



March 2016

Quick Facts: Tribal IV-D Programs

This Quick Facts guide provides information about tribal child support programs.

The Child Support Enforcement Program¹ is a successful federal-tribal-state partnership and a key component in promoting economic stability for families. Cases in which parties reside on Indian reservations or are members of Indian tribes pose unique case processing challenges. This document focuses on the basics of the tribal IV-D programs and highlights differences from the state IV-D programs.

Tribes officially became part of the Child Support Enforcement Program with the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)² in 1996. PRWORA authorized the operation of tribal programs and cooperative agreements with state IV-D agencies if the tribe demonstrates that it has an established judicial or administrative system with the authority to establish paternity, and establish, modify and enforce child support orders. Currently there are over 50 comprehensive tribal child support programs throughout the United States.³ Tribal child support programs are essential to build stronger futures for children, and to assist families in obtaining and maintaining self-sufficiency.

Differences from the state IV-D programs

Tribal programs operate under the sovereignty of the Indian Nations and are governed by tribal law. Tribal programs are unique in that each tribe has different procedures and ways of operating their programs. Many tribes have adopted a holistic tribal family-centered service delivery model that reflects the tribal traditions and values.

In 2014, tribal programs received access to the Federal Parent Locate Service (FPLS)⁴ to assist in locating case participants. Currently, tribes do not have access to the Federal Tax Refund Offset Program unless they have a cooperative agreement with a state program.

Intergovernmental cases

At the federal level, both states and tribes are bound by the Federal Full Faith and Credit for Child Support Orders Act (FFCSOA).⁵ All states have enacted the Uniform Interstate Family Support Act (UIFSA) to facilitate child support collection across state lines in intergovernmental cases, which ensures a baseline of consistency across all states.⁶ Although UIFSA does not apply to the tribal programs unless the tribe specifically has enacted UIFSA as tribal law, partnerships between the states and the tribes are crucial to ensuring intergovernmental cases are resolved effectively.

¹ Created by Title IV-D of the Social Security Act

² 42 U.S.C. § 654 (33) (2014).

³ <http://www.acf.hhs.gov/programs/css/tribal-agencies>

⁴ 42 U.S.C. § 653(c)(1) (2014).

⁵ 28 U.S.C. § 1738B (2014).

⁶ 42 U.S.C. § 666(f) (2014).