Employer Costs for Employee Compensation released by the Bureau of Labor Statistics in 2023. The base hourly wage is estimated to be \$31.48ⁱ. We also incorporate a benefit multiplier of 1.3 and the total hourly wage is calculated to be \$40.92. The total hourly wage of \$40.92 is then multiplied by the annual time burden of 5,547,700 hours. Therefore, the estimated (rounded) **total annual respondent hour cost burden is \$227,011,900.**

(\$40.92 total hourly wage x 5,547,700 annual hours = \$227,011,900)

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

Respondent Monetary Burden

To properly complete and submit a DS-82 passport application, an applicant must submit a photo that meets criteria specified in the instruction pages. A photo fee of \$15.00 is based on a quote from the United States Postal Service (USPS).ⁱⁱ

During each of the next three fiscal years, the Department estimates approximately 45 percent of all renewal applications (8,321,500 total) will be submitted through the OPR platform. Therefore, we expect that approximately 4,576,800 applications will be submitted by mail each year during this period. 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 \$9.85ⁱⁱⁱ.

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 need to travel to submit the form. To determine the travel cost to the applicant, the Department is factoring in the General Services Administration (GSA) reimbursement rate of \$0.67 per mile for privately owned vehicles (POV).^{iv}

A breakdown of respondent costs is outlined below:

| | | | |
|---------------------|---|---|--------------|
| Passport Photo | 4,576,800 respondents x \$15.00 fee | = | \$68,652,000 |
| Postage | 4,576,800 respondents x \$9.85 | = | \$45,081,500 |
| Average Travel Cost | 4,576,800 respondents x 6 miles x \$0.67 per mile | = | \$18,398,736 |

| | |
|---------------------------------|----------------------|
| Total Cost to Respondent | \$132,132,236 |
|---------------------------------|----------------------|

The estimated **total annual respondent monetary burden is \$132,132,236**

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

Government Adjudication Cost

The estimated cost to the Federal Government, which is funded by Department fee collections, is calculated by multiplying the estimated number of respondents (8,321,500) by the unit cost to process the application (\$106.62). 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 estimated overhead cost for printing, stocking, and distributing and processing of this form. Therefore, the **total Government adjudication cost is \$887,238,300.**

8,321,500 (number of respondents) x \$106.62 (Unit Cost) = \$887,238,300

Government Federal Register Notice Cost

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

Government Printing Cost

We also take into account the cost to print the forms. The DS-82 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 \$44.78 per 1000 forms.^v Based on the projected number of 4,576,800 annual respondents per year, at a cost of \$44.78 per thousand, the contractor printing cost to the Federal Government is **\$204,900.**

Therefore, the estimated **total cost to the Federal Government is \$887,444,800.**

(\$887,238,300 + \$1,590 + 204,900 = \$887,444,800)

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

In addition to plain language changes and general format changes, the following content changes have been made to the collection:

To further enhance protections against fraudulent activities, the Department will add geographic location data fields (city, state, country) to the signature page of the OPR application. The respondent will be required to indicate the geographic location where

the application was completed and signed. Generally, a criminal violation must be prosecuted in the U.S. district where the crime was committed (Rule 18, FRCP). To prosecute a passport fraud offender, the federal government must prove where the passport crime was perpetrated. As more applicants continue to use the OPR platform in lieu of the paper form, investigators will be deprived of traditional evidence to prove where the passport application originated (e.g., postal stamps/labels). As a result, online passport applications increase the difficulties in establishing the location of the offense and venue for prosecution. While this location data alone will not completely remove all obstacles to proving the location of the crime, the information will strengthen a prosecutor's argument regarding where the online application was executed.

The Acts or Conditions statement on the form was revised with the following language:

“The applicant agrees with the following statement:

I am not currently required to register under the sex offender registration program of any jurisdiction for a sex offense against a minor. I have not been convicted of a federal or state drug offense or convicted of a statutory "sex tourism" crime, and I am not the subject of an outstanding federal, state, or local warrant of arrest for a felony; a criminal court order forbidding my departure from the United States; or a subpoena received from the United States in a matter involving federal prosecution for, or grand jury investigation of, a felony.

If any of the above-mentioned acts or conditions have been performed by or apply to the applicant, a supplementary explanatory statement under oath (or affirmation) by the applicant is required to be attached and made part of this application.”

International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (IML) was enacted in 2016 with the goal that government should identify the whereabouts of sex offenders, including when traveling internationally. See Public Law 114-119 (34 USC Chapter 21501-510). Title 22 was later updated to provide that the Secretary of State "shall not issue a passport to a covered sex offender unless the passport contains a unique identifier and may revoke a passport previously issued without such an identifier of a covered sex offender", reference 22 USC 212b(b). Further, it allows the Department to "require a passport applicant to disclose that they are a registered sex offender", reference 22 USC 212b(e).

The Department believes that modifying the Acts or Conditions section is an important step in furthering the 2023 U.S. National Strategy for Child Exploitation Prevention and Interdiction.

To comply with E.O. 14168, “Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government,” the Department updated the form to replace the term “gender” with “sex.” The U.S. Passport conforms not only with the E.O., but also with the standards set by the International Civil Aviation Organization, which among other things determine the various fields on the passport's biographical data

page. The revised DS-82 will request the applicant's biological sex at birth, male "M" or female "F." Amendments to the fields and instructions (section 3) have been made to reflect this.

To allow updates as the Department continues to modernize the passport process, including the use of online payment mechanisms, the Department has updated the fees section to direct applicants to travel.state.gov for more information on fees and methods of payment.

"Country" fields have been added to the response options for both the Permanent Address section and the Your Emergency Contact section of the DS-82. An "Email" field has been added to the Your Emergency Contact section.

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.

ⁱSource: Bureau of Labor Statistics, “Employer Costs for Employee Compensation – May 2023,”

https://www.bls.gov/oes/current/oes_nat.htm#00-0000

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

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

^{iv} 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>.

^v Source: Passport forms printing contractor Occam Solutions