

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION**

**Statement of Consent: Issuance of a U.S. Passport to a Minor
OMB Number 1405-0129
DS-3053**

A. JUSTIFICATION

1. Why is this collection necessary and what are the legal statutes that allow this?

The Statement of Consent: Issuance of a U.S. Passport to a Minor (DS-3053) is used in conjunction with the Application for a U.S. Passport (DS-11). This form is used when both legal parents and/or legal guardian(s) of a minor under age 16 cannot be present at the time the application is executed. The non-applying legal parent or legal guardian completes the form to give their statutorily required consent to the issuance of a passport to the minor.

The DS-3053 form assists the Department of State to administer the regulations in 22 C.F.R. 51.28 requiring that parents and/or any guardian consent to the issuance of a passport to a minor under the age of 16, unless certain exceptions apply. This regulation was drafted to implement 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.

22 CFR 51.28(b) authorizes minor applicants who are 16 or 17-years-old to apply for a passport on their own behalf, but the passport authorizing officer retains the discretion to require proof of parental consent, which can include notarized consent from one legal parent/legal guardian (22 CFR 51.28(b)(2)). Also per 8 FAM 502.8, the passport authorizing officer retains discretion to request notarized consent for these applicants but generally such notarized consent is only required where there is no indication that at least one parent is aware of the application, t..

2. What business purpose is the information gathered going to be used for?

Form DS-3053 is used by the Department to assist in determining that legal parents and/or legal guardian(s) have given consent to the issuance of a U.S. passport to a minor.

3. Is this collection able to be completed electronically (e.g. through a website or application)?

The DS-3053 is intended to be submitted with the DS-11, which cannot be submitted electronically. If a DS-11 is submitted without the required two-parent consent, the DS-3053 can be mailed in response to an Information Request Letter (IRL). As required by 22 C.F.R. Part 51, all DS-11 applicants 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 a non-applying parent or legal guardian's signature in the presence of the notary public. The DS-3053 is on the Department's website, www.travel.state.gov, and can be filled out online and printed for manual signature, notarization, and submission.

4. *Does this collection duplicate any other collection of information?*

Aside from necessary basic self-identification data, the information requested does not duplicate information otherwise available.

5. *Describe any impacts on small business.*

The DS-3053 does not involve small businesses or other small entities.

6. *What are consequences if this collection is not done?*

The DS-3053, “Statement of Consent: Issuance of a U.S. Passport to a Minor” is used in conjunction with the DS-11, “Application for a U.S. Passport.” When a minor under the age of 16 applies for a passport and one of the minor’s legal 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. For applicants 16 or 17-years-old, the passport authorizing officer may request the notarized consent of one legal parent/legal guardian for issuance of the passport if the application does not indicate that at least one parent is aware of the application.

If consent is not established when required, the minor may not receive a U.S. passport. The statement of consent may be submitted in other formats provided they meet statutory and regulatory requirements. Use of the DS-3053 is not mandatory.

7. *Are there any special collection circumstances?*

No such special circumstances exist.

8. *Document publication (or intent to publish) a request for public comments in the Federal Register*

On June 12, 2019, the Department published a 60-day notice in the *Federal Register*, 84 FR 27390, to solicit public comments. No comments were received.

9. *Are payments or gifts given to the respondents?*

This information collection does not provide any payment or gift to respondents.

10. *Describe assurances of privacy/confidentiality*

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.

11. Are any questions of a sensitive nature asked?

The DS-3053 does not ask questions of a sensitive nature.

12. Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection

Passport Services estimates that the average time required for this information collection is 20 minutes per response or 0.333 (hour) per response. While the agency does not maintain administrative data on the DS-3053, it has determined through a time and motion study that 3.73% of DS-11s currently have a DS-3053 associated with it. The projected numbers of DS-11s are:

DS-11	
FY 19	10,600,000
FY 20	11,200,000
FY 21	11,245,000

- The average number of DS-11 respondents per year for FY19-FY21 is **11,015,000**
 $33,045,000 / 3 = 11,015,000$
- The total number of projected DS-3053 respondents under 16 is **410,859.50**
 $11,015,000 \times 0.0373$ (percentage of DS-11s with DS-3053 for respondents under 16) = 410,859.50
- The total number of projected possible DS-3053 respondents 16-17 years old is **112,353**

$11,015,000 \times 0.06$ (percentage of DS-11 respondents 16-17 years old) = 660,900.
 $660,900 \times 0.17$ (percentage of applicants 16-17 years old who are expected to use a DS-3053) = 112,353

The 17 percent was calculated by dividing the number of applicants under 16 who used the DS-3053 in CY 2015 by the total number of applicants under 16 in CY 2015. This provided the percentage of applicants under 16 who used the DS-3053 versus other means of establishing two-parent consent.

However, the Department acknowledges that the significant majority of 16-17 year olds who apply on their own behalf are able to provide satisfactory proof of parental awareness without requiring a notarized DS-3053. While the Department

does not maintain estimates of the number of 16-17 year old applicants who ultimately provide a DS-3053 as a means of demonstrating parental consent, the Department assumes for the purposes of this burden estimate that it is 5%, or approximately 5,618 respondents annually.

- The total number of projected DS-3053 respondents age 17 and under FY19-FY21 is 416,478 (rounded up from 416,477.16).

$$410,859.50 + 5,617.65 = 416,477.15$$

The total number of projected DS-3053 respondents per year for FY19-FY21 is 416,478.

Therefore, the estimated total annual time burden for the collection is:

$$416,478 \times 20 \text{ minutes} / 60 = \mathbf{138,826 \text{ hours per year}}$$

The sampling was completed through consultation with a small group of employees of the Department's Bureau of Consular Affairs to validate the time.

The estimated cost to respondents is based on the civilian hourly wage from the Bureau of Labor Statistics website multiplied by the annual time burden (138,826 hours per year). The wage rate is estimated to be \$25.22. The Department used the Employer Costs for Employee Compensation released by the Bureau of Labor Statistics in 2019.ⁱ

$$\text{\$25.22 hourly rate} \times 138,826 \text{ hours per year} = \text{\$3,501,191.72 annual cost burden}$$

- 13. The Department acknowledges that there is also a time burden associated with traveling to and from the a notary public but does not make any assumptions regarding average time per respondent.** Describe the monetary burden to respondents (out of pocket costs) needed to complete this collection.

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. The form must be notarized, so respondents may be required to pay a notarization fee. The national average cost to have a document notarized is \$5.13.ⁱⁱ Although we expect some respondents to have access to cost-free notary services, we cannot derive a reliable estimate of how many. Thus, we have calculated that 100% of respondents will incur a notarization fee.

The total estimated cost burden to respondents is **\\$2,136,532.14**. (416,478 respondents x \$5.13 average fee).

A note when comparing to previous years: This total estimate is based on a new formula by which we are calculating cost burden for form DS-3053. Previous supporting statements estimated 50% of respondents have access to a cost-free notary service. Per 2019 OMB guidance, this calculation conservatively assumes 0% have access to cost-free notary service.

- 14. Describe the cost incurred by the Federal Government to complete this collection.**

To calculate the cost to the federal government, we take into account the hourly wage for a FY 2019 domestic Civil Service GS-11 step 10 (the highest level of a passport adjudicator), which is \$33.52ⁱⁱⁱ, and weighted wage multiplier:

$$\$33.52 \times 2 = 67.04$$

Department of State employees have access to a lot of resources, so we use two as the weighted wage rate multiplier.

Passport Services estimates that reviewing the DS-3053 requires 40 seconds of a passport adjudicator’s time, or 0.66 minutes. Dividing \$67.04/hr. by 60 minutes yields a processing time cost of \$1.12 per minute, multiplied by 0.66 gives you \$0.74 per form. Multiply the projected number of respondents (416,478) by \$0.74 yields **\$308,193.72**. This number is added to the cost to the Federal Government to print the forms and publish the Federal Register Notices (FRNs).

The estimated amount to publish one Federal Register Notice (FRN) is \$795^{iv}. A 60-day FRN and 30-day FRN is published for each form with a total cost to the Federal Government of **\$1,590**.

We also take into account the cost to print the forms. 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.^v

The current cost is \$28.70 per 1000 forms^{vi}. Based on the projected number of 523,213 respondents per year for the next three years, at a cost of \$28.70 per thousand, the contractor printing cost^{vii} to the Federal Government is **\$15,015.84**.

Cost to Print the form	\$28.70 x 523.2	=	\$ 15,015.84
Cost to publish two Federal Register Notices	\$795 x 2	=	\$1,590.00
Time and Expense to adjudicate form	416,478 x \$0.74	=	\$308,193.72
Total Cost to Federal Government			\$324,799.56

15. *Explain any changes/adjustments to this collection since the previous submission*

The decline from the previous estimates (465,848 respondents to 416,478) reflects two countervailing changes. First, the Department of State (the Department) projects fewer applicants under the age of 16 are using the form, accounting for the overall decline. However, the Department is also now incorporating calculations related to the limited subset of 16-17 year old passport applicants who may be required to submit a completed, notarized DS-3053 as part of their passport application. As discussed previously in this supporting

statement, in most cases passport authorizing officials receiving passport applications from 16-17 year olds are able to ascertain parental awareness of the application without requiring a completed, notarized DS-3053. However, the Department acknowledges that in order to more accurately reflect the respondents to this form, the Department decided to add this group in for the FY2019-2021 timeframe.

In addition to general format changes, the following content changes have been made to the form:

DS-3053 Page one:

- USE OF THIS FORM: Edited for plain language and updated to show that the Department may request consent from one legal parent or legal guardian for applicants 16 or 17-years-old.
- FORM INSTRUCTIONS: Renamed “IMPORTANT” and edited to list important points to remember when filling out this form.
- SPECIAL REQUIREMENTS FOR INSTITUTIONS/ENTITIES GRANTED GUARDIANSHIP: Renamed “INSTITUTIONS/ENTITIES GRANTED GUARDIANSHIP” and edited for plain language.
- FORM INFORMATION AND QUESTIONS was edited for plain language and the schedule of availability for customer service representatives was removed in case it changes before the form expires.
- PRIVACY ACT STATEMENT: The purpose was updated to add that the Department may request one-parent consent for applicants who are 16 and 17years old.
- PAPERWORK REDUCTION ACT: The Office of Program Management and Operational Support replaced the Office of Legal Affairs in the address; P.O. Box was updated.

DS-3053 Page two:

- The form name was changed from “Statement of Consent: Issuance of a U.S. Passport to a Minor under Age 16” to “Statement of Consent: Issuance of a U.S. Passport to a Child.”
- “Attention: Read FORM INSTRUCTIONS on Page 1” was deleted from below the form’s title to visually improve the layout.
- “Please print in black ink only. If you make an error, complete a new form. Do not correct” was added under the title.
- Throughout the form the following changes were made to improve consistency and plain language:
 - “Minor/minors” was changed to “child/children”
 - “Authorization” was changed to “consent”
 - “Non-applying parent/guardian” was changed to “Legal Parent/Legal Guardian (who cannot apply with the child)”
- Question 4a (*Is child under 16 years old?*) was added to distinguish whether the consent is intended for a child under the age of 16 or for a child age 16 or 17; two

parent consent is needed for children under 16 and one parent consent may be requested for children 16 or 17.

- 4b (*If yes, print name of adult applying with child.*) was added to document the adult authorized by the legal parent/legal guardian to act temporarily on behalf of the legal parent/legal guardian to apply for and obtain a passport for the child.
- 5. Statement of Consent:
 - Edited for clarity and plain language.
 - Added a note clarifying that the signature date of the notary and parent/legal guardian must be the same date.
- Section six: Completion by Notary:
 - Language in the notarial section of the form was updated in order to be in closer compliance with state laws and the notary guidelines.
 - Added “ID Number” to “Legal Parent/Legal Guardian” for clarity.

16. Specify if the data gathered by this collection will be published.

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. If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.

The expiration date for OMB approval will be displayed.

18. Explain any exceptions to the OMB certification statement below.

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.

ⁱ Source: Bureau of Labor Statistics, “Employer Costs for Employee Compensation – December 2018,” <https://www.bls.gov/news.release/ecec.toc.htm>.

ⁱⁱ Source: National Notary Association, “Notary Fees By State,” <https://www.nationalnotary.org/knowledge-center/about-notaries/notary-fees-by-state>

ⁱⁱⁱ Source: Office of Personnel Management, “2019 General Schedule (GS) Locality Pay Tables,” https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/19Tables/html/GS_h.aspx

^{iv} Source: Government Printing Office, “Circular Letter No. 1003, March 28, 2018,” <https://www.gpo.gov/how-to-work-with-us/agency/circular-letters/new-federal-register-publishing-rates>

^v Source: Passport forms printing contractor Occam Solutions

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vii