



The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution for Support for Tribal Child Support Programs Having Direct Access to the Federal Parent Locator Service and Federal Income Tax Refund Offset Program



Resolution No. 13-22



WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole nations, representing over 500,000 Indian people throughout the United States; and,



WHEREAS, in 1996 the Personal Responsibility and Work Opportunity Act (PRWORA) amended Title IV-D of the Social Security Act which allowed Tribes to receive federal financial assistance to develop and operate child support programs to ensure non-custodial parents provide for the emotional and financial support of their minor children; and,



WHEREAS, the tribal child support programs were created to ensure that tribal children receive the necessary financial support from non-custodial parents, while ensuring that every child, regardless of the child's residency, has the opportunity to receive services from a IV-D program, whether such program be state or tribal; and,

WHEREAS, since the passage of PRWORA, fifty-five Tribes have developed and are currently operating child support programs that provide services to tribal members, without the benefit of enforcement tools authorized by Congress to similar State child support agencies; and,

WHEREAS, for a tribe to be most effective in ensuring that its tribal children fully receive the benefits and the funds that non-tribal children receive through State child support programs, it is necessary for the tribal programs to have access to the same enforcement tools available to the States; and,

WHEREAS, the regulations failed to authorize Indian Tribes or Tribal Organizations who operate child support programs to have access to the Federal Parent Locator Service (FPLS) and Federal income tax refund offset program; and,

NOW, THEREFORE, BE IT RESOLVED, that it is in the best interest of Tribal children that Congress amend the Social Security Act § 453 to include tribal child support enforcement agencies receiving IV-D funding under section 455(f) of Title IV-D in the definition of an authorized agent so that Tribes may directly access the Federal Parent Locator Service; and,

NOW BE IT FURTHER RESOLVED, that it is in the best interest of tribal children that Congress amend the Internal Revenue Code § 6402(c) and Social Security Act § 464, to permit Indian tribes or tribal organizations receiving funding under section 455(f) of Title IV-D to participate in the Federal Income Tax Refund Offset Program; and,

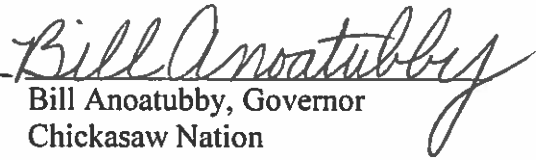
NOW BE IT FINALLY RESOLVED, the Inter-Tribal Council of the Five Civilized Tribes encourages and supports Tribal Child Support Programs having direct access to the Federal Parent Locator Service and Federal Income Tax Refund Offset Program.

CERTIFICATION

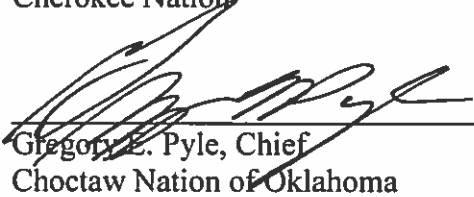
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Sulphur, Oklahoma on this 27th day of July, 2013, by a vote of 21 for 0 against and 0 abstentions.



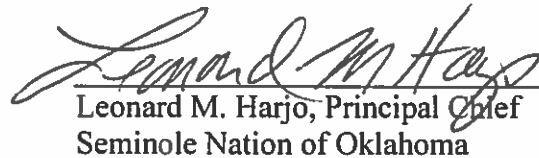
Bill John Baker, Principal Chief
Cherokee Nation



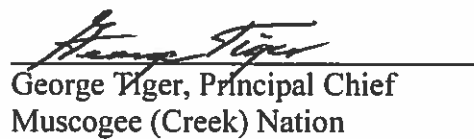
Bill Anoatubby, Governor
Chickasaw Nation



Gregory E. Pyle, Chief
Choctaw Nation of Oklahoma



Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma



George Tiger, Principal Chief
Muscogee (Creek) Nation