

**SUPPORTING STATEMENT FOR  
PAPERWORK REDUCTION ACT SUBMISSION**

**AFFIDAVIT OF PHYSICAL PRESENCE OR RESIDENCE, PARENTAGE  
AND SUPPORT**

**OMB NUMBER 1405-0187**

**DS-5507**

**A. JUSTIFICATION**

- 1.** The information collection is intended to be used by a U.S. citizen(s) or U.S. national(s) to assist in determining whether a child born abroad has acquired U.S. citizenship. 7 FAM 1445.5-3 requires the utilization of the Affidavit of Physical Presence or Residence, Parentage and Support by U.S. Consular Offices abroad. The information collection implements [8 U.S.C. 1401](#), [8 U.S.C. 1408](#), and [8 U.S.C. 1409](#). Further information can be found in the attachments below.
- 2.** The information gathered is to determine if the U.S. citizen/national parent(s) possesses the requisite physical presence or residence in the United States prior to the child's birth to transmit U.S. citizenship to the child; to establish parentage of the child, and to fulfill the requirements of 8 U.S.C. 1409(a), which requires a written statement of financial support to be provided by U.S. citizen fathers for children born out of wedlock. The affidavit can also be submitted by the U.S. citizen parent(s) to explain why an official birth certificate is unavailable and stating the facts that are relevant to the birth.
- 3.** The U.S. citizen/national will have two options for filling out the form. The form may be downloaded, completed electronically, and then printed and signed with a manually written signature, **or** the form may be downloaded, printed, and filled out manually. The form will be made available on the following website: <http://www.state.gov/m/a/dir/forms/c21447.htm>. This approach provides an electronic option while complying with Federal law and regulations.
- 4.** The information in the Authorization for the Release of Information under the Privacy Act form is not duplicative of information maintained elsewhere or otherwise available.
- 5.** The information collection does not involve, or impact, small businesses or other small entities.
- 6.** The information collection provides a mechanism for determining if the parent(s) of the child born abroad complied with Federal law regarding U.S. citizenship, physical presence in the United States, and child support. The information collection is a statutory responsibility of the Department of State. If the collection were not conducted, the consequences would be a considerable hardship to children born abroad to a U.S. citizen/national or citizens/nationals who are or could potentially be U.S. citizen(s) themselves. Without this information collection, the U.S. Consular Offices abroad could lack the necessary formal documentation to make the appropriate legal determination on the child's U.S. citizenship.

7. No such circumstances exist.

8. The Department of State (Bureau of Consular Affairs, Directorate of Overseas Citizens Services, Office of Policy Review and Inter-Agency Liaison) published a 60-day notice in the *Federal Register* on January 31, 2012 (77 FR 4858). There were no public comments.

9. No payment or gift is provided to respondents.

10. The Privacy Act Statement on the form tells individuals who complete it that the information provided may be released only in a manner consistent with the Privacy Act, 5 U.S.C. 552a, and describes the authorities, purposes and routine use recipients relevant to this information collection. There are no promises of confidentiality, other than those contained in Federal statutes.

11. No sensitive questions are asked.

12. The estimated number of respondents that would submit the form is 17,784. The total annual hour burden to complete the form for all respondents is an estimated 8,892 hours. The estimated annualized burden cost to respondents is zero. The father of a child or children abroad who are born out-of-wedlock will be required to complete the form. The information collection is intended for two U.S. citizen parents who are married to each other, one U.S. citizen parent who is married and for a U.S. citizen mother or father who is not married.

To determine an estimate of the possible number of respondents to this form, the Department utilized the Consular Workload Statistical System (CWSS) system. The system provided an estimated total number of consular reports of births abroad. U.S. Consular Offices abroad provided estimated percentages of children born out of wedlock. U.S. Consular Offices abroad also provided an average estimated time of burden per respondent to complete a form of this type.

After testing the DS-5507, the Department found that the average length of time it will take respondents to complete the form, including the time it takes to gather the necessary information, is 30 minutes. The total estimated burden is 8,892 hours per year (17,784 responses x 0.50 hours).

13. The total cost burden to respondents is de minimis. There is no application fee.

14. The Federal government will incur an annualized estimated cost of \$60,109.92, found by multiplying the estimated total cost of expenses to the government per respondent by the total number of respondents ( $\$3.52 \times 17,784 \text{ respondents} = \$60,109.92$ ).

15. The number of respondents varies from year to year depending on the number of citizens that need to complete this form to potentially transmit U.S. citizenship to their child(ren). Based on the average number of respondents in the past 3 years (FY08-FY10), the number of respondents is estimated to have increased to 17,784 resulting in an associated increase in burden to 8,892 hours (17,784 respondents per year x 30 minutes burden per respondent/60 minutes = 8,892 hours).

The revisions that were made to the form (addition of a “single” marriage category checkbox, deletion of “Purpose” from reasons for being in the US, and the addition of death or divorce date) improved the substance within the form and these revisions did not substantially change burden time.

**16.** There will no information published from this collection.

**17.** The OMB expiration date will be displayed.

**18.** No exceptions are requested.

***B. STATISTICAL METHODS***

This collection does not employ statistical methods.

## **Attachment 1**

### **[8 U.S.C. 1401](#) Nationals and citizens of United States at birth**

Establishes requirements for a person to become a U.S. citizen and national at birth. The set of laws discuss how parentage and physical presence in the U.S. determine citizenship.

### **[8 U.S.C. 1408](#) Nationals but not citizens of the United States at birth**

Establishes requirements for who shall be nationals, but not citizens, of the U.S. at birth. Citizenship of the parents and the location of birth (U.S. or abroad) of the child are the premises for this authority.

### **[8 U.S.C. 1409](#) Children born out of wedlock**

Establishes requirements for the citizenship of the child by criteria governing the relationship of the father with the child at birth and the citizenship status of the father at the time of the child's birth.