



OFFICE OF
CHILD SUPPORT ENFORCEMENT
Administration for Children & Families

OCT 13 2016

TO : Stephanie Tatham, Office of Information and Regulatory Affairs,
Office of Management and Budget

Stephanie Tatham

SUBJECT: Request to Use Emergency Procedures for Hague Treaty Forms

Request: The Office of Child Support Enforcement (OCSE) requests a 180 day emergency approval under the Paperwork Reduction Act of international forms used under the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance (the Hague Child Support Convention) starting on January 1, 2017. We are requesting emergency clearance by October 20, 2016. Concurrent with submitting this emergency approval request to OMB, OCSE has also initiated a regular review process for the Hague Convention forms.

On January 1, 2017, the 2007 the Hague Child Support Convention will enter into force for the United States. Once the Convention is in effect, U.S. States will process child support cases with other countries that have ratified the Convention under the requirements of the Convention and article 7 of the Uniform Interstate Family Support Act (UIFSA 2008). As of January 1, 2017, 33 countries will be party to the Convention. The U.S. must implement the Convention's case processing forms in order to be compliant with the Convention.

Since ratification of the Convention was not certain, OCSE could not submit the forms for approval until an effective date of the Convention became official. The instrument of ratification for the Hague Convention was officially deposited on September 7, 2016 which set the effective date as January 1, 2017.

International child support: More than one country may become involved in a child support case when the parents and/or child live in different countries, when a support order was issued internationally, and when assets are sought in countries other than the country enforcing the support order, among other scenarios. Because laws and procedures vary widely among international jurisdictions, international cases can be complex and difficult to process, resulting in less child support reaching the families who need it. In the U.S., we estimate that about one percent of the total child support caseload has an international component, a number which is expected to increase over time.

Hague Convention background: On January 1, 2017, the 2007 Hague Child Support Convention will enter into force for the United States. This Convention contains groundbreaking provisions that, for the first time on a worldwide scale, will establish uniform, simple, fast, and inexpensive procedures for the processing of international child support cases. Once the Convention is in effect, U.S. States will process child support cases with other countries that have ratified the Convention under the requirements of the Convention and article 7 of the Uniform Interstate Family Support Act (UIFSA 2008). For more information about the Hague Child Support Convention see Office of Child Support Enforcement (OCSE) policy AT-14-11, IM-15-01, and DCL 16-11.

Hague Convention forms: In order to comply with the Convention, the U.S. must implement the Convention's case processing forms. The Convention case processing forms were developed by a special working group, in which the U.S. played a leadership role, as a part of the Hague Child Support Convention negotiations. The working group designed the 14 Convention forms to comply with the Convention and reduce the complexity of international case processing for all Convention countries.

ACF cannot comply through the use of regular clearance procedures because of the Hague Child Support Convention's effective date of January 1, 2017. Due to the uncertainty of the ratification date, we were not able to use regular clearance procedures to meet this effective date. Emergency approval is necessary for ACF to perform its mission. This request is submitted under section 1320.13 of the implementing rule of the Paperwork Reduction Act.