



*Updated May 2022*

## **Quick Facts: Tribal IV-D Programs**

**This Quick Facts guide provides information about Tribal child support programs.**

The Child Support Program<sup>1</sup> is a successful federal-state-tribal collaboration that seeks to promote economic stability for children whose parents live apart. The program collects \$5.27 for every \$1 in public funds invested. In FY 2021, \$34 billion was collected in 12.7 million cases for 13.2 million children.<sup>2</sup>

Cases in which parties reside on Indian reservations or individuals are members of Indian Tribes pose unique case processing challenges often due to states lacking jurisdiction over Indian Country or difficulty with providing services with geographically remote challenges. This document focuses on the basics of the Tribal IV-D programs and highlights differences from the state IV-D programs.

Tribes officially gained access to the Child Support Program with the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA)<sup>3</sup> in 1996. PRWORA authorized the operation of tribal child support (IV-D) 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. While there are 574 federally recognized Indian tribes, currently there are 60 comprehensive tribal IV-D agencies throughout the United States.<sup>4</sup> Tribal IV-D agencies are essential to building stronger futures for children, and to assist families in obtaining and maintaining self-sufficiency.

### **Differences from the State IV-D programs**

Tribal IV-D programs operate under the sovereignty of the Indian Nations and are governed by tribal law. Tribal IV-D 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. Tribal IV-D programs can also operate as a consortium and provide services for a number of tribal governments.

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<sup>1</sup> Created by Title IV-D of the Social Security Act

<sup>2</sup> [Office of Child Support Enforcement \(OCSE\) FY2021 Preliminary Report](#)

<sup>3</sup> 42 U.S.C. § 654 (33) (2014).

<sup>4</sup> <https://www.acf.hhs.gov/css/child-support-professionals/tribal-agencies>





In 2014, Tribal IV-D programs received access to the Federal Parent Locate Service (FPLS)<sup>5</sup> to assist in locating case participants if the Tribe chose to enter into an FPLS agreement. Currently, Tribal IV-D programs do not have access to the Federal Tax Refund Offset Program unless they have a cooperative agreement with a state IV-D program. The Tribal Child Support Enforcement Act, S. 534, was introduced in March of 2021 to grant parity to the tribal IV-D agencies.<sup>6</sup> This bill would allow Tribal IV-D agencies to access the Federal Tax Refund Offset Program, has passed in the Senate, and is pending action in the House. NCSEA has long supported passage of this legislation.

### **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). 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. 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. To that end, Tribes, states, and federal officials benefit from the common ground offered by NCSEA to discuss these issues and work toward providing the best information and practices to work with the families served by both. To work an intergovernmental case associated with a Tribe that has a Tribal IV-D program you may reach out to them directly using the OCSE Tribal Agency contact information. If you need to partner with a Tribe that does not have a Tribal IV-D program, you should reach out directly to the specific Tribal Court and inquire about their Tribe's procedures for child support.

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<sup>5</sup> 42 U.S.C. § 653(c)(1) (2014).

<sup>6</sup> [S.534 Tribal Child Support Enforcement Act](#)

