

THE SUPPORTING STATEMENT

A. JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

P. L. 104-193, the Personal Responsibility and Work Opportunity Act of 1996 amended section 652(a) of the Social Security Act (the Act) to require the Federal Office of Child Support Enforcement (OCSE) to promulgate an administrative lien to be used by the State Child Support Enforcement (CSE) programs in interstate cases

2. Purpose and Use of the Information Collection

The administrative lien is used by State CSE programs to encumber property located in other States by filing the Lien directly in the other State. The requirement that the State CSE program secure child support debts by filing liens is a long-standing requirement of the CSE program. Traditionally, in an interstate case, State CSE programs would have to contact the State CSE program in the State where the property was located and ask the second program to file a local lien. PRWORA authorized the use of the administrative lien where the CSE program can send the lien directly across State lines. This method is far more effective and efficient.

3. Use of Improved Information Technology and Burden Reduction

The procedures for filing liens are governed by State law. Due to this fact, OCSE is not able to influence the format of the transfer of information. This format is determined by State law and the failure to follow the prescribed format would nullify the effectiveness of the lien.

4. Efforts to Identify Duplication and Use of Similar Information

In the original development of the administrative lien, considerable attention was focused on preventing duplication. At this time, we are not making any changes to the form that will affect the effort that was previously made to avoid duplication. The administrative lien is to be used in situations where similar information is truly not already available.

5. Impact on Small Businesses or Other Small Entities

This collection of information will have no additional impact upon small businesses or other small entities because they are already in a position to have to respond to subpoenas issued by their States. The difference is that the Act, in 1996, authorized a State CSE program to use this form to collect income and

other financial information from employers and financial institutions outside their State boundaries.

6. Consequences of Collecting the Information Less Frequently

If OCSE fails to win re-authorization of this information collection, it will be failing to comply with the requirements of the Act and States will not be able to use the form to try to collect debts owed to children living in States other than the State where the noncustodial parent lives.

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

There are no special circumstances associated with collection of this information.

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

The information collection notice was published for comment in the Federal Register on July 24, 2007 (72 FR 40306). OCSE received comments from California, Connecticut, Florida, Michigan, North Dakota and Texas. We have not made revisions to the form based on the comments since they were not significant and did not represent the users at large.

9. Explanation of Any Payment or Gift to Respondents

Not Applicable.

10. Assurances of Confidentiality Provided to Respondents

The State and local Child Support Enforcement agencies will follow their State legislation that requires assurances of confidentiality.

11. Justification for Sensitive Questions

This information collection does not involve any questions of a sensitive nature.

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
Notice of Lien	123,637	1	.25	30,909

Estimated Total Annual Burden Hours: 30,909

The number of respondents is based on OCSE's estimate that in interstate child support orders where there is noncompliance, 123,637 obligors had property appropriate for a lien (123,637). OCSE estimates that it takes 15 minutes to record a lien. Therefore the burden estimate is 30,909 (123,637 x .25 hr).

13. Estimate 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. Respondents already have staff and resources in place to respond to this information collection.

14. Annualized Cost to the Federal Government

Upon reauthorization of the Notice of Lien, OCSE will post the new version the internet website for States to download. There are no costs to the Federal Government.

15. Explanation of Program Changes or Adjustments

No difference. The proposed revisions will not increase or decrease the burden.

16. Plans for Tabulation and Publication and Project Time Schedule

There are no plans to publish results of this information in the immediate future.

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

Not applicable.

18. Exception to Certification for Paperwork Reduction Act Submission

There are no exceptions to the certification statement.

B. Collection of Information Employing Statistical Methods

The information collection requirements outlines in this report do not employ the use of statistical methods.