**SUPPORTING STATEMENT FOR   
PAPERWORK REDUCTION ACT SUBMISSION**

**Supplemental Questionnaire to Determine Identity for a U.S. Passport  
OMB Number 1405-XXXX DS-5520**

# A. JUSTIFICATION

1. The Supplemental Questionnaire to Determine Identity for a U.S. Passport, Form DS-5520, is used to supplement an application for a U.S. passport when the applicant submits 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 of a passport applicant who has not submitted adequate evidence with his/her initial passport application.

The DS-5520 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-5520 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).

1. The Department of State uses this information to verify the respondent’s 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 to supplement an existing passport application and solicits information relating to the respondent’s employment and residences that is needed to corroborate an applicant’s identity claim 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 a U.S. citizen using an assumed identity.
2. 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.
3. The information collected does not duplicate information collected elsewhere.
4. The collection of information does not involve small businesses or other small entities.
5. 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 information from knowledgeable sources in connection with passport services could result in unnecessary passport denials and/or issuance of passports to ineligible persons.
6. No such special circumstances exist.
7. The Department of State posted a notice for public comment in the *Federal Register* (pages 67528 – 67529) on November 1, 2011, and the comment period closed on December 31, 2011. The Department of State received eight comments from the 60-day notice in the *Federal Register.* Somecomments remarked that providing information about their family members (living and deceased) is irrelevant for determining their identity. Others expressed concern regarding adopted applicants. Comments also noted that it would be burdensome to list all schools attended inside and outside of the United States, since in some cases, people have come from a military background and have moved numerous times in their childhood or are elderly and may not remember. Finally, some comments noted that providing the last five residences could be challenging for some, specifically for the elderly.

The details surrounding one’s family are usually one of the easiest pieces of information that the applicant can provide that can also easily be verified via records by the Department. That being said, the Department is also well aware of how complicated family dynamics can be regardless of whether or not the applicant is adopted (a fact which would be reflected in the citizenship evidence an applicant would submit with the initial application) which is why the form’s instructions stress that if you are unsure of the information, please provide a response to the best of your knowledge as Passport Services will consider all the information derived from this form in its entirety. This form instruction also applies to the comments regarding children who went to school overseas as well as elderly applicants who may not remember where they lived five addresses ago. The Department understands that when it comes to an applicant’s life history, there can be a wide variety of responses provided and the Department therefore accepts a wide variety of answers.

The Department originally posted a notice for public comment that was published in the *Federal* *Register* (page 10421) on February 24, 2011 and closed April 25, 2011.  The Department received 1,521comments during that period and continued to receive an overwhelming response after the close of the 60 day notice.  Many of the comments seemed to come from people who did not understand that the form was designed to supplement an application for a U.S. passport only when the applicant initially submits evidence that is insufficient to establish eligibility.  The Department estimated that less than 0.5 percent of applicants would be asked to fill out the form each year.  After the comment period closed, the Department began revising the form and addressing the comments.  As part of the revision, the Department split the form into two shorter forms: the DS-5520 for identity questions and the DS-5513 for entitlement (e.g., whether the individual actually was a U.S. citizen or national).  The revision also assures applicants that failure to answer every question will not necessarily preclude passport issuance, as the form is considered in its entirety.  In response to comments regarding burden and privacy concerns, the revision amends many of the forms questions to pinpoint the exact information the Department is seeking.

The Department received numerous comments that expressed doubt over how the average applicant would be able to remember the information requested and answer the form’s questions regarding residences and employment.  The Department attempted to revise and specify these questions as best it could by limiting the number of past employment and residences requested. The Department also removed the question regarding past supervisors and employers’ contact information based on the feedback from the public.

The DS-5520 has been created to correct a procedure that may have been inconsistent with the PRA. During the passport application vetting process, additional information is occasionally needed from an applicant to verify eligibility for a passport. Field offices have, in the past, sent the applicant a letter containing a questionnaire asking for the supplemental information. The Department has become aware of this procedure is now seeking OMB approval to rectify the oversight.

1. This information collection does not provide any payment or gift to respondents.
2. The form includes a Privacy Act Statement explaining the routine use exceptions to the Act. (5 U.S.C. § 552a)
3. The DS-5520 does not ask questions of a sensitive nature.
4. 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 69,011 per year. The annual burden is estimated to be 51,758 hours. (69,011 \* 45 minutes)
5. There is no cost to the respondent associated with this form.
6. Passport Services’ total operating budget including equipment, overhead, printing, and support staff employed for this information collection is $854,028.
7. The DS-5520 is a new collection.
8. The collection of information is not planned to be published for statistical use.
9. The expiration date for OMB approval will be displayed.
10. 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.