

## THE SUPPORTING STATEMENT

### Specific Instructions

Please do not remove or alter the headings below

#### A. Justification

##### 1. Circumstances Making the Collection of Information Necessary

Section 452(a)(11) of the Social Security Act (Act) requires the Secretary of the Department of Health and Human Services to promulgate a form for administrative subpoenas to be used in State child support enforcement programs to collect information for use in establishment, modification, and enforcement of child support orders in interstate cases.

##### 2. Purpose and Use of the Information Collection

The administrative subpoena is used by State CSE programs to obtain income and other financial information regarding noncustodial parents for purposes of establishing, enforcing and modifying child support orders. The Act now authorizes each State to send these administrative subpoenas to employers and financial institutions across State lines.

##### 3. Use of Improved Information Technology and Burden Reduction

This collection of information is used by the States in conjunction with interstate CSE proceedings initiated under the Uniform Interstate Family Support Act (UIFSA). UIFSA is a uniform act that has been adopted by all States and governs interstate CSE proceedings. UIFSA allows documentary evidence to be transmitted from State to State by means of electronic transmission. States may use this special rule of evidence to allow respondents to the administrative subpoena to report the wage and other financial information via facsimile transmission. State laws, however, govern most procedures for filing subpoenas. Due to this fact, OCSE is not able to influence the format of the transfer of information.

##### 4. Efforts to Identify Duplication and Use of Similar Information

In the original development of the administrative subpoena form 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 subpoena is to be used in situations where similar information is 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.

##### 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 April 8, 2010 (75 FR 17925 - 17926). OCSE received comments from five States: California, Michigan, North Dakota, Texas, and West Virginia. Based on the comments, we have made several revisions to the form for clarity. The changes are not significant and largely serve to make the instructions clearer and the form easier to understand and use.

9. Explanation of Any Payment or Gift to Respondents

Not Applicable.

10. Assurance of Confidentiality Provided to Respondents

The State Child Support Enforcement agencies follow their State laws and procedures regarding collection of sensitive information.

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

<b>Instrument</b>	<b>Number of Respondents</b>	<b>Number of Responses Per Respondents Per Year</b>	<b>Average Burden Hours Per Response</b>	<b>Total Burden Hours</b>
Administrative Subpoena	35,286	1	.5 hours	17,643

The figures contained in this table are based on OCSE's Federal Parent Locator Service completing 11,291,416 locates of noncustodial parents, employers, assets or other income in one year. Noncustodial parent locates would make up at least 75% of the total locates. The remaining 2,822,854 would be the approximate number of locates of employers, assets or other income. Twenty-five percent of this number (705,713.5) provides the approximate number of such locates in interstate cases. In 95% of these interstate locate cases, employers or financial institutions would voluntarily provide the requested information and the State CSE program would not need to issue a subpoena. The remaining 35,286 (5%) represent the approximate number of respondents who would not voluntarily provide the requested information and would receive a subpoena. Therefore the burden estimate is 17,643 (35,286 x .5 hr).

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. 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 Administrative Subpoena form, OCSE will post the new version the internet website for States to download. There are no costs to the Federal Government.

#### 15. Explanation for Program Changes or Adjustments

The adjustment in burden from the last review of the form is due to the increase in population, the associated increase in interstate child support cases overall, and the more effective use of child support tools (Federal Parent Locator Service) to locate parents. These increases result in an increase in the number of forms a state may use. While we made some clarifying edits to the form, there is no change in the time required to fill out the form itself, which remains 30 minutes.

We made the following clarifying edits to the form in response to comments from the public. We revised the sentence on page one of the form that reads, "The information or documents may be mailed or faxed," to allow for use of electronic transmission of information. The revised sentence reads, "The information or documents may be sent by mail, fax, or any other means agreeable to the requesting agency, including electronic means." The commenters indicated that allowing for electronic transmission would increase efficiency. This change is also made in the copy of the form with numbered fields that is used with the instruction.

In addition, commenters requested we add instructions regarding using the form for requesting bulk records from a single source (e.g. requesting information from a cell phone company for numerous obligors). In response, we added the following sentence to the instructions page at the end of the instructions for field number 2: "If you are issuing an administrative subpoena to obtain bulk records for data matching purposes, you may issue one form accompanied by a list of the individuals about whom you are requesting information."

#### 16. Plans for Tabulation and Publication and Project Time Schedule

There are no plans to publish results of this information.

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

Not applicable.

#### 18. Exceptions to Certification for Paperwork Reduction Act Submissions

There are no exceptions to the certification statement.

### **B. Statistical Methods (used for collection of information employing statistical methods)**

1. Respondent Universe and Sampling Methods
2. Procedures for the Collection of Information

3. Methods to Maximize Response Rates and Deal with Nonresponse
4. Test of Procedures or Methods to be Undertaken
5. Individuals Consulted on Statistical Aspects and Individuals Collecting and/or Analyzing Data

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