

THE SUPPORTING STATEMENT

Provision of Services in Interstate Child Support Enforcement: Standard Forms

0970-0085

A. Justification. Requests for approval shall:

1. Circumstances Making the collection of Information Necessary

42 U.S.C. 666(f) requires state child support enforcement (CSE) agencies to enact the Uniform Interstate Family Support Act (UIFSA) into state law. Section 311(b) of UIFSA requires states to use standard interstate forms as mandated by federal law. 45 CFR 303.7(b)(3) requires states to use standard federal forms in interstate cases. Authorizing statutes and regulations are attached.

2. Purpose and Use of the Information Collection

About 15-25 percent of child support cases are believed to involve more than one state. More than one state may become involved when the parents live in different states, when support orders were issued in states where the parties no longer reside, or when assets are sought in states other than the state enforcing the support order. Interstate cases are the most complex and difficult cases. State CSE agencies use the standard interstate forms to facilitate working their cases across state lines. The forms are readily recognizable and provide the information states agree is needed to process a case. In FY202, states reported sending over 1.04 million cases to other states for assistance in case processing.

3. Use of Improved Information Technology and Burden Reduction

Beginning in FY 1997 45 CFR 307.10(b)(14)(vi) required state CSE agencies to integrate all processing of interstate cases with the computerized support enforcement system in the state. Beginning in FY 2000, 45 CFR 307.11(f)(4) required state CSE agencies to exchange information with...agencies of other states and interstate information networks. The standard interstate forms have been automated by CSENet 2000, a frame relay network for transmitting forms information electronically between states. State CSE systems are programmed to generate their own completed forms, as well as those received from other states.

4. Efforts to Identify Duplication and Use of Similar Information

There is no similar information available through any known source or mechanism. Specific case information is gathered by and known only to the CSE program in the custodial parent's state. The CSE program in the noncustodial parent's state cannot obtain this information (and take the appropriate action), unless the information is provided by the CSE program in the custodial parent's state. This is the nature of interstate CSE and the reason why the federal government was originally charged with developing standard interstate CSE forms.

5. Impact on Small Businesses or Other Small Entities

This collection of information will have no impact on small businesses or other small entities because both the point of origin and the destination of the forms are state CSE agencies.

6. Consequences of Collecting the Information Less Frequently

If the standard interstate forms were not used, the federal CSE program would be seriously impaired in meeting its mission of ensuring that the children of America have paternity established and receive the support to which they are entitled. Because 15-25% of CSE cases involve interstate casework, the parentage and support for a significant number

of children would be delayed or even placed in jeopardy, as delay can result in loss of contact with the parties. The efficiencies associated with use of the forms would be lost and more resources would be required to do less work at the state level.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

These forms do not require reporting of information more than once, do not require a written response, and do not require submittal of more than an original and two copies. Records must be retained for more than 3 years because CSE services are required throughout the life of the child support order. The forms are not used in connection with a statistical survey or data classification. State CSE agencies must adhere to federal confidentiality requirements specified in 42 U.S.C. 654(26) in all of their work. No proprietary information is asked of respondents.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

We published the required 60-day notice in the Federal Register on July 21, 2007 (72 FR 34252), soliciting comments on the information collection. In addition, we sent out a notice about the opportunity to comment to the child support enforcement community via a Dear Colleague Letter. Comments were also solicited from representatives of the 10 Regions and the Tribal child support community. Additionally, comments were solicited from the National Council of Child Support Directors. The 60-day notice is attached.

We received written comments from child support agencies in 10 states:

Iowa	Pennsylvania	California
Connecticut	Florida	Georgia
Ohio	Tennessee	Massachusetts
Oregon		

Re burden estimate: There were no comments on the burden

estimate.

Re content of forms: Overall, the language, format and instructions have been standardized across the forms. The title of the forms has been changed to "Intergovernmental" to reflect their use by States, Tribes, and foreign countries. For clarity in the Transmittal Initial Request we added a field for Born Out of Wedlock and Date Paternity Established. Instructions for the new fields have been added. Fields to identify Tribal affiliation have been added to all three Transmittals as well as instructions for this field. The instructions have been clarified by highlighting policy information that forms was included with the instructions so it is distinct and by making the instructions that are common across the forms consistent. Minor changes to common labels across the have been made for consistency, e.g., Social Security No. and SSN to Social Security Number, email and E-mail to E-Mail, fax and Fax to FAX. These changes are in response to requests and comments made by States.

9. Explanation of Any Payment or Gift to Respondents

No payments or gifts are involved.

10. Assurance of Confidentiality Provided to Respondents

No assurance of confidentiality was provided to respondents. No information is maintained by the Federal Government; therefore, the Privacy Act of 1974 is not applicable.

11. Justification for Sensitive Questions

Because establishment of paternity is one of the purposes of the forms, it is necessary for the Affidavit in Support of Establishing Paternity to include information regarding the date of conception and sexual contact between the mother and the alleged father of the child. The justification for these questions is that this affidavit serves as the basis for filing the paternity action in the responding state. This

saves the petitioner from traveling to another state to file the paternity action personally.

In public assistance cases, the mother is informed that her cooperation with the state CSE agency's efforts to establish paternity and secure child support is an eligibility requirement for the receipt of public assistance. In non-assistance cases, the mother or alleged father is advised that the state child support program cannot establish paternity without this information. In non-assistance cases, the petitioner decides whether he or she wishes to proceed.

It is necessary to obtain Social Security numbers as part of this information collection. This is required by the Social Security Act: §453, Federal Parent Locator Service; §453A, State Directory of New Hires; §454, State Plan for Child and Spousal Support; §454A, Automated Data Processing; and by cross-reference to these sections in §454B, Collection and Disbursement of Support Payments. In addition, §466(a)(13) requires each state to have a law in effect requiring the recording of Social Security numbers in the records pertaining to certain family matters, including recording the number of any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment. §466(c)(2) requires each state to have a law and procedures in effect for child support purposes under which each party in a child support case is required, subject to privacy safeguards, to file with the CSE agency, and update as appropriate, information on location and identity of the party, including Social Security number. 42 U.S.C. 653, 653A, 654, 654A, 654B, and 666.

Information the states collect using the standard interstate forms is subject to the confidentiality requirements at §454(26) of the Social Security Act (42 U.S.C. 654(26)) and the states' own confidentiality requirements protecting personal information in their possession. It is up to each state whether they provide an assurance of confidentiality to their respondents.

12. Estimates of Annualized Burden Hours and Costs

ANNUAL BURDEN ESTIMATES

INSTRUMENT	NUMBER OF RESPONDENTS	NUMBER OF RESPONSES PER RESPONDENT	AVERAGE BURDEN HOURS PER RESPONSE	TOTAL BURDEN HOURS
Transmittal 1	54	19,278	.25	260,253
Transmittal 2	54	14,458	.08	62,459
Transmittal 3	54	964	.08	4,164
Uniform Petition	54	9,639	.08	41,640
General Testimony	54	11,567	.33	206,124
Affidavit/ Paternity	54	4,819	.17	44,238
Locate Data Sheet	54	375	.08	1,620
Notice of Controlling Order	54	964	.08	4,164
Registration Statement	54	8,675	.08	37,476

Estimated Total Annual Burden Hours: 662,138

The basis for this information is a small informal survey of state and local CSE agencies asking for reaction to the prior burden estimate. Burden per response went down because of increasing automation at the state level.

The annualized cost to the 54 child support programs associated with the use of the interstate forms packet is estimated at \$16,553,450. This amount is based on an estimated average hourly caseworker salary and fringe benefits of \$25 X 662,138 burden hours. We no longer collect information on worker salaries. The most recent available figure was \$19.14 per hour in FY2002.

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There is no new annual cost burden to respondents resulting from this collection of information. There are minor modifications to an existing information collection. Respondents already have staff and resources in place to respond to this information collection.

14. Annualized Cost to the Federal Government

There are no costs to the Federal government associated with these forms. The forms were not revised significantly in terms of burden and they are not used to report any information to the Federal government.

15. Explanation of Program Changes or Adjustments

"Although the burden hours did not increase since the last clearance, the total number of responses has increased substantially. This adjustment was made to correct the number of responses that was miscalculated in the last clearance. An improper method was used to calculate the responses in the previous clearance."

16. Plans for Tabulation and Publication and Project Time Schedule

The resulting information will not be published for statistical use. The forms associated with this information collection are not used for data collection by the Federal government. They are used by the states to transmit child support case information to one another in order to process CSE actions.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

OCSE is seeking approval not to display the expiration date of the information collection. Federal regulations require the states to provide CSE services in interstate cases and the forms associated with this information collection drive this process. These forms are expected to be relevant for many years as part of the case records for each interstate child support case. OCSE is concerned that, if the forms display an expiration date, there will be a misconception at the state and local levels, in the courts, and among affected individuals, that the actions taken, or the information provided, are no longer effective or relevant.

18. Exceptions to Certification for Paperwork Reduction Act Submission

This information collection does not involve statistical methods, surveys or survey methodology, nor is any information compiled for or reported to the federal government. This information collection consists of forms that CSE agencies use to aid in uniform processing of their interstate cases.