

ERICSA UIFSA 2001 Resolution 4-29-02

WHEREAS, the Eastern Regional Interstate Child Support Association (ERICSA) is a leading advocate for effective interstate child support case processing;

WHEREAS, ERICSA actively participates in all major efforts to improve the laws, policies, and practices that govern interstate child support;

WHEREAS, ERICSA had official observer status with the drafting committee of the National Conference of Commissioners on Uniform State Laws (NCCUSL) when NCCUSL amended the Uniform Interstate Family Support Act (UIFSA) in 2001;

WHEREAS, in addition to ERICSA's official observer, several other ERICSA members actively participated as official observers for other entities;

WHEREAS, ERICSA believes that the changes in UIFSA 2001 are important and necessary to improve the processing of interstate child support cases;

WHEREAS, current law (466(f) of the Social Security Act), for uniformity purposes, prohibits a state from having a version of UIFSA other than the 1996 version of the Act, or risk the loss of federal program funding;

WHEREAS, only Congress can amend the law to require all states to pass the 2001 amended version of UIFSA in order to improve interstate child support collections in a uniform fashion;

WHEREAS, the child support program would benefit if the Secretary of Health and Human Services were given discretion to allow states to pass future revisions that have been officially approved by NCCUSL before a congressional amendment occurs to require the newer version, in order to allow states to benefit from the changes as soon as practicable once the Secretary determines a waiver is appropriate;

WHEREAS, ERICSA urges President Bush and his Administration to seek immediate congressional action so that states can begin the legislative process to pass the 2001 amendments to UIFSA;

WHEREAS, delaying congressional action to amend the law until TANF reauthorization will result in the loss of valuable time for many states that want to address the changes as soon as possible, but are, for practical purposes, prohibited from doing so until Congress acts;

NOW, THEREFORE, BE IT RESOLVED this 29th day of May, 2002, that the Eastern Regional Interstate Child Support Association, its Board of Directors, and its President,

- Urge President Bush and his Administration: 1) to support and actively pursue immediate congressional action to amend section 466(f) of the Social Security Act to require every state to enact the 2001 version of UIFSA; and, 2) pending that congressional action, to use current law, including any existing exemption authority, to exempt States that have passed the 2001 amendments to UIFSA from the current state plan requirement regarding passage of the 1996 version of UIFSA.
- Urge Congress to pass an amendment to the Social Security Act to require states to pass the 2001 amendments to UIFSA by January 1, 2004, or within three months after the end of the first legislative session begun after the congressional amendment, whichever is later.



- Urge Congress to explicitly provide exemption authority to the Secretary of Health and Human Services to allow states to enact later amendments to UIFSA after they are officially approved by NCCUSL, if the Secretary deems the revised version is in the interest of the child support program.

Sara McCollum, President

