

THE SUPPORTING STATEMENT

A. Justification

In accordance with OMB instructions, the following supporting statement is a request for clearance for an information collection using the Standard Intergovernmental Child Support Enforcement Forms, OMB No.: 0970-0085.

1. Circumstances Making the Collection of Information Necessary

Since enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, section 466(f) of the Social Security Act (Act) has required U.S. states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands, as a condition of receiving federal funds, to enact certain amendments to the Uniform Interstate Family Support Act (UIFSA). Section 311(b) of UIFSA requires that a petition and accompanying documents conform substantially with the standard intergovernmental forms mandated by federal law, and 45 CFR 303.7(a)(4) requires state child support agencies to use federally-approved forms in intergovernmental cases, unless a country has provided alternative forms in an Office of Child Support Enforcement (OCSE) country-specific caseworker's guide. All policy references are documented in *Attachment 1*.

In 2013, during the triennial PRA forms renewal process, OCSE received numerous, substantive comments on the existing intergovernmental forms. In response, OCSE requested renewal of the intergovernmental forms without change, in order to have time to convene a federal-state workgroup to carefully analyze and address the comments and revise the forms for the next PRA cycle. OMB approved this renewal in May, 2014.

Additionally, Public Law (P.L.) 113-183, the *Preventing Sex Trafficking and Strengthening Families Act*, passed in September 2014. This law amended the Social Security Act to require U.S. states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands to enact any amendments to UIFSA "officially adopted as of September 30, 2008 by the National Conference of Commissioners on Uniform State Laws" (UIFSA 2008). In revising the intergovernmental forms, the federal-state workgroup sought to ensure that the forms were updated to comply with UIFSA 2008.

The workgroup also balanced the need to update the forms with the impact any changes may have on state and federal systems. After the workgroup developed proposed forms, a notice for public comment on the proposed forms was posted on August 4, 2015 to the Federal Register in Volume 80, Number 149, on page 46286.

Based on the extensive comments received from state child support agencies and the public in

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response to the August 4 notice, OCSE, along with the federal-state workgroup, revised the proposed Standard Intergovernmental Child Support Enforcement Forms as included in this information collection request.

The intergovernmental forms in this information collection request will replace the forms that expire February 28, 2017. They are critically important for the effective and efficient processing of child support cases under UIFSA 2008. The new forms are updated to reflect policy developments in such areas as protecting personally identifiable information and reflect advancements in communication methods, technology, and gender neutrality. Given that UIFSA 2008 is currently in effect in all 54 jurisdictions participating in the title IV-D child support program, we are requesting that these forms be approved and replace the forms set to expire in 2017.

2. Purpose and Use of the Information Collection

2.1 How the Information Is to Be Used

The federally approved intergovernmental forms are used to facilitate interstate child support case processing when more than one state child support agency is involved. The forms are readily recognizable and provide the information states agree is needed to process a case.

2.2 By Whom the Information Is to Be Used

Standard Intergovernmental Child Support Enforcement Forms are used by all entities involved in intergovernmental child support cases, including but not limited to state child support agencies, courts/tribunals, attorneys, and parties.

2.3 For What Purpose the Information Is to Be Used

More than one state may become involved in a child support case when the parents live in different states, where the parties no longer reside in the state that issued the support order, or when assets are sought in states other than the state enforcing the support order. Intergovernmental cases are the most complex and difficult cases. About 15-25 percent of child support cases are believed to involve more than one state.

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'

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state systems to exchange information with agencies of other states and interstate information networks. The majority of the federally approved intergovernmental forms have been automated by CSENet, allowing forms information to be transmitted electronically between states. Documents can also be transmitted electronically through the Electronic Document Exchange (EDE). State child support systems are programmed to generate their own completed forms, as well as receive forms 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. The forms enable states to share specific case information known only to their state with child support programs in other states. This information sharing is critical so that states can take the appropriate action in a case. The federal government was originally charged with developing federally approved intergovernmental forms because of the critical nature of intergovernmental case processing and the need for efficiency.

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 and judicial courts.

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 children have paternity established and receive the support to which they are entitled. Because approximately 15-25 percent of child support cases involve interstate casework, the parentage and support establishment 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. Without the forms, state child support agencies would lose the efficiencies associated with use of the forms and spend more resources to do less work.

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

Respondents are required, within 30 working days of receiving a request, to provide any order and payment record information requested by a State IV-D agency for a controlling order determination and reconciliation of arrearages, or to notify the State IV-D agency when the information will be provided. Respondents are also required to notify the other IV-D agency within 10 working days of receipt of new information on an intergovernmental case.

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

The required 60-day notice was published in the Federal Register on August 4, 2015, Volume 80, Number 149, on page 46286, soliciting comments on the information collection. In addition, a notice was sent out about the opportunity to comment to the child support enforcement community via a Dear Colleague Letter (DCL-15-12).

OCSE received numerous, substantive written comments from 28 states, two outside organizations, and one foreign country. The comments and suggestions were carefully analyzed by a group of state and federal staff who met weekly for approximately five months. OCSE updated the forms based on this thorough review.

Attachment 2 - provides a list of the comments/recommendations as well as OCSE's response to the comments. The spreadsheet has tabs at the bottom for each form. There are also tabs for general comments, formatting comments, and supportive comments that were received.

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 and the states' own confidentiality requirements protecting personal information in their possession.

Two new forms have been created to allow for the removal of the personal information from each of the other standard intergovernmental forms. The first new form is the Child Support Agency Confidential Information Form which is used only between agencies. The second new form is the Personal Information Form for UIFSA § 311, which safeguards the privacy of individuals by recording required UIFSA personal information on a separate document rather than on all of the other forms needed to process a case. This form can be filed with the tribunal, but should not be filed in a public access file.

11. Justification for Sensitive Questions

Because of the purposes of the intergovernmental forms, it is necessary to include personal information regarding the parents of the child. The majority of this information has been removed from all the other forms to two new forms -- the Personal Information Form for

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UIFSA § 311 or the Child Support Agency Confidential Information Form -- so that it can be easily protected. The justification for these questions is that the information is necessary for filing child support actions in the responding state. This saves the petitioner from traveling to another state to file the actions personally.

In public assistance cases, the mother is informed that her cooperation with the state child support agency’s efforts to establish parentage and secure child support is an eligibility requirement for the receipt of public assistance. In non-assistance cases, the parent is advised that the state child support program cannot establish parentage 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, section 466(a)(13) of the Act 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. Section 466(c)(2) of the Act 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 the Social Security number. The Child Support Agency Confidential Information Form is not filed with the court and protects the identity of the party.

On these forms, the gender field is needed to assist caseworkers in identifying how to address a person. In response to public comment, we added “Other” for an adult who does not identify with “Male” or “Female”. The child gender field only has “male” or “female”.

12. Estimates of Annualized Burden Hours and Costs

| Instrument | Number of Respondents | Number of Responses per Respondent | Average Burden Hours per Response | Total Burden Hours |
|--|-----------------------|------------------------------------|-----------------------------------|--------------------|
| Transmittal #1 – Initial Request | 54 | 19,440 | 0.17 | 178,459 |
| Transmittal #1 – Initial Request Acknowledgement * | 54 | 19,440 | 0.05 | 52,488 |
| Transmittal #2 – Subsequent Action | 54 | 14,580 | 0.08 | 62,986 |
| Transmittal #3 - Request for Assistance/Discovery | 54 | 2,700 | 0.08 | 11,664 |

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| | | | | |
|---|----|--------|------|---------|
| Uniform Support Petition | 54 | 6,480 | 0.05 | 17,496 |
| General Testimony | 54 | 6,480 | 0.33 | 115,474 |
| Declaration in Support of Establishing Parentage | 54 | 2,700 | 0.15 | 21,870 |
| Locate Data Sheet | 54 | 388 | 0.05 | 1,048 |
| Notice of Determination of Controlling Order | 54 | 54 | 0.25 | 729 |
| Letter of Transmittal Requesting Registration | 54 | 14,310 | 0.08 | 61,819 |
| Personal Information Form For UIFSA § 311* | 54 | 27,000 | 0.05 | 72,900 |
| Child Support Agency Confidential Information Form * | 54 | 37,584 | 0.05 | 101,477 |
| Request for Change of Support Payment Location Pursuant to UIFSA 319(b) * | 54 | 27,000 | 0.05 | 72,900 |

Estimated Total Annual Burden Hours:

771,309

The basis for the estimated total annual burden came from a small informal meeting of state child support agencies who participated as part of the federal-state intergovernmental forms workgroup. OCSE asked for reaction to the prior burden estimates and estimates for the new form burden. Some burden hours went down because of increasing automation at the state level. The difference between the submission for the 60-day notice and this one is due to the addition of the new forms.

The annualized cost to the 54 child support programs associated with the use of the federally approved intergovernmental forms packet is estimated at \$16,853,102. This amount is based on an estimated average hourly caseworker salary and fringe benefits of \$21.85 multiplied by 771,309 burden hours. (To get the average wage rate use the Bureau of Labor Statistics, May 2014, National Industry, Specific Occupational Employment and Wage Estimates we used \$21.85 for state child support staff.) The average hourly caseworker salary and fringe benefits was taken from the Bureau of Labor Statistics for this supporting statement. Last year the salary was estimated to be \$25.00.

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

The systems changes required for the form changes are described below:

- (a) A onetime cost to the states will be needed to implement the changes to the forms. Below is an estimate of what those cost will be:

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| Instrument | Change | Number of Respondents | Hours | Cost per hour | Total Hours | Total Cost | State Cost | Federal Cost |
|--|---|------------------------------|--------------|----------------------|--------------------|-------------------|-------------------|---------------------|
| Transmittal 1 | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Transmittal 1 Acknowledgement | One time statewide systems modification | 54 | 360 | \$120 | 19,440 | \$2,332,800 | \$793,152 | \$1,539,648 |
| Transmittal 2 | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Transmittal 3 | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Uniform Petition | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| General Testimony | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Affidavit in Support of Establishing Parentage | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Locate Data Sheet | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Notice of Controlling Order | One time statewide systems modification | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |
| Letter of Transmittal | One time statewide | 54 | 180 | \$120 | 9,720 | \$1,166,400 | \$396,576 | \$769,824 |

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| | | | | | | | | |
|--|---|----|-----|-------|---------|--------------|-------------|--------------|
| Requesting Registration | systems modification | | | | | | | |
| Personal Information Form For UIFSA § 311 | One time statewide systems modification | 54 | 360 | \$120 | 19,440 | \$2,332,800 | \$793,152 | \$1,539,648 |
| Child Support Agency Confidential Information Form | One time statewide systems modification | 54 | 360 | \$120 | 19,440 | \$2,332,800 | \$793,152 | \$1,539,648 |
| UIFSA 319(b) | One time statewide systems modification | 54 | 360 | \$120 | 19,440 | \$2,332,800 | \$793,152 | \$1,539,648 |
| Totals | | | | | 165,240 | \$19,828,800 | \$6,741,792 | \$13,087,008 |

(b) The operation and maintenance cost for the changes will be included as part of the state annual Advanced Planning Document (APD) process.

14. Annualized Cost to the Federal Government

There is a onetime charge to the Federal Government of \$13,087,008 for system enhancements needed to implement the new forms.

15. Explanation for Program Changes or Adjustments

In response to public comments, there are four new forms being added to address changes to the program. The adjustment in burden from the last review of the form is due to the updates made to the forms and the four new forms. The set of forms includes crucial changes for personal information, UIFSA, gender neutrality, and technology. The new forms are the Child Support Confidential Information Form, the Personal Information Form for UIFSA § 311, Request for Change of Support Payment Location Pursuant to UIFSA 319(b) and the Transmittal #1 Acknowledgement. These new forms were added to address issues with protection of personal information, new UIFSA change of payment location requirements and separation of the acknowledgement page of the Transmittal #1 to be in line with how states process the Transmittal #1.

16. Plans for Tabulation and Publication and Project Time Schedule

There is no planned analysis or publication of the data collected.

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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)

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.