

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB No. 1405-0129 (Form DS-3053)**

A. JUSTIFICATION

1. The Statement of Consent or Special Circumstances: Issuance of a Passport to a Minor Under Age 14 (DS-3053) is used in conjunction with the Application for a Passport or Registration (DS-11). This form is used only in cases when both parents or all legal guardians of a child under age 14 cannot be present at the time the application is executed. The form is completed by the non-appearing parent or guardian to give his or her statutorily required consent to the issuance of a passport to the minor or by the appearing parent or guardian to explain the absence of the non-appearing parent's or guardian's consent.

The DS-3053 form assists the Department of State administer the regulations in 22 CFR 51.27 requiring that both parents or all guardians consent to the issuance of a passport to a minor under age 14, except where one parent has sole custody or there are exigent or special family circumstances. This regulation was mandated by Section 236 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Year 2000 and 2001 (enacted by Public Law 106-113, Div. B, Section 1000 (a)(7)), and helps to prevent international child abduction.

In addition to this primary use of the data, the DS-3053 may also be used as evidence in the prosecution of any individual who makes a false statement on the application. Such false statements may entail violations of 18 U.S.C. sections 1001 and 1542.

2. Form DS-3053 is used by Passport Services to determine that both parents or legal guardians have given consent to the issuance of a passport to a minor under age 14 or if not, that exigent or special family circumstances exist.
3. Due to legislated requirements and established regulations, including the requirement that the form be signed in the presence of a notary (see 22 CFR 51.27(b)(2)), a complete end-to-end electronic submission for this form is currently not available. However, in an effort to provide customers with an electronic option to this paper-based form, it is posted on the Department's website where it can be filled out on-line and printed for submission.
4. Aside from necessary basic self-identification data, the information requested does not duplicate information otherwise available.
5. The DS-3053 does not involve small businesses or other small entities.
6. The DS-3053 can serve as the notarized, written statement of consent by a parent or guardian, or as the statement describing exigent or special family circumstances which is required if both parents or all legal guardians are not present when the passport application is executed for a minor under age 14. If the required statement is not

submitted, the minor cannot receive a passport. Use of the DS-3053 is not mandatory. The required statements may be submitted in other formats provided they meet statutory and regulatory requirements.

7. No such special circumstances exist.
8. One individual commented on the proposed information collection. The commenter suggested re-wording of the warning statement for clarity. The Department of State sees no need to alter the wording as the warning statement is clear as stated.

The commenter also asserted that requesting an applicant's middle name is inconsistent with the State Department practice of allowing minor name variances. The Department disagrees that there is any inconsistency between requesting a middle name on the application and permitting a passport in a name that only uses a middle initial, provided the individual can substantiate the variance through his or her evidence of identity or nationality.

The commenter argued that the oath on the DS-3053 is not an oath, but rather a declaration and as such should be labeled "Declaration" rather than "Oath." The definition of oath is "... a solemn attestation of the truth or inviolability of one's words." Upon signing the Statement of Consent or the Statement of Special Circumstances, a parent or guardian is attesting to the truthfulness of what he or she has written in the DS-3053. Therefore, referring to these words as an oath is accurate.

The commenter suggested that the *Additional Comments* section on the reverse of the form is actually a continuation of the *Statement of Special Circumstances* and so should be labeled "Continuation of Statement of Special Circumstances," instead of "For Additional Comments." The commenter's suggested wording makes the use of the additional space clearer, and so we have changed it per his suggestion.

9. Not applicable. This information collection does not provide any payment or gift to respondents.
10. Not applicable. This form includes a Privacy Act Statement explaining the routine uses of the information collected under the Act.
11. Not applicable. The DS-3053 does not ask questions of a sensitive nature.
12. The estimated time burden for the collection includes both time spent completing and reviewing the form and time required to have it notarized. Passport Services estimates that the overall average time required is 60 minutes per response. Therefore, the estimated total annual burden for the collection is 525,000 hours (525,000 respondents x 60 minutes per response).
13. There is no application fee associated with this collection. Form DS-3053 is submitted in conjunction with Form DS-11, Application for a U.S. Passport. However, due to the

regulatory change that requires notarization of this form, customers may be required to pay a notarization fee. The national average cost to have a document notarized is \$3.45. Since some respondents are expected to have access to cost-free notary services, we have assumed that 50% of respondents will incur a notarization fee. Therefore, the total estimated cost burden is \$905,625 (525,000 respondents x \$3.45 average fee x .50 probability of incurring a fee).

14. This collection is a supplement to the Application for a U.S. Passport Form DS-11 and is processed as part of the application package. It is estimated to impose no additional cost burden on the Federal Government beyond that which was reported in the justification for that collection.
15. Item 13 of Form 83-I reflects changes in the estimated annual responses and time burdens. When the form was first introduced three years ago, we over-estimated that it would be completed by 1.3 million respondents per year and under-estimated that the time burden would be 5 minutes per response, for a total of 108,333 burden hours. The new burden estimates reflect regulatory changes, which introduced a notarization requirement in 2004. The current estimates are more realistic and account more accurately for the multiple steps required by respondents to complete the process of submitting this form.

Item 14 of Form 83-I has been changed from \$0 to \$906,000 to reflect the estimated costs associated with the regulatory requirement that Form DS-3053 be notarized in certain circumstances. When this information collection was approved in 2002, notarization was not a requirement.
16. Quantitative summaries of Department of State passport activities are published periodically on the Department of State website at: <http://www.travel.state.gov/>. Such summaries do not involve the use of complex analytical techniques.
17. Not applicable. Expiration date for OMB approval will be displayed.
18. The Department is not requesting any exceptions to the certification statement identified in Item 3053 "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

B. Collection of Information Employing Statistical Methods

This collection does not employ statistical methods.