

## THE SUPPORTING STATEMENT

**Title: Provision of Services in Intergovernmental Child Support Enforcement: Standard Forms**

**Agency: HHS/ACF/OCSE**

**OMB#: 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 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(a)(4) requires states to use federally approved forms in intergovernmental IV-D 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. Intergovernmental cases are the most complex and difficult cases. State child support agencies use the federally approved intergovernmental 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.

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

Beginning in FY 1997 45 CFR 307.10(b)(14)(vi) required state

child support 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 child support agencies to exchange information with...agencies of other states and interstate information networks. The federally approved intergovernmental forms have been automated by CSENet 2000, a frame relay network for transmitting forms information electronically between states. State child support 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 child support program in the custodial parent's state. The child support program in the noncustodial parent's state cannot obtain this information (and take the appropriate action), unless the information is provided by the child support program in the custodial parent's state. This is the nature of intergovernmental child support case processing and the reason why the federal government was originally charged with developing federally approved intergovernmental 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 child support agencies.

#### **6. Consequences of Collecting the Information Less Frequently**

If the federally approved intergovernmental forms were not used, the federal child support 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

approximately 15-25% of child support 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 child support 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 child support 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 March 19, 2010 (75 FR 13291-13292), 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. The 60-day notice is attached.

We received written comments from child support agencies in 18 states:

Iowa	Pennsylvania	California
Connecticut	Michigan	Georgia
Ohio	Tennessee	Massachusetts

North Dakota	Texas	Washington
Kansas	New Mexico	Minnesota
West Virginia	Wisconsin	South Dakota

Re burden estimate: There were no comments on the burden estimate.

Comments: The following is a summary of the comments that were received:

- Add the option for states to list the name of the country with which the petitioner or respondent is affiliated in the heading of Transmittals 1, 2, and 3.
- In the boxed area under the instructions for the "Financial Information" section, changed "Interstate Roster and Referral Guide" to "Intergovernmental Referral Guide" and provide a hyperlink.
- Remove the examples from the "Place of Birth" field, and place them in the instructions, with the addition of the terms "Country" and "tribal jurisdiction".
- Add nondisclosure language to the instructions section of the Registration Statement.
- Change the phrase "IV-D Case Number" to "IV-D Case Identifier".
- Allow states to send the forms without including personal identifying information. With respect to this comment, the personally identifiable information requested is needed to process intergovernmental child support cases.

Re content of forms: The following changes are being made to the forms:

- Transmittals 1, 2, and 3: We have added the option for states to list the name of the country with which the petitioner or respondent is affiliated in the heading of Transmittals 1, 2, and 3.
- General Testimony Instructions: In the boxed area under the instructions for the "Financial Information" section, we have changed "Interstate Roster and Referral Guide" to "Intergovernmental Referral Guide" and provided a hyperlink.

- Locate Sheet: We have removed the examples from the "Place of Birth" field, and placed them in the instructions, with the addition of the terms "Country" and "tribal jurisdiction".
- Registration Statement: We added nondisclosure language to the instructions.
- On all forms and instructions, we changed the phrase "IV-D Case Number" to "IV-D Case Identifier".
- We also made formatting adjustments.

**9. Explanation of Any Payment or Gift to Respondents**

No payments or gifts are involved.

**10. Assurance of Confidentiality Provided to Respondents**

Information the states collect using the federally approved intergovernmental 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, based on applicable requirements.

**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 child support 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 child support 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 federally approved intergovernmental 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 child support 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 federally approved intergovernmental 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. This is a minor modification 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 significant 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 for Program Changes or Adjustments**

NA

**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 child support 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 child support services in intergovernmental 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 Submissions**

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 child support agencies use to aid in uniform processing of their intergovernmental cases.

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#### Attachments:

1. Authorizing Statutes and Regulations
  - 42 U.S.C. 666(f)
  - Uniform Interstate Family Support Act §311
  - 45 CFR 303.7(a)(4)
2. 60-day Notice
3. Intergovernmental forms for clearance