

**45 CFR 303.7 -- Provision of Services in
Intergovernmental IV-D; Federally Approved
Forms (OMB #0970-0085)**

**OMB Information Collection Request
0970 - 0085**

**Supporting Statement Part A -
Justification**

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Submitted By:
Office of Child Support Enforcement
Administration for Children and Families
U.S. Department of Health and Human Services

SUPPORTING STATEMENT A – JUSTIFICATION

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*.

The intergovernmental forms are critically important for the effective and efficient processing of child support cases under UIFSA 2008. In the last triennial PRA review, OCSE, along with a federal-state workgroup, proposed substantial revisions to the forms to reflect changes to UIFSA and other regulatory and policy developments. For this current information collection request, OCSE proposes a minimal number of changes to the forms. Most of the proposed changes are to the instructions for clarification and consistency, especially related to safeguarding data. In addition, we propose a change to the Child Support Enforcement Transmittal #3 – Request for Assistance/Discovery to add a new action to facilitate payment processing for a direct Income Withholding Order and revise the payment forwarding action for clarity and to include a request for the remittance ID in the case. We also propose a change to the Declaration in Support of Establishing Parentage to allow a representative of a state child support or foster care agency to sign the form, consistent with the declaration section of the General Testimony form. This is in addition to some changes and adjustments in response to public comments (see *Attachment 2* for details about changes in response to public comments).

2. Purpose and Use of the Information Collection

The federally approved intergovernmental forms are used to facilitate interstate child support case processing when more than one state child support agency is involved. More than one state agency 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. These forms are used among state agencies for case processing; neither the forms or information on the forms is sent to or collected by federal OCSE.

The intergovernmental forms are readily recognizable and provide the information states agree is needed to process a case. These 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.

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' 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 (a federal system), allowing forms information to be transmitted electronically between states. Documents can also be transmitted electronically through OCSE's 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 child support 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

State agencies using these forms must adhere to regulatory timeframes for intergovernmental case processing as required under 45 CFR 303.7. Some of the case processing timeframes include sending information on the forms in fewer than 30 days, in order to provide effective child support services to

families. As noted earlier, neither these forms nor the information on the forms is submitted directly to OCSE.

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

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on June 18, 2019, Volume 84, Number 117, page 28304, and provided a sixty-day period for public comment. During the notice and comment period, we received comments from 18 organizations and states. For the comments and OCSE's responses to each comment, see Attachment 2.

9. Explanation of Any Payment or Gift to Respondents

No payments or gifts are involved in this information collection.

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 forms allow for the removal of the personal information from each of the other standard intergovernmental forms. The first form is the Child Support Agency Confidential Information Form which is used only between agencies. The second 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 but two of the forms - the Personal Information Form for 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.

12. Estimates of Annualized Burden Hours and Costs

Instrument	Number of Respondents	Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
Transmittal #1 – Initial Request	54	18,246	0.21	206,910	34.44	\$7,125,980
Transmittal #1 – Initial Request Acknowledgement	54	18,246	0.06	59,117	34.44	\$2,035,989
Transmittal #2 – Subsequent Action	54	13,685	0.10	73,899	34.44	\$2,545,082
Transmittal #3 - Request for Assistance/Discovery	54	2,737	0.10	14,780	34.44	\$509,023
Uniform Support Petition	54	7,298	0.06	23,646	34.44	\$814,368
General Testimony	54	7,298	0.41	161,578	34.44	\$5,564,746
Declaration in Support of Establishing Parentage	54	2,737	0.19	28,082	34.44	\$967,144
Child Support Locate Request	54	182	0.06	590	34.44	\$20,320
Notice of Determination of Controlling Order	54	2	0.31	33	34.44	\$1,137
Letter of Transmittal Requesting Registration	54	10,948	0.10	59,119	34.44	\$2,036,058
Personal Information Form for UIFSA § 311	54	7,298	0.06	23,646	34.44	\$814,368
Child Support Agency Confidential Information Form	54	21,895	0.06	70,940	34.44	\$2,443,174
Request for Change of Support Payment Location Pursuant to UIFSA 319(b)	54	91	0.06	295	34.44	\$10,160
Estimated Annual Burden Total:				722,635	Estimated Annual Cost Total:	\$24,887,549

Regarding cost calculations, the Bureau of Labor Statistics reports the mean hourly wage for Social and Human Services Assistants (job code 21-1093) is \$17.22. Multiplying this hourly wage by two to account for fringe benefits and overhead the rate, the rate is \$34.44. Therefore, the estimate of annualized cost to respondents for hour burden is \$34.44 times 722,635 or \$24,887,549.

<https://www.bls.gov/oes/current/oes211093.htm>

In response to OMB’s comment, we increased the time it takes to complete each form by 25%. Following the renewal of the forms, we will reach out to states to gather more information on how long it takes for each form to be completed and calculate a more precise burden estimate.

Even though the number of burden hours in this information collection request is decreased from the previous review, the costs are higher this submission because we are adding in the fringe benefits and overhead rate which were not included during the last submission. During the last review of the forms, we calculated the mean hourly wage to be \$21.85.

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

States will need to implement a one-time change to their statewide systems to implement the minor changes to the forms. In the estimate of costs in the table below, there is a one-time total cost to states of \$449,280 averaging \$8,320 per state. Under the Title IV-D program, states pay 33% of the costs for running their child support program, and the Federal Government covers 66% of the costs.

Instrument	Change	Number of Forms	Number of Respondents	Hours	Total Hours	Cost per Hour	Total Cost	Total State Cost	Total Federal Cost
Inter-governmental forms	One-time statewide systems modifications	13	54	16	11,232	\$120	\$1,347,840	\$449,280	\$898,560

14. Annualized Cost to the Federal Government

There is a one-time cost to the Federal Government for the one-time statewide systems modifications of \$898,560, as indicated under item 13.

15. Explanation for Program Changes or Adjustments

The estimate of annual burden hours has declined from 771,309 hours in the last approval to 722,635 hours in this request. Changes in burden are due to the decline in the overall child support caseload over the last several years and also changes in estimate in response times based on reading time estimates per HHS guidance. States use these forms to process cases between jurisdictions; these intergovernmental cases are a percentage of each state’s overall caseload. Therefore, as the total number of cases declines, so does the number of intergovernmental cases. For information on the child support caseload, see [OCSE Annual Report to Congress FY 2016, Table 34](#).

16. Plans for Tabulation and Publication and Project Time Schedule

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

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.