

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Biographical Questionnaire for a U.S. Passport OMB Number 1405-XXXX DS-5513

A. JUSTIFICATION

1. The Biographical Questionnaire for a U.S. Passport, form DS-5513, is used to supplement an application for a U.S. passport when the applicant submits citizenship or identity evidence that is insufficient or of questionable authenticity. Passport Specialists and Consular Officers will use this form to collect additional information to further establish the identity and/or citizenship of a passport applicant who has not submitted adequate evidence with his/her passport application.

The DS-5513 solicits data necessary for Passport Services to issue a United States passport in the exercise of responsibilities granted to the Secretary of State in 22 U.S.C. 221a and Executive Order 11295 (August 5, 1966) for the issuance of passports to U.S. citizens and nationals. Such responsibilities require the determination of identity and citizenship or nationality with reference to the provisions of Title III of the Immigration and Nationality Act (8 U.S.C. sections 1201 – 1503) and the 14th Amendment to the Constitution of the United States, and compliance with 22 U.S.C. 212 and 213. Implementing regulations are found at 22 C.F.R. parts 50 and 51.

By definition, a passport is a travel document issued under the authority of the Secretary of State attesting to the identity and nationality of the bearer (22 C.F.R. 51.1 [e]). An applicant bears the burden of establishing his/her identity and citizenship, and the Department may require an applicant to submit such additional evidence of identity and/or citizenship as it deems to be necessary. 22 C.F.R. §§ 51.23, 51.40, 51.45. The procedures for establishing an applicant's identity and citizenship are outlined in 22 C.F.R. part 50, subparts B and C.

The legal authorities under which the information is requested include, but are not limited to the following:

22 U.S.C. § 211a et seq.;

Executive Order 11295; and

22 C.F.R. Parts 50 and 51.

In addition to this primary use of the data, the DS-5513 may also be used as evidence in the prosecution of any individual who makes a false statement on the application and for other

uses as set forth in the Prefatory Statement and the Passport System of Records Notice (State-26).

2. The Department of State uses this information to verify the respondent's citizenship and identity for purposes of determining eligibility for a U.S. passport. The information is also used to combat passport fraud and misuse. This form is used prior to passport issuance and solicits information relating to the respondent's family, birth circumstances, residences, schooling, and employment. Without adequate citizenship and identity information about an applicant, the Department cannot issue that applicant a U.S. passport. Furthermore, inaccurate evidence or information could possibly result in issuance of a passport to a non-U.S. citizen or to a U.S. citizen using an assumed identity.
3. Due to current law, regulations, and available technology, this form cannot be submitted electronically; however we have made the form available on the Department's website, where it can be filled out on-line and printed for submission. The Department is also continuing its efforts to investigate, test, and deploy more complete electronic options, while still meeting statutory requirements and standards for protecting U.S. national security.
4. The information collected does not duplicate information collected elsewhere.
5. The collection of information does not involve small businesses or other small entities.
6. The information cannot be collected less frequently. It must be collected to issue a passport, document, or service. Eliminating the Department of State's ability to solicit vital identity and citizenship information from knowledgeable sources in connection with passport services could result in unnecessary passport denials and/or issuance of passports to ineligible persons.
7. No such special circumstances exist.
8. A notice for public comment will be published in the *Federal Register*.
9. This information collection does not provide any payment or gift to respondents.
10. The form includes a Privacy Act Statement explaining the routine use exceptions to the Act. (5 U.S.C. § 552a)

11. The DS-5513 asks for information regarding religious ceremonies because those ceremonies often take place contemporaneously with, or very close in time to, the applicant's birth. The records from these ceremonies may be the first public records of an individual's date and place of birth. The information contained in the records help corroborate the applicant's claim to birth in a particular place. They are also helpful in establishing an individual's location at a particular time. They can also provide identifying information – such as parents' names – which is useful for comparison with other documents provide in connection with the passport application. The DS-5513 does not ask any other questions of a sensitive nature.
12. The estimated burden of forty-five minutes required per response is based on a sampling of time required to complete this form. The number of respondents is estimated at 74,000 per year. The annual burden is estimated to be 55,500 hours. (74,000 * 45 minutes)
13. There is no cost to the respondent associated with this form.
14. This collection will not add additional expense to the Federal government.
15. The program change indicated on OMB Form 83-I reflects the approximate number of respondents that will use this form.
16. The collection of information is not planned to be published for statistical use.
17. The expiration date for OMB approval will be displayed.
18. No exceptions to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act Submissions" are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

1. This collection does not employ statistical methods.