

System number:

09-80-0383. This system was formerly part of OCSE Location and Collection System HHS, OCSE (09-90-0074).

System name:

OCSE Debtor File HHS/ACF/OCSE

Security classification:

None.

System location:

National Computer Center, Social Security Administration, Baltimore, MD 21235.

Categories of individuals covered by the system:

Individuals owing past-due child support, as reported by a state agency administering a child support enforcement program pursuant to 42 U.S.C. §§ 651 through 669b (Title IV, Part D, of the Social Security Act).

Categories of records in the system:

1. Records pertaining to individuals owing past-due child support, as indicated by a state agency administering a child support enforcement program. Categories of records in the system are the name and Social Security number (SSN) of such individual, the amount of past-due child support owed by the individual, adjustments to such amount, information on each enforcement remedy applicable to the individual to whom the record pertains, as

indicated by a state IV-D child support agency; the amount of past-due support collected as a result of each such remedy; and a history of updates by the state agency to the records.

2. Records of the results of a comparison between records in the Debtor File pertaining to individuals owing past-due child support and information maintained by the Secretary of the Treasury concerning the following amounts payable to such individuals: refunds of federal taxes; salary, wage and retirement benefits; vendor payments and expense reimbursement payments and travel payments;

3. Records of the results of a comparison between records in the Debtor File pertaining to individuals owing past-due child support and information provided by financial institutions doing business in two or more states, including the name, record address, SSN, or other identifying number of each such individual and information about any account held by the individual and maintained at such institution; and

4. Records of the results of a comparison between records in the Debtor File pertaining to individuals owing past-due child support and information maintained by insurers (or their agents) concerning insurance claims, settlements, awards, and payments to collect past-due child support from those sources.

Authority for maintenance of the system:

42 U.S.C. §§ 652, 653 and 664.

Purposes:

The primary purpose of the Debtor File is to improve states' abilities to collect past-due child support by identifying sources of income and assets of individuals owing past-due child support. The Debtor File facilitates OCSE's execution of its responsibility to perform the following duties: assisting the Department of State with respect to denial, revocation or limitation of passports of individuals owing arrearages of child support in an amount exceeding \$2,500 pursuant to 42 U.S.C. § 652(k)(1); through the Federal Parent Locator Service (FPLS), to aid state IV-D agencies and financial institutions doing business in two or more states to identify sources of income at financial institutions for individuals owing past-due child support pursuant to 42 U.S.C. § 652(l). (See also 42 U.S.C. § 666(a)(17)(A)(i)); through the FPLS, to compare information regarding individuals owing past-due support with specified information maintained by insurers (or their agents) and furnish information resulting from the data matches to the state agencies responsible for collecting child support from the individuals pursuant to 42 U.S.C. § 652(l)(to be redesignated § 652(m)); to assist the Secretary of the Treasury in withholding from refunds of federal taxes paid an amount owed by an individual owing past-due child support pursuant to 42 U.S.C. § 664; and to assist state IV-D child support enforcement agencies in the collection of past-due child support through the administrative offset of certain federal payments pursuant to the Debt Collection

Improvement Act of 1996 (P.L. 104-134), Executive Order 13019, and 31 CFR 285.

OCSE operates the FPLS pursuant to 42 U.S.C. § 652(a)(9), and 42 U.S.C. § 653(a)(1).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

These routine uses specify circumstances under which ACF may disclose information from this system of records without the consent of the data subject. Each proposed disclosure of information under these routine uses will be evaluated to ensure that the disclosure is legally permissible, including but not limited to ensuring that the purpose of the disclosure is compatible with the purpose for which the information was collected.

Any information defined as “return” or “return information” under 26 U.S.C. § 6103 (Internal Revenue Code) will not be disclosed unless authorized by a statute, the Internal Revenue Service (IRS) or IRS regulations.

1. Disclosure to the Treasury to Withhold Past-Due Support

Pursuant to 42 U.S.C. § 664 and the Debt Collection Improvement Act of 1996 (Public Law 104-134), information pertaining to an individual owing past-due child support may be disclosed to the Secretary of the Treasury for the purpose of withholding the past-due support from amounts payable

as refunds of federal taxes; salary, wage and retirement payments; vendor payments; and expense reimbursement payments and travel payments.

2. Disclosure to State Department for Passport Purposes

Pursuant to 42 U.S.C. § 652(k), information pertaining to an individual owing past-due child support in a specified amount, as certified by a state child support enforcement agency, may be disclosed to the Secretary of State for the purpose of revoking, restricting, limiting, or denying a passport to the individual.

3. Disclosure to Financial Institution to Collect Past-Due Support

Pursuant to 42 U.S.C. § 652(l), information pertaining to an individual owing past-due child support may be disclosed to a financial institution doing business in two or more states to identify an individual who maintains an account at the institution for the purpose of collecting past-due support.

4. Disclosure to Insurer to Collect Past-Due Support

Pursuant to 42 U.S.C. § 652(l) (to be redesignated (m)), information pertaining to an individual owing past-due child support may be disclosed

to an insurer (or its agent) to identify an individual with an insurance claim, settlement, award or payment for the purpose of collecting past-due support.

5. Disclosure to State Child Support Enforcement Agency of Comparison Information for Assistance in Collecting Past-Due Support

Pursuant to 42 U.S.C. § 664 and the Debt Collection Improvement Act 1996 (Public Law 104-134), the results of a comparison of information pertaining to an individual owing past-due child support and information maintained by the Secretary of Treasury pertaining to amounts payable to the individual for refunds of federal taxes; salary, wage and retirement benefits; vendor payments; expense reimbursement payments; or travel payments may be disclosed to a state IV-D child support agency for the purpose of assisting state agencies in collecting past-due support.

5. Disclosure to Multistate Financial Institution for Assistance in Collecting Past-Due Support

Pursuant to 42 U.S.C. § 652(1), the results of a comparison between information pertaining to an individual owing past-due child support and information on account holders provided by multistate financial

institutions may be disclosed to a state child support agency for the purpose of assisting state agencies in collecting past-due support.

7. Disclosure of Insurance Information to State Child Support Enforcement Agency for Assistance in Collecting Past-Due Support

Pursuant to 42 U.S.C. § 652(l)(to be redesignated subsection(m)), the results of a comparison between information pertaining to an individual owing past-due child support and information maintained by an insurer (or its agent) concerning insurance claims, settlements, awards, and payments may be disclosed to a state IV-D child support agency for the purpose of assisting state agencies in collecting past-due support.

8. Disclosure for Law Enforcement Purpose

Records may be disclosed to the appropriate federal, state, local, tribal, or foreign agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, if the information is relevant to a violation or potential violation of civil or criminal law or regulation within the jurisdiction of the receiving entity.

9. Disclosure to Department of Justice

Records may be disclosed to support the Department of Justice when: (1) HHS, or any component thereof; or (2) any employee of HHS in his or her official capacity; or (3) any employee of HHS in his or her individual capacity where the Department of Justice or HHS has agreed to represent the employee; or (4) the United States is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by HHS to be relevant and necessary to the litigation; provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

10. Disclosure to Court or Adjudicative Body

Records may be disclosed to a court or adjudicative body when: (1) HHS, or any component thereof; or (2) any employee of HHS in his or her official capacity; or (3) any employee of HHS in his or her individual capacity where the Department of Justice or HHS has agreed to represent the employee; or (4) the United States is a party to litigation or has an interest in such litigation, and the use of such records deemed by HHS to be relevant and necessary to the litigation; provided, however, that in each case it has been determined that the disclosure is compatible with the purpose for which the records were collected.

11. Disclosure to Contractor to Perform Duties

Records may be disclosed to a contractor performing or working on a contract for HHS and who has a need to have access to the information in the performance of their duties or activities for HHS in accordance with law and with the contract.

12. Disclosure in the Event of a Security Breach

Records may be disclosed to appropriate federal agencies and Department contractors that have a need to know the information for the purpose of assisting the Department's efforts to respond to a suspected or confirmed breach of the security or confidentiality of information maintained in this system of records and the information disclosed is relevant and necessary for that assistance.

Disclosure to consumer reporting agencies:

None.

Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system:

Storage: Records in the Debtor File are stored electronically at the Social Security Administration's National Computer Center. Historical logs and system backups are stored off-site at an alternate location.

Retrievability: Records maintained in the Debtor File are retrieved by the SSN of the individual to whom the record pertains; provided, however, that for the purpose of comparing information in the Debtor File with information maintained by insurers (or their agents) concerning insurance claims, settlements, awards and payments, records in the Debtor File may be retrieved by the name of the individual and either the date of birth or the address of the individual.

Safeguards: Specific administrative, technical, and physical controls are in place to ensure that the records collected and maintained in the Debtor File are secure from unauthorized access.

Access to the records is restricted to authorized personnel who are advised of the confidentiality of the records and the civil and criminal penalties for misuse and who sign a nondisclosure oath to that effect. Personnel are provided privacy and security training before being granted access to the records and annually thereafter.

Logical access controls are in place to limit access to the records to authorized personnel and to prevent browsing. The records are processed and stored in a secure environment.

All records are stored in an area that is physically safe from access by unauthorized persons at all times.

Safeguards conform to the HHS Information Security Program,
<http://www.hhs.gov/ocio/securityprivacy/index.html>.

Retention and disposal: Records maintained in the Debtor File are retained until the IV-D child support case is in deleted status and there has been no activity on the case for seven years and are then deleted. Records resulting from a comparison between the Debtor File and both records maintained by a financial institution doing business in two or more states and records maintained by an insurer (or its agent) concerning insurance claims, settlements, awards and payments, are retained for one year and are then deleted; provided, however, that after removal of personal identifiers, the results of a comparison may be retained for such period necessary to conduct analyses for the purpose of estimating potential collections of past-due support by state child support agencies and are then deleted. If an extract from the Debtor File is disclosed for a routine use to an authorized user, including the Secretary of the Treasury for the purpose of withholding past-due support from amounts payable as refunds of federal taxes or specified payments, a copy of the extract is retained for one year and is then deleted.

System manager and address:

Director, Division of Federal Systems, Office of Automation and Program Operations,
Office of Child Support Enforcement, Administration for Children and Families,
Department of Health and Human Services, 370 L'Enfant Promenade, 4th Floor East,
S.W., Washington, DC 20447.

Notification procedures:

Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries to the System Manager. The request should include the name, telephone number and/or email address, SSN, and address of the individual, and the request must be signed by the individual to whom such information pertains. The requester's letter must provide sufficient particulars to enable the System Manager to distinguish between records on subject individuals with the same name. Verification of identity as described in HHS's Privacy Act regulations may be required. 45 CFR § 5b.5.

Record access procedures:

Individuals seeking access to a record about themselves in this system of records should address written inquiries to the System Manager. The request should include the name, telephone number and/or email address, SSN, and address of the individual, and should be signed by the individual to whom such information pertains. The requester's letter must provide sufficient particulars to enable the System Manager to distinguish between records on subject individuals with the same name. Verification of identity as described in HHS's Privacy Act regulations may be required. 45 CFR § 5b.5.

Contesting record procedures:

Individuals seeking to amend a record about themselves in this system of records should address the request for amendment to the System Manager. The request should 1) include the name, telephone number and/or email address, SSN, and address of the individual, and should be signed; 2) identify the system of records that the individual believes includes his or her records or otherwise provide enough information to enable the identification of the individual's record; 3) identify the information that the individual believes is not accurate, relevant, timely, or complete; 4) indicate what corrective action is sought; and 5) include supporting justification or documentation for the requested amendment. Verification of identity as described in HHS's Privacy Act regulations may be required. 45 CFR § 5b.5.

Record source categories:

Information is obtained from departments, agencies, or instrumentalities of the United States or any state and from multistate financial institutions and insurers (or their agents).

Exemptions claimed for the system:

None.