

# **Federal Case Registry (FCR)**

**OMB Information Collection Request  
0970 - 0421**

**Supporting Statement Part A - Justification**

**October 2023**

**Type of Request:** Revision

Submitted By:

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

## **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 Services (“OCSS”) 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 by courts or other tribunals 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 FCR within the FPLS
- (2) 42 U.S.C. § 654a(e), requiring state child support agencies to include a 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 help states administer 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 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 help locate 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**

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. Within two days, OCSS verifies data with the Social Security Administration, matches with the National Directory of New Hires and external locate sources, if requested, and then 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. This 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**

Not applicable.

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

Collecting the information daily or weekly is vital for efficient and effective case management. 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**

In accordance with 45 CFR 307.11(f)(1), states must submit 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 19, 2023, Volume 88, page 32226, and provided a 60-day period for public comment. OCSS did not receive any comments.

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

Not applicable.

## 10. Assurance of Confidentiality Provided to Respondents

A Notice of a System of Records for the Federal Case Registry was issued at 80 FR 17912 (April 2, 2015), amended at 83 FR 6591 (February 14, 2018), and again at 87 FR 56055 (September 13, 2022).

OCSS 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

The OCSS operation of the FPLS is a federal requirement to help child support agencies locate, establish, enforce, and collect child support. States are required to obtain sensitive information to meet these child support program requirements.

The FCR collects sensitive information to ensure participants are correctly matched to cases. See 42 U.S.C. § 653(h)(2) and 45 CFR 303.70(d)(2).

## 12. Estimates of Annualized Burden Hours and Costs

The annual burden estimate for the FCR collection activities pertain to data transmissions from the SCR to the FCR. Respondents use *Appendix G: Input Record Layout* 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 the OCSS 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 Layout	54	406 <sup>1</sup>	0.0333 <sup>2</sup>	730 <sup>3</sup>	\$9,733 <sup>4</sup>	\$720 <sup>5</sup>	\$525,600 <sup>6</sup>
<b>Estimated Total Annual Burden:</b>				730	<b>Estimated Annual Cost Total:</b>		\$525,600

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

Respondents use existing, statutorily required systems 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.

<sup>1</sup> Number of responses per respondent is the average number of submissions to the FCR per state in Calendar Year 2022.

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

<sup>3</sup> 54 respondents submit an average of 406 responses per year multiplied by the transmission time of 0.0333 minutes for an annual total of 730 burden hours (rounded).

<sup>4</sup> Total costs of \$525,600 divided by the number of respondents (54) is an annual cost per respondent of \$9,733.

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

<sup>6</sup> To calculate the total annual cost of \$525,600: 730 respondent hours multiplied by \$720 (60 minutes at \$12 per CPU minute).

#### **14. Annualized Cost to the Federal Government**

The annualized cost to the federal government for the case registry requirements is approximately \$4.9 million. This includes FCR system development, technical assistance, and contracting costs, as well as the software and hardware costs incurred by OCSS in association with the FCR.

#### **15. Explanation for Program Changes or Adjustments**

OCSS made minor edits to clarify Appendix G: Input Record Layout, which constitute a program change but does not impact the burden. Additionally, the estimated annual number of respondents was increased based on FCR submissions per state in calendar year 2022, which resulted in an overall increase in annual burden estimate.

#### **16. Plans for Tabulation and Publication and Project Time Schedule**

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

Not applicable.