

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Request for Overseas U.S. Citizen Vital Records Services

OMB No. 1405-0253

DS-5542

A. JUSTIFICATION

1. *Why is this collection necessary and what are the legal statutes that allow this?*

The Request for Overseas U.S. Citizen Vital Records Services (form DS-5542) permits U.S. citizens and third parties to request services provided by the Department of State's (Department) Office of Records Management within the Passport Services Directorate in the Bureau of Consular Affairs. The Office of Records Management issues certified or authenticated copies of overseas U.S. citizen vital records such as Consular Reports of Birth/Death Abroad, Certificates of Witness to Marriage, and Panama Canal Zone documents pursuant to authorized requests. Requests for correction, amendment, or replacement of such vital records may be made using this form also. The Department provides vital record services for citizens under the general authority of 22 CFR Parts 50 (Nationality Procedures) and 71 (Protection and Welfare of Citizens and Their Property) and the statutory authorities cited therein.

2. *What business purpose is the information gathered going to be used for?*

Form DS-5542 solicits limited data to permit the Office of Records Management to validate and process authorized requests for vital records under the general authority of 22 CFR Parts 50 and 71.

3. *Is this collection able to be completed electronically (e.g. through a website or application)?*

At this time, the DS-5542 cannot be submitted electronically. However, the form can be downloaded from <https://eforms.state.gov/> and can be printed for manual signature and submission. The Department's goal is to establish an enterprise-level platform that will allow many services (including Vital Records requests) to be fully processed electronically. Although technological advancements have been made, several challenges remain. Per the Foreign Affairs Manual (8 FAM 1203.1-4), requests for a Life Event Record as a U.S. Citizen must be made in writing and notarized or made under penalty of perjury pursuant to 28 U.S.C. 1746. Passport Services currently verifies a customer's identity by examining the subject's physical signature, valid identification, and notarial authorization, if required, to avoid fraudulent activities. Per Department policy, certain types of amendments require original or certified copies of the supporting documentation (adoption orders, foreign and domestic birth certificates, marriage

certificates, and affidavits of paternity and court orders - except for name changes) from the issuing office along with original documents issued by the Department that must be returned to our office for destruction. Before apostille requests can be processed, documents must be physically signed by a specialist to meet foreign document requirements. Specialist signatures are examined by foreign governments to verify validity. Regarding CRBA requests, customers must mail-in original CRBAs issued within the past 5 years for an apostille to be affixed gratis or pay \$50 for a new document to be issued. Electronic payment platform initiatives deployed by the Department recently, such as Online Passport Renewal and eCRBA, are examples of how the Department is moving towards a modernized system and the Vital Records office plans to build on these efforts while still meeting statutory requirements and standards for protecting U.S. national security.

4. *Does this collection duplicate any other collection of information?*

Aside from necessary basic self-identification data, the information requested does not duplicate information available elsewhere. Form DS-5542 will be the sole Department form used by U.S. citizens and third parties who require overseas U.S. citizen vital record services.

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 form DS-5542 is crucial for facilitating the processing of documents from mail-in requests. For the front end of the process, it verifies that submitted documents were received by the Office of Records Management. For the back end of the process, it requires that every document be reconciled for delivery to the proper entity. This limits the chances of lost or misplaced documents.

7. *Are there any special collection circumstances?*

No such special circumstances exist.

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 to solicit public comments on August 6, 2024 (Public Notice: 12479). No comments were received.

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. The System of Records Notices for Overseas Citizens Services Records and Other Overseas Records (State-05) and Passport Records (State-26) relate to this information collection. There are no promises of confidentiality to the respondents.

11. Are any questions of a sensitive nature asked?

Form DS-5542 collects contact information (minimal personally identifiable information) from the U.S. citizen or third-party submitting the form to identify the nature of the request and aid in validating and issuing a certified vital record.

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 information collection is derived from the average number of applicants who submitted this form during the last three fiscal years.

	Respondents
FY 2021	17,966
FY 2022	17,737
FY 2023	19,335
Average	18,346

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 12,230 hours.**

(18,346 annual respondents x 40 minutes / 60 = 12,230)

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 \$31.48¹. 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 12,230 hours. Therefore, the estimated **total annual respondent hour cost burden is \$500,450.**

(\$40.92 total hourly wage x 12,230 annual hours = \$500,450)

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

To properly complete and submit a DS-5542, Request for Overseas U.S. Citizen Vital Records Services, a respondent must provide the following:

- Proof of identity - A respondent must submit a photocopy of the front and back sides of their valid government-issued identification. The estimated cost of a black and white copy is based on a quote from Staples.ⁱⁱ
- Notarization
- Postageⁱⁱⁱ

The DS-5542 must be notarized and respondents may be required to pay a notarization fee. Notarized request letters are received from applicants located in the United States and overseas. Based on information provided by the National Notary Association, the national average cost to have a document notarized in the United States is \$7.70.^{iv} Additionally, as noted in the Schedule of Fees for Consular Services^v, the cost for notarial services at a U.S. embassy or consulate is \$50. Therefore, the average notary cost is \$29.

$\$7.70$ (average national cost) + $\$50$ (U.S. embassy/consulate notarial service fee) / 2 = $\$29$ average notary cost

Since some respondents are expected to have access to cost-free notary services, we have calculated that 50 percent of respondents will incur a notarization fee.

The DS-5542 is only accepted through the mail and postage fees will be incurred.

A complete breakdown of the involved costs is outlined below:

Proof of Identity - Black & White Copy	18,346 x \$0.40 (2 @ \$0.20/ea.)	=	\$7,338
Postage	18,346 x \$0.73	=	\$13,393
Notarization	18,346 x \$29 x .50	=	\$266,017
Total Cost to Respondents			\$286,748

The estimated **total annual respondent monetary burden is \$286,748.**

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

Government Adjudication Cost

To calculate the cost to the Federal Government, we consider the average hourly rate for clerical and officer/managerial staff time with benefits, plus the estimated overhead costs including printing, stocking, IT costs, rent, and distributing and processing of this form

for service. The fully burdened rates for the domestic clerical staff (\$42.45) and civil service passport officers/managers (\$91.27) are calculated using the Department's Cost of Service Model and are based on FY 2023 costs.

To calculate total clerical staff costs, we multiplied the fully burdened hourly rate for clerical staff by the number of hours spent on each application, and then multiplied that total by the number of annual respondents.

$$18,346 \times (\$42.45 \times 3.47 \text{ hours}) = \$2,702,393$$

To calculate total officer/managerial staff costs, we multiplied the fully burdened hourly rate for officer/managerial staff by the number of hours spent on each application, and then multiplied that total by the number of annual respondents.

$$18,346 \times (\$91.27 \times 0.82 \text{ hours}) = \$1,373,040$$

$$\text{Total Government adjudication cost} = \$4,075,422 (\$2,702,393 + \$1,373,040)$$

Government Federal Register Notice Cost:

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

$$\text{Total Government Federal Register Notice Cost} = \$1,590$$

Therefore, the estimated annual cost to the Federal Government is \$4,077,012

$$(\$4,075,422 + \$1,590)$$

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

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

Section 1: Added Date of Birth and Place of Birth fields for Parent/Legal Guardian 1 and Parent/Legal Guardian 2

16. *Specify if the data gathered by this collection will be published.*

Quantitative summaries of Department passport activities, including requests for overseas U.S. citizen vital records services, are published periodically on the Department's 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 Department will display the OMB expiration date.

18. Explain any exceptions to the OMB certification statement below.

The Department is not seeking 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

ⁱⁱSource: Staples Document Printing Cost, <https://www.staples.com/services/printing/copies-documents-printing/>

ⁱⁱⁱSource: U.S. Postal Service, “Notice 123 July 14, 2024,” <https://pe.usps.com/text/dmm300/Notice123.htm>

^{iv}Source: National Notary Association, “Notary Fees By State,” <https://www.nationalnotary.org/knowledge-center/about-notaries/notary-fees-by-state>

^vSource: U.S. Department of State and Foreign Service, Schedule of Fees for Consular Services, [22 CFR 22.1](#)