



**Billing Code 4710-06**

**DEPARTMENT OF STATE**

**[Public Notice 10989]**

**60-Day Notice of Proposed Information Collection: Birth Affidavit**

**ACTION:** Notice of request for public comment.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. In accordance with the Paperwork Reduction Act of 1995, we are requesting comments on this collection from all interested individuals and organizations. The purpose of this notice is to allow 60 days for public comment preceding submission of the collection to OMB.

**DATES:** The Department will accept comments from the public up to **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** You may submit comments by any of the following methods:

- **Web:** Persons with access to the internet may comment on this notice by going to [regulations.gov](https://www.regulations.gov). You can search for the document by entering “Docket Number: DOS-2019-0044” in the search field, clicking the “Comment Now” button, and completing the comment form.
- **Email:** [PPTFormsOfficer@state.gov](mailto:PPTFormsOfficer@state.gov)
- **Regular Mail:** Send written comments to: PPT Forms Officer, U.S. Department of State, Bureau of Consular Affairs, Passport Services, Office of Program Management and Operational Support, 44132 Mercure Cir, PO Box 1199, Sterling, VA 20166-1199

You must include the DS form number (if applicable), information collection title, and the OMB control number in any correspondence.

**SUPPLEMENTARY INFORMATION:**

- Title of Information Collection: Birth Affidavit
- OMB Control Number: 1405-0132
- Type of Request: Revision of a Currently Approved Collection
- Originating Office: Department of State, Bureau of Consular Affairs, Passport Services, Office of Program Management and Operational Support (CA/PPT/S/PMO/CR)
- Form Number: DS-10
- Respondents: Individuals
- Estimated Number of Respondents: 5,183
- Estimated Number of Responses: 5,183
- Average Time Per Response: 40 minutes
- Total Estimated Burden Time: 3,455 hours
- Frequency: On Occasion
- Obligation to Respond: Required to Obtain a Benefit

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper functions of the Department.
- Evaluate the accuracy of our estimate of the time and cost burden for this proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Please note that comments submitted in response to this notice are public record. Before including any detailed personal information, you should be aware that your comments as submitted, including your personal information, will be available for public review.

**ABSTRACT OF PROPOSED COLLECTION:**

Form DS-10, Birth Affidavit, is submitted in conjunction with an application for a U.S. passport, and is used by Passport Services to collect information for the purpose of establishing the U.S. nationality of a passport applicant who has not submitted an acceptable United States birth certificate with his/her passport application. The Secretary of State is authorized to issue U.S. passports under 22 U.S.C. § 211a et seq, 8 U.S.C. § 1104, and Executive Order 11295 (August 5, 1966). Pursuant to 22 U.S.C. § 212 and 22 C.F.R. § 51.2, only U.S. nationals may be issued a U.S. passport. Most passport applicants show U.S. nationality by providing a birth certificate showing the applicant was born in the United States. Some applicants, however, may have been born in the United States (and subject to its jurisdiction), but were never issued a birth certificate. Form DS-10 is a form affidavit for completion by a witness to the birth of such an applicant; it collects information relevant to establishing the identity of the affiant, and the birth circumstances of the passport applicant. If credible, the affidavit may permit the applicant to show U.S. nationality based on the applicant's birth in the United States, despite never having been issued a U.S. birth certificate. We use the information

collected on the person completing the affidavit to confirm that individual's identity, which is relevant to confirming his or her relationship to the applicant and the likelihood that the affiant has actual knowledge of the circumstances of the applicant's birth.

**METHODOLOGY:**

When needed, a form DS-10, Birth Affidavit is completed at the time a person applies for a U.S. passport.

**Florence Fultz,**

*Acting Deputy Assistant Secretary for Passport Services*

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