

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB #1405-0133
DS-60**

A. JUSTIFICATION

1. The Affidavit Regarding a Change of Name (DS-60) is submitted in conjunction with an application for a U.S. passport. It is used by Passport Services to collect information for the purpose of establishing that a passport applicant has adopted a new name without formal court proceedings or a marriage and has publicly and exclusively use the adopted name over a long period of time (generally five years). The affidavit must be executed by an affiant who has personal knowledge of the facts of the applicant's use of both their birth name and their newly adopted name in question.

The DS-60 solicits data necessary for Passport Services to issue a United States passport in the exercise of authorities granted to the Secretary of State in 22 United States Code (U.S.C.) Section 211a *et seq.* and Executive Order (E.O.) 11295 (August 5, 1966) for the issuance of passports to U.S. citizens and non-citizen nationals.

The issuance of a U.S. passport requires the determination of identity and citizenship and/or nationality with reference to the provisions of Title III of the Immigration and Nationality Act (INA) (8 U.S.C. sections 1401-1504), the 14th Amendment to the Constitution of the United States, and other applicable treaties and laws. Implementing regulations are at 22 CFR Parts 50 and 51.

2. The information collected on the DS-60 is used to facilitate the issuance of passports to U.S. citizens and non-citizen nationals. The primary purpose for soliciting the information is to establish that a passport applicant has adopted a new name without formal court proceedings or through marriage and has publicly and exclusively used an adopted name over a long period of time (generally five years).

The DS-60 is retained in the files of the Department of State, along with other documentation related to passport applications, adjudication, and issuance. Among other uses, these records are consulted when a U.S. passport has been lost and the bearer has no evidence of nationality available or in support of any derivative claims to nationality made by an applicant's children. Information from the DS-60 may also be shared with outside users, and for uses, as provided for in the Privacy Act or set forth in the Department of State's Prefatory Statement of Routine Uses relative to the Privacy Act (Public Notice 6290 of July 15, 2008) or the Department's System of Records Notice (State-26) for passport records.

The DS-60 becomes part of the applicant's passport file and, thus, of an existing Privacy Act system of records retrievable under the applicant's name. The information contained in this form cannot be released except as provided by the Privacy and Freedom of Information Acts and Department of State implementing regulations at 22 CFR Part 171;

those regulations designate the Passport Records (State 26) as exempt from certain requirements of the Privacy Act. See 22 CFR Section 171.36.

In addition to this primary use of the data, the DS-60 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.

3. Due to legislated requirements and established regulations, a complete end-to-end electronic submission for this form is currently not an option. The DS-60 requires notarization from a passport agent, acceptance agent or a notary public. We therefore need the original documentation to conduct a forensic analysis to ensure there is no fraud involved and to confirm the identity of the applicant. However, in an effort to facilitate customers' completion of the form, it is posted on the Department's website where it can be filled out on-line and printed for submission. Efforts will also continue to investigate, test, and deploy more complete electronic options, while continuing to meet legislated requirements.
4. Aside from necessary basic self-identification data, the information requested does not duplicate information otherwise available. The DS-60 is the sole Department of State form used by passport applicants who need to establish a change in their legal name that was not obtained through court order or marriage.
5. The collection of information does not involve small businesses or other small entities.
6. The information collected on the DS-60 is crucial to establishing the identity and legal name of the passport applicant and resolving suspected fraud cases. Without it, time consuming and expensive field investigations would likely be required.
7. No such special circumstances exist.
8. The Department of State did not receive any comment from the 60-day notice in the *Federal Register*.
9. This information collection does not provide any payment or gift to respondents.
10. This form includes a Privacy Act statement explaining the routine uses of the information collected under the Act.
11. The DS-60 does not ask questions of a sensitive nature.
12. The estimated number of minutes required per response is based on prior sampling of the time required to complete the form. Passport Services estimates that 202,920 per year respondents will use Form DS-60 annually and the form will require 15 minutes to complete, resulting in an estimated annual burden of 50,730 hours.
13. There is no cost to the respondent associated with this form.

14. This collection does not add additional expense to the Federal Government. This form is one of several types of evidence that can be submitted as secondary evidence of an informal name change, in lieu of the documents issued in formal court proceedings or a marriage during the process of a name change. This form is processed with Form DS-11, collection #1405-0004, and all associated processing costs are accounted for with that collection.
15. There are no program changes associated with the submission of this collection. The Department has added a question regarding the witness's social security number to assist in establishing and verifying the identity of the affiant, a critical element that bears on the witness's credibility. The added question does not increase the burden to the respondent.
16. Quantitative summaries of Department of State passport activities are published periodically on the Department of State website at www.travel.state.gov. Such summaries do not involve use of complex analytical techniques.
17. Expiration date for OMB approval will be displayed.
18. The Department is not requesting any exceptions to the certification statement identified in Item 19 "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.