

## THE SUPPORTING STATEMENT

The Office of Management and Budget (OMB) requires that for approval under the Paperwork Reduction Act a Supporting Statement must be prepared in the format specified below. Information in the Supporting Statement should be provided in a manner that is responsive to the OMB instructions, and each item must be identified using the numbering system given by OMB. If the Supporting Statement exceeds 10 single-spaced pages in length, there should be a summary not exceeding one page in length which precedes it.

Every effort should be made to keep the Supporting Statement to a length of 10-12 pages. When possible, detailed information should be placed in an attachment, which is then referenced in an appropriate place in the Supporting Statement so that interested reviewers can peruse it. Each attachment should be referenced in the text, so that a reviewer knows why it has been included and which portions may be of particular interest. Brevity and clarity with respect to both the text of the Supporting Statement and any attachments are highly desirable; only the information requested by the OMB outline and needed to understand the project should be included.

### General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must be entered in worksheet I. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. OMB reserves the right to require the submission of additional information with respect to any request for approval.

### Specific Instructions

A. Justification. Requests for approval shall:

1. Circumstances Making the collection of Information Necessary

Required Data Elements for Paternity Establishment Affidavits  
(0970-0171)

Section 331 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 amended section 466(a)(5) of the Social Security Act to impose new statutory requirements for a voluntary paternity acknowledgement process and to require the Secretary to promulgate regulations governing voluntary paternity establishment services and identifying the types of entities other than hospitals and birth record agencies that may be allowed to offer voluntary paternity establishment services. States are required to adopt laws and procedures that are in accordance with statutory and regulatory provisions.

Section 452(a)(7) of the Act as amended by section 331 of Public Law 104-193 (42 U.S.C. 652(a) (7)) requires the Secretary of the Department of Health and Human Services to specify the minimum requirements of an affidavit to be used for the voluntary acknowledgment of paternity which shall include the social security number of each parent. In addition, section 466(a) (5) (C) (iv) of the Act as amended by section 331 of Public Law 104-193 requires States to enact laws requiring the development and use of an affidavit for the voluntary acknowledgement of paternity which includes the minimum requirements of the affidavit specified by the Secretary and to give full faith and credit to such an affidavit signed in any other State according to its procedures. The minimum data elements the Secretary is specifying are:

- the current full name of the mother, father, and child;
- the social security number of the mother and father;
- the date of birth of mother, father and child;
- the address of the mother and father;
- birthplace of the child;
- a brief explanation of the legal significance of signing a voluntary paternity affidavit and a statement that both parents have 60 days to rescind the paternity acknowledgement affidavit;
- a clear statement signed by both parents indicating they understand that signing the paternity acknowledgement affidavit is voluntary and that they understand what their rights, responsibilities, alternatives and consequences are;

- signature lines for mother and father; and
- signature lines for witnesses or notaries.

## **2. Purpose and Use of the Information Collection**

The information will be used by State birth record agencies and State Child Support Offices, if needed, to establish child support orders and locate parents for purposes of collecting child support.

## **3. Use of Improved Information Technology and Burden Reduction**

The statute does not dictate the format States must use to collect this information. It can be collected and distributed electronically or in paper form.

## **4. Efforts to Identify Duplication and Use of Similar Information**

States must ensure that their existing affidavits contain the minimum required data elements and any optional elements the State may choose.

## **5. Impact on Small Businesses or Other Small Entities**

This collection of information does not impact small businesses. The information being requested has been held to the absolute minimum required by the statute and regulations.

## **6. Consequences of Collecting the Information Less Frequently**

The statute requires States to enact laws requiring the development and use of an affidavit for the voluntary acknowledgement of paternity which include the minimum requirements of the affidavit specified by the Secretary and to give full faith and credit to such an affidavit signed in any other State according to its procedures. One affidavit needs to be filled out for each paternity established.

**7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5**

There are no special circumstances regarding the collection of this information.

**8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency**

The first notice was published in the Federal register on November 27, 2007 at FR 72 page 66179 and the second notice was published on February 19, 2008 at FR 73 pages 9121 through 9122. We received one request for a copy of the information collection; however, we did not receive any comments to the Federal Register notices.

**9. Explanation of Any Payment or Gift to Respondents**

There is no payment associated with the affidavit to acknowledge paternity. The regulations allow payments of up to \$20.00 to hospitals, birth record agencies and other entities participating in the State's voluntary paternity establishment program for each voluntary acknowledgement of paternity recorded, but this is unrelated to this information collection.

**10. Assurance of Confidentiality Provided to Respondents**

The confidentiality of the acknowledgments is determined by State law and practice. We assume States will make every appropriate effort to protect these documents as they do other documents containing sensitive and private data.

**11. Justification for Sensitive Questions**

The affidavit to acknowledge paternity contains several data elements related to personal information about the parents and child. These questions are asked specifically to collect information that could be used to identify and locate the

noncustodial parent if that becomes necessary to collect child support at a later date. These questions are not excessively personal in nature and the information will only be used to identify and locate noncustodial parents.

## **12. Estimates of Annualized Burden Hours and Costs**

Our State partners estimate that it takes approximately 10 minutes (.166 hours) to help parents fill out an affidavit to be used for the voluntary acknowledgment of paternity. One affidavit is filled out for each paternity established.

### Number of Respondents

The American Hospital Association reports that there were 5,747 private and public hospitals in 2006, the most recent year for which there is complete data. We have decided to use the number of counties in the country in lieu of the number of birth record agencies, TANF agencies, Food Stamp offices, and child support agencies. In February 2007, there were 3143 counties in the 50 States. The American Bar Association reports that there were 1,143,358 licensed lawyers in the country in 2007. The American Medical Association reports that in 2000, there were 813,770 licensed doctors in the country. According to the 2005 Child Care Licensing Study: Final Report, there were 335,520 licensed facilities in the United States. In the past, we spoke with members of the child care resource and referral community to arrive at our estimate of 500 child care resource and referral centers. We decided to use the number of Supplementary Feeding Programs for Women, Infants and Children (WIC centers) as an estimate of the number of public health clinics. According to the PC2000 Executive Summary, in 200 there were 2,196 WIC centers. Previously, staff of the Department of Health and Human Services helped us to arrive at our estimate of 1,158 Community Action Agencies. According to the Head Start Program Fact Sheet, which is located on the Administration for Children and Families' website, there were 18,875 Head Start centers in 2006.

### Number of Responses per Respondent

In addition to making voluntary paternity establishment services

more broadly available, under the requirements of PRWORA, entities participating in a State's voluntary paternity establishment program have been able to help parents of newborn and older children establish paternity. ACF's data indicates that there were 1,025,521 paternities voluntarily established in hospitals in 2006, the most recent year for which complete data is available. This represents a significant increase from our last OMB submission for this information collection. In that same year, there were 1,083,255 out-of-wedlock births nationally. This means that putative fathers voluntarily acknowledged paternity in approximately 95 percent of out-of-wedlock births. This represents a 34 percent increase from 64 percent in our 2005 supplementary statement. By making voluntary paternity establishment available more broadly, such as in birth record agencies, community action agencies, and WIC centers and by encouraging the establishment of paternity for older children, the number of paternities established will continue to increase. We estimate that the majority of voluntary paternities will continue to be established in hospitals and that the second largest number of voluntary paternities will be established in TANF agency offices. Therefore, we estimate that of the 1,025,521 paternities voluntarily established in 2006, 512,760 were established in hospitals, 256,380 were established in TANF agency offices, and the remainder was approximately evenly divided among the remaining entities.

#### Estimate of Burden Cost

We are requesting approval for 170,236 burden hours. The disclosure is made by State employees and employees of private hospitals and employees of other entities participating in a State's voluntary paternity establishment program. Based upon the previous submission, we estimate the hourly wage of employees providing this information and training to be approximately \$7.00 per hour. If 1,025,521 paternities will be voluntarily established, it will take 170,236.48 hours to perform the information collection or \$1,191,655.30.

Table of Burden Estimates for Preparing Affidavits

Respondents	Number of Respondents	Number of Responses per Respondent	Average Burden Hours per Respondent	**Total Burden Hours
None	1,025,521	Variable	.166	170,236

**13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers**

There are no capital or start-up costs associated with this information collection. It will not be necessary to buy any new equipment or rent record storage facilities. There are no direct monetary costs to disclosers other than their time to participate in the disclosure.

**14. Annualized Cost to the Federal Government**

There is no annualized cost to the Federal Government associated with this information collection.

**15. Explanation of Program Changes or Adjustments**

There will be a 163,478 increase in responses and a 26,248 increase in burden hours based on an increase in the number of paternities voluntarily established.

**16. Plans for Tabulation and Publication and Project Time Schedule**

Not applicable.

**17. Reason(s) Display of OMB Expiration Date is Inappropriate**

Not applicable because there is no Federal form.

**18. Exceptions to Certification for Paperwork Reduction Act Submission**

There are no exceptions to the certification statement.

SUPPORTING STATEMENT:

**PART B – COLLECTION OF INFORMATION EMPLOYING  
STATISTICAL METHODS**

The information collection requirements outlined in this report do not employ the use of statistical methods.