To amend part D of title IV of the Social Security Act to ensure that the United States can comply fully with the obligations of the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; REFERENCES.

(a) Short Title.—This Act may be cited as the “International Child Support Recovery Improvement Act of 2012”.

(b) References.—Except as otherwise expressly provided in this Act, wherever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the amendment shall be considered to be made to a section or other provision of the Social Security Act.

SEC. 2. AMENDMENTS TO ENSURE ACCESS TO CHILD SUPPORT SERVICES FOR INTERNATIONAL CHILD SUPPORT CASES.

(a) Authority of the Secretary of HHS To Ensure Compliance With Multilateral Child Support Conventions.—

(1) In general.—Section 452 (42 U.S.C. 652) is amended—

(A) by redesignating the second subsection (l) (as added by section 7306 of the Deficit Reduction Act of 2005) as subsection (m); and

(B) by adding at the end the following:

“(n) The Secretary shall use the authorities otherwise provided by law to ensure the compliance of the United States with any multilateral child support convention to which the United States is a party.”.
(2) CONFORMING AMENDMENT.—Section 453(k)(3) (42 U.S.C. 653(k)(3)) is amended by striking “452(l)” and inserting “452(m)”.

(b) ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c) (42 U.S.C. 653(c)) is amended—

(1) by striking “and” at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting “; and”; and

(3) by adding at the end the following:

“(5) an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country for purposes specified in section 459A(c)(2).”.

(c) STATE OPTION TO REQUIRE INDIVIDUALS IN FOREIGN COUNTRIES TO APPLY THROUGH THEIR COUNTRY’S APPROPRIATE CENTRAL AUTHORITY.—Section 454 (42 U.S.C. 654) is amended—

(1) in paragraph (4)(A)(ii), by inserting before the semicolon “(except that, if the individual applying for the services resides in a foreign reciprocating country or foreign treaty country, the State may opt to require the individual to request the services through the Central Authority for child support en-
forcement in the foreign reciprocating country or the foreign treaty country, and if the individual resides in a foreign country that is not a foreign reciprocating country or a foreign treaty country, a State may accept or reject the application); and

(2) in paragraph (32)—

(A) in subparagraph (A), by inserting “, a foreign treaty country,” after “a foreign reciprocating country”; and

(B) in subparagraph (C), by striking “or foreign obligee” and inserting “, foreign treaty country, or foreign individual”.

(d) AMENDMENTS TO INTERNATIONAL SUPPORT ENFORCEMENT PROVISIONS.—Section 459A (42 U.S.C. 659a) is amended—

(1) by adding at the end the following:

“(e) REFERENCES.—In this part:

“(1) FOREIGN RECIPROCATING COUNTRY.—The term ‘foreign reciprocating country’ means a foreign country (or political subdivision thereof) with respect to which the Secretary has made a declaration pursuant to subsection (a).

“(2) FOREIGN TREATY COUNTRY.—The term ‘foreign treaty country’ means a foreign country for
which the 2007 Family Maintenance Convention is
in force.

“(3) 2007 FAMILY MAINTENANCE CONVEN-
TION.—The term ‘2007 Family Maintenance Con-
vention’ means the Hague Convention of 23 Novem-
ber 2007 on the International Recovery of Child
Support and Other Forms of Family Maintenance.”;

(2) in subsection (c)—

(A) in the matter preceding paragraph (1),
by striking “foreign countries that are the sub-
ject of a declaration under this section” and in-
serting “foreign reciprocating countries or for-

gn treaty countries”; and

(B) in paragraph (2), by inserting “and
foreign treaty countries” after “foreign recipro-
cating countries”; and

(3) in subsection (d), by striking “the subject of
a declaration pursuant to subsection (a)” and insert-
ing “foreign reciprocating countries or foreign treaty
countries”.

(e) COLLECTION OF PAST-DUE SUPPORT FROM FED-
eral Tax Refunds.—Section 464(a)(2)(A) (42 U.S.C.
664(a)(2)(A)) is amended by striking “under section
454(4)(A)(ii)” and inserting “under paragraph (4)(A)(ii)
or (32) of section 454”.

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(f) **State Law Requirement Concerning the Uniform Interstate Family Support Act** (UIFSA).—

(1) **In General.**—Section 466(f) (42 U.S.C. 666(f)) is amended—

(A) by striking “on and after January 1, 1998,”;

(B) by striking “and as in effect on August 22, 1996,”; and

(C) by striking “adopted as of such date” and inserting “adopted as of September 30, 2008”.

(2) **Conforming Amendment to Title 28, United States Code.**—Section 1738B of title 28, United States Code, is amended—

(A) in subsection (d), by striking “individual contestant” and inserting “individual contestant or the parties have consented in a record or open court that the tribunal of the State may continue to exercise jurisdiction to modify its order,”;

(B) in subsection (c)(2)(A), by striking “individual contestant” and inserting “individual contestant and the parties have not consented in a record or open court that the tri-
bunal of the other State may continue to exer-
cise jurisdiction to modify its order”; and

(C) in subsection (b)—

(i) by striking “‘child’ means—” and
inserting “(1) The term ‘child’ means”;

(ii) by striking “‘child’s State’
means” and inserting “(2) The term
‘child’s State’ means”;

(iii) by striking “‘child’s home State’
means” and inserting “(3) The term
‘child’s home State’ means”;

(iv) by striking “‘child support’
means” and inserting “(4) The term ‘child
support’ means”;

(v) by striking “‘child support order’
means” and inserting “(5) The term ‘child
support order’ means”;

(vi) by striking “‘contestant’ means”
and inserting “(6) The term ‘contestant’
means”;

(vii) by striking “‘court’ means” and
inserting “(7) The term ‘court’ means”;

(viii) by striking “‘modification’
means” and inserting “(8) The term
‘modification’ means”; and
(ix) by striking “‘State’ means” and inserting “(9) The term ‘State’ means’.

(3) Effective date; grace period for state law changes.—

(A) Paragraph (1).—(i) The amendments made by paragraph (1) shall take effect with respect to a State on the later of—

(I) October 1, 2013; or

(II) the effective date of laws enacted by the legislature of the State implementing such paragraph, but in no event later than the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act.

(ii) For purposes of clause (i), in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(B) Paragraph (2).—(i) The amendments made by subparagraphs (A) and (B) of paragraph (2) shall take effect on the date on which the Hague Convention of 23 November 2007 on
the International Recovery of Child Support
and Other Forms of Family Maintenance enters
into force for the United States.

(ii) The amendments made by subpara-
graph (C) of paragraph (2) shall take effect on
the date of the enactment of this Act.

SEC. 3. DATA EXCHANGE STANDARDIZATION FOR IM-
PROVED INTEROPERABILITY.

(a) In General.—Section 452 (42 U.S.C. 652), as
amended by section 2(a)(1) of this Act, is amended by
adding at the end the following:

“(o) Data Exchange Standardization for Im-
proved Interoperability.—

“(1) Data Exchange Standards.—

“(A) Designation.—The Secretary, in
consultation with an interagency work group
which shall be established by the Office of Man-
gagement and Budget, and considering State
and tribal perspectives, shall, by rule, designate
a data exchange standard for any category of
information required to be reported under this
part.

“(B) Data Exchange Standards Must
Be Nonproprietary and Interoperable.—
The data exchange standard designated under
subparagraph (A) shall, to the extent practicable, be nonproprietary and interoperable.

“(C) OTHER REQUIREMENTS.—In designating data exchange standards under this section, the Secretary shall, to the extent practicable, incorporate—

“(i) interoperable standards developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization;

“(ii) interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model; and

“(iii) interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulatory Council.

“(2) DATA EXCHANGE STANDARDS FOR REPORTING.—

“(A) DESIGNATION.—The Secretary, in consultation with an interagency work group es-
established by the Office of Management and Budget, and considering State and tribal perspectives, shall, by rule, designate data exchange standards to govern the data reporting required under this part.

“(B) REQUIREMENTS.—The data exchange standards required by subparagraph (A) shall, to the extent practicable—

“(i) incorporate a widely-accepted, nonproprietary, searchable, computer-readable format;

“(ii) be consistent with and implement applicable accounting principles; and

“(iii) be capable of being continually upgraded as necessary.

“(C) INCORPORATION OF NONPROPRIETARY STANDARDS.—In designating reporting standards under this paragraph, the Secretary shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Markup Language.”.

(b) EFFECTIVE DATES.—

(1) DATA EXCHANGE STANDARDS.—The Secretary of Health and Human Services shall issue a proposed rule under section 452(o)(1) of the Social
Security Act within 12 months after the date of the enactment of this section, and shall issue a final rule under such section 452(o)(1), after public comment, within 24 months after such date of enactment.

(2) DATA REPORTING STANDARDS.—The reporting standards required under section 452(o)(2) of such Act shall become effective with respect to reports required in the first reporting period, after the effective date of the final rule referred to in paragraph (1) of this subsection, for which the authority for data collection and reporting is established or renewed under the Paperwork Reduction Act.

SEC. 4. EFFICIENT USE OF THE NATIONAL DIRECTORY OF NEW HIRES DATABASE FOR FEDERALLY SPONSORED RESEARCH ASSESSING THE EFFECTIVENESS OF FEDERAL POLICIES AND PROGRAMS IN ACHIEVING POSITIVE LABOR MARKET OUTCOMES.

Section 453 (42 U.S.C. 653) is amended—

(1) in subsection (i)(2)(A), by striking “24” and inserting “48”; and

(2) in subsection (j), by striking paragraph (5) and inserting the following:

“(5) RESEARCH.—
“(A) IN GENERAL.—Subject to subparagraph (B) of this paragraph, the Secretary may provide access to data in each component of the Federal Parent Locator Service maintained under this section and to information reported by employers pursuant to section 453A(b), for—

“(i) research undertaken by a State or Federal agency (including through grant or contract) for purposes found by the Secretary to be likely to contribute to achieving the purposes of part A or this part; or

“(ii) an evaluation or statistical analysis undertaken to assess the effectiveness of a Federal program in achieving positive labor market outcomes (including through grant or contract), by—

“(I) the Department of Health and Human Services;

“(II) the Social Security Administration;

“(III) the Department of Labor;

“(IV) the Department of Education;
“(V) the Department of Housing and Urban Development;
“(VI) the Department of Justice;
“(VII) the Department of Veterans Affairs;
“(VIII) the Bureau of the Census;
“(IX) the Department of Agriculture; or
“(X) the National Science Foundation.

“(B) PERSONAL IDENTIFIERS.—Data or information provided under this paragraph may include a personal identifier only if, in addition to meeting the requirements of subsections (l) and (m)—
“(i) the State or Federal agency conducting the research described in subparagraph (A)(i), or the Federal department or agency undertaking the evaluation or statistical analysis described in subparagraph (A)(ii), as applicable, enters into an agreement with the Secretary regarding the security and use of the data or information;
“(ii) the agreement includes such restrictions or conditions with respect to the use, safeguarding, disclosure, or redisclosure of the data or information (including by contractors or grantees) as the Secretary deems appropriate;

“(iii) the data or information is used exclusively for the purposes defined in the agreement; and

“(iv) the Secretary determines that the provision of data or information under this paragraph is the minimum amount needed to conduct the research, evaluation, or statistical analysis, as applicable, and will not interfere with the effective operation of the program under this part.

“(C) Penalties for unauthorized disclosure of data.—Any individual who willfully discloses a personal identifier (such as a name or social security number) provided under this paragraph, in any manner to an entity not entitled to receive the data or information, shall be guilty of a class E felony under title 18, United States Code. Any penalty imposed under
the preceding sentence shall be in addition to any applicable penalty under subsection (l).”.

SEC. 5. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.