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Administration for Children &amp; Families

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## OFFICE OF CHILD SUPPORT ENFORCEMENT

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### DEAR COLLEAGUE LETTER

**DCL-05-25****ATTACHMENT:** [Dear Colleague Letter 00-38](#)**DATE:** September 9, 2005**TO:** ALL STATE IV-D DIRECTORS**RE:** Privacy Act Disclosure Requirement

**BACKGROUND:** As stated in the attached Dear Colleague Letter 00-38, March 29, 2000, the Office of Child Support Enforcement (OCSE) reminds states that the collection of social security numbers (SSN) from individuals requires that notice be given concerning the request. This notice requirement is contained in section 7(b) of the Privacy Act (5 USC 552a [note]).

Section 7(b) of the Privacy Act requires that, “[a]ny Federal, State or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.”

**ISSUE:** The purpose of this letter is to assist states in their efforts to comply with section 7(b) of the Privacy Act. It is important to note that the Privacy Act requires a proper disclosure statement if a Federal, state or local government agency requests an individual to disclose his or her SSN. State IV-D agencies should examine their child support forms to ascertain if the state is requesting an individual to provide his or her SSN. If so, the state must provide the requisite disclosure under section 7(b) of the Privacy Act, i.e. whether the disclosure is mandatory or voluntary, by what statutory or other authority the number is solicited, and what uses will be made of the SSN.

Section 7(b) of the Privacy Act requires that notice be given at the time an individual is asked to provide his or her SSN. In most IV-D situations, an individual will be asked to disclose his or her SSN during the application phase of a case. Sample disclosure statements used by five states are provided below. State IV-D agencies should consult with their legal counsel to ensure that their notices comply with Section 7(b) of the Privacy Act, as interpreted by courts or other authorities in their jurisdictions.

On the majority of Uniform Interstate Family Support Act (UIFSA) forms, states populate the data fields using information previously collected and stored in the statewide system. Disclosure statements are not required on most UIFSA forms because, at the time that an interstate transmittal is produced, an individual is not directly asked to provide his or her SSN.

However, if a state requests that an individual disclose his or her SSN on a UIFSA form, for example, the UIFSA General Testimony form, a state should include a Privacy Act disclosure statement. This disclosure statement can be attached or appended to the UIFSA form.

## Sample Privacy Act Disclosure Statements

### Sample 1: Florida – Application for Services

Your social security number and the child(ren)'s are required by s. 409.2567, F.S. and Rule 12E-1.003(2)(a), F.A.C., and will be used only for purposes directly connected with child support enforcement.

For further reference, see: [http://www.myflorida.com/dor/childsupport/cs\\_es51.pdf](http://www.myflorida.com/dor/childsupport/cs_es51.pdf)

### Sample 2: Oregon – Application for Services

You are required to provide your social security number to the CSP. This is mandatory under federal law at 42 USC Section 405(c)(2)(C). Your social security number will be used by the CSP to identify and locate you for purposes of establishing paternity and establishing, modifying and enforcing support obligations. You will be asked for your social security number when you call the CSP so that we can identify your case. We may also ask for your social security number on forms that you may need to complete in order for the CSP to help you.

For further reference, see: <http://dcs.state.or.us/forms/csf030574.pdf>

### Sample 3: Texas - Application for State Parent Locator Service

Privacy Act of 1974 Notice. Disclosure of your social security number, and the social security numbers of your child(ren), is required by federal law (42 USC 666). The Child Support Division will use these social security numbers only for the purpose of establishing and enforcing support for you and your family.

For further reference, see: [http://www.oag.state.tx.us/AG\\_Publications/pdfs/1a010e.pdf](http://www.oag.state.tx.us/AG_Publications/pdfs/1a010e.pdf)

### Sample 4: Los Angeles County – Child Support Services Program Notice

The information in your case may be discussed or given to the State, the Department of Child Support Services, other public agencies that can legally receive such information, and to the other parent or his/her attorney to the extent required by law. The local child support agency is required, under Section 466(a)(13) of the Social Security Act, to include in child support records the Social Security Number of any individual who is subject to a divorce decree, support order or paternity determination or acknowledgment. Social Security number information is mandatory and will be kept on file at the local child support agency to locate individuals for the purpose of establishing, modifying and enforcing child support obligations. Enrolling a child in health insurance may require the release of the child's Social Security Number and mailing address to the other parent's employer or the release of the child's Social Security Number to the other parent.

For further reference, see: <http://childsupport.co.la.ca.us/forms/CS196.pdf>

### Sample 5: Arkansas – Application and Contract for Child Support Services

The disclosure of your social security number is mandated by Public Law 104-193 in order that the Office of Child Support may provide services related to the establishment of paternity and the establishment, modification, and enforcement of child support obligations.

For further reference, see: [http://www.arkansas.gov/dfa/child\\_support/documents/2005NCPApp\\_000.pdf](http://www.arkansas.gov/dfa/child_support/documents/2005NCPApp_000.pdf)

If you have any questions, please contact your Regional Program Manager.

Thank you for your continued commitment to serving the needs of our nation's children.

Sincerely,

Margot Bean  
Commissioner  
Office of Child Support Enforcement

cc: Tribal IV-D Agencies  
ACF Regional Administrators  
Regional Program Managers

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