

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

§ 663. Use of Federal Parent Locator Service in connection with enforcement or determination of child custody in cases of parental kidnaping of child

(a) Agreements with States for use of Federal Parent Locator Service

The Secretary shall enter into an agreement with every State under which the services of the Federal Parent Locator Service established under section 653 of this title shall be made available to each State for the purpose of determining the whereabouts of any parent or child when such information is to be used to locate such parent or child for the purpose of—

- (1) enforcing any State or Federal law with respect to the unlawful taking or restraint of a child; or
- (2) making or enforcing a child custody or visitation determination.

(b) Requests from authorized persons for information

An agreement entered into under subsection (a) of this section shall provide that the State agency described in section 654 of this title will, under procedures prescribed by the Secretary in regulations, receive and transmit to the Secretary requests from authorized persons for information as to (or useful in determining) the whereabouts of any parent or child when such information is to be used to locate such parent or child for the purpose of—

- (1) enforcing any State or Federal law with respect to the unlawful taking or restraint of a child; or
- (2) making or enforcing a child custody or visitation determination.

(c) Information which may be disclosed

Information authorized to be provided by the Secretary under subsection (a), (b), (e), or (f) of this section shall be subject to the same conditions with respect to disclosure as information authorized to be provided under section 653 of this title, and a request for information by the Secretary under this section shall be considered to be a request for information under section 653 of this title which is authorized to be provided under such section. Only information as to the most recent address and place of employment of any parent or child shall be provided under this section.

(d) “Custody or visitation determination” and “authorized person” defined

For purposes of this section—

- (1) the term “custody or visitation determination” means a judgment, decree, or other order of a court providing for the custody or visitation of a child, and includes permanent and temporary orders, and initial orders and modification;
- (2) the term “authorized person” means—
 - (A) any agent or attorney of any State having an agreement under this section, who has the duty or authority under the law of such State to enforce a child custody or visitation determination;
 - (B) any court having jurisdiction to make or enforce such a child custody or visitation determination, or any agent of such court; and
 - (C) any agent or attorney of the United States, or of a State having an agreement under this section, who has the duty or authority to investigate, enforce, or bring a prosecution with respect to the unlawful taking or restraint of a child.

(e) Agreement on use of Federal Parent Locator Service with United States Central Authority under Convention on the Civil Aspects of International Child Abduction

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

The Secretary shall enter into an agreement with the Central Authority designated by the President in accordance with section 11606 of this title, under which the services of the Federal Parent Locator Service established under section 653 of this title shall be made available to such Central Authority upon its request for the purpose of locating any parent or child on behalf of an applicant to such Central Authority within the meaning of section 11602 (1) of this title. The Federal Parent Locator Service shall charge no fees for services requested pursuant to this subsection.

(f) Agreement to assist in locating missing children under Federal Parent Locator Service

The Secretary shall enter into an agreement with the Attorney General of the United States, under which the services of the Federal Parent Locator Service established under section 653 of this title shall be made available to the Office of Juvenile Justice and Delinquency Prevention upon its request to locate any parent or child on behalf of such Office for the purpose of—

- (1) enforcing any State or Federal law with respect to the unlawful taking or restraint of a child, or
- (2) making or enforcing a child custody or visitation determination.

The Federal Parent Locator Service shall charge no fees for services requested pursuant to this subsection.

(Aug. 14, 1935, ch. 531, title IV, § 463, as added Pub. L. 96–611, § 9(b), Dec. 28, 1980, 94 Stat. 3572; amended Pub. L. 100–300, § 11, Apr. 29, 1988, 102 Stat. 441; Pub. L. 103–432, title II, § 214(a), (b), Oct. 31, 1994, 108 Stat. 4461; Pub. L. 104–193, title III, §§ 316(e)(1), 395 (d)(1)(G), Aug. 22, 1996, 110 Stat. 2215, 2259; Pub. L. 105–33, title V, § 5534(b), Aug. 5, 1997, 111 Stat. 629.)

Amendments

1997—Subsec. (a). Pub. L. 105–33, § 5534(b)(1)(A), (5), in introductory provisions, substituted “every State” for “any State which is able and willing to do so,” and “each State” for “such State” and struck out “noncustodial” before “parent”.

Subsec. (a)(2). Pub. L. 105–33, § 5534(b)(1)(B), inserted “or visitation” after “custody”.

Subsec. (b). Pub. L. 105–33, § 5534(b)(5), struck out “noncustodial” before “parent or child when” in introductory provisions.

Subsec. (b)(2). Pub. L. 105–33, § 5534(b)(2), inserted “or visitation” after “custody”.

Subsec. (c). Pub. L. 105–33, § 5534(b)(5), struck out “noncustodial” before “parent”.

Subsec. (d)(1). Pub. L. 105–33, § 5534(b)(3)(A), inserted “or visitation” before “determination”.

Subsec. (d)(2)(A), (B). Pub. L. 105–33, § 5534(b)(3)(B), inserted “or visitation” after “custody”.

Subsec. (f)(2). Pub. L. 105–33, § 5534(b)(4), inserted “or visitation” after “custody”.

1996—Subsec. (a). Pub. L. 104–193, §§ 316(e)(1), 395 (d)(1)(G), inserted “Federal” before “Parent Locator Service” and substituted “noncustodial parent” for “absent parent”.

Subsecs. (b), (c). Pub. L. 104–193, § 395(d)(1)(G), substituted “noncustodial parent” for “absent parent”.

Subsecs. (e), (f). Pub. L. 104–193, § 316(e)(1), inserted “Federal” before “Parent Locator Service” wherever appearing.

1994—Subsec. (c). Pub. L. 103–432, § 214(b), substituted “subsection (a), (b), (e), or (f) of this section” for “subsection (a), (b), or (e) of this section”.

Subsec. (f). Pub. L. 103–432, § 214(a), added subsec. (f).

1988—Subsec. (b). Pub. L. 100–300, § 11(1), substituted “under subsection (a) of this section” for “under this section”.

Subsec. (c). Pub. L. 100–300, § 11(2), substituted “under subsection (a), (b), or (e) of this section” for “under this section”.

Subsec. (e). Pub. L. 100–300, § 11(3), added subsec. (e).

NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Effective Date of 1997 Amendment

Amendment by Pub. L. 105–33 effective as if included in the enactment of title III of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104–193, see section 5557 of Pub. L. 105–33, set out as a note under section 608 of this title.

Effective Date of 1996 Amendment

For effective date of amendment by Pub. L. 104–193, see section 395 (a)–(c) of Pub. L. 104–193, set out as a note under section 654 of this title.

Effective Date of 1994 Amendment

Section 214(c) of Pub. L. 103–432 provided that: “The amendments made by this section [amending this section] shall take effect on October 1, 1995.”

Effective Date

Section 9(d) of Pub. L. 96–611 provided that: “No agreement entered into under section 463 of the Social Security Act [this section] shall become effective before the date on which section 1738A of title 28, United States Code (as added by this title [probably should be “as added by section 8(a) of this Act”]) becomes effective.”