



Tribal Child Support Directors Resource Guide

A Guide for New Tribal Child Support Directors



Department of Health and Human Services
Administration for Children and Families
Office of Child Support Enforcement

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PROGRAM OVERVIEW

PREFACE

The Office of Child Support Enforcement (OCSE) created the Tribal Child Support Directors Resource Guide (Resource Guide) in collaboration with numerous tribal child support directors. This Resource Guide is not a policy document and does not replace existing federal regulations, statutes, or OCSE policy guidance documents, which take precedence. This Resource Guide originated in a handbook developed jointly by OCSE and tribal child support directors in Region 10. For your convenience, OCSE will maintain and update this Resource Guide, which you can access on [OCSE's Tribal Webpage](#).

This Resource Guide will help orientate new tribal child support directors during their first weeks on the job and can serve as a desk reference for both new and seasoned directors. It provides a broad overview of basic program information, federal requirements and policy, and practical advice and resources. Use the [Table of Contents](#) page to select a particular topic of interest.

This Resource Guide is not comprehensive. If you have specific technical and policy questions, please contact your federal OCSE and Office of Grants Management (OGM) representatives. We also encourage you to contact other tribal child support directors to take advantage of their knowledge and expertise.

OCSE welcomes the tribal child support directors, those new to the program looking for guidance as well as those who have been operating a child support program and may be looking for additional support. We hope you find this Resource Guide informative and useful!

"We welcome you in to our program to answer your questions, to provide our help and assistance. We look forward to working with you and building a relationship between our programs. Family and childrn are cherished and always come first so if we can help your program please do not hesitate to contact us. – huy"

- Kimberly Reynon-Spisak, Puyallup Tribal Program

THE NINE ORIGINAL IV-D TRIBES



Figure 1: Logos of the original nine tribes operating child support programs

INTRODUCTION

Welcome to the tribal child support community! Whether you are new to the child support world or a seasoned director, this Resource Guide will be useful as a learning resource and a desk reference. Child support is a complex program.

As a new child support director, you will need to learn about every aspect of the program, perhaps rather quickly. We hope this Resource Guide will help you acquire the knowledge needed to administer a successful child support program. With so much to learn, you might feel overwhelmed, so give yourself adequate time, and do not expect to remember everything right away. For the seasoned child support director, we hope this Resource Guide will be helpful in your day-to-day program management or possibly with new staff orientations.

This Resource Guide is broken into sections to help you learn the history of the program, fundamental components of the federal agencies that oversee child support programs, federal regulations that govern the program, and other useful information. The Resource Guide was developed by OCSE with the assistance, guidance and feedback of tribal child support directors.

GLOSSARY

Child support seems to have a language of its own. You will quickly realize your child support colleagues use a language full of acronyms unique to the child support profession. Below is a list of the most common ones with a full glossary available on the OCSE website: [OCSE's Child Support Glossary](#). Give yourself time to learn the terminology. Before you know it, you will be communicating like a pro!

Acronym & Abbreviations	Brief Definition
ACF	Administration for Children and Families: The agency that houses OCSE within the Department of Health and Human Services (HHS).
AT	Action Transmittal: A policy document sent out by OCSE which instructs state and tribal child support programs on the actions they must take to comply with new and amended federal laws. The document has basis in federal law and regulation.
CFR	Code of Federal Regulations: Regulations published by the federal government. The federal tribal child support regulations are contained in 45 CFR Parts 309 and 310.
CP	Custodial Party: The person who has primary care, custody, and control of the child. Custodial party is a relative or other person with legal custody of the child.
EFT	Electronic Funds Transfer: A process by which money is transmitted electronically from one bank account to another.
FFC	Full Faith and Credit: A doctrine under which a state or tribe must honor an order or judgment entered in another state or tribe and enforce it as if it were an order within its own territory, but may not modify the order unless properly petitioned to do so.

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Acronym & Abbreviations	Brief Definition
FFCCSOA	<p>Full Faith and Credit for Child Support Orders Act: A doctrine under which a state or tribe must honor an order or judgment entered in another state or tribe and enforce it as if it were an order within its own territory, but may not modify the order unless properly petitioned to do so. This principle was specifically applied to child support orders in federal law that took effect in 1994, under the Full Faith and Credit for Child Support Orders Act (FFCCSOA). FFCCSOA requires states and federally funded tribal child support agencies to enforce child support orders made by other states or tribes if:</p> <ul style="list-style-type: none"> the issuing state or tribe’s tribunal had subject-matter jurisdiction to hear and resolve the matter and enter an order; the issuing state or tribe’s tribunal had personal jurisdiction over the parties; and, the parties were given reasonable notice and the opportunity to be heard. <p>FFCCSOA also sets limits on state and tribal authority to modify another state or tribe’s child support orders in instances when the state or tribe seeking to modify the order has jurisdiction to do so and the tribunal that originally issued the order no longer has continuing exclusive jurisdiction over the order either because the child and the parties to the case are no longer residents of the issuing state, or the parties to the case have filed written consent to transfer continuing exclusive jurisdiction to the tribunal seeking to make the modification.</p>
FFP	<p>Federal Financial Participation: The portion of a state or tribe’s child support expenditures that are paid by the federal government.</p>
FFY	<p>Federal Fiscal Year: The period that runs between October 1 and the following September 30. This is the federal grant cycle year.</p>
FPLS	<p>Federal Parent Locator Service: The FPLS is an assembly of systems operated by OCSE, to assist states and tribes in locating noncustodial parents, putative fathers, and custodial parties for the establishment of paternity and child support orders. The expanded FPLS consists of the:</p> <ul style="list-style-type: none"> The National Directory of New Hires (NDNH): a central repository of employment, unemployment insurance, and wage data from State Directories of New Hires, State Workforce Agencies, and federal agencies. The Federal Case Registry (FCR): a national database that contains information on participants in child support cases and child support orders. <p>Additionally, the FPLS also has access to external locate sources such as the Internal Revenue Service, the Social Security Administration, the Department of Veterans Affairs, the Department of Defense, the National Security Agency, and the Federal Bureau of Investigation.</p>
HHS	<p>U.S. Department of Health and Human Services: HHS is the U.S. government’s principal agency for protecting the health of all Americans and providing essential human services, especially for those who are least able to help themselves.</p>
IM	<p>Information Memorandum: A document that provides state and tribal child support agencies with information on program practices that can be useful to program improvement.</p>

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Acronym & Abbreviations	Brief Definition
IV-A	(Four-A): Refers to Part A of Title IV of the Social Security Act. Title IV-A established the public assistance program that may include TANF, food share, childcare, and medical assistance.
IV-D	(Four-D): Refers to Part D of Title IV of the Social Security Act. Title IV-D established the child support program.
IV-E	(Four-E) Foster Care: Refers to Part E of Title IV of the Social Security Act. IV-E provides benefits or services for foster care maintenance to children entitled to foster care.
IWO	<p>Income Withholding Order: An order that requires an employer to withhold support from a noncustodial parent’s wages and transfer that withholding to the appropriate agency (the Centralized Collection Unit, the State Disbursement Unit or tribal child support agency.) Sometimes referred to as a wage withholding or garnishment.</p> <p><u>Direct Income Withholding</u>: A procedure, whereby an income withholding for support from one state can be sent directly to the noncustodial parent’s employer in another state, without the need to use the child support agency or court system in the noncustodial parent’s state.</p> <p><u>Immediate Wage Withholding</u>: An automatic deduction from income that starts as soon as the order for support is established and an income withholding for support is received and implemented by the noncustodial parent’s employer.</p>
MTS	Model Tribal System: The MTS is an automated child support system, designed based on tribal requirements, specifically for the management of tribal child support programs.
NCP	Noncustodial Parent: The parent who does not have primary care, custody, or control of the child, and who may have an obligation to pay child support. Also referred to as the Obligor.
NPRM	Notice of Proposed Rulemaking: A formal federal publication of proposed rules before they are made final. There is a public comment period.
OCSE	Office of Child Support Enforcement: The federal agency responsible for the administration of the Child Support Enforcement program. Created by Title IV-D of the Social Security Act in 1975, OCSE is responsible for developing child support policy; oversight, evaluation, and audits of state and tribal child support programs; and providing technical assistance and training to those programs.
OGM	Office of Grants Management: The office within ACF (but separate from OCSE) responsible for approving budgets and issuing grants to operate tribal child support programs.
OLDC/inForm	On Line Data Collection (new name inForm): An electronic portal through which fiscal and program reports due to the federal government must be submitted.

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Acronym & Abbreviations	Brief Definition
PIQ/PIQT	Policy Interpretation Question (Tribal): An official reply from OCSE to an inquiry submitted by a state or tribal child support agency concerning application of policy. Although questions often arise from a specific practice or situation, the responses are official statements of OCSE policy on the issue.
Plan	Program Development Plan and Comprehensive Program Plan: The documents that a federally recognized tribe or tribal organization must submit as part of their application to request tribal IV-D funds pursuant to 45 CFR 309.
PMS	Payment Management System: a secure, online grants payment platform which provides awarding agency and grant recipient customers with efficient grant and grant-like payments, cash management, and personal grant accounting support services. https://pms.psc.gov/
PRWORA	Personal Responsibility and Work Opportunity Reconciliation Act of 1996: PRWORA mandated that states enact necessary legislation to improve the collection of child support. This legislation authorized direct funding for tribal IV-D programs.
TANF	Temporary Assistance for Needy Families: The public assistance program (Title IV-A of the Social Security Act) that provides cash assistance to families.
TDCL/IDCL/ DCL	(Tribal)/(International) Dear Colleague Letter: A letter sent out to the child support community (tribal, international and state), and interested partners, that conveys information on child support program activities.
UIFSA	Uniform Interstate Family Support Act: The law enacted by all states that provides mechanisms for establishing and enforcing child support obligations in interstate and international cases (when a noncustodial parent lives in a different state or foreign country from the child and the custodial party). Among the law's provisions is the ability of state child support agencies to send withholding orders to employers across state lines. (Tribes are not required to enact UIFSA).

FEDERAL OVERVIEW

This section provides an overview and history of the child support program, which will help you to understand how your program fits in the national program. OCSE is an office within the U. S. Department of Health and Human Services, Administration for Children and Families (ACF).

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

The goal of HHS is to enhance and protect the health and well-being of all Americans. HHS administers more than 100 programs across its operating divisions. These programs protect the health of all Americans and provide essential human services, especially for those who are least able to help themselves. HHS has 11 operating divisions which administer a wide variety of health and human services and conduct life-saving research for the nation, protecting and serving all Americans. The Office of the Secretary, Operating Divisions, and Regional Offices administer the HHS programs.

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Below is a map of the ten Regions operating the HHS programs:

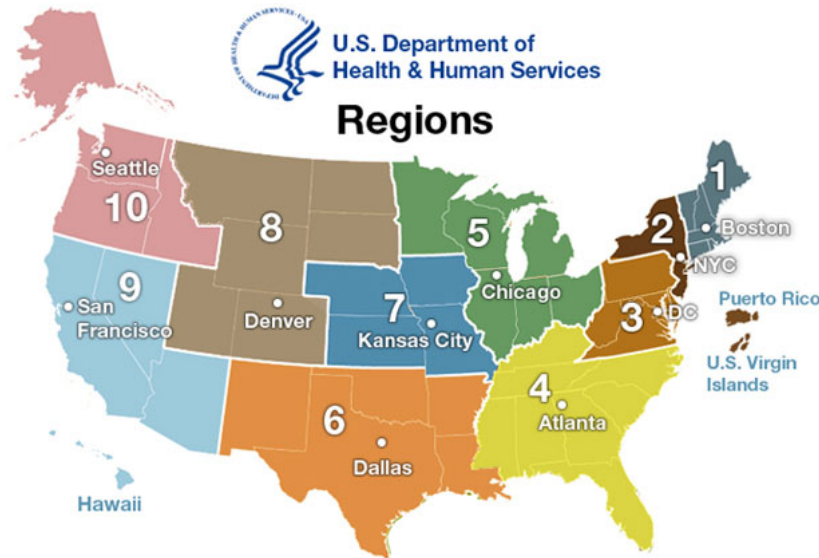


Figure 2: HHS Interactive Regions Map

The interactive map provides more information about each regional office and the services they provide.

FEDERAL ORGANIZATION

The Office of Intergovernmental and External Affairs (IEA) serves as the focal point in the Office of the Secretary for the Department of Health and Human Services consultation with tribal governments on policy, regulatory and legislative issues that have a significant direct impact on tribal governments and tribal organizations. The complexity of the federal-tribal intergovernmental relationships results from treaties, statutes, executive orders and court decisions. IEA responsibilities for tribal governments are carried out in the same manner HHS facilitates and coordinates all departmental activities with state and local governments.

ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF)

ACF is a division of HHS that promotes the economic and social well-being of families, children, individuals and communities with partnerships, funding, guidance, training and technical assistance. Led by the Assistant Secretary, ACF is comprised of 19 offices, including OCSE, the Office of Administration, and the Office of Regional Operations that represents 10 regional administrators around the country. ACF programs fund a variety of programs from Native American Language Preservation to Refugee Resettlement to Child Care and Temporary Assistance for Needy Families. The breadth of ACF programming allows it to make a positive impact on the lives of individuals and families around the country.



Figure 3: ACF Logo

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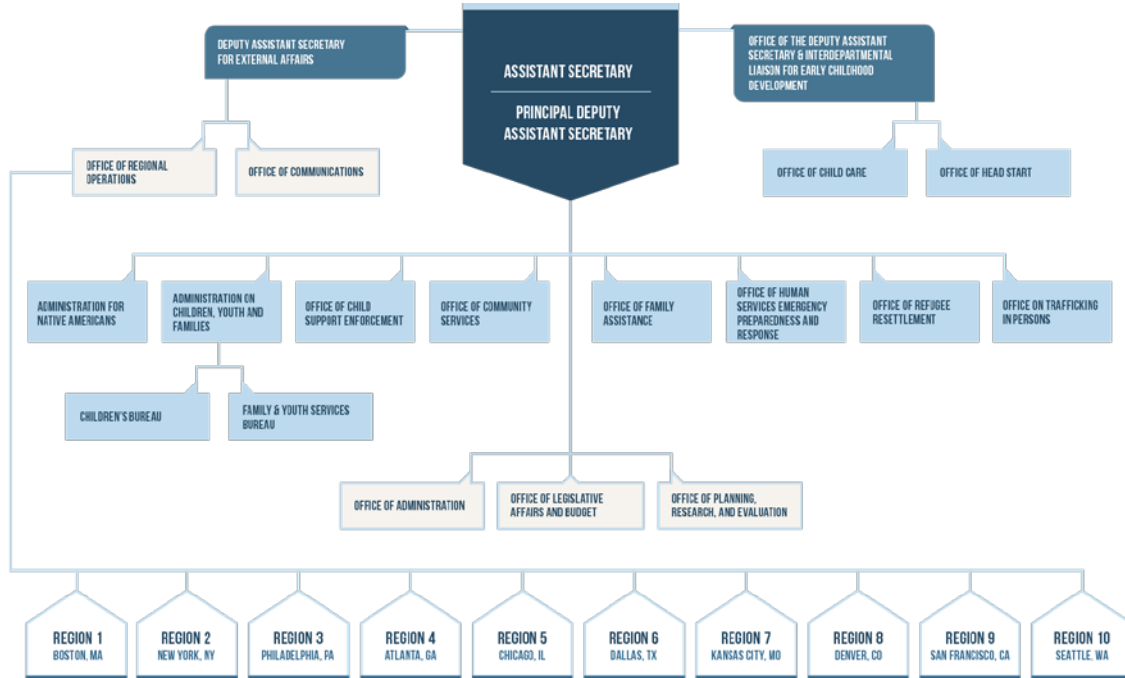


Figure 4: Organizational Chart for Administration for Children and Families

As of November 19, 2015

OFFICE OF CHILD SUPPORT ENFORCEMENT (OCSE)

OCSE partners with federal, state, tribal, and local governments and others to promote parental responsibility so that children receive support from both parents, even when they live in separate households. Part of ACF, OCSE is headed by the Commissioner of Child Support Enforcement and has nine divisions, including the Division of Regional Operations (DRO).

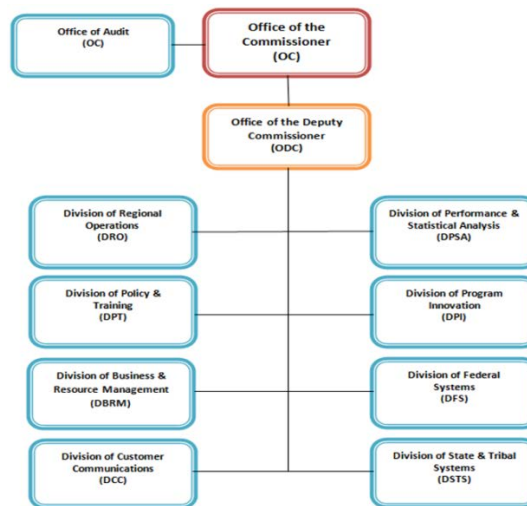


Figure 5: Organizational Chart for the Office of Child Support Enforcement

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DRO has ten regional offices and coordinates the tribal child support program. Each OCSE regional office consists of a Regional Program Manager (RPM) and several Program Specialists. The RPM reports to the Director of DRO within OCSE. Your tribe will have one Program Specialist assigned to you as your primary point of contact.

OCSE helps states and tribes develop, manage and operate their programs effectively, according to federal law and regulation so they can successfully meet the needs of children and families they serve. Your regional Program Specialist should be your first point of contact when you have questions or concerns about your program.

The child support program's core mission is to locate parents and their assets; establish paternity; establish, modify and enforce child support orders; and distribute child support payments. While the particulars of the program may vary from tribe to tribe and state to state, these core services are available to all parents who need them.

The focus of the child support program continues to evolve and improve to meet the needs of families more effectively. Although the core establishment and enforcement functions will always be at the center of the program's purpose, reaching out to both parents in new ways is increasingly important to collect consistent child support payment and remove barriers to payment.

Many tribal and state programs can:

- improve economic stability through referrals to employment, job training programs and other financial planning services;
- engage fathers in the lives of their children from a very early age;
- ensure all children have the medical coverage they need to be healthy;
- help parents learn how to have healthier relationships with one another and their children;
- help prevent the need for child support cases in the first place; and
- work carefully with parents who have family violence issues in their lives.

OFFICE OF GRANTS MANAGEMENT/DIVISION OF MANDATORY GRANTS

The Office of Grants Management (OGM) is part of the Office of Administration and directly administers, manages, provides financial stewardship, and technical guidance to more than 60 ACF program and regional offices for discretionary grants, mandatory grants, and cooperative agreements.

Specifically, OGM, is responsible for:

- reviewing, processing and issuing the notice of grant awards for the tribal child support programs;
- ensuring that business and financial responsibilities of grants administration are carried out;
- managing ACF's discretionary, formula, entitlement and block grants in the region;
- directing all grants and cooperative agreements;
- ensuring compliance with applicable statutes, regulations and policies;
- performing audit resolutions; and
- providing leadership and technical guidance to ACF programs on grant operations and grants management issues.

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ACF ADDRESSES AND CONTACTS

OCSE Central Office – Washington DC:

Administration for Children and Families
Office of Child Support Enforcement
330 C Street, SW, 5th Floor
Washington, DC 20201

Office of Grants Management – Washington DC:

Administration for Children and Families
Division of Mandatory Grants
330 C Street, SW, 3rd Floor
Washington, DC 20201

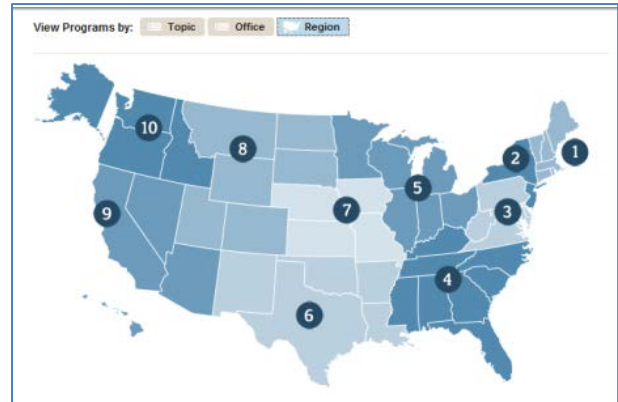


Figure 6: Map of ACF Regional Offices

REGION 1

JFK Federal Building, Room 2000
Boston, MA 02203
Phone: (617) 565-1020
Fax: (617) 565-2493

REGION 2

26 Federal Plaza, Room 4114
New York, NY 10278
Phone: (212) 264-2890
Fax: (212) 264-4881

REGION 3

801 Market Street, Suite 8300
Philadelphia, PA 19107
Phone: (215) 861-4000
Fax: (215) 861-4070

REGION 4

61 Forsyth Street, Ste. 4M60
Atlanta, GA 30303-8909
Phone: (404) 562-2800
Fax: (404) 562-2981

REGION 5

233 N. Michigan Avenue, Suite 400
Chicago, IL 60601-5519
Phone: (312) 353-4237
Fax: (312) 353-2204

REGION 6

1301 Young Street, Suite 914
Dallas, TX 75202
Phone: (214) 767-9648
Fax: (214) 767-3743

REGION 7

601 E. 12th Street, Room 349
Kansas City, MO 64106-2808
Phone: (816) 426-3981
Fax: (816) 426-2888

REGION 8

1961 Stout Street
Denver, CO 80294
Phone: (303) 844-3100
Fax: (303) 844-1188

REGION 9

90 7th Street, 9th Floor
San Francisco, CA 94103
Phone: (415) 437-8400
Fax: (415) 437-8444

REGION 10

701 Fifth Ave., Suite 1600
Seattle, WA 98104
Phone: (206) 615-2519
Fax: (206) 615-2574

PROGRAM HISTORY

THE FEDERAL OFFICE OF CHILD SUPPORT ENFORCEMENT

The federal child support program was established in 1975 under Title IV, Section D of the Social Security Act. Sometimes, you will hear the child support program referred to as the IV-D Program. The funding for Indian Tribes and tribal organizations is authorized under section 455(f) of the Social Security Act, as added by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, Public Law 104-193) and amended by the Balanced Budget Act of 1997 (Public Law 105-33). The NPRM and interim rule were published in the Federal Register on August 21, 2000 (NPRM: 65 FR 162 et seq.; interim final rule: 65 FR 162 et seq.).

PRWORA added new enforcement tools, new technology, and expanded laws and distribution options and authorized the tribal program. Initially the child support program was established as a “welfare recovery” program to help offset public assistance paid to support children raised by single parents.

Today, 95% of support collections are paid to families and are not kept by states to repay assistance. In the 40 years since the inception of the child support program, the demographics of American society have changed and the number of children affected by changing family structure has grown significantly. In 2014, more than one-quarter (26.2 percent) of all children under 21 years of age who lived in families, lived with only one of their parents. Altogether 22.1 million children under the age of 21 lived in families with one parent.¹

Divorce Rates: Divorce rates increased dramatically between 1965 and 1974, when the annual number of divorces nationwide more than doubled to 977,000. By 2014, the rate of divorces in the U.S. was 3.2 for every 1000 people in the population.² While the divorce rate has leveled off, families where parents live apart have not.

Births to Unmarried Parents: The number of births to unmarried parents has been dramatically increasing for the past 40 years. In 1976, there were an estimated 468,100 births to unmarried women,³ while in 2014, births to unmarried women totaled 1,604,870 or 40.2 percent.⁴

¹ An estimated 13.4 million parents. U.S. Census Bureau, *Custodial Mothers and Fathers and their Child Support: 2013* (Jan. 2016)

² National Center for Health Statistics, National Vital Statistics System: *National Marriage and Divorce Rate Trends, 2000-2014*. Note: The National Center for Health Statistics no longer publishes total numbers of divorces due to the difficulty in estimating those numbers for non-reporting states.

³ National Center for Health Statistics, National Vital Statistics System: *Trends and Differentials in Births to Unmarried Women: United States 1970-1976* (May 1980). Note: Total is based on 100 percent of births in selected states and a 50 percent sample of births in all other states.

⁴ National Center for Health Statistics, 64 Monthly Vital Statistics Rep. No. 12, *Births: Preliminary Data 2014*, December 23, 2015.

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Child Poverty: Children living in households with one parent are much more likely to live below the poverty level than those living with two parents. For example, the 2013 poverty rate of all custodial parents was 28.8 percent -- about twice that of the total population.⁵

HISTORY AND AUTHORIZATION FOR TRIBAL CHILD SUPPORT PROGRAMS

The legislation noted above provides authorization for direct federal funding for tribal child support programs. PRWORA created the authority to establish tribal child support programs with direct funding. To jumpstart implementation, OCSE announced Special Improvement Project (SIP) grants available to federally recognized tribes and tribal organizations. The grant funding provided an opportunity for Tribal Nations to enhance an existing child support program.

There were seven tribes that applied for, and received, the SIP grants directly. Three other tribes collaborated with their states to establish a tribal child support office. The following seven Tribal Nations received a SIP award on September 1, 1999:

- Sisseton-Wahpeton Oyate
- Lac du Flambeau Band of Lac Superior Chippewa
- Lummi Nation
- Port Gamble S'Klallam Tribe
- Puyallup Tribe
- Confederated Tribes of the Colville Indian Reservation
- Central Council for Tlingit and Haida Tribes

The following three Tribal Nations collaborated with their respective states:

- Navajo Nation: collaborated with New Mexico, which funded three offices on the Navajo Reservation using state IV-D funds in 1996.
- Chickasaw Nation: collaborated with Oklahoma and co-authored the SIP application that OCSE awarded to Oklahoma. The Chickasaw Nation established a tribal child support office in 1998.
- Menominee Nation: collaborated with Wisconsin, which was awarded the SIP funds to assist Menominee Nation to establish a child support office on the Menominee Reservation.

OCSE consulted extensively with tribes on developing the tribal regulations; all federally recognized tribes were invited to attend. OCSE held six Nation-to-Nation Consultations, lasting 2 ½ days each. During consultation, a number of tribes, including those listed above, expressed concern that efforts they had under way, including the demonstration projects, would be unduly delayed or disrupted if they had to wait for the final rule to receive funding to continue the programs that they put into place. In response to this concern, and in an effort to ensure that tribes can begin to provide services as quickly as possible, OCSE issued an [Interim Final Rule](#) that took effect immediately upon publication.

⁵ U.S. Census Bureau, *Custodial Mothers and Fathers and their Child Support: 2013* (Dec. 2011).

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On March 30, 2004, after additional consultation and public input, OCSE published the [Final Tribal IV-D Program Rules](#) in the Federal Register that provided the mechanism for the development, enhancement and/or ongoing operations of a tribal child support program. OCSE released [Action Transmittal \(AT\)-04-01](#) to disseminate the Final Rule. The U.S. Government Publishing Office maintains and encourages use of a current electronic version of [45 CFR 309](#) and [45 CFR 310](#). The regulations cross-reference [45 CFR 75 - Uniform Administrative Requirements, Cost Principles and Audit Requirements](#) for HHS awards, which apply to tribes.

Your OCSE Regional Program Manager or Program Specialist will provide you with a “wheel” as a handy desk tool that summarizes the basic program requirements. Additional information on the Tribal Wheel is included in the Financial Requirements section.

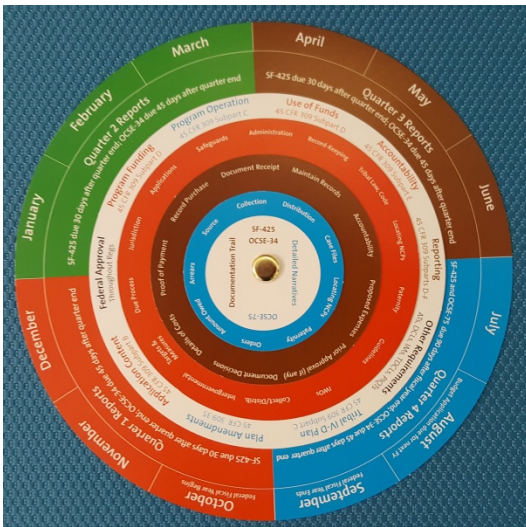


Figure 8: Tribal Wheel Front

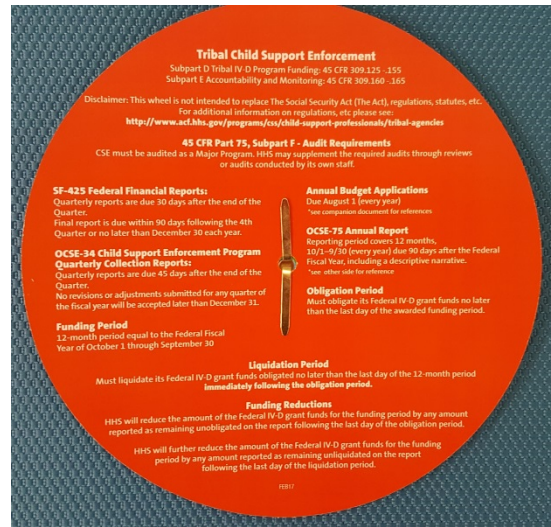


Figure 9: Tribal Wheel Back

The number of tribal child support programs has grown significantly since 2004. OCSE maintains current information on the tribal child support agencies via an interactive map on its website: [Tribal Child Support Agencies Map List](#).

TRIBAL CONSULTATION POLICY

The [Department of Health and Human Services Tribal Consultation Policy](#) was developed jointly with tribal participation in 2004 and was signed in January 2005. It was then evaluated and revised in 2008. In December 2010, HHS Secretary Kathleen Sebelius signed a new and improved Tribal Consultation Policy that was in direct response to President Obama’s November 2009 [Executive Memorandum](#). You can find additional information on the [HHS.gov](#) website.

The [ACF Tribal Consultation Policy](#) supplements the HHS Tribal Consultation Policy and was created in consultation with tribal leaders and a Federal/Tribal Workgroup. Acting Assistant Secretary George Sheldon signed this Policy on August 18, 2011.

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OCSE is committed to and adheres to the ACF Tribal Consultation Policy. The OCSE Commissioner has invited tribal leaders to engage in written consultation on a number of issues. In addition, OCSE holds informal discussion with tribal child support directors using a model that is referred to as “tribal conversations.” This approach was effective in learning about the impact of medical support regulations; discussing the required annual OCSE 75 Statistical and Narrative Report; reformatting the Annual Report to Congress; reviewing annual tribal budget submissions; and discussing possible updates to the tribal child support regulations.

TRIBAL CHILD SUPPORT ORGANIZATIONS

Each tribal program is unique, yet you may find that you may share many things in common with other programs. Many established tribal child support directors have significant knowledge and experience, and they welcome your questions and encourage contact from you.

Two organizations also provide reliable sources of information:

- National Association of Tribal Child Support Directors (NATCSD): <http://natcsd.org>
- National Tribal Child Support Association (NTCSA): www.supporttribalchildren.org

Contact information for all the federally funded tribal child support agencies may be found on the OCSE website on this list of [Tribal Child Support Program Contact Information](#).

CHILD SUPPORT WEBSITES AND GENERAL CONTACT INFORMATION

Visit OCSE’s website to view an [interactive map](#) which allows you to see a pop-up list of state and tribal child support program contact information.

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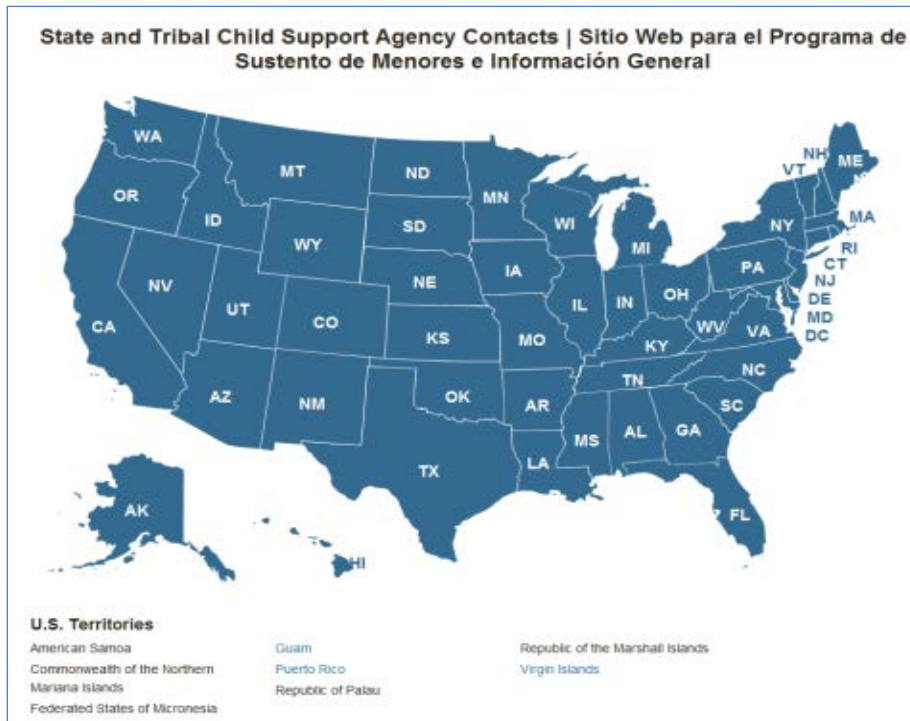


Figure 10: Child Support Websites and General Contact Information Map

THE ROLE OF STATE CHILD SUPPORT AGENCIES

As mentioned earlier, states have been operating child support programs since the mid-1970s. To the best of their ability, states provided child support services to tribal members who often had orders for child support already established. As you develop your tribal child support program, developing a healthy relationship with the state child support agency is important. Some things to consider include determining:

- what type of partnership is needed;
- whether to use the state automated child support system;
- how to transfer pre and post judgment cases to the tribe, and
- training needs.

TRIBAL-STATE PARTNERSHIPS

We recommend that the tribal child support director contact the state child support director to schedule an initial meeting. The first meeting is usually an introductory one while subsequent meetings may use agendas to structure discussions on a variety of topics. Your focus should always be the children and families you serve; your goals should be to strengthen your partnerships, and you should always aim at improving the effectiveness and efficiency of how you provide services. Meetings with the state child support director may be an appropriate activity during the start-up phase. Tribes and states must work together to ensure that families receive the support they deserve by:

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- working cooperatively together;
- extending the full range of services to another child support program; and
- recognizing valid child support orders issued by other tribunals.

For more in-depth information on working cooperatively with your state partner, see [PIQT-05-01](#) and [PIQT-05-02](#) on OCSE's website.

MEMORANDUM OF UNDERSTANDING (MOU)

An MOU is a formalized statement of the mutual expectations between two parties; for example, two tribal programs or a tribal and state program. It is not legally binding but does represent a commitment by the parties to conduct interagency business in a specified manner. An MOU can be a powerful tool since it requires the parties to come to mutual agreements. Components to an MOU include, but are not limited to a:

- description of the partner agencies;
- brief history of the relationship of the agencies;
- purpose of the MOU;
- roles and responsibilities of each program;
- description of the resources each program can contribute to the project;
- designation of person(s) responsible for the project management;
- reporting methodologies and deadlines;
- duration of the MOU; and
- signature(s) of authorizing person(s).

SERVICE AGREEMENTS

A service agreement is generally considered a contract wherein a service is formally defined. Service agreements can be legally binding depending on the language included. The components of a service agreement include, but are not limited to:

- scope of services;
- parties responsible for the delivery of services and the delivery time;
- general terms of the agreement including fees and reporting;
- sanctions for non-compliance of the agreement, and
- authorized signatures.

According to 45 CFR 309.60(c), if a tribal child support program delegates any function of the tribal child support program to another tribe, state, or another program or entity pursuant to a cooperative arrangement, contract or tribal resolution, copies of the documents must be appended to the Comprehensive Program Plan and submitted to OCSE for approval.

WORK PLANS

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Work plans are the road map for how agencies will complete certain tasks. A work plan details the procedures to be followed to accomplish the intended work. Work plans usually include, but are not limited to:

- overview of the project;
- breakdown of the steps needed;
- list of the parties responsible for the steps; and
- timeline for completion and cost projections, if applicable.

Work plans are often included as addendums to MOUs or Service Agreements.

PROGRAM REQUIREMENTS

FEDERAL REGULATIONS

[45 CFR PART 309: TRIBAL CHILD SUPPORT ENFORCEMENT \(IV-D\) PROGRAM](#)

The Final Rule on the tribal child support program is found in the Federal Register and codified in [45 CFR Part 309](#). The rule provides the policy foundation for the program and contains the information you need to operate a successful tribal child support program. The rules that apply to start-up funding are in section 309.16. Read the regulation in its entirety and pay special attention to section 309.65 as it states what is needed for a comprehensive child support program.

To operate a successful tribal child support program, and maintain eligibility for federal funding, the program must have all the components in place to meet the federal requirements in section 309.65 to:

- Establish Paternity
- Establish Child Support Orders
- Enforce Child Support Orders
- Modify Child Support Orders
- Locate Parents and their Assets

[45 CFR PART 310: COMPUTERIZED IV-D SYSTEMS AND OFFICE AUTOMATION](#)

45 CFR Part 310 addresses conditions for funding and requirements governing computerized child support systems and office automation. It identifies:

- various options for automated systems;
- functional requirements for the Model Tribal System;
- security and privacy requirements;
- conditions for funding, and
- Accountability and monitoring.

“Take the time to visit other neighboring Tribal Child Support Programs and observe and discuss how their child support programs were designed and how they run. Your colleagues are usually quite helpful.”

- Bill Paine, Former IV-D Director, Suquamish Tribe

45 CFR 75: UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR HHS AWARDS

Federally funded child support programs must adhere to the applicable requirements in 45 CFR 75 including:

- [45 CFR 75 Subpart E](#): Cost Principles
- [45 CFR 75 Subpart F](#): Audit Requirements
- [Appendix II to Part 75](#): Contract Provisions for non-federal entity contracts under federal award

OCSE PUBLICATIONS

As the child support program evolves, it is sometimes necessary for OCSE to issue guidance, policy clarifications or other information. OCSE distributes the policy guidance via state and tribal listserves (email lists). When policy documents are published, as a new director, you should know where to find these documents and become familiar with major policy issuances. All documents issued over the years are accessible on the [OCSE Policy Webpage](#).

OCSE releases information in various formats:

- **Action Transmittal (AT)**: instructs state and tribal child support programs on the actions they must take to comply with new and amended federal laws.
- **Information Memorandum (IM)**: provides state and tribal child support agencies with information on program practices that can be useful to program improvement.
- **Policy Interpretation Question/Tribal (PIQ)/(PIQT)**: provides the official reply from OCSE to an inquiry submitted by a state or a tribal child support program concerning the application of policy.
- **Tribal/International Dear Colleague Letter (TDCL)/(IDCL)/(DCL)**: conveys information on child support program activities to the child support community and the tribal child support community.

In addition to policy guidance, OCSE distributes information in other formats:

- **Annual Report to Congress**: Published each year to provide an overview of the state and tribal child support program statistics to the U.S. Congress.
- **Child Support Report**: Monthly e-newsletter that includes a variety of child support related topics and stories.

We encourage you to explore the Tribal Agencies page under Child Support Professionals on the [OCSE Website](#).

PLAN REQUIREMENTS FOR TRIBAL CHILD SUPPORT PROGRAMS

START-UP PROGRAM

When a federally recognized tribe or tribal organization elects to establish a child support program, the tribe can submit an application for start-up funding. The OCSE website contains a Guide to the Tribal IV-D Start-Up Application Process, which was presented under [IM-05-06: A Guide to the Tribal IV-D Start-Up Application Process](#), issued on June 22, 2005. The tribe must submit a Start-up Program Development Plan as part of its application to OCSE for review and approval for funding. OCSE central office and regional offices will maintain a copy of your plan.

Your Start-up Program Development Plan should describe how the tribe will meet the federal requirements in [45 CFR 309](#). All federal requirements along with information on how the tribe already meets a particular requirement or what activities it will complete to meet the requirements must be included. For example, a tribe might need to write new tribal codes or revise existing codes to meet the regulation requirements. Often it will be necessary to develop policies and procedures as well. A Start-up Program Development Plan should also include an Action Plan timeline of activities to be done, the timeframe to complete them, and the personnel responsible for performing the work.

If you are a new child support director hired during the start-up program, you will most likely be the project manager to oversee the start-up activities. It is your responsibility to ensure all activities are completed within the timeframes noted in the Program Development Plan. Often the tribe's grant-writer wrote the initial plan. We recommend that you read a copy of the plan. You will be responsible for writing the Year 1 Progress Report and developing the Year 2 Budget, to submit to OCSE.

Additionally, during Year 2 you will be responsible for writing the Comprehensive Program Plan and developing the budget to transition your tribal child support program from "start-up" to "comprehensive".

COMPREHENSIVE PROGRAM PLAN

A Comprehensive Program Plan (Plan) is a document that demonstrates how the tribe meets the requirements to operate a program by identifying and describing all the codes/laws, procedures, policies, and guidelines a program will follow as outlined in [45 CFR Part 309](#). You must submit an original copy of your Comprehensive Program Plan application to OCSE to request full comprehensive funding.

[45 CFR 309.65](#) requires a tribal child support program Plan to provide information that demonstrates that the tribe has the capacity and infrastructure to operate a tribal child support program. The Plan is the culmination of all the work completed during the start-up period. After OCSE approves the Plan, budget and application documents, your tribal child support program will receive funding to operate the program as described. The approved Plan is the guiding document for the operation of your child support program.

If you are the new director of a comprehensive program, we recommend that you locate a copy of your tribe's Plan and read it thoroughly. As the child support director, it is imperative that you understand

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the laws, policies, procedures, and guidelines your tribe agreed to follow when it accepted funding to operate their child support program.

You should expect that as your program grows and develops, the information in the original Plan might need to be changed. When you make changes (amendments) to the original Plan, you will need to submit a Plan Amendment to OCSE. You can find examples of circumstances that might require a change to your Plan in [45 CFR 309.35\(d\) and \(e\)](#).

PLAN AMENDMENTS

When laws, policies, procedures, or guidelines change in a substantive way, you will be required to submit a Plan Amendment to OCSE. You can find the regulations and guidelines on when and how to submit a Plan Amendment at:

- [45 CFR 309.35](#): Review of Tribal IV-D program application, plan or plan amendment
- [TDCL-11-01](#): Plan Amendments – Change to TDCL-10-07
- [TDCL-10-07](#): Plan Amendments

Your Regional OCSE Program Specialist can also provide additional information and assistance. OCSE recommends that you submit your proposed amendments to your assigned Program Specialist for a preliminary review prior to officially submitting it to OCSE.

A Review Panel composed of regional and central office staff members from OCSE and OGM formally evaluate both the initial Plan and any subsequent Plan Amendments. The review process ensures that what you describe in your Plan meets the necessary federal requirements for a Comprehensive Program after considering the proposed amendments.

The following events trigger the need for a Plan Amendment:

- changes to tribal code or policy that affect any of the 14 program elements of the original plan;
- revisions to the child support guidelines;
- program additions to a consortium or formulation of a consortium with another entity;
- changes to any program functions that are delegated or contracted to another state or tribe via some type of negotiation or cooperative agreement;
- changes to the program's organizational structure; or
- changes to federal regulations or policy.

These are just a few of the possible events that could require a revision of your tribe's Plan. When the Plan is updated with drafts of new policies or codes, you are required to send a copy of the proposed updates to OCSE central office for review and approval. Please be sure to indicate what has changed when you submit the amendment. You should also send a courtesy copy to your Regional Program Specialist. OCSE maintains a copy of all Comprehensive Program Plan Amendments.

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Please mail all program documents to:

**Commissioner, Office of Child Support Enforcement
ATTN: Tribal Child Support Program
Administration for Children and Families
330 C Street, SW, 5th Floor
Washington, DC 20201**

INFORMATION TECHNOLOGY

SYSTEMS AND TECHNOLOGY

As you develop your child support program or enhance an existing one, OCSE recommends that you consider the types of technology available to you. Many tribes use a combination of automated office applications and manual processes to perform case management functions on child support cases. Some tribes use a state's computer system and others use commercial case management software for processing child support cases. All child support programs are responsible for maintaining an accurate case inventory documenting case actions and collections disbursements.

TRIBAL AUTOMATION OPTIONS

The [45 CFR 310](#) enables tribes and tribal organizations that operate comprehensive tribal child support programs under Title IV-D of the Social Security Act to apply for, and upon approval, receive direct federal funding for the costs of automated data processing. The regulation provides federal financial participation (FFP) for comprehensive tribal child support programs to install, operate, maintain, and enhance automated data processing systems in accordance with section 455(f) of the Act.

As specified in section 310.5 of the regulation and outlined in [IM-10-02 - Questions and Responses regarding the Model Tribal System Final Rule](#) there are five options for tribal automation that are eligible for FFP:

- Model Tribal System;
- Intergovernmental Service Agreement with a state;
- Intergovernmental Service Agreement with another tribe (including tribal consortia);
- Office automation; or
- A system developed with 100% tribal funding (an alternative to computerized tribal child support systems and office automation), which is eligible for FFP for ongoing maintenance and operation.

In addition, as outlined in 45 CFR 309.145(h), tribes are also eligible for FFP in the cost to conduct planning activities related to determining the most effective and efficient option for tribal automation.

Lastly, tribal child support programs may also choose to design, develop, procure, or otherwise enhance an existing tribal system funded entirely with tribal funds. The preamble to [45 CFR Parts 309 and 310](#) provides additional details about tribal automation.

MODEL TRIBAL SYSTEM (MTS)

During tribal consultation, it became clear that neither tribes nor the federal government could afford to build and pay for individual tribe computer systems with the scope and complexity of statewide systems. Therefore, OCSE and tribes determined to build one model system that could perform the functions needed for tribal case management and be replicated by each tribe at tribal option.

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The intent in developing the MTS was to provide an affordable alternative that would meet the majority of the tribes' automation needs. The MTS handles all tribal child support case processing functions as defined in the regulation and also provides a number of important functions not specifically cited by regulation, but which are necessary for efficient case management, including:

- calendaring;
- worker "to-do" lists;
- case event histories;
- case notes; and
- financial case management including check processing, electronic funds transfer (EFT), and support for debit cards and direct deposit.

The MTS software is available to any tribal child support program that chooses to use it. Costs related to the planning and installation of the MTS are eligible for enhanced 90% FFP.

Installation costs can include:

- set-up and configuration of the MTS;
- testing;
- data clean up and conversion;
- training;
- help desk services; and
- the costs to acquire and install new operating systems and hardware, such as computer servers and networking.

Upon completion of installation activities, ongoing costs for operation and maintenance of the MTS are eligible at the tribe's regular program matching FFP rate.

The OCSE website has information on automation. Specific informational resources include:

- [AT-13-04: Tribal Advance Planning Document \(APD\) Process and Model Tribal System \(MTS\) Frequently Asked Questions](#)
- [Tribal APD Template](#): Template for tribes to develop an Advance Planning Document to request federal funding to use the MTS or an existing system
- [Personal Computer Hardware Specifications](#): Provides recommended configuration for office automation or MTS workstations

The analysts in the OCSE Division of State and Tribal Systems (DSTS) are available to provide technical assistance and answer questions about MTS or automation issues. For more information or to request assistance, please contact: MTSProject@acf.hhs.gov.

IT CONTRACTS, EQUIPMENT AND SUPPLIES

Funding requests for IT-related expenditures must meet specific criteria to ensure a favorable budget review by OCSE's DSTS. Past approvals of IT-related contracts, equipment and supplies are not considered when approving the current fiscal year budget. Each submission is reviewed independently regardless of previous year approvals.

The regulations at 45 CFR 310 provide details on what is eligible for FFP. Funding is available only for operation and maintenance of alternative automated systems. OGM will not approve funding for the development, installation, training or travel costs associated with alternative automated systems.

If a tribe intends to purchase and install an automated child support system, the system must meet the requirements found in [45 CFR 310](#) and other applicable federal regulations. If a tribe intends to submit a request for funding of a system, the tribe must submit an Advance Planning Document as defined in [45 CFR 96.605](#), and a separate budget proposal.

All IT contracts and agreements must address the following:

- Terms of all contracts must be for the federal fiscal year (FFY) for which the tribe is requesting the funding.
- Funding will not be awarded for expenditures linked to expired contracts and agreements.
- OCSE recommends Firm Fixed Price contracts because it allows the tribe to transfer risk(s) to the contractors.
- Tribe must also clearly identify the option year. For example, if it is Year 2 of 4 option years, state it clearly.
- All contracts must include a clear scope of work with a detailed description of the services the contractor will provide.
- A tribe should not assume that a technical consultant would provide all technical services unless it is explicitly stated in the contract along with detailed descriptions.
- Include all documents referred to as attachments in the contract and agreement.
- The tribe must submit all sub-contractors' contracts with each contract and agreement.
- The tribe must identify sub-contractor contracts as such by including the sub-contractor name and contact information.
- All requirements that apply to the prime contractor apply to any sub-contractors.
- Before submitting the budget, verify that all the following provisions are included in each contract:
 - Confidentiality in accordance with [45 CFR 309.80](#)
 - Access to System Records in accordance with 45 CFR Parts 75.329, 75.361, 95.615, and 310.40
 - Record retention in accordance with 45 CFR 75.361
 - Copyrights in accordance with 45 CFR 75.322(b)

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- Software and Ownership rights in accordance with 45 CFR Parts 95.617 and 310.25(c)
 - Compensation to contractors must be reasonable and on par with the current market rate for similar services.
 - The tribe should be prepared to provide OGM with the basis for the estimate of compensation.
 - For all contracts that exceed \$2 million, the tribe must provide the names of all staff resources along with a resume for each; the number of projected hours of work; and indicate whether the staff is full time or part time.
 - Verify that the costs listed in the contracts and agreements match the costs listed in the budget and budget justification narrative.
- The tribe must provide copies of all executed IT contracts, agreements and service orders.
 - For contracts that the tribe cannot execute until OGM awards funding, the tribe must provide a draft copy of the contract and an assurance to OCSE that they will submit a copy of the document immediately following the execution of each document.

OCSE recommends that all contracts include standard language regarding warranty, security and privacy, and waiver and governing law. Below is sample language that OCSE recommends for tribes to include in tribal contracts: (next page)

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A. WARRANTY

Subcontractor warrants their work under this Contract to be free of defects and perform as designed and approved under this Agreement.

B. SECURITY AND PRIVACY

Subcontractor agrees to adhere to all personal privacy and security requirements of the Tribe, including securing and protecting personally identifiable information of individual Tribal members and IV-D program participants. Contractor will comply with the safeguarding procedures related to the Tribe's compliance with 45 CFR 309.80, including

(a) Procedures under which the use or disclosure of personal information received by or maintained by the Tribal IV-D agency is limited to purposes directly connected with the administration of the Tribal IV-D program, or titles IV-A and XIX with the administration of other programs or purposes prescribed by the Secretary in regulations.

(b) Procedures for safeguards that are applicable to all confidential information handled by the Tribal IV-D agency and that are designed to protect the privacy rights of the parties

(c) Procedures under which sanctions must be imposed for the unauthorized use or disclosure of information covered by paragraphs (a) and (b) above.

Contractor further agrees to adhere to the security requirements imposed under Internal Revenue Service Security Guidelines as published in IRS 1075 Publication, as well in accordance with all instructions published by the Federal Office of Child Support Enforcement. In accordance with IRS Publication 1075, 45 CFR 34, 36, contractor agrees to comply with the terms and condition in the later section of this contract on Federal Tax Information Safeguarding.

C. WAIVER AND GOVERNING LAW

The failure of either party to require strict compliance with any of the terms of this Agreement shall not be deemed a waiver of that or any other term of the Agreement. The parties will use their best efforts to amicably resolve any dispute. Nothing contained in this Agreement shall be construed to waive the sovereign rights of the Tribe, its officers, employees, or agents. This Agreement shall be performed within the applicable guidelines, resolutions, and ordinances of the Tribe. State law shall not be applicable to this Agreement, nor shall any disputes be subject to any authority outside of the Tribe. Provided, however, that in the event that the federal government determines that any provisions of this Agreement violates the Tribe's IV-D Plan, said provision shall be null and void to the extent of such violation, but remaining provisions of this Agreement shall be in full force and effect.

Figure 11: Sample

COPYRIGHTS, OWNERSHIP, AND PROCUREMENT REQUIREMENTS

OCSE issued [PIQT 16-01: Uniform Guidance Questions for Tribal Programs](#) to provide guidance to tribes regarding the federal requirements for copyrights, ownership, and procurement that apply to tribal programs. In addition to meeting the federal requirements, copyrights, ownership, and confidentiality provisions help to protect tribes from the loss and unauthorized use and disclosure of information or products used or developed under a tribal child support contract.

IT EQUIPMENT AND SUPPLIES

The specifications for all computer equipment to be procured or already procured for office automation and automated child support systems must adhere to the OCSE recommendations provided in the [MTS and Office Automation Personal Computer Recommendations document](#). The tribe should provide justification/ rationale for the purchase of computers (laptops, notebooks, copiers, printers, servers, etc.) and equipment (copiers, printers, video conferencing equipment, etc.)

Additionally, the tribe must provide a list of all equipment (e.g. hardware, laptops, notebooks, copiers, printers, servers, etc.) purchased in the past three years including end of life on all equipment, if known. Please compile this information in an appendix and include the name of the equipment, number of items, and acquired date. For all IT supplies, provide an itemized list with the quantity, cost and specifications and include contracts if applicable. Identify the software included in the requested cost total, in a detail comparable to the OCSE recommendations document.

If your tribe has a large IT department, consider collaborating with them when purchasing IT equipment and supplies. IT departments often have specific companies they order from at discounted rates. For complete details of the regulations cited above, you can access an electronic [Code of Federal Regulations](#).

ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE (FPLS)

The Preventing Sex Trafficking and Strengthening Families Act of 2014 ([AT-14-08](#)) authorized OCSE to provide tribal child support programs with access to the FPLS, OCSE's major data systems. The FPLS is an automated system, owned and operated by OCSE. Tribes must complete specific actions as outlined in [TDCL-16-01: Tribal Access to the FPLS](#) in order to access the FPLS. In summary:

- The tribe must submit an independent self-assessment to OCSE. OCSE will review the self-assessment to determine if the appropriate security measures are in place. See Resource: <https://www.acf.hhs.gov/css/resource/finding-the-right-security-control-assessor>
- OCSE will forward the Security Agreement and the Reimbursement Agreement, which includes the tribal-specific fee, to the tribal IV-D Director. Also included will be instructions and payment options to remit payment.
- The tribal child support director will return both the signed Security Agreement and the Reimbursement Agreement. Fees must be paid upon receipt of the invoice, but no later than 90

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days of signing the agreement. This may be done by check, credit card or electronic funds transfer. Instructions on how to remit payment will accompany the invoice.

- Once the Security and Reimbursement Agreements are executed, OCSE will contact the tribe to coordinate training. Each tribe will receive training through webinars and technical assistance. Once training is completed, tribes can begin to access FPLS.

On July 26, 2016, OCSE issued [IM-16-03: Information for Tribal Access to the FPLS](#). This IM contains questions and answers about FPLS fees, independent security assessments and data safeguarding requirements. Please review this information if your tribe is interested in using the FPLS.

Tribes will receive the following FPLS information through the Portal:

- The National Directory of New Hires is the national registry of employment, quarterly wages, and unemployment application and benefit information. The registry receives approximately \$625 million wage records for state workforce and federal agency workers and 35 million unemployment applications or benefit records for state workforce agencies each year.
 - \$760 million in child support collections is attributed to NDNH matches in 2015
- The Federal Case Registry (FCR) is a nationwide registry of IV-D and non-IV-D child support cases. It contains 20 million case records, and information on 27 million parents and 21 million children.
 - Tribal programs are not required to send tribal case information to the FCR; however, the programs will benefit from the information contained in the FCR.
- External locates are matches that are completed with other federal agencies. These include:
 - Department of Defense: provides information on active duty personnel, reservists, and retired military personnel
 - Veterans Affairs: provides information on beneficiaries
 - Federal Bureau of Investigation: provides information on active, inactive, and retired employees
 - Social Security Administration: provides disability and retirement income; Supplemental Security Income; death information and prisoner information on 5,407 federal, state and local facilities
- DoD Entitlement is an application on the Portal that allows tribes to request military entitlement information for noncustodial parents, putative fathers, and custodial parents. It may only be used to establish or modify child support orders.

FINANCIAL REQUIREMENTS

PROGRAM FUNDING

Child support grant funding is the federal matching dollars you receive to operate your program. You may use these funds for authorized child support activities only. The federal regulations, [45 CFR 309](#), along with the other applicable regulations and OCSE guidance provide information on authorized activities. You can also get information from your regional OCSE and OGM point person. Generally, these funds support the salaries and benefits of your staff, office supplies, certain equipment purchases, travel, training, and operating costs.

START-UP PROGRAM FUNDING

Tribes can request up to \$500,000 over the course of a two-year period to create a child support program ([45 CFR 309.16](#)), known as the Start-up Program. The budget for the first year must be submitted along with the Start-Up Program Development Plan Application. For the second year, a Year 2 budget must be submitted, along with a progress report, at least 90 days prior to the end of the first year's budget period pursuant to [45 CFR 309.16\(d\)](#) and OGM guidelines. These start up funds do not require a tribal match. The goal of the Start-up Program is to complete the necessary tasks that result in a comprehensive program that meets all the federal requirements in [45 CFR 309](#).

The tribe can use the funding during the start-up program to:

- establish a child support office;
- hire and train staff;
- purchase furniture, equipment and supplies; and
- develop policies, procedures and laws.

Although the tribe should complete the Start-up Program within a 24-month period, sometimes unforeseen delays occur. If this happens, a tribe may request a "no-cost extension at the end of the 24-month start-up phase if additional time is needed to complete an approvable Plan Application.

HELPFUL HINT

DUNS Number

The Division of Mandatory Grants strongly recommends that your tribal government obtain a DUNS number if they have not already done so. Dun & Bradstreet provides a D-U-N-S number, which is a unique nine-digit identification number for each physical location of a business. It is free to obtain one by requesting it on the [D&B website](#). ACF will not be able to issue a grant award if your tribe does not have a DUNS Number.

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As the Start-up Program evolves, the project manager (often the child support director) will update the Start-up Program Development Plan with new information so that at the end of the start-up period, a Comprehensive Program Plan has evolved. The Comprehensive Program Plan, along with a Budget, Budget Justification Narrative and supporting documentation, must be submitted at least 90 days prior to the end of the Start-up Program to allow time for review and approval, as appropriate, and to avoid any lapse in funding.

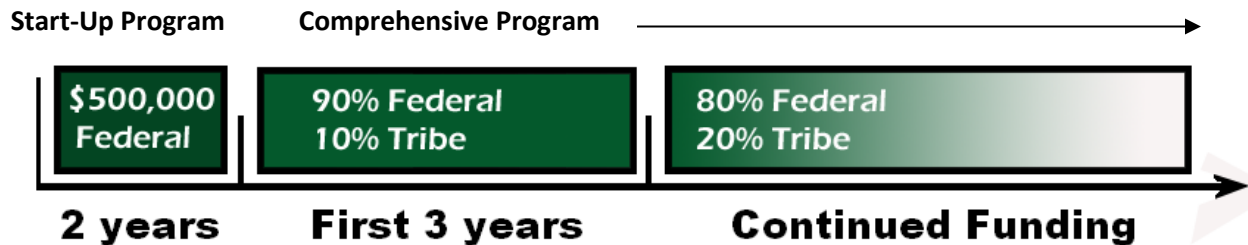


Figure 12: Child Support Funding Continuum

COMPREHENSIVE PROGRAM FUNDING

During the first three years of the comprehensive program, the tribal child support program will receive 90% federal funding from OCSE. The tribe must contribute 10% of the operating budget. Beginning with the fourth year of operation and thereafter, the child support program will receive 80% federal funding and the tribe must contribute 20% tribal match.

FUNDING REVIEW PROCESS

OCSE has a Review Panel of OCSE central and regional staff members from various divisions and offices that review the tribal child support applications, plan amendments, reports, and budget requests. OCSE has 90 days from the date of receipt to review the document and respond to the tribe under 45 CFR 309.35(a).

A well-organized document that contains clear and concise narratives with supporting documentation and a complete and accurate budget section improves the outcome of the review. If your funding request is approved, OCSE will send a letter of approval signed by the OCSE Commissioner to your tribal leader. A Notice of Award, generated by the GrantSolutions system and approved by the Director of the Division of Mandatory Grants, Office of Grants Management, will be sent shortly thereafter. OCSE's Tribal Coordinator will send a courtesy e-copy to the tribal child support director.

LETTER OF INQUIRY

If there is insufficient information to make a determination on your application, the OCSE Commissioner will send a Letter of Inquiry (LOI) to the tribal leader. The letter will indicate what additional information is necessary. The tribe is allowed as much time as they require to respond to the LOI. Once OCSE receives the tribe's response to the LOI, regulations (45 CFR 309.35(b)) allow 45 days to complete a second review. This review will result in either a Notice of Award or another LOI.

BUDGET DEVELOPMENT

Regardless of whether you are the child support director of a Start-Up or a Comprehensive Program, you will be involved in developing, submitting, and monitoring your program's budget. A budget proposal is a document that estimates the various program expenditures anticipated for the year along with the source(s) and amounts of income including the non-federal share. The budget describes the goals and objectives of a program in fiscal and operational terms.

Since a budget proposal is an estimate of expenditures, there is no penalty if all the funds are not used during the year. In addition, the tribe can submit a request for additional funds if they under-estimated their financial needs. All budget proposal submissions must include the standard federal forms, a budget narrative and supporting documentation.

To assist tribes in preparing their budget proposals, OCSE, in collaboration with OGM, developed the [Tribal Budget Toolbox](#). The Tribal Budget Toolbox contains standardized spreadsheets, training PPTs, and other materials to help tribal child support agencies submit their budgets by August 1 each year.

Budget Toolbox Materials

- **Checklist:** A list of required information to include in an annual tribal child support Budget Packet submission.
- **Tribal Child Support Budget Packet (PDF):** Detailed guidance to help create a uniform and organized budget packet, including budget submission methods and GrantSolutions information.
- **Tribal Budget Justification Narrative Worksheet (Microsoft Excel Version):** The Excel template is used to develop and submit the required Tribal Budget Justification Narrative.
- **Tribal Budget Justification Narrative Template (Microsoft Word Version):** The Word template is used to develop and submit the required Tribal Budget Justification Narrative.
- **Non-Federal Share of Child Support Expenditures Fact Sheet:** Provides information and examples about the non-federal share contribution tribes must provide in order to receive funding for operating a comprehensive tribal child support enforcement program.
- **Tribal Child Support Budget Requirements - Allowable Costs Training (PDF):** Describes budget requirements found in the Code of Federal Regulations regarding allowable costs; the reasonable, necessary and allocable requirement; and cost allocation.
- **Tribal Budget Talking Points for Directors (PDF):** A tool to help tribal directors educate stakeholders about child support federal funding and the budget process.
- **Tribal Child Support Budget Toolbox Training (PDF):** A training on the components of a complete budget package, new tools for budget development, best practices, and pitfalls to avoid for a smooth budget approval process.
- **Tribal Wheel:** The Tribal Wheel is a tool used to depict the tribal child support program. Each level of the wheel contains an explanation of a different aspect of the program. It is meant to be taken apart; as one wheel is placed upon the next, the program is "built". The brad in the center symbolizes communication—a required element to a successful program.

START-UP PROGRAM BUDGETS

A tribe can submit an application for a Start-Up Program at any time during the year. Start-Up Programs do not have to align with the FFY that runs October 1 through September 30. OCSE may grant an award, not to exceed \$500,000, at 100% for the two-year program. The initial budget submitted with the Start-Up Program Development Plan will be for Year 1 of the project. The tribe must submit a budget to OCSE for the second year of the project at least 90 days before the end of Year 1 of the start-up phase. As your Start-Up Program nears the end of the two-year project period and you prepare your application to transition to a comprehensive program you will need to develop a budget to submit with the Comprehensive Program Plan.

COMPREHENSIVE PROGRAM PLAN BUDGET

As you develop your budget for the first year of your comprehensive program, you must include information on how you will meet the required 10% non-federal share match. Each year thereafter, following the approval of your Plan, you must submit an annual budget to OCSE and OGM by August 1 for the next FFY. After review and approval of your initial Plan and budget, OGM will issue a Notice of Award letter. OGM will send the letter to the tribal contact person listed in GrantSolutions or on the SF-424. OCSE's Tribal Coordinator will email a courtesy copy to the child support director and the assigned Regional Program Specialist.

The initial grant award for a Comprehensive Program may be for a funding period of less than one year, but at least 6 months, or more than one year but not to exceed 17 months, to enable the program funding cycle to align with the FFY. Once aligned, pursuant to [45 CFR 309.135\(a\)](#), funding will be awarded to tribes and tribal organizations for use during a 12-month period equivalent to the federal fiscal year of October 1 through September 30. Beginning the fourth year of your comprehensive program, your tribal match will increase to 20%.

ALLOWABLE COSTS

To ensure that your child support budget includes allowable costs, OCSE recommends reading:

- [45 CFR 309.145](#) regarding what costs are allowable for tribal child support programs
- [AT-05-02 -Final Rule: Tribal Child Support Program - Systems and Financial Policy Questions](#)
- [45 CFR 75 - Uniform Administrative Requirements, Cost Principles, and audit Requirements for HHS Awards](#)⁶

⁶ Budgets must meet the standards set forth in the regulations and OMB cost principles outlined above. You might also find useful information regarding [OMB 2 CFR Part 200 - Super Circular](#).

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NON-FEDERAL SHARE OF PROGRAM EXPENDITURES (TRIBAL MATCH)

Each tribal grantee operating a comprehensive child support enforcement program under Title IV-D and 45 CFS 309.65(a) must contribute toward the operational costs of the program. This contribution is called the non-federal share of program expenditures and can be met with cash or in-kind donations.

The amount of the non-federal share for a comprehensive tribal child support program depends on the year of operation.

- Years 1 – 3 of operation require a 10% contribution.
- Year 4 of operation and beyond requires a 20% contribution.

It is important for you to know when your tribe's contribution shifts from 10% to 20%, so you can adjust your budget and make plans accordingly within your tribal government.

Non-federal share expenditures must meet the guidelines for allowable costs. They must also be reasonable and allocable to the child support program. Items that are paid from other federal funds cannot be used to meet the non-federal share of your child support match with the exception of items paid with PL 9-638 funding. The Indian Self-Determination and Education Assistance Act (ISDEA), (Pub. L. 93-638)⁷ is often called simply "638". Programs are eligible for contracting under Pub. L. 93-638 because they are programs, services, or functions otherwise provided by the Federal government under Federal statute for tribes. The child support program is not a program which is eligible for 638 contracting. However, Tribes may use Federal grant dollars received under Public Law 93-638 to meet the Tribe's non-federal share of expenditures for Federal and non-Federal programs. Pursuant to 25 U.S.C. 450(j) – 1(j), notwithstanding any other provision of law, a tribal organization may use funds provided under a self-determination contract to meet matching or cost participation requirements under other Federal and non-Federal programs.

DETERMINING NON-FEDERAL SHARE OF PROGRAM EXPENDITURES

Ask the following questions to help determine whether your non-federal share contribution is reasonable, necessary, and allocable to the tribal child support program. Is the expenditure:

- Necessary to carry out a child support function, such as paternity establishment, order establishment, enforcement, or modification?
- Compliant with the requirements described in the tribal IV-D regulations and the uniform guidance?
- Directly related to the establishment and administration of the tribal IV-D plan?
- Directly related to providing child support services?

⁷ The ISDEA is fundamentally different from Tribal IV-D programs which are operated by Tribal governmental entities under section 455(f) of the Social Security Act. In addition, we have determined that an effective program that efficiently delivers needed child support services to all families, including the effective processing of inter-jurisdictional cases, must be governed by the requirements and objectives of the IV-D program rather than those of Indian-related programs.

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When including the non-federal share expenses in your budget, be sure to include calculations and supporting documentation for each expense item. Items paid for from Indirect Costs cannot be used for the non-federal match. For information about possibly meeting the tribal match requirement with in-kind donations rather than cash dollars, contact your Regional Program Specialist. You must keep records of the in-kind donations for auditing purposes or to provide documentation to OGM when requested.

For more information on the Non-Federal Share requirement, including examples and suggested in-kind donation contract language, please see the Non-Federal Share of Child Support Expenditures Fact Sheet in the [Tribal Child Support Budget Toolbox](#) on the OCSE website.

WAIVER OF THE NON-FEDERAL SHARE OF PROGRAM EXPENDITURES (TRIBAL MATCH)

Under certain circumstances, the tribe may be granted a temporary waiver of the non-federal share of expenditures. There are two situations in which a tribe may request a temporary waiver of the non-federal share of expenditures:

1. If a Tribe or Tribal organization anticipates that it will be temporarily unable to contribute part or all of the non-Federal share of their current funding. In this case, the tribe must submit a waiver request 60 days prior to the start of the funding period.
2. If, after the start of the funding period, an emergency situation arises the tribe can request a waiver of the non-Federal costs.

If you anticipate that you will temporarily be unable to contribute part or all of the non-federal share of funding, you must submit a written request that this requirement be temporarily waived. The request must include:

- a statement of the amount to be waived;
- a narrative statement describing the circumstances and justification for the waiver;
- portions of the tribal budget to demonstrate the funding shortfall is not limited to the tribal child support program; and
- any other documents in support of the request.

Please refer to the waiver regulation at 45 CFR §[309.130\(e\)](#) for additional information and [TDCL-15-01: Tribal Child Support Program Waiver Request](#).

INDIRECT COSTS

The child support grant includes indirect cost reimbursement; however, the calculation of this rate will depend on the internal fiscal policies of the tribe and the Department of Interior, Bureau of Indian Affairs negotiated Indirect Cost Rate Agreement.

When developing your program budget, you will need to discuss your tribe's Indirect Cost Rate Agreement with your tribe's financial staff. They can explain how the tribe calculates indirect costs (i.e., what activities/items are included in the indirect cost pool, which are direct charges that the indirect cost rate is applied to, etc.). This can vary from tribe to tribe. For example, some tribes might apply the rate to all direct costs, while others apply it to direct costs minus equipment and contracts. It is

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recommended that you review Section I and Section II of the indirect cost negotiation agreement to determine how your tribe should apply the rate.

Please note that indirect cost rates do not increase the federal share of funding. Rather, it tells how much of the federal share can be charged as indirect costs. Changes to the indirect cost rate have no impact on the amount of the federal award. Please refer to the Frequently Asked Questions in [45 CFR 75.414](#) for additional information.

BUDGET SUBMISSION

The original, signed [SF-424](#), [SF-424A](#), Budget Justification Narrative and supporting documentation that make up your budget **must be submitted to OGM by August 1 each year pursuant to 45 CFR 309.130(b)(2).**

While not mandated, you may want to consider submitting your annual budget through [GrantSolutions](#):

- Tribal programs can use this automated tool to upload and submit their annual budgets. You can apply for and receive a USER ACCOUNT through the [GrantSolutions website](#).
- There are many advantages of submitting your budget via GrantSolutions including the ability to view the status of your grant and having access to the Notice of Award as soon as it is issued.
- Training on how to use GrantSolutions is also available.

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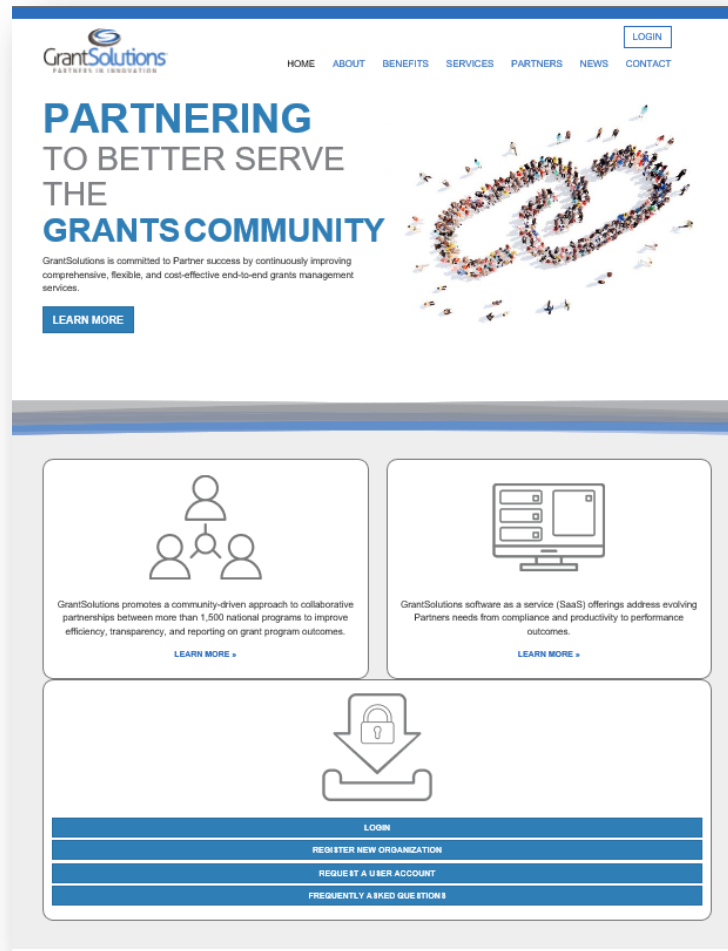


Figure 15: GrantSolutions.gov Home Page

If you choose not to use [GrantSolutions](#), you must mail a hard copy of your annual budget to the following address:

**Commissioner, Office of Child Support Enforcement
ATTN: Tribal Child Support Program
Administration for Children and Families
330 C Street, SW, 5th Floor
Washington, DC 20201**

Send the original hard copy of your budget packet to OCSE and a copy to your Regional Program Specialist. Upon receipt, OCSE will upload all of your budget information into GrantSolutions for processing; however, you will be unable to access the information unless you sign up to use [GrantSolutions](#).

BUDGET REVIEW, APPROVAL, AND AWARDS

BUDGET REVIEW

OGM will review your annual budget submission to ensure that:

- the tribe appropriately completed and signed the SF-424;
- the tribe completed the SF-424A correctly in accordance with the instructions;
- the numbers add up across all documents;
- the narrative supports the line item amounts requested;
- the non-federal share amount is calculated accurately and represents the appropriate (i.e., correct) non-federal share;
- the Indirect Cost Rate Agreement is applicable to the fiscal year; and
- all supporting documents have been included.

If your submission is complete and accurate, OCSE and OGM will approve the requested budget amount and issue an award letter. ***Please note: if additional information is needed, funding may not be approved for that item until OGM receives the additional information.***

NOTICE OF AWARD

Unless OGM requires additional information, they will issue a Notice of Award letter in early October to your tribal leader. OCSE will send an electronic-copy to the child support director. The Notice of Award establishes the amount of the award and the time period during which funds may be spent. The letter will also include a list of categories indicating how much money you requested for each line item and how much was approved and awarded. Important items to look for in your award letter are:

- award computation amounts;
- indirect cost rate;
- award number; and
- remarks with additional information.

By accepting federal funding, a tribe agrees to the [Terms and Conditions](#) which contains useful information, such as a list of regulations and policies that pertain to the grant, how and when to report financial data, etc. The Terms and Conditions are no longer appended to the Award Letter but may be found online.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES ADMINISTRATION FOR CHILDREN AND FAMILIES NOTICE OF AWARD				SAI NUMBER:		
				PMS DOCUMENT NUMBER:		
1. AWARDING OFFICE: Office of Child Support Enforcement - Tribal IV - D		2. ASSISTANCE TYPE: Entitlement	3. AWARD NO.:	4. AMEND. NO. 0		
5. TYPE OF AWARD: Service		6. TYPE OF ACTION: New	7. AWARD AUTHORITY: 42 USC 655			
8. BUDGET PERIOD: 10/01/2016 THRU 09/30/2017		9. PROJECT PERIOD: 10/01/2016 THRU 09/30/2017		10. CAT NO.: 93.563		
11. RECIPIENT ORGANIZATION: [REDACTED]			12. PROJECT / PROGRAM TITLE: [REDACTED]			
13. COUNTY: [REDACTED]		14. CONGR. DIST: [REDACTED]	15. PRINCIPAL INVESTIGATOR OR PROGRAM DIRECTOR: [REDACTED]			
16. APPROVED BUDGET:			17. AWARD COMPUTATION:			
Personnel..... \$ 600,090.00			A. NON-FEDERAL SHARE..... \$ 212,043.00 20%			
Fringe Benefits..... \$ 156,023.00			B. FEDERAL SHARE..... \$ 848,173.00 80%			
Travel..... \$ 50,250.00			18. FEDERAL SHARE COMPUTATION:			
Equipment..... \$ 0.00						
Supplies..... \$ 22,000.00			A. TOTAL FEDERAL SHARE..... \$ 848,173.00			
Contractual..... \$ 73,441.00			B. UNOBLIGATED BALANCE FEDERAL SHARE..... \$ 0.00			
Facilities/Construction..... \$ 0.00			C. FED. SHARE AWARDED THIS BUDGET PERIOD...\$ 0.00			
Other..... \$ 6,147.00			19. AMOUNT AWARDED THIS ACTION:		\$ 848,173.00	
Direct Costs..... \$ 907,951.00			20. FEDERAL \$ AWARDED THIS PROJECT PERIOD:		\$ 848,173.00	
Indirect Costs..... \$ 152,265.00			21. AUTHORIZED TREATMENT OF PROGRAM INCOME:			
At % of \$			Additional Costs			
In Kind Contributions..... \$ 0.00			22. APPLICANT EIN: [REDACTED]	23. PAYEE EIN: [REDACTED]	24. OBJECT CLASS: [REDACTED]	
Total Approved Budget..... \$ 1,060,216.00						
25. FINANCIAL INFORMATION:						
ORGN	DOCUMENT NO.	APPROPRIATION	CAN NO.	NEW AMT.	DUNS UNOBLIG.	NONFED %
	[REDACTED]	[REDACTED]	[REDACTED]	\$848,173.00	[REDACTED]	
26. REMARKS: (Continued on separate sheets)						
27. SIGNATURE - ACF GRANTS OFFICER			DATE:	28. SIGNATURE(S) CERTIFYING FUND AVAILABILITY		
[REDACTED]			[REDACTED]	[REDACTED]		
29. SIGNATURE AND TITLE - PROGRAM OFFICIAL(S)				DATE:		
-						
DGCM-3-785 (Rev. 86)						

Figure 16: Example of a Notice of Award generated from GrantSolutions

BUDGET REVISIONS

Just as a [Plan Amendment](#) may be required if the structure of your approved plan changes, there may be times when you have to make changes to your budget – this may require “prior approval” or a request for budget modification through OGM. Examples include when you are requesting additional federal dollars for such things as additional IT purchases (you must include a copy of “specs” for OGM review), or you have new or revised contracts or personnel positions, etc.

Your budget is a projection for your anticipated expenditures during the budget period. Pursuant to [45 CFR 75.308](#), there are revisions that do not require prior approval from OGM, and those that do.

BUDGET REVISION (NON-PRIOR APPROVAL)

A budget revision does not always involve a request for additional federal funding. A revision of a budget simply consists of moving money from one line item to another and must be 10% or less of the total budget. For example, you anticipated entering into a contract with a consultant during your budget year but find you no longer need one. You have \$30,000 in the Contractual line item that you no longer need to use for the consultant. However, due to an increase in your caseload, you decide to hire another full time caseworker. The salary for that position will be \$28,000. Completing and submitting a revision can be as simple as sending an email to OGM informing them that you are moving \$28,000 from your Contractual line item into your Personnel and Fringe line items. Be sure to include your calculations that indicate that the amount is less than 10% of your total budget so that prior approval is not required.

BUDGET REVISION (PRIOR APPROVAL)

When you need additional funding, or the money you want to move from one line item to another exceeds 10% of the total budget, you must submit a budget revision request to OGM. Using the same example above of hiring an additional case worker, look at this scenario: You already have an approved budget that includes four full-time child support staff. Mid-year you find that due to transfers of cases, your program’s caseload has significantly increased and you need to hire a fifth staff person. You will need to submit a budget revision request that includes the following:

- SF-424;
- SF-424A;
- budget revision worksheet indicating what line items need additional funds; and
- budget justification narrative describing why you need the additional funds.

The example below can be included with your narrative to provide a snap-shot of the revisions you want to make in an easy-to-view format.

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COMPREHENSIVE PROGRAM BUDGET REVISION REQUEST			
Line Item	OGM Approved Budget 10/01/17 to 09/30/18	Additional Amounts Being Requested	Revised Budget
Personnel	\$ 65,500.00	\$ 20,000.00	\$ 85,500.00
Fringe Benefits	\$ 38,479.00	\$ 10,000.00	\$ 48,479.00
Travel	\$ 24,550.00	\$ 3,000.00	\$ 27,550.00
Equipment	\$ -	\$ -	\$ -
Supplies	\$ 5,000.00	\$ 800.00	\$ 5,800.00
Contractual	\$ 38,386.00	\$ -	\$ 38,386.00
Other	\$ 41,092.00	\$ 5,000.00	\$ 46,092.00
Total Direct Costs	\$ 213,007.00	\$ 38,800.00	\$ 251,807.00
Indirect Cost	\$ 23,967.00	\$ 4,908.00	\$ 28,875.00
Totals:	\$ 236,974.00	\$ 43,708.00	\$ 280,682.00

ACCOUNTABILITY AND MONITORING

REPORTING REQUIREMENTS

INFORM/ OLDC REPORT SUBMISSION

To receive federal child support funds to operate your program, you must comply with all of the reporting requirements. Financial reports are due quarterly; other reports are due annually.

Online reporting facilitates the completion and submission of electronic grant report forms, which reduces paperwork and allows for faster processing. The OCSE 75 and 34 are submitted via inForm/OLDC and the OCSE 425 is submitted through PMS. After the grantee's (i.e., your tribe) data entry individual enters the form information, they must check it for errors. The grantee's authorized official must then certify the form and submit it to ACF or PMS, as appropriate.

Please note that the OLDC system resides in GrantSolutions, effective August 2016. In 2018, the Center of Excellence will transition the name "online data collection system (OLDC)" to "inForm," only the name will change. All users will access inForm/OLDC from [GrantSolutions \(www.grantsolutions.gov\)](http://www.grantsolutions.gov).

To gain access to OLDC, contact your Regional Program Specialist. They will provide you with instructions to complete the necessary forms.

IMPORTANT NOTE

OLDC normally requires that at least two people are involved in report submission as a check and balance: 1) "Data Entry" – this person creates the report and enters the data; and 2) "Authorized Official" – this person certifies, signs, and submits the report.

Report forms in inForm/OLDC have some pre-filled data and fillable cells to enter your program data. It will calculate your numbers and give you an error message if the numbers do not add up. The GrantSolutions website includes introductory information along with Help Sheets, User Guides and Tutorials. Your Regional Program Specialist can also provide assistance.

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On-Line Data Collection Administration for Children & Families
 Last Login: 06/07/12 05:01:26 PM [End OLDC](#)

OLDC Home Gantee Selection Report Selection **Report** Report Form Status

Program Name: Child Support Enforcement - Tribes
Gantee Name: Sample Tribe
Report Name: OCSE 34A Quarterly Report of Collections
Funding/Grant Period: 10/01/2011 - 09/30/2013 CSET (12ABC4005)
Report Period: 04/01/2012 - 06/30/2012
Report Status: Initialized

Report Progress

Initialized
 Edit-Saved
 Validated
 Certified
 Submitted
 In Review
 R/O Approved
 C/O Approved

Reporting Period

Grantee: Sample Tribe		Current Quarter Ended: 06/30/2012	Report Type: New
SECTION A. AVAILABLE COLLECTIONS			(G) Total
1 Previous QTR Undistributed Balance			\$4,000
2 Total Collections Received During QTR [Sum of Lines 2a through 2g]			\$0
2a From Offset of Federal Tax Refund	\$0	2e From IV-D & Non-IV-D Income Withholding	\$0
2b From Offset of State Tax Refund	\$0	2f From Other States	\$0
2c From Offset of Unemployment Comp.	\$0	2g From Other Sources	\$0
2d Through Administrative Enforcement	\$0		
3. Net Amount of Increasing (and Decreasing) Adjustments			\$0
4. Collections Forwarded to Non-IV-D Cases			\$0
ITEMS	(A) Current IV-A	(B) Current IV-E	(C) Former IV-A
	(D) Former IV-E	(E) Medicaid	(F) Other Never
		(G)	

Figure 17: Screen shot of an OLDC report

REQUIRED REPORTS

By accepting federal funding, your tribe agrees to submit a variety of required reports to OCSE and OGM. To avoid unnecessary delays in the review process of any of your reports, you can submit a draft of your document to your assigned Regional Program Specialist for an unofficial review. Your Program Specialist can help identify weak areas or errors in your report and provide technical assistance. You can make changes as needed prior to officially submitting your report to OCSE's central office for final review.

START-UP PROGRAMS

STANDARD FORM 425 – QUARTERLY FEDERAL FINANCIAL REPORT

This report details all the expenses your program incurred during the quarter. (See Figure 13.) It is generally the responsibility of the tribal accounting department to prepare and submit this form. Pursuant to 45 CFR 309.130(b)(3), the SF-425 is to be submitted quarterly within 30 days after the end of each of the first three quarters of the funding period and within 30 days after the end of each of the

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first three quarters of the liquidation period. The final report for each period is due within 90 days after the end of the fourth quarter of both the funding and the liquidation period.

OCSE implemented a new reporting process for SF-425 effective in January 2016. All tribal child support programs must now submit their SF-425 quarterly reports via the Payment Management System (PMS). Tribal child support or accounting personnel that are responsible for submitting the SF-425 reports must have access to PMS. To request access to the PMS, visit the agency website at: <https://pms.psc.gov>

YEAR 1 PROGRESS REPORT AND YEAR 2 BUDGET PROPOSAL

Pursuant to 45 CFR 309.16(d): “If a Tribe or Tribal organization receives start-up funding based on submission and approval of a tribal child support application which includes a program development plan under 45 CFR 309.65(b), a progress report that **describes accomplishments to date in carrying out the plan** must be submitted with the next annual funding request.” (emphasis added.) If you do not submit accomplishments to date, OCSE will not be able to review the second year budget request and your funding will be delayed.

Pursuant to [45 CFR 309.130](#), a Year 1 Progress Report and Year 2 Budget Proposal must be submitted to OCSE at least 60 days prior to the next funding period and include all the required forms and documentation.

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COMPREHENSIVE PROGRAMS

OCSE-34 – QUARTERLY REPORT OF COLLECTIONS

The quarterly report of collections is due no later than 45 days following the end of each fiscal quarter. No revisions or adjustments of the financial reports submitted for any quarter of the fiscal year will be accepted by OCSE later than December 31, which is 3 months after the end of the fiscal year.

U.S. DEPARTMENT OF HEALTH and HUMAN SERVICES Office of Child Support Enforcement							OMB APPROVED Control No. 0970-0181 Expires: 05/31/2017	
FORM OCSE-34: CHILD SUPPORT ENFORCEMENT PROGRAM QUARTERLY COLLECTION REPORT PART 1: COLLECTIONS RECEIVED, DISTRIBUTED and UNDISTRIBUTED								
State/Tribe:		Quarter Ended:		Mark Box:				
				Initial Report <input type="checkbox"/>		Revised Report <input type="checkbox"/>		
SECTION A. AVAILABLE COLLECTIONS						(G) Total		
1. Balance Remaining Undistributed at End of Last Quarter (Carried from Line 9b, Part 1 of Previous Quarter).....						\$		
2. Collections Received During the Quarter.....						\$		
2a. From Offset of Federal Tax Refund.....		\$	2e. From IV-D & Non-IV-D Income Withholding.....		\$			
2b. From Offset of State Tax Refund.....		\$	2f. From Other States or Tribes.....		\$			
2c. From Offset of Unemployment Comp.....		\$	2g. From Other Countries.....		\$			
2d. Through Administrative Enforcement.....		\$	2h. From Other Sources.....		\$			
3. Net Amount of Increasing and (Decreasing) Adjustments.....							\$	
4. Collections Sent During the Quarter Outside the Reporting State's IV-D Program.....							\$	
4a Sent to Non IV-D Families.....		(A) Current IV-A Assistance	(B) Current IV-E Assistance	(C) Former IV-A Assistance	(D) Former IV-E Assistance	(E) Medicaid Never Assist.	(F) Other Never Assistance	(G) Total
STATES								
4b. Sent to Other States or Tribes.....		\$	\$	\$	\$	\$	\$	\$
4c. Sent to Other Countries.....								\$
5. (Reserved)								
6. Remaining Collections Available for Distribution.....						\$		
SECTION B. DISTRIBUTED / UNDISTRIBUTED COLLECTIONS								
7a. Collections Passed Through.....						\$		
7b. Dist As Assistance Reimbursement.....						\$		
7c. Dist As Medical Support.....						\$		
7d. Distributed To Family or FC.....						\$		
7e. Fees Withheld by State.....						\$		
STATES								
8. Total Distributed.....						\$		
9. Gross Undistributed Collections.....						\$		
9a. Undistributed Collections Determined Undistributable and Abandoned.....						\$		
9b. Net Undistributed Collections (Report on Line 1, Part 2) (Carry forward to Line 1, Part 1, Next Quarter).....						\$		
SECTION C. FEDERAL SHARE / FEES								
10a. Fed Share of IV-E Collect.....						\$		
STATES								
10b. Fed Share of IV-A Collect.....						\$		
STATES								
11. Fees Retained by Other States.....						\$		
This certifies that the information on this form is accurate and true to the best of my knowledge and belief.								
Signature, IV-D Agency Director				Signature, Approving Official				
Date:				Date:				
Typed Name, Title, Agency				Typed Name, Title, Agency				
Form OCSE-34 - Part 1 (10/01/2014) (Rev 07-01-2015) Replaces 10/01/2007 version. mhb								

Figure 18: OCSE 34 Form

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STANDARD FORM 425 – QUARTERLY FEDERAL FINANCIAL REPORT

The Quarterly Federal Financial Report details all of the expenses your program incurred during the year. The tribal accounting department is usually responsible for completing and submitting these reports. This report is to be submitted quarterly within 30 days after the end of each of the first three quarters of the funding period and within 30 days after the end of each of the first three quarters of the liquidation period. The final report for each period is due within 90 days after the end of the fourth quarter of both the funding and the liquidation period.

FEDERAL FINANCIAL REPORT
(Follow form instructions)

1. Federal Agency and Organizational Element to Which Report is Submitted		2. Federal Grant or Other Identifying Number Assigned by Federal Agency (To report multiple grants, use FFR Attachment)		Page	1	of	
pages							
3. Recipient Organization (Name and complete address including Zip code)							
4a. DUNS Number		4b. EIN		5. Recipient Account Number or Identifying Number (To report multiple grants, use FFR Attachment)		6. Report Type <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annual <input type="checkbox"/> Annual <input type="checkbox"/> Final	
7. Basis of Accounting <input type="checkbox"/> Cash <input type="checkbox"/> Accrual							
8. Project/Grant Period From: (Month, Day, Year)				To: (Month, Day, Year)		9. Reporting Period End Date (Month, Day, Year)	
10. Transactions							Cumulative
<i>(Use lines a-c for single or multiple grant reporting)</i>							
Federal Cash (To report multiple grants, also use FFR Attachment):							
a. Cash Receipts							
b. Cash Disbursements							
c. Cash on Hand (line a minus b)							
<i>(Use lines d-o for single grant reporting)</i>							
Federal Expenditures and Unobligated Balance:							
d. Total Federal funds authorized							
e. Federal share of expenditures							
f. Federal share of unliquidated obligations							
g. Total Federal share (sum of lines e and f)							
h. Unobligated balance of Federal funds (line d minus g)							
Recipient Share:							
i. Total recipient share required							
j. Recipient share of expenditures							
k. Remaining recipient share to be provided (line i minus j)							
Program Income:							
l. Total Federal program income earned							
m. Program income expended in accordance with the deduction alternative							
n. Program income expended in accordance with the addition alternative							
o. Unexpended program income (line l minus line m or line n)							
11. Indirect Expense		a. Type	b. Rate	c. Period From	Period To	d. Base	e. Amount Charged
							f. Federal Share
		g. Totals:					
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation:							
13. Certification: By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and intent set forth in the award documents. I am aware that any false, fictitious, or fraudulent information may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 18, Section 1001)							
a. Typed or Printed Name and Title of Authorized Certifying Official				c. Telephone (Area code, number and extension)			
				d. Email address			
b. Signature of Authorized Certifying Official				e. Date Report Submitted (Month, Day, Year)			
14. Agency use only:							

Standard Form 425 - Revised 6/29/2010
 OMB Approval Number: 0348-0061
 Expiration Date: 10/31/2011

Paperwork Burden Statement
 According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is 0348-0061. Public reporting burden for this collection of information is estimated to average 1.5 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0061), Washington, DC 20503.

Figure 19: OGM SF 425

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OCSE-75 AND NARRATIVE – TRIBAL CHILD SUPPORT ANNUAL DATA REPORT

This annual report details caseload information including the number of cases, paternity establishment, collections due and distributed, past support due, etc. This report is due no later than 90 days after the end of the federal fiscal year. Since the FFY ends September 30, this report is due no later than December 30 each year.

DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration for Children and Families Office of Child Support Enforcement		Form Approved OMB No. 0970-0320 Expires: 05/31/2017	
TRIBAL CHILD SUPPORT ENFORCEMENT ANNUAL DATA REPORT (This report consists of one page)			
TRIBE: _____		SUBMISSION: New <input type="checkbox"/> Revised <input type="checkbox"/>	
		FISCAL YEAR: _____	
ITEMS		<input type="checkbox"/> NARRATIVE REPORT: Place X in box to confirm narrative report is attached	
SECTION A: CASE INVENTORY		TOTAL	
1. Total Number of Cases Open at Any Time During the Fiscal Year			
a. Total Number of Open TANF Cases			
b. Total Number of Open Non-TANF Cases			
2. Total Number of Cases Open at Any Time During the Fiscal Year with a Support Order			
SECTION B: PATERNITY ESTABLISHMENT			
3. Total Number of Children Ever Needing Paternity Established in Cases Open at Any Time During the Fiscal Year			
4. Total Number of Children With Paternity Concluded in Cases Open at Any Time During the Fiscal Year			
SECTION C: COLLECTIONS			
5. Total Amount of Current Support Due on Tribal Cases			
6. Total Amount of Current Support Collected on Tribal Cases			
7. Total Amount of Past Due Support Owed on Tribal Cases			
8. Total Amount of Past Due Collected on Tribal Cases			
9. Total Amount of All Support Collected During the Fiscal Year on All Cases			
SECTION D: PROGRAM COST			
10. Total Amount of Fees and Costs Recovered			
11. Total Amount of Laboratory Costs for Paternity Establishment			
SECTION E: OPTIONAL TRIBAL REPORTING			
12. Total Amount Collected from Tribal Sources (Optional)			
a. Percentage Collected			
13. Tribal Unemployment Rate (Optional)			
14. Tribal Joblessness Rate (Optional)			
<small> Paperwork Act Notice: Tribes are required to provide the information requested to receive a grant award under the provision of Title IV-D, Part 309 of the Social Security Act. This is public information. The responses to this collection are mandatory. This information is not considered confidential, therefore, no additional safeguards are considered necessary beyond that customarily applied to routine government information. Reporting Burden Notice: Public reporting burden for this collection of information is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and compiling the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Send comments regarding either this burden estimate or other aspect of this request for information to: the Administration for Children and Families, Office of Child Support Enforcement, 370 L Enfant Promenade, S.W., Washington, D.C. 20447 </small>			
This is to certify the information provided on this report is accurate to the best of my knowledge and belief.		Signature: Title IV-D Director or Other Official	
Agency Name		Type/Name, Title	Date

FORM OCSE-75

1

OCSE-75 Final Revised Form and Instructions 05/31/2014

Figure 20: OCSE 75 Form

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In addition to completing the OCSE-75 form with the requested case information, you must submit a narrative report. This is your opportunity to share program success stories, barriers you are encountering, and how you are meeting your program goals. Information from both the data report and the narrative report are used when compiling the OCSE Annual Report to Congress.

ANNUAL REPORT TO CONGRESS

The OCSE Annual Report to Congress highlights financial and statistical child support achievements based on data reported by state and tribal child support agencies. The content of the annual report is mandated by section 452(a) under Title IV-D of the Social Security Act to give Congress information that relates to the overall operations and success of the national child support program. The information for the tribal portion of the report is taken from reports submitted by the tribal child support programs quarterly for financial data and annually for statistical data.

Tribal programs were first mentioned in the FY 2003 Annual Report to Congress. As part of an overall redesign of the annual report, OCSE conducted conversations with tribal directors to determine the best format to report tribal data. As a result, it was decided that each tribal program would have its own page in the annual report to display the tribe or tribal child support logo and a map of the tribal area, collections, expenditures, and statistical information.

In TDCL- 17-04, OCSE announced the streamlining of the tribal sections of the annual report to comply with the Paperwork Reduction Act of 1995 and to minimize the cost to the federal government for the creation, collection, maintenance, use, dissemination, and disposition of information [see 44 USC 3501(5)].

If you do not submit the reports that are required by the terms and conditions of your grant award, your page will not accurately reflect the work being done by your program and the data reported in the Annual Report to Congress will appear incomplete. You can access past reports on [OCSE's website](#).

INTERGOVERNMENTAL REFERENCE GUIDE (IRG)

The IRG is not actually a report, but information that OCSE encourages you to submit when you establish your comprehensive program, and update as needed. Your program information is stored for use on [OCSE's IRG webpage](#). OCSE developed the IRG for use by child support professionals who work intergovernmental cases. It provides an 'at-a-glance' look and contact information for states, tribal nations and U.S. territories with federally funded child support programs. The profile tab for each program contains their policy on topics such as age of majority, paternity, income withholding and order establishment, enforcement, modification, and review. It also contains phone numbers for the child support office and related programs.

Each tribe has a page on the IRG. Other programs will use the IRG to determine how to work cooperatively with your tribal child support program. It is important that you keep the information current.

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Figure 21: IRG Map located on the OCSE Website

AUDITS AND OMB REQUIREMENTS

All federal grants must comply with certain overarching federal regulations and uniform cost and accounting principles pursuant to [45 CFR 75 – Uniform Administrative Requirements, Cost Principles and Audit Requirements for HHS Awards](#). Federal awards made on or after December 26, 2014, and for certain incremental funding actions prior to that date, are mandated to abide by 45 CFR 75. Awards made prior to the effective date of December 26, 2014 follow the old regulations: [(OMB A-102 Common Rule (45 CFR Part 92)]; Cost Principles (OMB Circular A-87); and Cost Principles for State, Local and Indian Tribal Governments (2 CFR Part 225).

The [Council on Financial Assistance Reform \(COFAR\)](#) is an interagency group established by OMB. The group is comprised of Executive Branch officials to coordinate financial assistance. COFAR published a [Frequently Asked Questions \(FAQ\)](#) manual in September 2015 that has additional guidance information. By accepting federal IV-D funding, the tribe commits to complying with audit requirements pursuant to [45 CFR 75 Subpart F, Audit Requirements](#). These requirements are effective for fiscal years beginning on or after December 26, 2014. The first audits being conducted under the new regulations will be for fiscal years ending December 31, 2015 and later.

Auditors are required to follow guidance as set forth in the Compliance Supplement issued annually by [OGM](#) and published in the Federal Register. Reviewing the Compliance Supplement might provide

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useful information on the compliance requirements that auditors are most likely to test. While the State Auditor's Office generally conducts the state audits, Tribal Nations use independent, private auditing firms to conduct their annual audits. There may be times when the auditing firm examines the child support program along with other tribal programs.

OCSE and OGM recommends that the tribal child support director be familiar with the auditing regulations and the Compliance Supplement and make any necessary changes in business processes and systems to ensure full compliance. However, if you need technical assistance during the course of an audit, or the auditor has questions about the IV-D federal regulations, you can reach out to your Regional Program Specialist and OGM staff as appropriate. If an audit concludes with actual audit findings, OCSE and OGM staff will be available to assist you and oversee the resolution of any particular findings.

MANAGEMENT AND OPERATIONS

PROGRAM IMPLEMENTATION

As you come to the end of the start-up phase, you should be prepared for the program's first day of business and opening your door to customers. Make sure you and your staff members have read the program policies and procedures, and know your service area and jurisdiction.

Your first customer might be a new custodial mom requesting paternity establishment services, a custodial dad who wants to transfer his case from the state to the tribal program, a noncustodial parent who requests an order review and adjustment, a referral from your Indian Child Welfare (ICW) department or a referral from another child support program. Whatever the scenario, take it case-by-case and take your time as you process the case information and applications or referrals for services.

TRANSFERS OF CHILD SUPPORT CASES

During the start-up phase, you probably had discussions with your state child support program about how to identify child support cases that might be eligible to transfer to the tribal child support program and what policies and procedures would be necessary to accomplish transfers.

It is important that both the state and tribal child support programs understand the differences between transferring the child support case and transferring the court case. Transfers of child support cases are usually relatively easy, but transfers of jurisdiction can be very complicated.

We recommend that you examine all aspects of transferring jurisdiction. You can reach out to other tribal child support directors in your state for information on their policies and procedures. You can also find more information in the [Tribal and State Jurisdiction to Establish and Enforce Child Support](#) available on the OCSE website. You should also refer to [PIQT-05-01](#), Transfer of Cases to Tribal IV-D Agencies and Case Closure Criteria, for a definition of case transfer and referral.

CASE MANAGEMENT

Although policies and procedures might vary from program to program, all programs follow some basics. This section will provide some general information to help you become familiar with the case management continuum.

CASE INITIATION

Tribal child support programs under Title IV-D must accept all applications for child support services, promptly open a child support case, and provide those services required by law and regulation ([45 CFR 309.65\(a\)\(2\)](#)). Further, a tribal child support program must extend the full range of services available under its child support plan to respond to all requests from, and cooperate with, state and other tribal child support programs as noted in the previous section ([45 CFR 309.120\(a\)](#)).

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General case initiation procedures upon receipt of an Application for Services or a referral from another agency (TANF, Child Support, Child Welfare or Indian Child Welfare) are listed below:

- Open a child support case by entering the case data into your automated system or into your office automation files (Excel) and build a physical file.
- Determine what action is needed on the case (i.e., paternity establishment, order establishment, locate, enforcement, etc.) and assign the case to the appropriate caseworker.
- Follow through with the process to obtain an order, register a foreign order, complete a DNA collection process, locate the parties and/or their assets, etc.

ESTABLISHMENT

The federal regulations in 45 CFR 309.90(a)(2) do not specify how tribal child support programs establish orders for child support, only that they have tribal laws, code or regulations to do so. Procedures to establish a child support order will vary based on the legal guidelines established within your tribal laws. Some tribes establish orders via an administrative process while others use a judicial process. Some programs attempt to obtain an agreed order (stipulation) first, and when that is unsuccessful, they move to legal proceedings. Other programs begin with legal proceedings.

To ensure due process rights of all individuals are protected, you must have provisions that require you to notify all parties to the case of any legal proceedings. Your tribal laws will include the provisions necessary to schedule hearings, draft court documents and process Petitions and Motions for action.

All child support orders will include basic language as set forth by the tribal laws. In addition, orders can include basic child support provisions such as the amount of an order based on the child support guidelines established by the tribe (45 CFR 309.105), the frequency of the order, and the duration of the order. Other provisions might include health insurance and childcare. Paternity establishment orders might include a requirement for genetic testing.

MEDICAL SUPPORT

Tribal child support regulations do not require a tribe to establish medical support orders; however, some programs choose to do so when it serves the best interest of the child. State child support programs, on the other hand, are required to establish medical support orders. The difference in the federal requirements of tribes and states sometimes causes confusion when a state refers a case to a tribal child support program requesting assistance in establishing medical support.

- [Indian Health Services](#)

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Members of federally recognized tribes are eligible for services through Indian Health Services. This eligibility, in most cases, is considered medical support for child support purposes. Please visit the [IHS website](#)⁸.

“The Indian Health Service (IHS), an agency within the Department of Health and Human Services, is responsible for providing federal health services to American Indians and Alaska Natives. The provision of health services to members of federally recognized tribes grew out of the special government-to-government relationship between the federal government and Indian tribes. This relationship, established in 1787, is based on Article I, Section 8 of the Constitution, and has been given form and substance by numerous treaties, laws, Supreme Court decisions, and Executive Orders. The IHS is the principal federal health care provider and health advocate for Indian people and its goal is to raise their health status to the highest possible level. The IHS provides a comprehensive health service delivery system for American Indians and Alaska Natives who are members of 566 federally recognized tribes across the U.S.”

- [Affordable Care Act](#)

The Affordable Care Act was signed on March 23, 2010. More information about the Affordable Care Act, including enrollment links, can be found on the [HHS website](#). Tribal child support programs that want to include medical support provisions in child support orders, can direct people to the [HHS Market Place](#) for more information.

ENFORCEMENT

The most effective collection method is an Income Withholding for Support form sent to the noncustodial parent’s employer. Child support programs must use the Office of Management and Budget’s standard federal form [OMB 0970-0154](#) as required in [45 CFR 309.110\(l\)](#). When the noncustodial parent is unemployed and becomes delinquent on child support payments, other enforcement tools might be available.

MONITORING

Monitoring the case involves checking it regularly to ensure payments are being made; sending out notices at the appropriate times (e.g., annual statement of accounts and notices for review) and keeping employment and contact information up-to-date.

MAINTENANCE OF CASE RECORDS

According to 45 CFR 309.85, tribal child support programs (including its contractors) must keep careful records of case activity. The case record established at intake must be supplemented with all

⁸ OCSE proposed changes to the current state requirement to open a child support case for Medicaid recipients involving a member of a federally recognized tribe in the Notice of Proposed Rulemaking, Flexibility, Efficiency, and Modernization in Child Support Enforcement Programs; Proposed Rule. (FR, Vol. 79), published November 17, 2014.

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information and documents pertaining to the case, as well as all relevant facts, dates, actions taken, contacts made, and results that occur.

SAFEGUARDING INFORMATION

As described in 45 CFR 309.80, tribal child support programs must have procedures to safeguard child support information. These procedures should include steps necessary to restrict the use and disclosure of information about individuals and families receiving services.

FINANCIAL CASE MANAGEMENT

Financial case management includes processing child support monies collected, applying the payment to the individual case accounts, (allocating across cases), and disbursing child support checks to the custodial party or requesting agency pursuant to [45 CFR 309.115](#). Under federal regulations, tribal child support programs have the option to follow a “family first” distribution hierarchy that always pays current support to the family first. The exception to this option is when the custodial party is currently receiving or has received TANF and there is an assignment of rights. When an assignment of rights exists, child support can be distributed to the TANF program not to exceed the amount of TANF paid out in a month. Another exception to the family first option is collections received from a federal income tax refund offset.

CASE CLOSURE

Child support cases can remain open for a very long time, from the birth of a child through the child’s emancipation, or longer when there are arrears owed. The tribal regulations do not include case closure criteria; however, many tribal programs have adopted the same closure criteria required of states. Cases often close for a variety of reasons, including but not limited to the:

- request from the custodial party;
- emancipation of the child;
- death of a child; or
- death of a noncustodial parent.

INTERGOVERNMENTAL CASES

An intergovernmental child support case includes parties residing in different jurisdictions. Working intergovernmental cases can be challenging, especially in situations where it’s necessary for a state program and tribal program to work a case for the same parties. Similar difficulty exists when two or more states, or two or more tribes, are working a case for the same parties.

Tribal child support agencies and courts are required to follow the **Full Faith and Credit for Child Support Orders Act** (FFCCSOA) ([28 U.S.C. 1738B](#)). FFCCSOA requires the appropriate authorities of each state and Indian Country to honor child support orders previously issued by a court or administrative agency in another state or Indian Country provided that the order was issued consistently with FFCCSOA. [[45 CFR 309.120\(b\)](#)]. This avoids problems with duplicate or competing orders for the same parties. For more in-depth information, please read [AT-02-03](#).

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States are required to adopt the provisions of the [Uniform Interstate Family Support Act of 2008 \(UIFSA\)](#) into state law. **Tribes, however are not required to enact UIFSA.** UIFSA allows for one order at a time involving the same obligor and child. In other words, once a state has issued an order, another state may not issue a separate new order. It must enforce the existing order. Additionally, only a state with appropriate jurisdiction may modify the order. When a state issues an order, it has “continuing exclusive jurisdiction” to modify the order if there is a party or child residing in the state. In some circumstances, a state no longer has continuing exclusive jurisdiction. This usually occurs when all of the parties to the case have moved out of the jurisdiction.

Because UIFSA defines “state” to include Indian Country, a tribal child support program can send an Income Withholding for Support form directly to an employer in any state without having to register its order with a state court. However, tribes are not required to enact UIFSA and FFCSOA does not include direct income withholding. Therefore, a state cannot send an Income Withholding for Support form directly to a tribal employer without entering into an agreement with the tribe for direct income withholding ([PIQT-04-01 - Direct Income Withholding when Employers are Subject to a Tribe's Jurisdiction](#)). The state must register their order with the tribal court. The same holds true for a tribal child support program needing to send an Income Withholding for Support form to another tribe. They must also register their order with that tribe’s court.

Each tribal and state child support program has its own laws, policies and procedures on processing intergovernmental requests for child support services. Contacting the tribal child support program or the Central Registry of the state child support program before sending a request for assistance can be most helpful. The other jurisdiction’s staff can help you determine if they have jurisdiction to work your case and will let you know of any required paperwork. For specific state or tribal contact and program information, refer to the OCSE [Intergovernmental Reference Guide](#).

REFERRALS

Sometimes a child support program might need help from another program. For example:

- to establish paternity and/or an order for support when a custodial party applies for and/or is receiving public assistance; or
- to redirect collections, for reimbursement, from an existing order to the jurisdiction providing public assistance.

Referrals for establishment or redirection can be done in varying ways but the most common is by using the **Intergovernmental Child Support Enforcement Transmittal** forms (commonly referred to as UIFSA forms by the state child support agencies). Tribes are not required to use these forms, but many do.

REGISTRATION OF A FOREIGN ORDER

When one jurisdiction already has an order from its court, but needs assistance from another jurisdiction to enforce that order, it is usually necessary to request the registration of the order in the other jurisdiction’s court. Sometimes the state child support program will have an order in which:

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- the custodial party is a non-Indian or non-member of the tribe, and the noncustodial parent is a non-Indian or non-member of the tribe who resides off the reservation but works for the tribe or tribal enterprise; or,
- the custodial party is a non-Indian or non-member of the tribe and the noncustodial parent is a member of the tribe who works for or receives per capita⁹ from the tribe.

In such a circumstance, the state program can send a request to the tribal program requesting the registration and enforcement of their order. They should verify with the tribal program what documents are required to initiate the action. Most often, the tribal program will require a certified copy of the order along with a certified statement of arrears so they can register it for enforcement.

Upon receipt of such a request from a state, the tribal program will open a tribal child support case and file a Motion/Order to Register a Foreign Order in the Tribal Court. If the Tribal Court accepts the motion to register the order, they will do so. In many instances, the Tribal Court will sign the Motions/Orders without a hearing if neither of the parties objected after they received notification. Please refer to FFCCSOA for additional information on what constitutes a valid child support order (i.e., orders entered with appropriate subject matter and personal jurisdiction).

After the Tribal Court registers a foreign order, the tribal child support program will generate an Income Withholding for Support and submit it to the appropriate tribal payroll department. The tribal payroll department withholds the income and submits the money to the tribal child support program for disbursement or they may submit it directly to the State Disbursement Unit (SDU) for disbursement.

INTERGOVERNMENTAL FORMS

OCSE developed standardized Intergovernmental Forms for state child support programs to use in UIFSA cases. Although tribal child support programs are not required to use these forms, they are easily recognizable by the states and territories and might get quicker responses. All the forms and instructions are on OCSE's website (see [AT-17-01](#)), but these are the most commonly used forms:

- [Affidavit in Support of Establishing Paternity](#)
- [Child Support Enforcement Transmittal \(CSET\) #1 – Initial Request](#)
- [Child Support Enforcement Transmittal \(CSET\) #1 – Acknowledgement](#)
- [Child Support Enforcement Transmittal \(CSET\) #2 – Subsequent Actions](#)
- [Child Support Enforcement Transmittal \(CSET\) #3 – Request for Assistance/Discovery](#)
- [Locate Data Sheet](#)
- [Registration Statement](#)

To avoid delays, the initiating jurisdiction should always contact the responding jurisdiction and ask what documents they require. The IRG ([Intergovernmental Reference Guide](#)) is also a good resource to find this information.

⁹ Not all tribes distribute per capita money to their members; not all per capita money is considered 'income'; and a county/circuit court does not have the authority to order a tribe to withhold per capita money from a tribal member. The State IV-D agency must obtain NONCUSTODIAL PARTY's income information from the NONCUSTODIAL PARTY.

INITIATING/RESPONDING JURISDICTIONS

The success of intergovernmental case processing depends on multiple child support programs (the initiating and the responding jurisdictions) coordinating activities to locate a noncustodial parent or custodial party; establish paternity; establish and enforce orders; and collect, distribute and disburse child support payments. The words “initiating” and “responding” are the technical terms used in discussing intergovernmental cases, and we recommend that you understand them.

INITIATING JURISDICTION

The state or tribal child support program that sends a request for a particular action or information to another state or tribal child support program is the Initiating Jurisdiction. The types of requests an initiating jurisdiction may want to send can vary from requests to take the full scope of collection actions against a noncustodial parent and send any collections back to the initiating jurisdiction to a limited request for a particular service.

Limited service requests could include asking the other jurisdiction to provide locate information about the obligor’s whereabouts, income or assets. Many agencies refer to the type of request as a “locate only” or a “Quick Locate” request. A limited services request may be simply asking the other jurisdiction to take a limited action like placing a property lien on a particular parcel, or seizing a bank account that the initiating jurisdiction does not have authority to attach.

In this example, the initiating jurisdiction still retains authority on the matter and has a strong ongoing interest in the case. The initiating jurisdiction is simply asking another jurisdiction to perform particular tasks that it does not have direct authority to accomplish.

Example: A custodial party applies for child support services with your tribal child support program in order to collect child support from the noncustodial parent who resides on the same reservation. The tribal child support program obtains a child support court order against the noncustodial parent in Tribal Court, but the noncustodial parent subsequently moves off the reservation to a nearby state. The tribal child support program (initiating jurisdiction) can refer the case to the state child support program where the noncustodial parent now resides for enforcement of the support order. The state child support program (responding jurisdiction) will register and enforce the tribal order. When a noncustodial parent sends child support payments to the State Disbursement Unit (SDU), the state will send it to the tribal child support program (initiating jurisdiction) for distribution and disbursement.

Figure 22: Example case process

RESPONDING JURISDICTION

The responding jurisdiction is the tribal or state child support program that responds to a request from the the initiating jurisdiction and is often the one who has jurisdiction or authority over the noncustodial parent, his/her assets or income, or the underlying child support order. The initiating jurisdiction might ask the responding jurisdiction to take certain actions on the initiating jurisdiction's case as described in their transmittal forms.

Example: A custodial party might live in a state and apply to the state for child support services. The noncustodial parent might work at a tribal enterprise or live on your reservation lands. The state may ask you to enforce its child support order against the noncustodial parent's wages or assets under the tribe's control and remit those funds to its State Disbursement Unit.

Intergovernmental case processing is a complex subject. You can find more in-depth intergovernmental case information in the following resources:

- [OCSE's Child Support Handbook](#)
- [IM-07-03 - Tribal and State Jurisdiction to Establish and Enforce Child Support](#)

Your assigned Regional Program Specialist may also be able to assist you with case specific questions in this area. Your tribal child support colleagues should also be able to help, since they have likely worked through similar cases in the past.

PROGRAM OPERATIONS

This section covers a variety of topics and resources that you might find useful as a new tribal child support director.

LEADERSHIP

Effective leadership is a key component to maintaining a successful tribal child support program. As the child support director, your staff members will look to you for guidance in day-to-day program operations. An effective leader motivates others to perform beyond expectations and accomplish extraordinary goals for the good of the entire organization. Leading your staff is different from simply managing your staff. The primary function of transformational leaders is to produce meaningful change. In contrast, the primary function of a manager is to create orderly results and keep the organization working efficiently. One is not better than the other – simply different. Although both are critical in today's organizations, many organizations are over-managed and under-led. Credible leaders display these top characteristics:

- demanding, but able to be satisfied;
- accessible, but not too familiar;
- decisive, but judicious;
- focused, but flexible;
- active, without causing commotion; and
- tough, but humane.

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Effective time management skills are also crucial skills for effective leadership. You can dramatically increase productivity by establishing structured routines for business operations and case management that you and your staff can follow.

Teamwork is another crucial component to a successful program. An effective team requires the following three components:

- The group must be a “real team” operating within a set of boundaries, be interdependent for a shared purpose and have some sense of stability over time.
- The group must have a “compelling direction” for which to aspire and motivate.
- The group must have “enabling structure” including task design, a good team composition and basic conduct norms. Supportive context and expert nurturing is also helpful.

STRATEGIC PLANNING

Strategic planning is important to not only measure where you are in comparison to where you started, but it can give you direction going forward. The strategic planning process involves asking and answering these questions:

- What is the vision, mission, and purpose for the program?
- Do you want or need to revise your program vision and goals to keep moving forward?
- What steps do you need to take to make the desired changes within your program? How can you measure or track whether the program is moving in the desired direction?

Strategic planning is different from other types of planning. First, it is a formal, structured process and, ideally, one that involves the entire organization. It provides an overall direction for the entire child support program as a whole, incorporating consistent goals and plans of the program’s component parts. Ordinarily, it has a long view, often two to five years, as well as shorter-term benchmarks to measure progress toward achieving long-term goals. Most importantly, it is a living plan, continuously monitored and revisited.

Traditionally, strategic plans include these elements:

- Vision;
- Mission; and
- measureable Goals and Objectives.

The ability to develop and implement a strategic plans is an important element to keeping your program growing and nurturing its success.

RISK MANAGEMENT

Regulation 45 CFR 309.75 requires the child support program to have policies and procedures in place to ensure program integrity. Risk Management includes reviewing your Plan documentation to understand the policies and procedures that are in your application. The policies and procedures regarding all federal funds and amounts collected by the tribal child support program must ensure protection from theft or loss. They must also ensure the protection of confidential information during day-to-day

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operations. Risk management should include assurances that the policies and procedures (internal controls) will change as needed and that new staff members will follow them.

Policies and procedures provide guidance and directives that help protect your staff, customers and the public trust. You should consider the following questions when you review your risk management policies and procedures. They can help you identify challenging areas but are not all-inclusive.

- Does the program have adequate and appropriate staff to meet customer needs?
- Is there appropriate separation of duties between processes to provide reasonable assurance that financial data is accurate with no opportunity for fraudulent activities?
- Does your program have and use documentation standards?
- Are procedures adequate to ensure the integrity of your program data so quarterly and annual reports are accurate?
- Do safeguards exist to ensure federal dollars are spent appropriately for program purposes and do they meet the audit standards outlined in 45 CFR 75 Subpart F as required under 45 CFR 309.80.
- Is there a good understanding of federal fiscal requirements?
- Is there good communication between program staff and fiscal (accounting) staff?
- Are procedures adequate to ensure the safeguarding of receipts, deposits, allocation and distribution of child support collections?
- Do you use sound privacy and security safeguards?

GENERAL RISK MANAGEMENT AREAS TO CONSIDER

You should consider a variety of risk management areas as you develop or revise policy and procedures. We recommend that you consider the following questions:

- What policies are in place to avoid conflicts of interest when one or more parties to a case are a relative to a staff member in your program?
- How will you protect program efficiency when there is a change in key staff members?
- How will you complete an inventory and return of keys, keycards, name badges, cell phones, laptops or other program equipment when a staff member leaves program employment?
- Are your procedures adequate for resetting keypad access, safe combinations and terminating access to internal emails, databases and internal phone lists after a staff member leaves the program?
- How will you complete regular inventory of program equipment?
- How will you resume business in a reasonable manner in the event of unplanned emergencies?
- What protocols are in place for how and when you will implement your Continuity of Operations Plan (COOP), or at least your plans to resume general business practices?

Maintain Organizational Structure and Distribution of Responsibilities Documents. A current description of the structure or organizational chart for both the child support program and the tribal agency or department overseeing the child support program is an important part of your Plan and required under 45 CFR 309.75.

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Maintain Insurance or Bond for Loss Prevention. You must provide evidence of how the program will protect federal funds awarded and child support collected against loss. This may be demonstrated by Insurance policies or bond for every person who receives, disburses, handles or has access to or control over funds collected under the tribal child support program and is a requirement under 45 CFR 309.75.

Maintain Records. You must maintain records to track spending, in-kind donation documentation and anything that may be necessary in an audit.

TRIBAL EMERGENCY PLANNING

PLANNING FOR EMERGENCIES AND DISASTERS

Following a disaster, tribal child support programs may face challenges meeting their core mission to ensure that both parents financially support their children. Challenges encountered during, or after a disaster might include the damage or destruction of your child support facilities, the loss of important child support orders and other important records, and the displacement of child support staff. Custodial parties and their children may be temporarily or permanently displaced and have an increased need for supportive services. Custodial parties or caregivers might be separated from the children in their care and need additional services. These children may require reunification support. Additionally, noncustodial parents may also be displaced or suffer economic losses or hardships (e.g., loss of employment due to the disaster) that impair their ability to make child support payments.

The services that child support programs support on a daily basis are critical in supporting children's recovery and ensuring their continued access to health care and social services. Tribal child support services program leaders planning for disasters should consider:

- support for their own staff;
- program continuity of operations; and
- disaster-specific needs of custodial and noncustodial parents in support of their children.

EMERGENCY PREPAREDNESS RESOURCES

A top priority of HHS is ensuring the preparation and protection of all Americans, especially those with young children, for disasters. Because of this, HHS has developed and compiled a rich set of resources that will help families, early childhood providers, and policy makers prepare, respond to, and recover from all types of disasters. These resources are available on the [OCSE Early Childhood Disaster – Related Resources](#) webpage.

Each tribe has an emergency manager. Check with your Tribal Administration office to determine your emergency manager and have a conversation with them about how you can work together. Additional information can be found on the following websites:

- Northwest Tribal Emergency Management Council: <http://www.nwtmc.org/>
- National Tribal Emergency Management Council: <http://www.ntemc.org/>

Other organizations with specific information on planning for children include:

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- Save the Children: <http://www.savethechildren.net/>
- American Red Cross: <http://www.redcross.org>
- Children Disaster Services: <http://www.brethren.org/cds/>

Additional resources that you may find useful include:

Disaster Assistance

Apply for disaster assistance. View the Disaster Survivor Application Checklist and locate more than 70 forms of assistance from 17 federal agencies. <http://www.disasterassistance.gov/>

Continuity of Operations Planning

- **FEMA IS-546.A: Continuity of Operations Awareness Course**: This course introduces students to the concept of continuity planning. The course provides a brief overview of continuity, including its definition, the legal basis for continuity planning, the Continuity Program Management Cycle, and essential elements of a viable continuity program.
- **Disaster Recovery Planning** The [National Disaster Recovery Framework](#) is a guide that enables effective recovery support to disaster-impacted states, tribes, territorial and local jurisdictions. It provides a flexible structure that enables disaster recovery managers to operate in a unified and collaborative manner. It also focuses on how best to restore, redevelop and revitalize the health, social, economic, natural and environmental fabric of the community and build a more resilient Nation.

Behavioral Health

[The Disaster Distress Helpline \(DDH\)](#) is the nation's first hotline dedicated to providing disaster crisis counseling. The toll-free Helpline operates 24 hours-a-day, seven days a week. This free, confidential and multilingual, crisis support service is available via telephone (1-800-985-5990) and SMS (Text 'TalkWithUs' to 66746) to U.S. residents who are experiencing psychological distress because of a natural or man-made disaster, incidents of mass violence or any other disasters. Callers are connected to trained and caring professionals from the closest crisis-counseling center in the network. The helpline staff provides confidential counseling, referrals and other needed support services.

Domestic Violence

Free and confidential help is available for victims of domestic violence through the National Domestic Violence Hotline 24 hours a day. If survivors need help or just want someone to talk to, please call the National Domestic Violence Hotline at 1-800-799-SAFE (7233) or TTY 1-800-787-3224. Advocates can help domestic violence survivors develop a plan for emergencies, connect them to community resources and discuss their options.

Children and Youth Task Forces

HHS/ACF has developed recommendations to states, Tribes, territories, and local communities interested in launching children and youth task forces. The guidelines are for emergency management,

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human services, and public health professionals to support a coordinated, integrated, and effective approach to children’s needs in emergency preparedness, response, and recovery.

- [Children & Youth Task Forces in Disaster: Guidelines for Development](#)
- [New York Children’s Issues Task Force Lessons Learned](#). This report details lessons learned by the New York Children's Issues Task Force, which led by the NY State Office of Children and Family Services and the Administration for Children and Families Region 2 Office in the aftermath of Superstorm Sandy. The issues and recommendations from the report can provide helpful guidance to new Children and Youth Task Forces to address the needs of children, youth, and families in future disasters, both in New York and in other states nationwide.

Early Childhood Disaster-Related Resources

This comprehensive set of resources contains interactive activities to plan and prepare for disasters, developmentally appropriate books and games to help children cope after disasters, and templates and guides for policy makers to use in developing, enhancing, or improving their plans. Click [here](#) for more information.

Unaccompanied Minors and Family Reunification

- **Ready for Anything: A Disaster Planning Manual for Runaway and Homeless Youth Programs** Large-scale disasters, from wildfires to floods to hurricanes, affect thousands of people across the country each year. Disasters can also occur on a smaller scale, caused by everyday events such as power outages, kitchen fires, or burst water mains. While most disasters are impossible to predict, you can plan for them and reduce disruptions in your services to youth and families. This manual teaches the “Ps and Rs” (prevention and preparedness, response, and recovery) of disaster planning. It includes worksheets and checklists to guide you step-by-step through the process of creating an emergency-preparedness plan for your youth-serving agency.
- **Post-Disaster Reunification of Children: A Nationwide Approach**. This [publication](#) illustrates the significance of whole community collaboration and inclusive emergency planning. It provides a comprehensive overview of the coordination processes necessary to reunify children separated from their parents or legal guardians in the event of a large-scale disaster. It also reflects how the whole community—to include nongovernmental organizations such as Voluntary Organizations Active in Disaster, faith-based and community organizations, disability and pediatric organizations, federal and private sector partners, and civic action committees, can work together to achieve one wide ranging mission

Individual Planning

The [Red Cross](#) has mobile apps available for download off their website at:

<http://www.redcross.org/prepare/mobile-apps>. They have mobile apps available for a variety of emergencies including shelters, first aid, natural disasters, and pets. [Ready Indian Country](#) has numerous information, tips and tools to help you in emergency planning.

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Office/Facility Planning

The American Red Cross has a website dedicated to help your office prepare - <http://www.readyrating.org/>. The website has a questionnaire to help determine what policies, procedures, and tools you have in place, and what else you need to do to have a good facility plan.

Ready.gov also has a website that offers tips on creating an emergency plan and a continuity of operations plan - <http://www.ready.gov/business>.

CHILD SUPPORT STAFF SUPPORT

Child support programs should remember that their own staff might need support following an emergency or disaster. Staff members may have suffered their own losses due to the disaster (e.g., family and friends, housing) and require behavioral health and emotional support.

CONTINUITY OF OPERATIONS PLANNING

Disasters may cause extended utility interruptions, destroy infrastructure, and cause structural damages that prevent child support programs from operating from their facilities. Additionally, following a disaster, staff may experience transportation challenges (e.g., damage to personal vehicles) that prevent them from returning to their regular work sites. Keeping up-to-date contact lists, developing communications plans to keep staff informed post-disaster, pre-identifying alternate work sites, and developing telework procedures can enable child support programs to resume operations after a disaster.

Developing redundancy in program record keeping is essential to ensure you have back-up records if paper files are damaged or destroyed during a flood, fire, or other disaster. The loss of child support orders and other important records can have a negative impact on the recovery of families that rely on the child support program's support. Digitizing or scanning records can provide useful backups.

CUSTODIAL AND NONCUSTODIAL PARENT SUPPORT

Tribal program's expertise in establishing paternity and enforcing child support orders can be leveraged to support children's recovery following a disaster. This is specifically helpful when children become separated from parents or guardians during a disaster. In cases where a guardian cannot immediately be located, the program's experience in locating family members, establishing paternity, and identifying the custodial party may assist in family reunification. A disaster might also cause a noncustodial parent to become unemployed. In such cases, the programs may need to provide assistance in modifying child support orders to encourage compliance.

HOW ACF CAN HELP

The Administration for Children and Families provides subject matter expertise and technical assistance upon request for tribal emergency preparedness planning for ACF-supported human services programs including child support programs. You can contact your ACF Regional Emergency Management Specialist (REMS) for subject matter expertise and technical assistance related to emergency planning

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following a disaster. You can request routing to your REMS, if you do not know him or her yet, by emailing ohsepr@acf.hhs.gov.

FAMILY SERVICES AND PROGRAM COLLABORATION

It is often necessary and important for child support agencies to communicate and collaborate with other family services programs, both tribal and state. The child support community recognizes the importance of incorporating holistic family services not only to the custodial parent but also to the noncustodial parent and the children.

OCSE provided clarification in [PIQ-12-02](#): Partnering with other programs, including outreach, referral, and case management activities, regarding activities that are allowable as child support expenditures if they are incidental and related to establishing paternity, or establishing, modifying, enforcing, and obtaining support.

Some of the allowable activities include referrals to other programs, development and dissemination of educational materials about your child support program, child support educators or liaisons, child support case management, and other incidental activities that support the core purposes of the program.

OCSE highlights selected activities to encourage you to partner with other programs to supplement traditional establishment and enforcement procedures with early intervention and family-centered strategies designed to increase the ability and commitment of parents to support their children.

Below is a list of agencies for your consideration in collaboration:

ADMINISTRATION FOR NATIVE AMERICANS

The [Administration for Native Americans](#) (ANA) supports Native American communities by providing financial assistance and capacity building, gathering and sharing data, and advocating for improved policies within HHS and across the federal government. Their website has a vast array of information and resources that you might find helpful.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF)

The interplay between the child support program and the TANF program is especially important to learn about because that can affect where the child support money collected goes. All states have TANF programs and some tribes elect to operate federally funded TANF programs. Federal regulations require state TANF programs to have an assignment of rights, but tribal TANF regulations are more flexible. TANF is funded under Title IV-A of the Social Security Act and implementing regulation 45 CFR 260.10 et seq.

Historically, the child support program was a “cost recovery” program. This meant that when a parent received cash assistance for a child (formerly known as Aid to Families with Dependent Children (AFDC) and now known as TANF), a child support case was created. As a condition of receiving TANF benefits, the applicant was required to assign, or give over to the jurisdiction providing TANF, any rights to

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collected child support. In the child support and TANF communities, this agreement is called an “assignment of rights.” When when child support was successfully collected from the noncustodial parent, it was traditionally retained by the jurisdiction as a way to partially pay back some TANF costs.

Another condition of receiving TANF benefits is that the recipient is required to cooperate with the child support program in establishing paternity and an order for support. Failure to cooperate could result in a denial of TANF benefits. An exception to this requirement is the finding of “Good Cause” by the TANF agency. If cooperation with the child support program would put the custodial party and the children in danger, the child support program can work with the TANF agency to establish Good Cause.

Whatever the current impact is of the child support assignment with a state or tribal TANF program, or whatever the rules are around passing through child support dollars when a child is on TANF, coordination and communication is critical between your child support program and the state and/or tribal TANF partner agency. At a minimum, they may need to know how much child support a family is receiving to determine eligibility for the program. At the other end of the spectrum, you may need to remit successfully collected child support to the TANF agency as “retained support” because of the impact of the assignment, if there is an assignment.

You will likely encounter complex case scenarios in the child support program when it comes to how that case intersects with the state and/or tribal TANF program child support requirements. Given the different TANF rules at play, you may encounter complexities in appropriately distributing and disbursing collections.

If your tribe operates its own TANF program, it is important for you to introduce yourself and your child support staff to the TANF staff. It will also be helpful if you become familiar with the child support rules that your tribe’s and your state’s TANF programs work under. Since many of your child support customers might be receiving or previously received TANF from either the tribe or the state, you will need to know what, if any, tribal and/or state-owed debts are still on their account. Your Regional Program Specialist is a good resource person when you encounter questions about assignment of rights, pass through, distribution rules, and Good Cause.

COURTS

You will probably be working most closely with your Tribal Court and possibly with the local state court. It is crucial to build a strong relationship with your Tribal Court judges and staff because you must work with them on a regular basis.

During the start-up phase of your program, you will need to discuss laws, policies, and procedures and learn court protocols. You might want to establish a formal agreement with the tribal court or simply a verbal understanding. You may also find it helpful to schedule regular meetings with court personnel.

CRIMINAL JUSTICE AGENCIES

Whether your Tribal Nation has its own law enforcement agency or they rely on county law enforcement agencies, it is helpful to build good relationships with them.

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The law enforcement agencies can assist with service of process or locating parents. They may allow child support staff to visit incarcerated individuals to provide child support information or collect DNA samples. Sometimes it is necessary to arrange for incarcerated individuals to make court appearances by phone. You may also be able to work directly with incarcerated individuals to review and adjust support orders based on the incarcerated parent's ability to pay.

When parents are released from prison, finding a job is one of their toughest challenges. Paying child support without having a job is virtually impossible. Your agency may want to consider a partnership with workforce development or a community college to increase the likelihood that parents reentering the community are able to find work and pay support.

Pursuant to [45 CFR 309.155](#) you may not use IV-D funds for jailing parents for non-payment of support in tribal IV-D cases. Some Tribal Nations have agreements with county jails to pay for a specified number of beds per night to house people that the tribal judge orders to jail, including noncustodial parents that the court finds in contempt. Those costs must be paid with non-IV-D funds. OCSE has provided guidance ([AT-12-01](#) and [IM-12-01](#)) firmly outlining that a parent must have a proven ability to pay the required support, and be willfully failing to do so, in order to be jailed. Some Tribal Nations do not have access to incarceration services and must use other enforcement remedies.

Collaboration with the jail can also include access to daily jail lists of incarcerated individuals that might include their incarceration and/or mandatory release dates. This information can be very useful when you are trying to locate a parent or conducting a review for possible order modification.

DOMESTIC VIOLENCE

For many victims of domestic violence, child support represents an opportunity to establish and maintain economic independence from an abusive partner. Consider the potential for domestic violence issues with the customers you are working with. Identifying domestic violence issues early in the child support process can help safeguard the family and your staff.

Regulation 45 CFR 309.80 requires your child support program to have safeguarding policies and procedures in place to safeguard child support participants. To ensure the safety of the parties, children and your staff, you should collaborate with your local domestic violence program to develop clear policies and procedures for working cases involving domestic violence. Coordinating training for your staff will ensure their safety as well.

ACF's Family and Youth Services Bureau, Division of Family Violence Prevention and Services has funded several free online domestic violence training modules and free online resource collections. [Domestic Violence: Understanding the Basics](#) is an online, one-hour interactive eLearning module. The self-guided course provides a basic understanding of the complexities of domestic violence in a user-friendly format. You can find [additional resources](#) on the OCSE website.

EMPLOYMENT SERVICES OR JOB TRAINING

Some of the parents your program works with will have barriers that affect their ability to obtain or hold a job. A close working relationship with employment services and job training programs allows you the ability to refer those parents to ensure they have access to these kinds of services.

FATHERHOOD PROGRAMS

In an effort to promote healthy father-child relationships, many Tribal Nations operate fatherhood programs. Fathers might participate voluntarily or they might be referred or court-ordered to participate. Tribal child support programs often collaborate with their local fatherhood programs to refer fathers to the program, and in some cases, they might recommend participation as part of their enforcement remedies. It can be beneficial for you to contact your tribal fatherhood program and initiate discussions on how your programs can work together to promote responsible fatherhood, including staying current with child support payments.

FINANCE DEPARTMENT

Collaboration with your finance/accounting department is very important. Generally, the tribe's financial/accounting department is responsible to complete and submit your program's expenditure reports, cut checks, or make deposits for you. Lean on their expertise and develop a good working relationship with them. Not only will the relationship be beneficial when working with customers who have questions about child support checks, but also when tracking your program expenditures for your record keeping.

FOSTER CARE

The federal Foster Care Program helps to provide safe and stable out-of-home care for children until the children are safely returned home, placed permanently with adoptive families or placed in other planned arrangements for permanency. The program is authorized by title IV-E of the Social Security Act, as amended, and implemented under 45 CFR [1355](#), *et seq.* Please visit the [Children's Bureau](#) website for more information.

All states, and a few tribes, operate a foster care program with federal funds under Part IV, Section E of the Social Security Act. There are circumstances that may arise within families that require the removal of a child from their home for their own protection or the protection of others. When a Child Protective Services (CPS) or ICW agency needs to step in to assist a child and family, it might be necessary for the agency to place the child with an approved foster family. When this happens, the agency is required to make a referral to the child support program.

After receiving a referral, the child support program's task is to establish paternity and an order for support, or to redirect collections of an existing order from one custodial party to the other. It is important for the tribal child support program to establish a relationship with the local foster care program. You might also consider developing formal policies and procedures for the referral process.

INDIAN CHILD WELFARE

The [Indian Child Welfare Act](#) (ICWA) is a federal law that was passed in 1978 that seeks to keep children who are enrolled, or eligible for enrollment, with a federally recognized tribe, with their tribal relatives. Congress passed the ICWA ([25 U.S.C. § 1902](#)) in a response to the number of Indian children being removed from their homes and placed in whatever foster homes were available. The purpose of ICWA

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is to protect the best interests of Indian children and promote the safety, security and stability of tribal families by placing Indian children with Indian families.

The ICW agency, or a relative caretaker, can request child support services following the placement of a child into substitute care. The child support program can establish paternity and an order for support or they can request a redirection of child support payments to the new custodial party. The redirection of child support to a new payee depends on the ICW policies for cost recovery. For more information, please visit the National Indian Child Welfare Association ([NICWA](#)).

KINSHIP CARE

Kinship care refers to the care of children by relatives or, in some jurisdictions, close family friends (often referred to as fictive kin). Relatives are the preferred resource for children that are removed from their birth parents because it maintains the children's connections with their families. Kinship care is one type of family preservation service.

Kinship care may be formal and involve a training and licensure process for the caregivers, monthly payments to help defray the costs of caring for the child, and supportive services. Kinship can also be informal and involve only an assessment process to ensure the safety and suitability of the home along with support services for the child and caregivers. Approximately one-fourth of the children in out-of-home care are living with relatives. Visit the [Administration for Children and Families Child Welfare](#) website for more information.

If your tribe or state operates a Kinship Care program, we recommend that you collaborate with the agency to establish clear protocols on how and when they make referrals to your program. Discussions should also include how your program can redirect child support payments to the agency or the relative caretaker.

MILITARY AND VETERANS PARTNERSHIPS

Many child support agencies partner with the Department of Defense Veterans Affairs to coordinate and integrate available services that will help service members and veterans manage their child support cases. OCSE coordinates a network of state and tribal military and veterans liaisons and has [resources](#) for military and veterans available on the OCSE website.

PARENTING SERVICES/PROGRAMS

Similar to fatherhood programs, some Tribal Nations have programs that provide a variety of services and support groups to promote responsible parenting and cooperative shared parenting for mothers and fathers. Collaborating with your tribal parenting organizations can also be beneficial when trying to encourage parents to work together for the best interest of their children.

TRIBAL ENTERPRISES AND TRIBAL HUMAN RESOURCES

It can be beneficial to have contacts at various tribal enterprises, your tribal Human Resources (HR) department and TERO (Tribal Employment Rights Office). Creating or building relationships with these

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agencies can make it easier to resolve issues that arise around wage withholdings, employment verification, and potentially help you obtain accurate wage information. You can also obtain new hire information about someone in your caseload when you have a good relationship and clear procedures with these agencies.

TRAINING AND CONFERENCE OPPORTUNITIES

Several non-profit organizations provide training and technical assistance to child support professionals. In addition, several state child support agencies offer annual training conferences. These organizations are not part of OCSE, although OCSE staff may participate in these organizations and present trainings at their events.

On-line training modules created especially for tribal child support program staff are available via the [OCSE website](#). The training modules include an orientation of the program, and specific training on topics such as locate, paternity, enforcement, and intergovernmental cases. [On-line training materials](#) can also be found on the OCSE website.

Here are some child support organizations that host annual conferences and training opportunities:

- **National Tribal Child Support Association (NTCSA):** <http://www.supporttribalchildren.org/>
- **National Association of Tribal Child Support Directors (NATCSD):** <http://natcsd.org/>
- **National Child Support Enforcement Association (NCSEA):** <http://www.ncsea.org/>
- **Eastern Regional Interstate Child Support Association (ERICSA):** <http://www.ericosa.org/>
- **Western Interstate Child Support Council (WICSEC):** <http://www.wicsec.org/>