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Sent: Tuesday, June 25, 2019 5:56 AM
To: PPTFormsOfficer; OIRA_submissions@omb.eop.gov
Subject: docket no. DOS-2019-0007, Form DS-11

1. Occupation

The question relates to use of one's time, whether as a student or as an adult. Neither formal education nor gainful employment proves identity or United States nationality.

The question is not relevant and necessary, and has no practical utility.

2. Addresses and phone numbers

A. Multiple addresses and phone numbers are demanded: snailmail address (which may be a p.o. box), email address, primary contact phone number, additional contact phone number, and permanent address (which may not be a p.o. box).

Only one address is relevant and necessary, and is of practical utility: the snailmail address to which a passport applicant wants an issued passport, or a rejection letter, sent to him. That can be his residence address, business address, or p.o. box.

The remaining demanded contact information is not relevant and necessary, and has no practical utility.

B. The request for telephone numbers is pernicious. When a communication between a passport applicant and a State Department employee takes place on the phone, there is no record of who said what. That puts a passport applicant at a disadvantage, in the event of a denial of a passport application. Every communication between a passport applicant and the State Department about a passport application must be in writing. There should be no inquiry about phone numbers.

C. Assuming that a passport applicant is helped by having written communications between the State Department and him be by email, rather than snailmail, a box for disclosure by a passport applicant of his email address should be provided. The choice between snailmail and email should be that of a passport applicant. The response to the question, "What is your email address?", should be voluntary. The box in which the question appears should be marked "Voluntary" in boldface type, so that the voluntary nature of the email-address question is obvious to a passport applicant.

3. Travel plans and emergency-contact information

A. Neither datum proves identity or United States nationality. Those data are not relevant and necessary, and have no practical utility.

i. Information about the travel plans of millions of passport applicants is for the benefit of the travel industry. It seems that the State Department makes travel-plans data available to the travel industry. Scheduled travel by a citizen is not relevant and necessary to, and has no practical utility for, issuance of a passport to him. The few passport applicants who need to travel right away can apply for expedited passport issuance. Only when a citizen has to travel right away is there a need for the State Department to know his travel plans.

ii. There is a one-in-a-billion chance that a consular officer will have to get in touch with the family of a national.

B. If contact information is nonetheless to be allowed on Form DS-11, the only personal information about the contact person, needed by a consular officer, is the name of the contact person, his email address, and his relationship to the passport applicant.

C. In the box for disclosure by a passport applicant of his emergency-contact information, the response to the question, "Whom should the State Department contact in the event of an emergency?", should be voluntary. The box in which the

question appears should be marked "Voluntary" in boldface type, so that the voluntary nature of the emergency-contact question is obvious to a passport applicant.

4. Marriage

The question calls for whether a passport applicant had ever been married, and, if applicable, details about his spouse, and, again if applicable, details about a divorce.

Long ago, when the nationality of a woman became, upon marriage, the nationality of her husband, United States law provided that, on specified facts, a marriage by a female citizen to an alien effected loss of United States citizenship by the female citizen. On certain facts, a divorce affected the United States citizenship of a female citizen who married an alien.

A marriage by a female alien to a citizen effected immediate gain by the female alien of United States citizenship.

Marriage by a male citizen to an alien never changed his United States citizenship.

Loss or gain of United States citizenship, through marriage or through divorce, was abolished, variously, in 1922 and 1931.

At present, neither marriage nor divorce nor widowhood nor widowerhood causes anyone to gain or lose United States citizenship.

The question is not relevant and necessary, and has no practical utility.

5. Social-security number

A. Folding of the notice about collection and use of social-security numbers into the box titled "Federal Tax Law" will be confusing to a typical passport applicant. The proposed folding puts much information into one box. For easy reading, the notice about collection and use of social-security numbers should be separate from all other notices.

B. The elements of the notice about collection and use of social-security numbers are specified in an uncodified provision of the Privacy Act. Pub. L. No. 93-579, § 7(b), 88 Stat. 1896, 1909 (1976).

The proposed notice about collection and use of social-security numbers does not conform with the statutory disclosure requirement.

The remedy is for the State Department to construct its notice about use of social-security numbers in two steps. (1) Copy the statutory language verbatim. (2) Modify the statutory language by adding passport-specific details.