

112TH CONGRESS  
1ST SESSION

# S. 1383

To amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JULY 19, 2011

Mr. MENENDEZ (for himself and Mr. GRASSLEY) introduced the following bill;  
which was read twice and referred to the Committee on Finance

---

## A BILL

To amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthen and Vital-  
5 ize Enforcement of Child Support (SAVE Child Support)  
6 Act”.

1 **SEC. 2. AMENDMENTS TO SOCIAL SECURITY ACT; REF-**  
2 **ERENCES.**

3 (a) AMENDMENTS TO SOCIAL SECURITY ACT.—Ex-  
4 cept as otherwise specifically provided, wherever in this  
5 Act an amendment or repeal is expressed in terms of an  
6 amendment to, or repeal of, a section or other provision,  
7 the amendment or repeal shall be considered to be made  
8 to that section or other provision of the Social Security  
9 Act.

10 (b) SECRETARY.—In this Act, the term “Secretary”  
11 means the Secretary of Health and Human Services.

12 **SEC. 3. INTERSTATE AND INTERNATIONAL CHILD SUPPORT**  
13 **PAYMENTS.**

14 (a) REQUIRING STATES TO ADOPT THE 2008  
15 AMENDMENTS TO THE UNIFORM INTERSTATE FAMILY  
16 SUPPORT ACT.—

17 (1) IN GENERAL.—Section 466(f) (42 U.S.C.  
18 666(f)) is amended to read as follows:

19 “(f) UNIFORM INTERSTATE FAMILY SUPPORT  
20 ACT.—In order to satisfy section 454(20)(A), on and after  
21 January 1, 2014, each State must have in effect the Uni-  
22 form Interstate Family Support Act, as approved by the  
23 American Bar Association on February 9, 1993, and as  
24 in effect on October 1, 2008, including any amendments  
25 officially adopted as of such date by the National Con-  
26 ference of Commissioners on Uniform State Laws.”.

1           (2) EFFECTIVE DATE.—The amendments made  
2           by this subsection shall take effect on January 1,  
3           2014.

4           (b) FULL FAITH AND CREDIT FOR CHILD SUPPORT  
5           ORDERS.—Section 1738B of title 28, United States Code,  
6           is amended—

7           (1) by striking subsection (d) and inserting the  
8           following:

9           “(d) CONTINUING, EXCLUSIVE JURISDICTION.—

10           “(1) IN GENERAL.—Except as provided under  
11           paragraph (2), a court of a State that has made a  
12           child support order consistently with this section has  
13           continuing, exclusive jurisdiction to modify its order,  
14           if—

15           “(A) the order is the controlling order; and

16           “(B) the State—

17           “(i) is the child’s State or the resi-  
18           dence of any individual contestant; or

19           “(ii) the contestants consent in a  
20           record or open court that the court may  
21           continue to exercise jurisdiction to modify  
22           its order.

23           “(2) EXCEPTION.—A court may not exercise its  
24           continuing, exclusive jurisdiction to modify the order  
25           if the court of another State, acting in accordance

1 with subsections (e) and (f), has made a modifica-  
2 tion of the order.”;

3 (2) in subsection (e), by striking paragraph (2)  
4 and inserting the following:

5 “(2)(A) the court of the other State no longer  
6 has continuing, exclusive jurisdiction of the child  
7 support order because that State no longer is the  
8 child’s State or the residence of any individual con-  
9 testant and the parties have not consented in a  
10 record or open court that the court of the other  
11 State may continue to exercise jurisdiction to modify  
12 its order; or

13 “(B) each individual contestant has filed writ-  
14 ten consent with the State of continuing, exclusive  
15 jurisdiction for a court of another State with juris-  
16 diction over at least 1 of the individual contestants  
17 or that is located in the child’s State to modify the  
18 order and assume continuing, exclusive jurisdiction  
19 over the order.”; and

20 (3) in subsection (i), by inserting “, unless the  
21 parties have consented in a record or open court  
22 that the court of the issuing State may continue to  
23 exercise jurisdiction to modify its order” before the  
24 period.

1 (c) ENSURING ACCESS TO CHILD SUPPORT SERVICES  
2 FOR INTERNATIONAL CHILD SUPPORT CASES.—

3 (1) SECRETARY'S AUTHORITY TO ENSURE COM-  
4 PLIANCE WITH MULTILATERAL CHILD SUPPORT  
5 CONVENTION.—

6 (A) IN GENERAL.—Section 452 (42 U.S.C.  
7 652) is amended—

8 (i) by redesignating the second sub-  
9 section (l) (as added by section 7306 of  
10 Public Law 109–171) as subsection (m);  
11 and

12 (ii) by adding at the end the fol-  
13 lowing:

14 “(n) SECRETARY'S AUTHORITY TO ENSURE COMPLI-  
15 ANCE WITH MULTILATERAL CHILD SUPPORT CONVEN-  
16 TION.—Consistent with the national policy of the United  
17 States to fully comply with the obligations of any multilat-  
18 eral child support convention to which the United States  
19 is a party, the Secretary shall utilize Federal and, as ap-  
20 propriate, State enforcement mechanisms in furtherance  
21 of this policy and take such steps as may be necessary  
22 within the Secretary's authority to ensure compliance with  
23 the United States treaty obligations under such convention  
24 in the event the Secretary determines that a State plan  
25 does not comply with such obligations.”.

1 (B) CONFORMING AMENDMENT.—Section  
2 453(k)(3) (42 U.S.C. 653(k)(3)) is amended by  
3 striking “452(l)” and inserting “452(m)”.

4 (2) ACCESS TO THE FEDERAL PARENT LOCA-  
5 TOR SERVICE.—Section 453(c) (42 U.S.C. 653(c)) is  
6 amended—

7 (A) in paragraph (3), by striking “and” at  
8 the end;

9 (B) in paragraph (4), by striking the pe-  
10 riod at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(5) an entity designated as a Central Author-  
13 ity for child support enforcement in a foreign recip-  
14 rocating country or a foreign treaty country for pur-  
15 poses specified in section 459A(c)(2).”.

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

20 (A) in paragraph (4)(A)(ii), by inserting  
21 “(except that, if the individual applying for  
22 such services resides in a foreign reciprocating  
23 country or foreign treaty country, the State  
24 may opt to require such individual to request  
25 such services through the Central Authority for

1 child support enforcement in the foreign recip-  
2 rocating country or the foreign treaty country,  
3 and if the individual resides in a foreign coun-  
4 try that is not a foreign reciprocating country  
5 or a foreign treaty country, a State may accept  
6 the application)” after “the child”; and

7 (B) in paragraph (32)—

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

11 (ii) in subparagraph (C), by striking  
12 “or foreign obligee” and inserting “, a for-  
13 eign treaty country, or foreign individual”  
14 after “foreign reciprocating country”.

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

18 (A) in subsection (c)—

19 (i) in the matter preceding paragraph  
20 (1), by striking “foreign countries that are  
21 the subject of a declaration under this sec-  
22 tion” and inserting “foreign reciprocating  
23 countries or foreign treaty countries”; and

1 (ii) in paragraph (2), by inserting  
2 “and foreign treaty countries” after “for-  
3 eign reciprocating countries”;

4 (B) in subsection (d), by striking “the sub-  
5 ject of a declaration pursuant to subsection (a)”  
6 and inserting “foreign reciprocating countries  
7 or foreign treaty countries”; and

8 (C) by adding at the end the following:

9 “(e) REFERENCES.—In this part:

10 “(1) FOREIGN RECIPROCATING COUNTRY.—The  
11 term ‘foreign reciprocating country’ means a foreign  
12 country (or political subdivision thereof) with respect  
13 to which the Secretary has made a declaration pur-  
14 suant to subsection (a).

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

19 “(3) 2007 FAMILY MAINTENANCE CONVEN-  
20 TION.—The term ‘2007 Family Maintenance Con-  
21 vention’ means the Hague Convention of 23 Novem-  
22 ber 2007 on the International Recovery of Child  
23 Support and Other Forms of Family Maintenance.”.

24 (5) COLLECTION OF OVERDUE SUPPORT FROM  
25 FEDERAL TAX REFUNDS.—Section 464(a)(2)(A) (42

1 U.S.C. 664(a)(2)(A)) is amended by striking “under  
2 section 454(4)(A)(ii)” and inserting “under para-  
3 graph (4)(A)(ii) or (32) of section 454”.

4 **SEC. 4. CENTRALIZED AND ACCESSIBLE LIEN REGISTRY.**

5 (a) IN GENERAL.—Section 466(a)(4) (42 U.S.C.  
6 666(a)(4)) is amended to read as follows:

7 “(4) LIENS.—Procedures under which—

8 “(A) liens arise by operation of law against  
9 real and personal property for amounts of over-  
10 due support owed by a noncustodial parent who  
11 resides or owns property in the State;

12 “(B) all liens described in subparagraph  
13 (A) are reported to a centralized lien registry  
14 that is maintained in accordance with section  
15 4(b) of the Strengthen and Vitalize Enforce-  
16 ment of Child Support (SAVE Child Support)  
17 Act;

18 “(C) the State accords full faith and credit  
19 to liens described in subparagraph (A) arising  
20 in another State, when the State agency, party,  
21 or other entity seeking to enforce such a lien  
22 registers the lien with the Registry and does  
23 not require judicial notice or a hearing prior to  
24 the enforcement of such liens; and

1           “(D) the State ensures that any real or  
2           personal property with a lien described in sub-  
3           paragraphs (A) or (C) that has been reported  
4           to the centralized lien registry cannot be trans-  
5           ferred, sold, or otherwise disposed of, any insur-  
6           ance claim described in section 4(b)(1)(C) of  
7           the Strengthen and Vitalize Enforcement of  
8           Child Support (SAVE Child Support) Act can-  
9           not be paid, any estate cannot be settled, and  
10          any lump sum pension payment cannot be made  
11          until a search of the registry has been made in  
12          accordance with section 4(b) of such Act.”.

13          (b) CENTRALIZED LIEN REGISTRY.—

14           (1) IN GENERAL.—For purposes of section  
15          466(a)(4) of the Social Security Act, the State shall  
16          establish and maintain a centralized lien registry  
17          (referred to in this subsection as a “Registry”), or  
18          otherwise ensure that it has access to a Registry,  
19          that satisfies the requirements of this subsection and  
20          is accessible by the following individuals and entities,  
21          all of whom are required to share information with  
22          the Registry (subject to such requirements as the  
23          Secretary determines appropriate) and search the  
24          Registry prior to making any sale or distribution of  
25          property or funds:

1 (A) Any individual against whom a lien  
2 against real or personal property for overdue  
3 support is placed.

4 (B) Any individual or entity transferring  
5 real property or registered personal property.

6 (C) Any insurer, as defined in section  
7 466(a)(20)(B)(i) of such Act, paying an insur-  
8 ance claim consisting of a non-recurring pay-  
9 ment of \$2,000 or more.

10 (D) Any State or entity making a payment  
11 related to unemployment compensation benefits,  
12 workers' compensation, or proceeds from a  
13 State lottery.

14 (E) Any State or entity issuing driver's li-  
15 censes, professional and occupational licenses.

16 (F) Any individual or entity making a  
17 lump sum pension payment.

18 (G) The executor of any estate.

19 (H) Any other individual or entity specified  
20 by the State or the Secretary.

21 (2) OPERATIONAL DATE.—The Secretary shall  
22 work in coordination with States and other appro-  
23 priate stakeholders to ensure that, not later than  
24 January 1, 2013, each State has established or has  
25 access to a Registry.

1           (3) REGISTRY ACCESS.—The Secretary may  
2 designate additional entities, including Federal,  
3 State, and local officials, that may search and share  
4 information with the Registry, subject to such condi-  
5 tions and requirements as the Secretary determines  
6 appropriate.

7           (4) ACCESSING THE INFORMATION CONTAINED  
8 IN THE REGISTRY.—

9           (A) IN GENERAL.—The Registry shall  
10 allow individuals and entities described in para-  
11 graph (1) to search the Registry through a data  
12 match process using an individual’s name, So-  
13 cial Security number, taxpayer identification  
14 number, or other accurate and verifiable per-  
15 sonal identification number.

16           (B) DATA MATCH.—If a search of the Reg-  
17 istry results in a match that a lien against real  
18 or personal property for overdue support exists  
19 with respect to a debtor, the following informa-  
20 tion, at a minimum, shall be made available to  
21 the individual or entity initiating the search:

22                   (i) The amount of the lien.

23                   (ii) The contact information for the  
24 State agency responsible for administering

1           the State plan under part D of title IV of  
2           the Social Security Act.

3                   (iii) The process for paying the under-  
4           lying debt up to the amount of the lien.

5                   (iv) The process for discharging the  
6           lien.

7                   (C) NO DATA MATCH.—If a search of the  
8           Registry results in no match, the Registry shall  
9           permit the individual or entity initiating the  
10          search to print a certificate or letter stating  
11          that, as of the time and date of the search,  
12          there was no outstanding lien against real or  
13          personal property for overdue support reported  
14          in the Registry with respect to the individual  
15          that was the subject of the search.

16                  (5) DISCHARGE OF LIENS.—The State shall  
17          have procedures under which—

18                   (A) if a search of the Registry reveals a  
19           lien against real or personal property for over-  
20           due support, any proceeds from the sale, trans-  
21           fer or distribution shall be applied to satisfy the  
22           lien before the lien may be discharged; and

23                   (B) upon satisfaction of such a lien, the  
24           lien is expeditiously discharged and recorded as  
25           such in the Registry in a timely manner.

1           (6) NOTICE AND CHALLENGE OF DATA IN THE  
 2           REGISTRY.—The State shall have procedures for  
 3           providing adequate notice to an individual with re-  
 4           spect to whom a lien against real or personal prop-  
 5           erty for overdue support is included in the Registry  
 6           and for allowing an individual to challenge the exist-  
 7           ence of, or amount of, any such lien reported to the  
 8           Registry.

9           (c)           FINANCIAL           INSTITUTIONS.—Section  
 10          466(a)(17)(A) (42 U.S.C. 666(a)(17)(A)) is amended—

11                   (1) in clause (i), by striking “and” at the end;

12                   (2) by redesignating clause (ii) as clause (iii);

13          and

14                   (3) by inserting after clause (i) the following  
 15          new clause:

16                                   “(ii) to ensure that any information  
 17                                   provided by such financial institutions for  
 18                                   purposes of the data match system is  
 19                                   matched against the records in the central-  
 20                                   ized lien registry described in paragraph  
 21                                   (4); and”.

22          **SEC. 5. REQUIRING STATES TO COMPARE INFORMATION**  
 23                                   **MAINTAINED BY INSURERS.**

24           Subsection (m) of section 452 (42 U.S.C. 652), as  
 25          redesignated by section 3(c)(1)(A)(i) of this Act, is amend-

1 ed in paragraph (1), in the matter preceding subpara-  
 2 graph (A), by striking “may” and inserting “shall”.

3 **SEC. 6. DATA MATCHING AND REGISTRY OF PAYMENTS**  
 4 **MADE ON PROPERTY AND CASUALTY INSUR-**  
 5 **ANCE CLAIMS.**

6 (a) IN GENERAL.—Section 466(a) (42 U.S.C.  
 7 666(a)) is amended by inserting after paragraph (19) the  
 8 following new paragraph:

9 “(20) REGISTRY OF PAYMENTS MADE ON PROP-  
 10 ERTY AND CASUALTY INSURANCE CLAIMS.—

11 “(A) DATA MATCHING.—

12 “(i) IN GENERAL.—Procedures under  
 13 which—

14 “(I) the State—

15 “(aa) subject to subclause  
 16 (ii), enters into an agreement  
 17 with or has entered an existing  
 18 consortium of States and insur-  
 19 ers for the purpose of matching  
 20 overdue child support cases with  
 21 a registry of payments made on  
 22 property and casualty insurance  
 23 claims;

1           “(bb) participates in a pro-  
2           gram established by the Sec-  
3           retary for such purpose; or

4           “(cc) if, on October 1, 2011,  
5           the State has not entered into an  
6           agreement described in item (aa)  
7           or does not participate in a pro-  
8           gram described in item (bb), the  
9           State, not later than January 1,  
10          2013, enters into an agreement  
11          with insurers doing business in  
12          the State to register such pay-  
13          ments with a registry established  
14          and maintained by the State for  
15          only such purpose; and

16          “(II) not later than January 1,  
17          2014, at least 90 percent of the pay-  
18          ments made on property and casualty  
19          claims within the State are matched  
20          against the State case registry and  
21          any overdue child support orders or  
22          liens recorded in the registry main-  
23          tained by the State pursuant to sec-  
24          tion 4 of the Strengthen and Vitalize  
25          Enforcement of Child Support Act.

1           “(ii) EXISTING CONSORTIUMS.—A  
2 State shall be deemed to have satisfied the  
3 requirements of clause (i)(I)(aa) if, prior  
4 to the date of enactment of the Strengthen  
5 and Vitalize Enforcement of Child Support  
6 (SAVE Child Support) Act, the State en-  
7 tered into an agreement that established a  
8 consortium described in such clause.

9           “(B) DEFINITIONS.—For purposes of this  
10 paragraph—

11           “(i) INSURER.—The term ‘insurer’  
12 means any public or private entity that is  
13 the primary provider of property or cas-  
14 ualty insurance, including any self-insured  
15 employer or government agency.

16           “(ii) PAYMENTS MADE ON PROPERTY  
17 AND CASUALTY INSURANCE CLAIMS.—The  
18 term ‘payments made on property and cas-  
19 ualty insurance claims’ means any pay-  
20 ment greater than \$2,000 that is paid by  
21 an insurer on a property or casualty claim  
22 under a liability insurance policy or the li-  
23 ability coverage portion of a multi-peril  
24 policy, excluding any payment to a health

1 care provider for any injuries related to  
2 such claim.”.

3 (b) CONFORMING AMENDMENTS.—Section 454A(f)  
4 (42 U.S.C. 654a(f)) is amended by adding at the end the  
5 following:

6 “(6) REGISTRY OF PAYMENTS MADE ON PROP-  
7 ERTY AND CASUALTY INSURANCE CLAIMS.—Ex-  
8 changing information with a registry of payments  
9 made on property and casualty insurance claims that  
10 satisfies the requirements of section 466(a)(20) for  
11 the purposes specified in that section.”.

12 **SEC. 7. STRENGTHENED PASSPORT DENIAL PROCEDURES.**

13 (a) IN GENERAL.—Section 454(31) (42 U.S.C.  
14 654(31)) is amended—

15 (1) in subparagraph (A), by striking “and”  
16 after the semicolon;

17 (2) in subparagraph (B), by inserting “and”  
18 after the semicolon; and

19 (3) by adding at the end the following new sub-  
20 paragraph:

21 “(C) in the case of an individual with re-  
22 spect to whom such a certification has been fur-  
23 nished, the State agency does not notify the  
24 Secretary that the certification is rescinded and  
25 any action taken by the Secretary under section



1           “(i) the State agency, in coordination  
2 with any State agencies that issue licenses  
3 or permits described in subparagraph (A),  
4 develops and operates a system, using  
5 automated data exchanges to the max-  
6 imum extent feasible, in which—

7           “(I) each State agency that  
8 issues licenses or permits described in  
9 subparagraph (A) is required to check  
10 with the State agency and search the  
11 centralized lien registry described in  
12 paragraph (4) before issuing the per-  
13 mit or license to ensure that the indi-  
14 vidual applying for a license or permit  
15 is not a noncustodial parent who owes  
16 overdue child support or who has  
17 failed, after receiving appropriate no-  
18 tice, to comply with a subpoena or  
19 warrant relating to paternity or child  
20 support proceedings, as identified by  
21 the State agency; and

22           “(II) each State agency that  
23 issues licenses or permits described in  
24 subparagraph (A) is required to check  
25 with the State agency and search the

1 centralized lien registry described in  
2 paragraph (4) at least once each cal-  
3 endar quarter for the name of each  
4 noncustodial parent who holds a li-  
5 cense or permit from the issuing  
6 agency and who owes overdue child  
7 support or who has failed, after re-  
8 ceiving appropriate notice, to comply  
9 with a subpoena or warrant relating  
10 to paternity or child support pro-  
11 ceedings; and

12 “(ii) any State license or permit de-  
13 scribed in subparagraph (A) that is issued  
14 to an individual who has been determined  
15 to owe overdue support or who has failed,  
16 after receiving appropriate notice, to com-  
17 ply with a subpoena or warrant relating to  
18 paternity or child support proceedings is  
19 revoked, withheld, or suspended until the  
20 State agency certifies that the individual  
21 no longer owes overdue child support or  
22 has entered into a payment plan under  
23 State law to satisfy the child support debt,  
24 or has complied with the subpoena or war-  
25 rant.

1           “(C) **HARDSHIP EXCEPTION.**—Procedures  
 2           under which the State agency provides an indi-  
 3           vidual described in subparagraph (A) with an  
 4           opportunity to demonstrate, prior to any with-  
 5           holding, suspension, restriction on the use of, or  
 6           revocation of a permit or license becoming ef-  
 7           fective, that such action would result in undue  
 8           harm to the ability of such individual to main-  
 9           tain their employment or livelihood.

10           “(D) **LIABILITY.**—The head of any State  
 11           agency that issues licenses or permits shall not  
 12           be liable to any individual for any action taken  
 13           in good faith with respect to a license or permit  
 14           that is required under this paragraph.”.

15 **SEC. 9. COORDINATION WITH CORRECTIONS AGENCIES**  
 16                                   **AND THE UNITED STATES MARSHALS SERV-**  
 17                                   **ICE.**

18           (a) **IN GENERAL.**—Section 466(c)(1) (42 U.S.C.  
 19 666(c)(1)) is amended by inserting after subparagraph  
 20 (H) the following:

21                                   “(I) **COORDINATION WITH CORRECTIONS**  
 22                                   **AGENCIES.**—

23                                   “(i) **IN GENERAL.**—For the purpose  
 24                                   of increasing coordination between the  
 25                                   State agency and corrections agencies, to

1 develop and operate, in coordination with  
2 corrections agencies within the State, a  
3 data match system, using automated data  
4 exchanges to the extent feasible, for the  
5 names of any incoming or incarcerated in-  
6 dividuals in corrections facilities who have  
7 child support orders.

8 “(ii) ENSURING COMPLIANCE FROM  
9 INCARCERATED NONCUSTODIAL PAR-  
10 ENTS.—The State agency shall work with  
11 corrections facilities to establish programs  
12 to educate and assist incarcerated non-  
13 custodial parents to manage and fulfill  
14 their child support obligations.

15 “(iii) ENSURING COOPERATION WITH  
16 STATE PAROLE BOARDS.—The State agen-  
17 cy shall ensure that information contained  
18 in the centralized lien registry described in  
19 subsection (a)(4) is provided to the State  
20 parole board.

21 “(iv) CORRECTIONS FACILITIES DE-  
22 FINED.—For purposes of this section, the  
23 term ‘corrections facility’ means any pris-  
24 on, jail, or other secure facility managed  
25 and operated, directly or under contract,

1 by any municipality, county, State or the  
 2 Federal Government in which offenders are  
 3 incarcerated. Such term includes a halfway  
 4 house.”.

5 (b) UNITED STATES MARSHALS SERVICE.—

6 (1) IN GENERAL.—The Attorney General may  
 7 use the resources of the Federal law enforcement  
 8 agencies of the Department of Justice, including the  
 9 United States Marshals Service, to locate and appre-  
 10 hend persons who violate any State law or local ordi-  
 11 nance regarding enforcement of child support orders.

12 (2) FUNDING.—There are authorized to be ap-  
 13 propriated such sums as may be necessary to carry  
 14 out this subsection.

15 **SEC. 10. PREVENTING DECEPTIVE AND HARASSING PRACTICES OF PRIVATE CHILD SUPPORT COLLECTION AGENCIES.**

16 Section 803 of the Consumer Credit Protection Act  
 17 (15 U.S.C. 1692a) is amended—

18 (1) in paragraph (5)—

19 (A) by inserting “either” after “arising”;

20 and

21 (B) by inserting “, or arising from a child  
 22 support order” after “reduced to judgment”;

23 and

1 (2) in paragraph (6)—

2 (A) in subparagraph (E), by striking  
3 “and” after the semicolon;

4 (B) in subparagraph (F), by striking the  
5 period at the end and inserting “; and”; and

6 (C) by inserting at the end the following  
7 new subparagraph:

8 “(G) any private collection agency or firm  
9 that is licensed by a State to collect support ob-  
10 ligations under the State plan for child and  
11 spousal support under section 454 of the Social  
12 Security Act.”.

13 **SEC. 11. NONCUSTODIAL PARENTS’ ACCESS TO AND VISITA-**  
14 **TION OF THEIR CHILDREN.**

15 Section 454(15) (42 U.S.C. 654(15)) is amended—

16 (1) in subparagraph (A), by striking “and”  
17 after the semicolon;

18 (2) in subparagraph (B), by adding “and” after  
19 the semicolon; and

20 (3) by adding at the end the following:

21 “(C) a process for including in the annual  
22 reviews and reports required under subpara-  
23 graph (A) information, in such form and man-  
24 ner as the Secretary shall require, regarding the  
25 policies and practices implemented by the State

1 or which the State plans to implement to facili-  
2 tate access to and visitation of children by non-  
3 custodial parents;”.

4 **SEC. 12. REPORT ON FEDERAL PROSECUTION FOR FAIL-**  
5 **URE TO PAY CHILD SUPPORT OBLIGATIONS.**

6 Not later than January 1, 2013, and annually there-  
7 after, the Attorney General shall prepare and submit a  
8 report to Congress that provides information regarding  
9 the number of individuals prosecuted for violating section  
10 228 of title 18, United States Code.

11 **SEC. 13. CHILD SUPPORT FEES.**

12 Section 454(6)(B) (42 U.S.C. 654(6)(B)) is amend-  
13 ed—

14 (1) in clause (i), by striking “paid by the indi-  
15 vidual applying for such services, or recovered from  
16 the absent parent, or” and inserting “recovered from  
17 the absent parent or”; and

18 (2) in clause (ii), by striking “paid by the indi-  
19 vidual applying for the services,”.

20 **SEC. 14. EFFECTIVE DATE.**

21 (a) IN GENERAL.—Except as otherwise provided in  
22 this Act, and subject to subsection (b), the amendments  
23 made by this Act take effect on January 1, 2013.

24 (b) DELAY PERMITTED IF STATE LEGISLATION RE-  
25 QUIRED.—In the case of a State plan approved under sec-

1 tion 454 of the Social Security Act which requires State  
2 legislation (other than legislation appropriating funds) in  
3 order for the plan to meet the additional requirements im-  
4 posed by the amendments made by this Act, the State plan  
5 shall not be regarded as failing to comply with the addi-  
6 tional requirements solely on the basis of the failure of  
7 the plan to meet the additional requirements before the  
8 first day of the first calendar quarter beginning after the  
9 close of the first regular session of the State legislature  
10 that begins after the date of enactment of this Act. For  
11 purposes of the previous sentence, in the case of a State  
12 that has a 2-year legislative session, each year of such ses-  
13 sion shall be deemed to be a separate regular session of  
14 the State legislature.

○