

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Supplemental Questionnaire to Determine Entitlement for a U.S. Passport OMB Number 1405-0214 DS-5513

A. JUSTIFICATION

1. The Supplemental Questionnaire to Determine Entitlement for a U.S. Passport, form DS-5513, is used to supplement an application for a U.S. passport when the applicant submits entitlement evidence that is insufficient or of questionable authenticity. Passport Specialists and Consular Officers will use this form to collect additional information to further establish an applicant's entitlement to a U.S. passport when the applicant has not submitted adequate evidence with his/her initial 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 (d)). An applicant bears the burden of establishing his or her identity and entitlement, and the Department may require an applicant to submit such additional evidence of identity or entitlement 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 entitlement are outlined in 22 C.F.R. part 51, 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.;

22 U.S.C. 2714a(f);

Executive Order 11295;

22 C.F.R. Parts 50 and 51

2. The Department of State uses this information to verify the respondent's entitlement to a U.S. passport. The information is also used to combat passport fraud and misuse. This form is used to supplement an existing passport application and solicits information relating to the respondent's family and birth circumstances that is needed prior to passport issuance. Without adequate 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 an individual using an assumed identity. 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 his/her for a U.S. passport, and for other uses as set forth in the Department wide Prefatory Statement and the Passport System of Records Notice (State-26).
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, www.travel.state.gov 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 render a service. Eliminating the Department of State's ability to solicit vital entitlement information from knowledgeable sources in connection with passport services could result in unnecessary passport denials or issuance of passports to ineligible persons.
7. No such special circumstances exist.
8. The Department of State published a 60-day notice in the *Federal Register* to solicit public comments on March 11, 2016 (81 FR 13022). One comment was received that was not substantive.
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). No other promises of confidentiality are made to respondents. Passport applicants are required to submit their Social Security numbers with the passport application

and failure to provide a Social Security number may result in the denial of an application (consistent with 22 U.S.C. 2714a(f))

11. The DS-5513 does not ask questions of a sensitive nature.
12. The estimated burden of eighty-five minutes required per response is based on a sampling of time required to complete this form. The number of respondents is estimated at 3,257 per year. The annual burden is estimated to be 4,614 hours. $(3,257 \times 85 \text{ (minutes)}) / 60$.
The projected annual cost to respondents is based on the weighted wage rate category for “All occupations” from the U.S. Department of Labor Bureau of Labor Statistics website multiplied by the annual time burden. The wage rate is estimated to be \$31.26 per hour (22.33 average wage X 1.4 multiplier). Therefore the estimated annual hour burden cost to respondents “all occupations” is \$221,883.48.
13. There is no cost to respondents associated with this form.
14. The projected annual cost to the federal government for this collection is \$96,357. Part of the cost was calculated based upon the recurring costs in the Bureau of Budget and Planning, New Position Cost Model for domestic Civil Service employees. The hourly cost for FY 2016 for domestic Civil Service is \$67.12. The Passport Services estimates that reviewing the DS-5513 requires 21 minutes of a Civil Service passport adjudicator’s time. Multiplying \$67.12/hr. by 21 minutes yields a processing time cost of \$23.49. Multiplying the projected number of respondents (3,257) by \$23.49 yields \$76,506.

The remainder of the cost is the operating budget including equipment, overhead, printing, and support staff employed for this information collection is \$19,851.

15. The program change reflects an increase in respondents’ use of this form from 1,145 to 3,257. The DS-5513, *Supplemental Questionnaire to Determine Entitlement for a U.S. Passport*, was introduced in the last three year cycle and the Department is still adjusting its impact on forecasts and workload. While most passport projections are expected to jump drastically in the next few years, the DS-5513 is expected to continue to fall slightly as technology in vital records offices and the timely documentation of births continue to improve.

In addition to format and instructional clarification based on field feedback on the form, the Department also added the following question:

Please provide copies of public records created in the first five years of your life which reference your name, date of birth, and place of birth . List them below. Examples: birth announcements, medical records, baptismal certificates or other religious records, etc.

Field offices recommended adding a question that addressed the applicant's whereabouts between birth and the start of school. Secondary documents, such as the ones cited above, more often than not are the best way to demonstrate the applicant's birth in the United States when primary evidence of birth in the United States is unavailable or there is conflicting evidence showing place of birth in another country as well (as is often the case with applications that require the DS-5513).

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.