

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION

Request for Entry into Children's Passport Issuance Alert Program OMB Number 1405-0169 DS-3077

A. JUSTIFICATION

1. The information requested will be used to support entry of a minor's (unmarried person under the age of 18) name and other identifying information into the Children's Passport Issuance Alert Program (CPIAP). Additional information and documentation provided by the requestor facilitates contact with the requestor and establishes the requestor's identity and custodial relationship to the minor. CPIAP provides a way for parents (other than parents whose parental rights have been terminated by court order) or other persons having legal custody of a minor to obtain information regarding whether the Department has received a passport application for a minor. This program was developed as a means to prevent international abduction of a minor, as well as to prevent issuance of passports against the wishes of a custodial parent/legal guardian, or in violation of the terms of a valid court order. When the Department receives an application for a new, replacement, or renewed passport for a minor whose name has been entered in the CPIAP, the passport office will place a hold on the application for up to 90 days and inform the Department of State's Office of Children's Issues. The Office of Children's Issues may in turn notify the requestor that the Department has received the application, thus permitting the requestor an opportunity to object to passport issuance and/or to provide any necessary additional supporting documents to the Department for further consideration. The Department will decide whether or not it has documentation sufficient to deny passport issuance.

The Department of State's statutory authority to issue passports and to publicize regulations regarding their issuance is provided in 22 U.S.C. § 211a et seq., 22 U.S.C. § 2651a(a)(4) and Executive Order 11295 (August 5, 1966). Regulatory support for CPIAP can be found in 22 C.F.R. § 51.28, which implements the statutory two-parent consent requirement and prescribes the bases for an exception. In particular, 22 C.F.R. § 51.28(c)(1) provides that a person having legal custody of a minor or other authority to object may object to issuance of a passport to that minor any time prior to issuance, and that the Department may deny issuance upon receipt of a written objection to issuance. In addition, 22 C.F.R. § 51.28(a)(3) provides that a passport application may be executed by one parent or legal guardian if they provides a notarized written statement or affidavit consenting to the issuance of the passport from the non-applying parent or legal guardian or documentary evidence demonstrating that the applying parent or legal guardian has sole authority to apply for the minor's passport. Parents [and legal guardians] are permitted access to the passport records of their minor children pursuant to both 22 C.F.R. § 51.28(c)(5) and 22 C.F.R. § 171.32(c)(1) and (2).

Finally, the requirement in U.S. law at P.L. 106-113, Div. B, §1000(a)(7) [Div. A., Title II, §236], Nov. 29, 1999 (Two parent requirements for children under 14) and in passport

regulations at 22 C.F.R. § 51.28, that, in most instances, both parents execute or consent to issuance of a passport application for a minor under age 16, provides additional justification for CPIAP by providing a method to ensure that passports are not issued to minors under 16 without the consent of both parents, unless an exception to the two-parent consent rule is established.

2. The Office of Children's Issues will retain completed DS-3077 forms in its files as a record attesting to a person's request to enter the minor's name and identifying data into CPIAP. The Office of Children's Issues will incorporate data from the completed DS-3077 forms into the Consular Lookout and Support System (CLASS), an electronic database used worldwide for various purposes, including cross-checking passport application data before a passport is issued or reissued. The Office of Children's Issues will first ascertain whether a passport has already been issued to the minor and, if so, will utilize information provided on Form DS-3077 to notify the requestor. Once the data is incorporated into the CLASS database, an electronic "hit" on this data during subsequent passport processing will trigger a hold on the application and notice to Passport Services. The Office of Children's Issues may use the information provided on Form DS-3077, and maintained in the Office's database, to notify the requestor that a passport application has been received or processed for a minor.
3. Responders will be able to access and complete Form DS-3077 online at the Department of State's website at <http://www.travel.state.gov/content/childabduction/en/preventing/passport-issuance-alert-program.html>. The responder will be required to print out the completed online DS-3077 form and manually sign in the designated location before submitting the form and supporting documents via fax, e-mail or mail to the Office of Children's Issues.
4. The information in this form is not duplicative of information maintained elsewhere or otherwise available.
5. This information collection will not have an impact on small businesses or other small entities.
6. Information will be provided solely at the initiative of a requesting person. If a requestor does not use this standard form, he/she will be required to provide the necessary information in another format, such as a letter to the Department, in order for a minor's name to be entered into CPIAP. Form DS-3077 asks only for the minimum information and identifiers needed to establish requestor's authority to be notified, to search and maintain Department passport records on the minor in the CLASS system, and to establish a useful record in CPIAP for use by the Office of Children's Issues. If this information were not collected, the Department would not have a means of contacting requestors to help prevent issuance of passports to minors against the wishes of a custodial parent/legal guardian (or other person or entity with legal custody), or in violation of the terms of a valid court order.
7. No special circumstances exist.

8. The Department of State (Bureau of Consular Affairs, Directorate of Overseas Citizens Services, Program Management Office published a 60-day notice in the Federal Register on August 17, 2015 (80 FR 49297). There were no public comments.
9. No payment or gifts to respondents will be made in connection with this information collection.
10. The information provided on Form DS-3077 is covered under the Privacy Act. No unauthorized use or dissemination of this information will be permitted.
11. The collection instrument asks for the child's social security number. The child's social security number is requested because that number is a unique identifier used to establish the identity of the passport holder.
12. Approximately 6,000 individuals each year are expected to complete and return the DS-3077 form. After testing the DS-3077, we 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 3,000 hours per year (6,000 responses x 30 minutes/60 minutes).

The annualized cost to all respondents for the hour burden for collections of information, based on appropriate wage rate categories, is \$93,780. The annualized cost was determined to be an average hourly wage of \$22.33 based on BLS tables of average mean hourly civilian earnings. \$22.33/hr. was multiplied by 1.4 to get a weighted hourly wage of \$31.26/hr. \$31.26/hr. was then multiplied by 3,000 burden hours. The final calculation equals \$93,780.

13. There is a cost burden associated with this application when the person applying cannot fax or email the form to the Children's Issues office and must send the application by express mail. The average cost to the applicants to mail the form express mail is approximately \$50. The average rates were based on data for FedEx express mail shipments. Approximately 1,200 applicants send the form by express mail. Multiply 1,200 applicants by \$50 and the estimated total overall cost for express mail is \$60,000.
14. The projected cost to the government for future fiscal years is (2015) \$116,285.40, (2016) \$134,407.80 and (2017) \$155,382.80. The projected cost to the government for each fiscal year is based on multiplying the projected number of respondents for that fiscal year by the fifteen minutes for a Civil Service Children's Issues Case Officer to process a respondent's completed form.

The average cost to the federal government in projected position expense related to this service is (CY2015 (\$116,285.40) + CY2016 (\$134,407.80) + CY2017 (\$155,382.80) / 3 = **\$135,358.66**.

The basis of determining the projected fiscal numbers above is calculated by using the recurring costs in the Bureau of Budget and Planning New Position Cost Model (NPCM) ..

15. The estimated annual number of respondents to this information collection has decreased from 8,000 to 6,000. The number of respondents varies from year to year depending on the number of citizens in need.

The reason the cost to the respondents increased from \$0 to \$60,000 is because we did not include express mail shipment costs.

The cost to the government numbers have increased because the method for determining the cost to the government estimations has changed since the last iteration because the Consular Affairs Comptroller's Office (CA/C) instructed us to do so..

16. The results of this collection will not be published.
17. Expiration date of OMB approval will be displayed.
18. No exception to the certification statement is sought.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.