

**TITLE 42 - THE PUBLIC HEALTH AND WELFARE**  
**CHAPTER 7 - SOCIAL SECURITY**  
**SUBCHAPTER IV - GRANTS TO STATES FOR AID AND SERVICES TO NEEDY**  
**FAMILIES WITH CHILDREN AND FOR CHILD-WELFARE SERVICES**  
**Part D - Child Support and Establishment of Paternity**

**§ 654a. Automated data processing**

**(a) In general**

In order for a State to meet the requirements of this section, the State agency administering the State program under this part shall have in operation a single statewide automated data processing and information retrieval system which has the capability to perform the tasks specified in this section with the frequency and in the manner required by or under this part.

**(b) Program management**

The automated system required by this section shall perform such functions as the Secretary may specify relating to management of the State program under this part, including—

- (1) controlling and accounting for use of Federal, State, and local funds in carrying out the program; and
- (2) maintaining the data necessary to meet Federal reporting requirements under this part on a timely basis.

**(c) Calculation of performance indicators**

In order to enable the Secretary to determine the incentive payments and penalty adjustments required by sections 652 (g) and 658a of this title, the State agency shall—

- (1) use the automated system—
  - (A) to maintain the requisite data on State performance with respect to paternity establishment and child support enforcement in the State; and
  - (B) to calculate the paternity establishment percentage for the State for each fiscal year; and
- (2) have in place systems controls to ensure the completeness and reliability of, and ready access to, the data described in paragraph (1)(A), and the accuracy of the calculations described in paragraph (1)(B).

**(d) Information integrity and security**

The State agency shall have in effect safeguards on the integrity, accuracy, and completeness of, access to, and use of data in the automated system required by this section, which shall include the following (in addition to such other safeguards as the Secretary may specify in regulations):

**(1) Policies restricting access**

Written policies concerning access to data by State agency personnel, and sharing of data with other persons, which—

- (A) permit access to and use of data only to the extent necessary to carry out the State program under this part; and
- (B) specify the data which may be used for particular program purposes, and the personnel permitted access to such data.

**(2) Systems controls**

Systems controls (such as passwords or blocking of fields) to ensure strict adherence to the policies described in paragraph (1).

**(3) Monitoring of access**

Routine monitoring of access to and use of the automated system, through methods such as audit trails and feedback mechanisms, to guard against and promptly identify unauthorized access or use.

**(4) Training and information**

Procedures to ensure that all personnel (including State and local agency staff and contractors) who may have access to or be required to use confidential program data are informed of applicable requirements and penalties (including those in section 6103 of the Internal Revenue Code of 1986), and are adequately trained in security procedures.

**(5) Penalties**

Administrative penalties (up to and including dismissal from employment) for unauthorized access to, or disclosure or use of, confidential data.

**(e) State case registry****(1) Contents**

The automated system required by this section shall include a registry (which shall be known as the “State case registry”) that contains records with respect to—

- (A) each case in which services are being provided by the State agency under the State plan approved under this part; and
- (B) each support order established or modified in the State on or after October 1, 1998.

**(2) Linking of local registries**

The State case registry may be established by linking local case registries of support orders through an automated information network, subject to this section.

**(3) Use of standardized data elements**

Such records shall use standardized data elements for both parents (such as names, social security numbers and other uniform identification numbers, dates of birth, and case identification numbers), and contain such other information (such as on case status) as the Secretary may require.

**(4) Payment records**

Each case record in the State case registry with respect to which services are being provided under the State plan approved under this part and with respect to which a support order has been established shall include a record of—

- (A) the amount of monthly (or other periodic) support owed under the order, and other amounts (including arrearages, interest or late payment penalties, and fees) due or overdue under the order;
- (B) any amount described in subparagraph (A) that has been collected;
- (C) the distribution of such collected amounts;
- (D) the birth date and, beginning not later than October 1, 1999, the social security number, of any child for whom the order requires the provision of support; and
- (E) the amount of any lien imposed with respect to the order pursuant to section 666 (a)(4) of this title.

**(5) Updating and monitoring**

The State agency operating the automated system required by this section shall promptly establish and update, maintain, and regularly monitor, case records in the State case registry with respect to which services are being provided under the State plan approved under this part, on the basis of—

- (A) information on administrative actions and administrative and judicial proceedings and orders relating to paternity and support;
- (B) information obtained from comparison with Federal, State, or local sources of information;
- (C) information on support collections and distributions; and
- (D) any other relevant information.

**(f) Information comparisons and other disclosures of information**

The State shall use the automated system required by this section to extract information from (at such times, and in such standardized format or formats, as may be required by the Secretary), to share and compare information with, and to receive information from, other data bases and information comparison services, in order to obtain (or provide) information necessary to enable the State agency (or the Secretary or other State or Federal agencies) to carry out this part, subject to section 6103 of the Internal Revenue Code of 1986. Such information comparison activities shall include the following:

**(1) Federal Case Registry of Child Support Orders**

Furnishing to the Federal Case Registry of Child Support Orders established under section 653 (h) of this title (and update as necessary, with information including notice of expiration of orders) the minimum amount of information on child support cases recorded in the State case registry that is necessary to operate the registry (as specified by the Secretary in regulations).

**(2) Federal Parent Locator Service**

Exchanging information with the Federal Parent Locator Service for the purposes specified in section 653 of this title.

**(3) Temporary family assistance and medicaid agencies**

Exchanging information with State agencies (of the State and of other States) administering programs funded under part A of this subchapter, programs operated under a State plan approved under subchapter XIX of this chapter, and other programs designated by the Secretary, as necessary to perform State agency responsibilities under this part and under such programs.

**(4) Intrastate and interstate information comparisons**

Exchanging information with other agencies of the State, agencies of other States, and interstate information networks, as necessary and appropriate to carry out (or assist other States to carry out) the purposes of this part.

**(5) Private industry councils receiving welfare-to-work grants**

Disclosing to a private industry council (as defined in section 603 (a)(5)(D)(ii) of this title) to which funds are provided under section 603 (a)(5) of this title the names, addresses, telephone numbers, and identifying case number information in the State program funded under part A of this subchapter, of noncustodial parents residing in the service delivery area of the private industry council, for the purpose of identifying and contacting noncustodial parents regarding participation in the program under section 603 (a)(5) of this title.

**(g) Collection and distribution of support payments**

**(1) In general**

The State shall use the automated system required by this section, to the maximum extent feasible, to assist and facilitate the collection and disbursement of support payments through the State disbursement unit operated under section 654b of this title, through the performance of functions, including, at a minimum—

**(A)** transmission of orders and notices to employers (and other debtors) for the withholding of income—

**(i)** within 2 business days after receipt of notice of, and the income source subject to, such withholding from a court, another State, an employer, the Federal Parent Locator Service, or another source recognized by the State; and

**(ii)** using uniform formats prescribed by the Secretary;

**(B)** ongoing monitoring to promptly identify failures to make timely payment of support; and

**(C)** automatic use of enforcement procedures (including procedures authorized pursuant to section 666 (c) of this title) if payments are not timely made.

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

## **(2) “Business day” defined**

As used in paragraph (1), the term “business day” means a day on which State offices are open for regular business.

## **(h) Expedited administrative procedures**

The automated system required by this section shall be used, to the maximum extent feasible, to implement the expedited administrative procedures required by section 666 (c) of this title.

(Aug. 14, 1935, ch. 531, title IV, § 454A, as added and amended Pub. L. 104–193, title III, §§ 311, 312 (c), 325 (b), 344 (a)(2), Aug. 22, 1996, 110 Stat. 2205, 2208, 2226, 2235; Pub. L. 105–34, title X, § 1090(a)(1), Aug. 5, 1997, 111 Stat. 961; Pub. L. 106–113, div. B, § 1000(a)(4) [title VIII, § 805(a)(1)], Nov. 29, 1999, 113 Stat. 1535, 1501A–285.)

## **References in Text**

The Internal Revenue Code of 1986, referred to in subsecs. (d)(4) and (f), is classified generally to Title 26, Internal Revenue Code.

Part A of this subchapter, referred to in subsec. (f)(3), (5), is classified to section 601 et seq. of this title.

## **Amendments**

1999—Subsec. (f)(5). Pub. L. 106–113 added par. (5).

1997—Subsec. (e)(4)(D). Pub. L. 105–34 substituted “the birth date and, beginning not later than October 1, 1999, the social security number, of any child” for “the birth date of any child”.

1996—Subsecs. (e), (f). Pub. L. 104–193, § 311, added subsecs. (e) and (f).

Subsec. (g). Pub. L. 104–193, § 312(c), added subsec. (g).

Subsec. (h). Pub. L. 104–193, § 325(b), added subsec. (h).

## **Effective Date of 1997 Amendment**

Amendment by Pub. L. 105–34 effective Oct. 1, 1998, see section 1090(a)(4) of Pub. L. 105–34, set out as a note under section 653 of this title.

## **Effective Date of 1996 Amendment**

Amendment by section 312(c) of Pub. L. 104–193 effective Oct. 1, 1998, with limited exception for States which, as of Aug. 22, 1996, were processing the receipt of child support payments through local courts, see section 312(d) of Pub. L. 104–193, set out as an Effective Date note under section 654b of this title.

## **Effective Date**

For provisions relating to effective date of title III of Pub. L. 104–193, see section 395 (a)–(c) of Pub. L. 104–193, set out as an Effective Date of 1996 Amendment note under section 654 of this title.

## **Regulations**

Section 344(a)(3) of Pub. L. 104–193 provided that: “The Secretary of Health and Human Services shall prescribe final regulations for implementation of section 454A of the Social Security Act [this section] not later than 2 years after the date of the enactment of this Act [Aug. 22, 1996].”