

107TH CONGRESS
2D SESSION

H. R. 5061

To amend part D of title IV of the Social Security Act to improve the collection of child support arrears in interstate cases.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2002

Ms. WOOLSEY introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend part D of title IV of the Social Security Act to improve the collection of child support arrears in interstate cases.

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. IMPROVED COLLECTION OF CHILD SUPPORT

4 ARREARS IN INTERSTATE CASES.

5 (a) ACCELERATED TRANSMISSION OF INCOME WITH-
6 HOLDING ORDERS TO EMPLOYERS.—Section 452(a) of
7 the Social Security Act (42 U.S.C. 652(a)) is amended—
8 (1) by striking “and” at the end of paragraph
9 (10);

3 (3) by inserting after paragraph (11) the fol-
4 lowing:

5 “(12) if the Federal Parent Locator Service has
6 located an individual whom information in the Fed-
7 eral Case Registry of Child Support Orders indicates
8 is subject to a child support income withholding
9 order, and has information that the individual is
10 employed—

11 “(A) complete a copy of the form devel-
12 oped under paragraph (11)(A), using informa-
13 tion from the abstract;

14 “(B) transmit the completed form to any
15 such employer; and

16 “(B) notify the appropriate State child
17 support agency that a copy of the completed
18 form has been so transmitted.”.

19 (b) IMPROVEMENT OF AUTHORITY TO REFER CHILD
20 SUPPORT ARREARAGE CASES TO THE INTERNAL REV-
21 ENUE SERVICE.—Section 452(b) of such Act (42 U.S.C.
22 652(b)) is amended to read as follows:

23 "(b)(1) The Secretary shall certify to the Secretary
24 of the Treasury for collection pursuant to section 6305
25 of the Internal Revenue Code of 1986 the amount of any

1 child support arrears (including any arrears with respect
2 to the parent who is living with the child) which are owed
3 in a case in which the amount is not less than \$5,000,
4 and which a State has undertaken to collect pursuant to
5 section 454(4) of this Act, if—

6 “(A) in an interstate case, information from the
7 Federal Parent Locator Service indicates that in-
8 come withholding is not available as a means to col-
9 lect the amount; or

10 “(B) in any other case, the State—

11 “(i) requests the Secretary to provide the
12 certification;

13 “(ii) shows that the State has made dili-
14 gent efforts to collect the amount using the col-
15 lection mechanisms of the State; and

16 “(iii) agrees to reimburse the Secretary of
17 the Treasury for the costs of the collection.

18 “(2) In paragraph (1), the term ‘interstate case’
19 means a case in which, at any time after a child support
20 order is established on behalf of a child, the person obli-
21 gated to pay support under the order does not reside in
22 the State in which the child resides, regardless of whether
23 the person and the child subsequently reside in the same
24 State.

1 “(3) Any reimbursement received pursuant to para-
2 graph (1)(B)(iii) with respect to a collection shall be cred-
3 ited to the appropriation accounts which bore all or part
4 of the costs involved in making the collection.

5 “(4) If the Secretary or the Secretary of the Treasury
6 is made aware of a child support arrearage case in which
7 a violation of section 228 of title 18, United States Code,
8 may have occurred, the Secretary or the Secretary of the
9 Treasury, as the case may be, shall refer the case to the
10 Attorney General for investigation.

11 “(5) The Secretary, in consultation with the Sec-
12 retary of the Treasury, shall prescribe such regulations as
13 may be necessary to carry out this subsection.”.

