

Federal Case Registry (FCR)

**OMB Information Collection Request
0970 - 0421**

**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

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) amended the Social Security Act (“the Act”) to require the U.S. Department of Health and Human Services, Office of Child Support Enforcement (“OCSE”) to establish and maintain in the Federal Parent Locator Service (FPLS) the Federal Case Registry of Child Support Orders (“Federal Case Registry or FCR”). The FCR is a national database of state-provided abstracts of IV-D child support cases and non-IV-D cases, including orders that are entered or modified after October 1, 1998. The PRWORA also amended the Act to require each state to have a “State Case Registry” (SCR) that includes information on individuals involved in child support cases. IV-D cases are those in which the state is currently providing child support services as directed by the state’s IV-D program. A non-IV-D case is one in which the state has no current application for services or is not receiving services from any other state program.

Each state is required to transmit SCR information to the FCR, which serves as an electronic information exchange system within the FPLS. The FCR contains key information including an order indicator and case and participant data received from each of the SCRs. Using the FCR allows authorized state agencies to determine whether any state has an interest in the same individuals, thereby enhancing the nation’s child support enforcement efforts and avoiding duplication of efforts.

The authorities for the FCR information collection activities are:

- (1) 42 U.S.C. § 653(h), requiring the establishment of the Federal Case Registry (FCR) within the Federal Parent Locator Service (FPLS);
- (2) 42 U.S.C. § 654a(e), requiring state child support agencies to include a State Case Registry (SCR) in the state’s automated system;
- (3) 42 U.S.C. § 654a(f)(1), requiring states to conduct information comparison activities between the SCR and the FCR.

2. Purpose and Use of the Information Collection

The purpose of the FCR is to assist states in administering child support enforcement programs under state plans that are approved under Title IV-D and programs funded under Title IV-A of the Act. Accessing and exchanging FCR child support case information helps authorized state agencies to establish, modify, or enforce child support obligations; establish paternity; enforce state laws regarding parental kidnapping; and, establish or enforce child custody or visitation determinations. Furthermore, the FCR allows an individual or agency to obtain information through the FPLS to assist in locating missing parents.

Access to the information from the FPLS is limited to authorized persons, as defined under 42 U.S.C. § 653(c). Authorized persons include:

- (1) any agent or attorney of any state or Indian tribe or tribal organization having in effect an approved state plan who has the duty or authority under such plan to seek to recover any amounts owed as child and spousal support;
- (2) the court which has the authority to issue an order or to serve as the initiating court in an action to seek an order against a noncustodial parent for the support and maintenance of a child;
- (3) the resident parent, legal guardian, attorney, or agent of a child (other than a child receiving Temporary Assistance for Needy Families);
- (4) a state agency that is administering a child welfare, foster care, or adoption assistance program under an approved state plan; and
- (5) an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country.

3. Use of Improved Information Technology and Burden Reduction

All case registry data is electronically transmitted from the states' SCRs to the FCR, daily or weekly. To process the files, OCSE first verifies the data with the Social Security Administration within two days, proactively matches with the National Directory of New Hires and external locate sources, if requested, and then proactively returns the matched data to the states.

4. Efforts to Identify Duplication and Use of Similar Information

The FCR does not collect or maintain duplicative information and is the only national database with abstracted information from child support cases and participants, including an order indicator.

5. Impact on Small Businesses or Other Small Entities

The collection of information requirements does not involve small businesses or small entities.

6. Consequences of Collecting the Information Less Frequently

Collecting the information, daily or weekly, through the SCR to the FCR is vital to efficient and effective case management. Prior to the SCR and FCR interface, states relied on manual, time-consuming efforts to obtain case information on common participants with other states, or states had no knowledge of common participants, which delayed or duplicated child support activities. By sharing and updating case information through the FCR, state agencies receive timely information, such as location, income, asset, and employment information, which enables efficient processing of cases. If case information is collected less frequently, states may not learn of, or may experience delays in learning about, information of common participants resulting in multiple orders, duplicative actions, or ineffective child support activities.

7. Special Circumstances Relating to the Guidelines of 5 C.F.R 1320.5

Current case information is necessary for the efficacy of the FCR. States may submit new and updated case information to the FCR through their SCRs more frequently; however, 45 CFR 307.11(f)(1) requires submission of new and updated case and participant information from SCRs to the FCR “within five (5) business days of receipt”

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 May 29, 2020, Volume 85, Number 104, page 32400, and provided a 60-day period for public comment. During the 60-day notice and comment period, OCSE did not receive any comments.

9. Explanation of Any Payment or Gift to Respondents

Respondents do not receive payments or gifts in exchange for providing information.

10. Assurance of Confidentiality Provided to Respondents

OCSE and states adhere to the following Social Security Act requirements to ensure confidentiality:

- Section 453(l) of the Act states: “Information in the Federal Parent Locator Service, and information resulting from comparisons using such information, shall not be used or disclosed except as expressly provided in this section, subject to Section 6103 of the Internal Revenue Code of 1986.” 42 U.S.C. § 653(l).
- Section 453(b)(1) of the Act discusses the disclosure of information to authorized persons upon request and states: “... the Secretary shall ... provide through the Federal Parent Locator Service such information to such person, if such information – is contained in any files or records maintained by the Secretary...; or ... can be obtained by the Secretary ... from another department, agency, or instrumentality of the United States or of any State....” 42 U.S.C. § 653(b)(1).
- Section 453(b)(2) of the Act provides that: “[n]o information shall be disclosed to any person if the disclosure of such information would contravene the national policy or security interests of the United States or the confidentiality of census data. ... No information shall be disclosed to any person if the State has notified the Secretary that the State has reasonable evidence of domestic violence or child abuse and the disclosure of such information could be harmful to the custodial parent or the child....” 42 U.S.C. §

653(b)(2).

- Section 453(b)(3) of the Act further provides that: “[i]nformation received or transmitted ... shall be subject to the safeguard provisions contained in section 454(26).” 42 U.S.C. § 653(b)(3).
- Section 454(26) of the Act requires each state to implement the following safeguards “... applicable to all confidential information handled by the State agency, that are designed to protect the privacy rights of the parties, including – (A) safeguards against unauthorized use or disclosure of information relating to proceedings or actions to establish paternity, or to establish, modify, or enforce support, or to make or enforce a child custody determination; (B) prohibitions against the release of information on the whereabouts of 1 party or the child to another party against whom a protective order with respect to the former party or the child has been entered;” and “(C) prohibitions against the release of information on the whereabouts of 1 party or the child to another person if the State has reason to believe that the release of the information to that person may result in physical or emotional harm to the party or the child....” 42 U.S.C. § 654(26).

11. Justification for Sensitive Questions

Federal law requires OCSE to operate the FPLS and maintain certain automated directories for the primary purpose of assisting state child support agencies. OCSE is also required to assist other state and federal agencies for authorized purposes. Sensitive information, if any, is justified because state child support agencies are required to obtain information pertaining to the establishment of parentage and the establishment, modification, and enforcement of support obligations. Information required to register on the FCR is the participant’s first name, last name, Social Security number or date of birth, sex; state case number, Federal Information Processing Standard code; and case category and participant type.

The collection of this information is necessary to correctly match case and participant information. See 42 U.S.C. § 653(h)(2) and 45 CFR 303.70(d)(2).

12. Estimates of Annualized Burden Hours and Costs

The burden estimate tables present the time and costs associated with states transmitting data from the SCR to the FCR. Respondents use Appendix G: Input Record Layouts to submit the necessary information electronically.

The annualized cost to respondents for the hour burden is based on an average cost per Computer Processing Unit (CPU) minute of \$12 or \$720 per burden hour. This estimated CPU cost is based on OCSE’s experience from reimbursement agreements with the data center provider. The automated process eliminates any labor costs associated with the data transmission from the SCR to the FCR.

Information Collection Title	Total Number of Respondents	Average Annual Number of Responses per Respondent	Average Burden Hours per Response	Total Annual Burden Hours	Average Annual Cost per Respondent	Cost per Burden Hour	Total Annual Cost
Appendix G: Input Record Layouts	54	151 ¹	0.0333 ²	272 ³	\$3,627 ⁴	\$720 ⁵	\$195,840 ⁶
Estimated Total Annual Burden:				272	Estimated Annual Cost Total:		\$195,840

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

Respondents already use required systems in place to provide information to the FCR, so there is no capital or start-up cost burden to respondents. Any ongoing cost to states is usual and customary to operate and maintain their existing state systems. There are also no incremental costs associated with collecting this information.

14. Annualized Cost to the Federal Government

The annualized cost to the federal government for the case registry requirements is approximately \$2.5 million. This includes FCR system development, technical assistance, and contracting costs, as well as the software and hardware costs incurred by OCSE in association with the FCR.

15. Explanation for Program Changes or Adjustments

There are no program changes.

16. Plans for Tabulation and Publication and Project Time Schedule

Records contained in the FCR are included in the OCSE Annual Report to Congress. There

¹ Number of responses per respondent is based on the assumption that half of the states submit weekly (52 responses) and half submit daily (250 responses) or an annual average of 151.

² Estimated transmission time is 2 minutes. For the hourly calculation, use 2/60 or 0.0333.

³ 54 respondents submit an average of 151 responses per year multiplied by the transmission time of 0.0333 minutes for an annual total of 272 burden hours (rounded up).

⁴ Total costs of \$195,480 divided by the number of respondents (54) is an annual cost per respondent of \$3,627.

⁵ 60 minutes, or 1 burden hour, multiplied by \$12 per CPU minute is \$720 per burden hour.

⁶ To calculate the total annual cost of \$195,480: 272 respondent hours multiplied by \$720 (60 minutes at \$12 per CPU minute).

are no other planned analyses, tabulations, or publications of the data collected.

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

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

No exceptions.