

**SUPPORTING STATEMENT  
FOR PAPERWORK REDUCTION ACT SUBMISSION**

**Statement of Consent: Issuance of a U.S. Passport to a Minor under Age 16**

**OMB #1405-0129 (Form DS-3053)**

**A. JUSTIFICATION**

1. The Statement of Consent: Issuance of a U.S. Passport to a Minor under Age 16 (DS-3053) is used in conjunction with the Application for a U.S. Passport (DS-11). This form is used only in cases when both parents and/or legal guardian(s) of a child under age 16 cannot be present at the time the application is executed. The form is completed by the non-applying 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.

Under the currently approved OMB collection 1405-0129, the DS-3053 collects both the Statement of Consent and the Statement of Exigent/Special Family Circumstances. However, the proposed collection will request this information using two separate forms to ensure that we more clearly communicate to the public what is and what is not a special family circumstance. Separating out the forms also allows the passport specialist to more clearly control and adjudicate those cases, which do not qualify as a special family circumstance:

- DS-3053, "Statement of Consent: Issuance of a Passport to a Minor under Age 16," and
- DS-5525, "Statement of Exigent/Special Family Circumstances for Issuance of a Passport to a Minor under Age 16."

The DS-3053 form assists the Department of State to administer the regulations in 22 C.F.R. 51.28 requiring that both parents and/or any guardian consent to the issuance of a passport to a minor under age 16, unless certain exceptions apply. 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 parental child abduction, as well as child trafficking and other forms of passport fraud.

False statements on the DS-3053 are prosecutable under U.S. law, including the provisions of 18 U.S.C. sections 1001 and 1542.

2. Form DS-3053 is used by Passport Services to assist in determining that both parents and/or legal guardian(s) have given consent to the issuance of a U.S. passport to a minor under age 16.
3. The DS-3053 is intended to be submitted with the DS-11, which cannot be submitted electronically at this time. As required by 22 C.F.R. Part 51, all DS-11 applicants (and applicants under 16) must appear in person for the execution of a passport. In addition, the DS-3053 requires a notarization statement and notary signature, as well as the non-applying parent or guardian's signature in the presence of the notary public. However, upon OMB approval of the proposed form, it will be placed on the Department's website where it can be filled out on-line and printed for manual signature and 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, "Statement of Consent: Issuance of a U.S. Passport to a Minor under Age 16" is used in conjunction with the "Application for a U.S. Passport" (DS-11). When a minor under the age of 16 applies for a passport and one of the minor's parents or legal guardians is unavailable at the time the passport application is executed, a completed and notarized DS-3053 can be used as the statement of consent. If the required statement is not submitted, the minor may not receive a U.S. passport. The required statement may be submitted in other formats provided it meets statutory and regulatory requirements. Use of the DS-3053 is not mandatory.
7. No such special circumstances exist.
8. The 60-day Federal Register notice soliciting public comments was published on December 12, 2012 (page 77 FR 74044), and closed February 11, 2013.

The Department of State received three (3) comments from the 60-day notice published in the *Federal Register*. One comment was received from Mr. Roy Posorski, Jr., and the other two comments were received from the same individual, "Ms. Jean Public".

The first comment stated that "there should be some requirement for personal appearance of both parents ... A notification to each parent requirement with return reply mandatory." As no contact information was provided in FDMS by this commenter, the Department is providing our response here.

The second comment raised concerns about parental child abduction, in cases where both parents are not present when applying for a child's passport.

The Department responded by noting 22 C.F.R. 51.28, which references the execution of a passport application by one parent or legal guardian, and discusses exigent or special family circumstances.

The second commenter replied that, since other regulations that “say sneaking illegal immigrants should be deported” are ignored, then the 22 C.F.R. 51.28 regulations previously sent to her should be ignored as well. This comment is outside the scope of this information collection.

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. No assurances of confidentiality are provided to respondents, other than those contained in statutes.
11. The DS-3053 does not ask questions of a sensitive nature.
12. Passport Services estimates that the average time required for this information collection is 20 (minutes) or 0.3333 (hour) per response. Therefore, the estimated total annual burden for the collection is:

$$556,075 \text{ (number of respondents)} \times 0.3333 \text{ (hour)} = 185,340 \text{ hours per year.}$$

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, have the form notarized, review the final collection, and submit the collection to Passport Services for processing. The non-applying parent/legal guardian will be required to have the DS-3053 form notarized, and provide it to the applying parent/legal guardian that will accompany the minor child to Passport Services to apply for a U.S. Passport.

Previously, the estimated burden for the DS-3053 form was 60 minutes. However, as the information concerning exigent/special family circumstances (proposed DS-5525) has been removed from the DS-3053, the estimated burden time has been reduced based on a small in-house sampling of Consular Affairs employees, which when averaged was approximately 5 minutes. Also, Passport Services reduced the burden time for the DS-3053 form, as we initially overestimated the amount of time it would take to have the form notarized.

To estimate the cost to respondents for this form based on the hourly wage and weighted wage multiplier, the Department calculated the following:

$$\text{\$22.60 (mean hourly earnings based on estimated income per hour from the Bureau of Labor Statistics)} \times 1.4 \text{ (weighted wage multiplier)} = \text{\$31.64 weighted wage}$$

$$185,340 \text{ (hour burden)} \times \text{\$31.64 (weighted wage)} = \text{\$5,864,168 (hour burden cost)}$$

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 \$5.00. 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 to respondents is \$1,390,188 (556,075 respondents x \$5.00 average fee x 0.50 probability of incurring a fee).

The decrease from the previous cost burden of \$2,562,500 to \$1,390,188 may be attributed to splitting the one form into two, thereby, causing the decrease in respondents from the previous estimate of 1,025,000 to the current respondent estimate of 556,075.

14. The DS-3053 will be produced by a contractor with cost-plus-fixed-fee line items for materials and/or supplies purchase functions. The estimate provided to the Department by the contractor includes costs for contractor labor, supplies, equipment, printing materials, delivery, overhead, support staff, etc. Based on the projected number of 556,075 respondents per year for the next three years, the contractor estimated a cost to the federal government of approximately \$40,277. The cost projection for the DS-3053 is the contractor's best estimate based on the number of proposed respondents. As the DS-3053 is essentially a proposed new form, future cost projections will be more accurate once the form is placed in production over the next three years.
15. During Passport Services' review of production standards in 2011, the Office of Adjudication conducted a "frequency analysis" to determine, among other things, how often certain forms were submitted as current technology does not keep track of this information. Analysts went into the field, and counted approximately 20,000 DS-11 applications to obtain a statistically significant sample of the workload. The sample showed that approximately 3.77% of all DS-11 applications were accompanied by form DS-3053 that included the non-appearing parent's consent. In addition to the sampling and based on a projected workload of 14,750,000 DS-11 applications per year over the next three years, the Department estimates that approximately 556,075 applications would be accompanied by the DS-3053, Statement of Consent from the non-appearing parent.

The adjustments indicated reflect a decrease in the number of respondents from the previous projection of 1,025,000 to 556,075 respondents. While the demand for a U.S. Passport is expected to increase over the next three years, the estimated decrease in DS-3053 respondents is most likely due to separating the collection of information into two forms. Also, the Department believes that the projected decrease in the number of respondents is a more accurate estimate of DS-3053 usage based on the recent 2011 "frequency analysis" using the field sampling method, as opposed to the post-issuance audit conducted in 2009 for the previous collection.

Demand forecast projections, by their nature, will have some uncertainty in their accuracy, which can explain differences between actual and forecast.

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. The expiration date for OMB approval will be displayed.
18. The Department is not requesting any exceptions to the certification statement.

**B. Collection of Information Employing Statistical Methods**

This collection does not employ statistical methods.