

**SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION
OMB #1405-0133
Affidavit Regarding a Change of Name, DS-60**

A. JUSTIFICATION

1. The Affidavit Regarding a Change of Name (Form DS-60) is submitted in conjunction with an application for a U.S. passport. The Department of State uses Form DS-60 to collect information for the purpose of establishing that an applicant for a U.S. passport has adopted a new name without formal court proceedings or a marriage and has publicly and exclusively used the adopted name over a long period of time (generally five years). The affidavit must be executed by an individual (“affiant”) who has personal knowledge of the facts of the applicant’s use of both the former name and current name.

Form DS-60 solicits information that the Department uses when determining whether to issue a U.S. passport. Pursuant to 22 United States Code (U.S.C.) Section 211a *et seq.* and Executive Order (E.O.) 11295 (August 5, 1966), the Secretary of State has authority to issue U.S. passports to U.S. nationals and to designate and prescribe rules governing the granting, issuing, and verifying of U.S. passports.

The issuance of a U.S. passport requires the determination of identity and nationality pursuant 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 laws. The implementing regulations are at Parts 50 and 51 of Title 22 of the U.S. Code of Federal Regulations (C.F.R.). Under 22 C.F.R. 51.1, a U.S. passport attests to the identity of the bearer. Under 22 C.F.R. Section 51.25, the Department may issue a U.S. passport to an applicant in a name that the applicant has adopted through means other than marriage, operation of state law, or a court order or decree. The Form DS-60 solicits information that may be used as supporting evidence in cases where an applicant cannot otherwise obtain enough public documents to show use of the current name.

2. The information collected on Form DS-60 is used to facilitate the issuance of passports to U.S. 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 the adopted name over a long period of time (generally five years).

Form 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 Form 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.

Form 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 C.F.R. Part 171; those regulations designate the Passport Records (STATE-26) and Overseas Citizen Services Records and Other Overseas Records (STATE-05) as exempt from certain requirements of the Privacy Act. See 22 C.F.R. Section 171.26.

In addition to this primary use of the data, Form 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, and/or 1621.

3. Due to legislative requirements and established regulations, a complete end-to-end electronic submission for this form is currently not an option. Form DS-60 requires notarization from a passport agent, acceptance agent, or a notary public. We therefore need the original form to ensure there is no fraud involved and to confirm the integrity of the form. However, in an effort to facilitate customers' completion of the form, it is posted on the Department's website, www.travel.state.gov, where it can be filled out online and printed for notarization and submission. Efforts will also continue to investigate, test, and deploy more complete electronic options, while continuing to meet legislative requirements.
4. Aside from necessary basic self-identification data, the information requested does not duplicate information otherwise available. Form 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 Form DS-60 is crucial to establishing the identity and legal name of the passport applicant in cases where insufficient other public documents exist.
7. No special circumstances exist.
8. The Department of State published a notice in the Federal Register on April 21, 2017 (82 FR 18807) soliciting public comments. No comments were received.
9. This information collection does not provide any payment or gift to affiants.
10. This form includes a Privacy Act statement explaining the routine uses of the information collected under the Act. There are no assurances of confidentiality to the affiants.
11. Form DS-60 does not ask questions of a sensitive nature.

12. The Department estimates that the average time required for this information collection is 40 minutes per response, and that approximately 161,239 individuals will use this form in a given year. Therefore, the estimated total annual burden for the collection is:

$$161,239 \text{ (number of affiants)} \times 40 \text{ minutes} / 60 = 107,493 \text{ hours}$$

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, travel to a Notary Public and have the form notarized, make photocopies of the front and back side of the affiant's ID, review the final collection, and submit the collection to the Department for processing.

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

$$\text{\$23.86 (mean hourly earnings based on estimated income per hour from the Bureau of Labor Statistics)} \times 1.4 \text{ (weighted wage multiplier)} = \text{\$33.40 weighted wage}$$

$$107,493 \text{ (annual hours)} \times \text{\$33.40 (weighted wage)} = \text{\$3,590,266 (hour burden cost)}$$

13. To properly complete and submit Form DS-60 Affidavit Regarding a Change of Name, the affiant must provide the following:

- Photocopy of Affiant's ID - Submit clear photocopies of the front and back side of documents of the affiant's identification (the estimated cost of a black and white copy is based on a quote from FedEx Office) and
- Signature of Passport Agent, Acceptance Agent, or Notary Public for Certified Copies of Supporting Documentation – The signature of the Passport Agent or Acceptance Agent is done upon submission of the DS-60 form at a Passport Agency or Acceptance Facility. If the affiant instead visits a notary public to certify the affidavit, he or she may be required to pay a notarization fee. The national average cost to have a document notarized is \$5.00. Since some affiants will submit the form at a passport agency or acceptance facility and others are expected to have access to cost-free notary services, we have estimated that 25% of affiants will incur a notarization fee.

In addition to the DS-60, as a part of the DS-11 submission the passport applicant must also provide original or certified copies of public documents evidencing that he or she has used the acquired name for five years or longer.

There is no application fee associated with this collection. Form DS-60 is submitted in conjunction with some DS-11 forms (Application for a U.S. Passport) or in response to a Department request. When combining the estimated cost burdens associated with Form DS-60, the total annual cost burden for the percentage of affiant, outlined in the table

below (0.25 probability of incurring a notarial fee), is **\$272,495**. The affiant costs are due to the following:

Photocopy of Affiant's ID - Black & White Copy (161,239 of total affiants/year) (2 @ \$0.22 each)	x	\$ 0.44	=	\$70,945
Notary Service (1) (40,310 = 0.25 of total affiants/year)	x	\$ 5.00	=	\$201,550
Total Cost to Affiants				\$272,495

14. Annualized Cost Analysis

- a. Printing Cost \$2,419
- Total Cost to the Program \$2,419**

This was calculated as follows: 161,239 (number of applicants per year) for FY 2017-2019 at a cost of \$15.00 per thousand forms equals (161,239 x15.00/1,000) \$2,419 per year.

15. The hour burden adjustments indicated reflects a slight increase in the number of projected affiants from 159,671 (previous FYs 2015-2017) to 161,239 (FYs 2017-2019).

Projections are based on information request letters sent to applicants that require the use of the DS-60. The yearly projected numbers of affiants are based on demand forecast numbers from statistical models and historical trends of form usage. The primary driver for form usage is the demand forecast for each fiscal year. The next two fiscal years' forecasts are updated on an annual basis so that each forecast uses the most recent, relevant date to project future demand. Given that projected passport application (DS-11) demand is the primary driver for form usage, as shown below in the table, the DS-60 is expected to increase and decrease in correlation with the DS-11 application estimate through FY 2019.

	Projections		
Fiscal Year	FY17	FY18	FY19
Passport Applications (DS-11)	9,765,773	9,674,039	10,063,573
DS-60	160,113	158,609	164,996

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

- Page 1 Form – “Warning” section was moved to instruction page #2 to allow more space for re-designing the “Identifying Document” section.
- Page 1 Form – In the “Purpose” section, the last sentence “...can present a court order or marriage certificate” was updated to include marriage certificates, which can be submitted documenting the change of name as marriage certificates are recognized legal name change documents.
- Page 1 Form – In Section 8, removed “For additional comments” section on page 2 and added a sentence “(Attach a separate sheet of paper if more space is needed.)”
- Page 1 Form – New field was added after Section 8, to prevent affiants from signing the affidavit until a passport agent, passport acceptance agent or notary public is present to confirm the affiant’s identity. Also, a sentence was added “This affidavit must be signed in front of a notary, unless it is submitted to an authorized Passport Agent or Acceptance Agent” under the “Purpose” section.
- Page 1 Form – “Identifying Document Presented” was revamped to include checkboxes for ID types as well as fields for “ID Number”, “Place of Issue”, “Issue Dates” and “Expiration Date”.

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.

B. Collection of Information Employing Statistical Methods

This collection does not employ statistical methods.