Administration for Children and Families
Office of Child Support Services
Tribal Consultation Session Summary Report
June 30, 2025

This report is written in accordance with the Administration for Children and Families (ACF) Tribal Consultation Policy, which requires a written report within 45 days after the written comment period closes. The ACF Tribal Consultation session occurred June 30, 2025, and the official record was kept open until July 31, 2025. This report will summarize the discussion, identify specific tribal recommendations and/or requests, and provide the federal responses. The Office of Child Support Services (OCSS) Tribal Consultation Report is published on the OCSS website.

NOTIFICATION OF CONSULTATION

ACF announced the date, purpose, virtual location, and registration process for the consultation via a Dear Tribal Leader Letter (DTLL) on May 23, 2025. The DTLL was shared through the OCSS website, OCSS and Administration for Native Americans email listservs, HHS Office of Intergovernmental and External Affairs Tribal Affairs newsletter, and ACF's program offices.

A final agenda was developed based on the requirements and priorities outlined in Public Law 118-258.

Final Topics for OCSS Consultation included:

- Implementation of Public Law 118-258 Supporting America's Children and Families Act for direct federal tax refund offset access
- Federal Parent Locator Service (FPLS) and Federal Case Registry
- Systems Security and Safeguarding

OCSS – Federal Representatives:

Linda Boyer, Deputy Commissioner, ACF, OCSS
Rose Bynum, Program Specialist (3, 8, 9, and 10), Division of Regional Operations, ACF, OCSS
Charity Casey, Regional Program Manager (1, 2, and 4), Division of Regional Operations, ACF, OCSS
Kimberly Curtis, Director, Division of Policy and Training, ACF, OCSS
Arlene Danzy, Program Specialist (Tribal), Division of Regional Operations, ACF, OCSS
Chad Edinger, Program Specialist (3, 8, 9, and 10), Division of Regional Operations, ACF, OCSS
Artish Fountain, Program Specialist (5, 6, and 7), Division of Regional Operations, ACF, OCSS
Scott Hale, Federal Collections and Enforcement Manager, Division of Federal Systems, ACF,

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Tanya Johnson, Customer Service Branch Manager, Division of Customer Communications, ACF, OCSS
Tristan Johnson, Program Specialist, Division of Regional Operations, ACF, OCSS
Rebecca Kantsiper, Program Specialist, Division of Regional Operations, ACF, OCSS
Venkat Kodapolu, Director, Division of Federal Systems, ACF, OCSS
Janice McDaniel, Senior Program Specialist, Division of Policy and Training, ACF, OCSS
Ann McGill, Communications Specialist, Division of Customer Communication, ACF, OCSS
Melody Morales, Social Scientist, Division of Program Innovation, ACF, OCSS
Crystal Peeler, Director, Division of Customer Communication, ACF, OCSS
Cheryl Reid-Drayton, Program Specialist (1, 2, and 4), Division of Regional Operations, ACF, OCSS
Lisa Ridenour, Senior Policy Specialist, Division of Policy and Training, ACF, OCSS
Jeffrey Stocks, Program Specialist (5, 6, and 7), Division of Regional Operations, ACF, OCSS
Raghavan Varadachari, Director, Division of State and Tribal Systems, ACF, OCSS
Darryl Watts, Program Specialist, Division of Policy and Training, ACF, OCSS

Tribal Leaders or Designees:
Amber Caldera, Chairwoman, Port Gamble S'Klallam Tribe
Candice Robinson, Child Support Director, Alabama-Coushatta Tribe of Texas
Janessa Woolley, Child Support Program Manager, Bear River Band of the Rohnerville Rancheria
Sara Quetone, Child Support Director, Cherokee Nation
Chamaneka Mkinya, Child Support Program Manager, Confederated Tribes of Umatilla Indian Reservation
Charity Sabido-Hodges, Health & Youth Board Secretary/Natural Resources Program Assistant, Cowlitz Indian Tribe
Pamela Wiggins, Family and Children Services Director, Delaware Tribe of Indians
Rita Phillips, Child Support Director, Eastern Shoshone Tribes
Willowa "Sis" Horn, Child Support Director, Fort Belknap Tribe
Linda Moser-Buse, Child Support Director, Ho-Chunk Nation
Stacy Caudle, Child Support Program Director, Kickapoo Tribe in Kansas
Brandi Hatcher, Treasurer, Klamath Tribes
Danita Herrera, Child Support Director, Klamath Tribes
Margaret Wilford, Child Support Program, Klamath Tribes
Sue Robinson, Child Support Program Director, Leech Lake Band of Ojibwe

Kateri Cervantes, Child Support Director, Mescalero Apache Tribe
Allison Lasley, Child Support Director, Sac & Fox Tribe of the Mississippi in Iowa
Joshua Cantebury, Interim Attorney General, Sac & Fox Tribe of the Mississippi in Iowa
Lisa Hulvey, Child Support Director, Modoc Nation
Angela Crazy Thunder, Child Support Director, Northern Arapaho
Thomas Majdic, Attorney, Northern Arapaho
George Gover, Executive Director, Northwestern Band of Shoshone Nation
Alicia Mousseau, Vice President, Oglala Sioux Tribe
Melissa Nuthals, Data Analyst, Oneida Nation
Danielle Epchook, Council Member, Organized Village of Kwethluk
Michael Kidder, Child Support Director, Osage Nation
Hannah Anderson, Grant Writer, Port Gamble S'Klallam Tribe
Maria Huynh, Children and Families Assistant Director and Interim Child Support Program Manager, Port Gamble S'Klallam Tribe
Sonja Jacobsen, Children and Family Services Attorney, Port Gamble S'Klallam Tribe
Michelle Chareete-Goodwin, Child Support Director, Red Cliff Band of Lake Superior Chippewas
April Lauzon, Child Support Director, Saint Regis Mohawk Tribe
Lenora Arrietta, ICWA Manager/Family Advocate, San Ildefonso Pueblo
Irania Fimbres, General Council, San Juan Southern Paiute Tribe
Lynette Dixey, Child Support Program Director, Shoshone-Bannock Tribes
Christie Schmidt, Child Support Director, Sokaogon Chippewa Community
Faith Reese, Child Support Program Manager, Suquamish Tribe
Brian Howard, Senior Policy Analyst, United South and Eastern Tribes, Inc.
Leigh Mitchell, Senior Policy Analyst, United South and Eastern Tribes, Inc.
Raegan Hendrickson, Child Support Program Manager, White Earth Nation
Jennifer Burgess, Program Manager, Yurok Tribe

Federal Representatives - Other:
Fatima Abbas, Director, Treasury Office of Tribal and Native Affairs
Meghan Clancy, Regulatory Analyst, ACF, Administration for Native Americans
Melinda Golub, HHS, OIG
Laurel Iron Cloud, Tribal Engagement Director, ACF, Administration for Children Youth and Families
Jennifer Parisien, Policy Advisor, Office of Tribal and Native Affairs
Tricia Swartz, Senior Advisor, Administration for Children Youth and Families

OCSS Representatives – Contractors:
Sree Annapragada, Task 2 Manager, OCSS
Zeeshan Aslam, Technical Support Director and Advisor, ACF, OCSS

Jay Butler, Program Outreach and Operational Support, ACF, OCSS
Jenna Burns, Independent Security Task Lead, ACF, OCSS
Rajesh Chawla, Program CTO, ACF, OCSS
Jen Francis, Strategic Advisor – IT Portfolio, ACF, OCSS
Gordon Harz, TITLE, OCSS
Sahffi, Lynne, Program Administrative Specialist, ACF, OCSS
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Elizabeth Morgan, Privacy Compliance Lead, ACF, OCSS
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Angela Tutwiler, OCSS
Tameka Walker, Senior Functional Analyst, ACF, OCSS

Valerie Rudman, Project Consultant, ACF, Administration for Native America

Written Testimonies:
Shannon F. Wheeler, Chairman, Nez Perce Tribe
Angela Crazy Thunder, Child Support Director, Northern Arapaho Tribe
Amber Caldera, Chairwoman, Port Gamble S'Klallam Tribe
Raegan Hendrickson, Child Support Director, White Earth Nation

Greeting and Introductions
Deputy Commissioner Linda Boyer with the Office of Child Support Services and Chairwoman Amber Caldera from the Port Gamble S'Klallam Tribe welcomed attendees and expressed their excitement to facilitate the consultation.

Arlene Danzy, Tribal Program Specialist in OCSS's Division of Regional Operations, explained how the discussion would move through the three topic areas and how virtual attendees could provide testimony.

IMPLEMENTING PUBLIC LAW 118-258 – SUPPORTING AMERICA'S CHILDREN AND FAMILIES ACT
Tribal comments supported access to Federal Tax Information (FTI) because it provides benefits for their programs. It promotes parity with states, enables tribes to locate absent parents and access income data to improve collection rates, and enhances tribal sovereignty by reducing dependence on states for data access and eliminating administrative delays.

Regarding implementation, tribes expressed preference in having flexibility to choose their method of connecting to federal systems for tribal direct federal tax refund offsets (FTRO) access. Tribes also emphasized that participation in direct FTI access and specific enforcement tools should remain optional rather than mandatory.

Key concerns included the need for full federal funding covering infrastructure and administrative costs, flexibility to continue with state cooperative agreements, authority to set their own requirements for various enforcement actions (FTRO, passport denial), input through negotiated rulemaking and tribal consultation before implementing new regulations, and streamlined federal guidance with tribal-specific technical support tools.

The overarching message was that while tribes support direct access to federal enforcement tools, they need adequate funding, implementation flexibility, and authority to tailor enforcement practices to their specific community needs and circumstances.

OCSS RESPONSE

We appreciate the strong support for concerns raised by tribal programs of varying sizes. We understand tribes want flexibility in determining when and how to use federal enforcement tools. However, it is important to clarify that under current federal law, tribes choosing direct FTRO access must submit all cases meeting eligibility requirements (Section 464 of the Social Security Act). This includes cases that are at least 30-days past due with debts $500 or more for non-TANF or Medicaid-only cases. There is no discretion regarding this requirement.

While federal law permits OCSS discretion in establishing a threshold for tribal IV-D assistance cases that differs from the $150 threshold set for states, doing so would require cost-prohibitive programming changes for both the Department of Treasury's Bureau of Fiscal Service (BFS) and OCSS. Creating different thresholds for TANF or foster care cases in the tribal IV-D caseload would be inefficient from systems and operational standpoints; therefore, OCSS is not considering this option at this time and the threshold for both state and tribal assistance cases will remain $150.

We recognize that smaller tribes find existing state agreements practical and cost-effective. These arrangements will remain available. Under current federal law, tribal IV-D programs may continue accessing FTRO, passport denial, Multi-State Financial Institution Data Match (MSFIDM), and insurance match programs through state-tribal agreements. Tribal IV-D programs may also continue to access the federal administrative offset program through state-tribal agreements. However, direct tribal access to the federal administrative offset program is not possible without federal legislative changes. Additionally, OCSS is investigating whether legislative changes are required for direct tribal access to passport denial.

While direct tribal access to federal administrative offset requires legislative changes, tribes already have authority for direct access to the Federal Parent Locator Service (FPLS). Since MSFIDM and insurance match programs operate through FPLS, OCSS is exploring system and process changes to operationalize this access. The costs associated with direct tribal access to FIDM and insurance match would be eligible for federal funding.

OCSS has begun rulemaking to implement Public Law 118-258, working closely with BFS. We will publish a Notice of Proposed Rulemaking for public comment on proposed regulatory changes. Both OCSS and the Department of Treasury hosted tribal consultations as well as the OCSS tribal discussion session. These forums allowed tribal leaders and directors to share their thoughts informing our regulatory development process. Ongoing dialogue ensures that tribal voices remain central to the rulemaking process and that the final regulations reflect both federal requirements and tribal operational realities.

OCSS values our federal trust responsibility to tribes and will continue working with tribal IV-D programs to balance program requirements with practical implementation needs.

FEDERAL PARENT LOCATOR SERVICE (FPLS) AND DATA INCLUDING THE FEDERAL CASE REGISTRY (FCR)

Tribal testimony included that direct tribal access to the FCR would enable tribal programs to access and share case information with other jurisdictions, reducing duplicate support cases and improving intergovernmental coordination through seamless data sharing between tribal, state, and federal entities. This would facilitate cross-border enforcement, increase collections for tribal children, and support tribal sovereignty and self-sufficiency.

Tribal testimony expressed that FCR participation should remain optional rather than mandatory. This would include the ability to opt in and enter only limited information, including flexibility for each tribe to choose what case information to share, to protect sensitive tribal data as sovereign nations.

Testimony demonstrated that some programs that have elected to have direct access to the FPLS face delays in receiving match results, hindering their ability to serve legal documents and locate noncustodial parents. Smaller programs may lack dedicated IT staff and require simplified FPLS access with tribal-specific tools, training, and interfaces designed for lower-capacity programs.

OCSS RESPONSE

The federal government grants tribal programs access to the FPLS, including the NDNH and FCR, through the Child Support Portal. Ten tribal programs are currently registered for this access. We recognize the value of exploring future capabilities, such as upload and download functions, particularly for smaller tribal programs that may not have the infrastructure to support fully automated batch exchanges.

SYSTEMS SECURITY AND SAFEGUARDING

Testimony highlighted that their programs face significant technological disadvantages compared to states. While some tribes use the Model Tribal System (MTS) developed by OCSS, it lacks an interface with key federal data systems. This prevents tribes from achieving the same efficiency as state programs.

Testimony expressed that current tribal regulations under 45 CFR Part 310 restrict funding for technology options. They shared that, unlike other ACF programs, tribal child support programs cannot use federal funds to purchase, design, or develop modern automated systems.

Tribal testimony recommended modernizing federal regulations to allow federal funding for comprehensive automated systems. They emphasized that the current one-size-fits-all approach ignores tribal realities.

OCSS RESPONSE

We acknowledge the concerns raised regarding the costs and infrastructure necessary to implement FTI access and related enforcement tools. We plan to continue discussion with tribes on this subject through in-person meetings, regional sessions, national conferences, and virtual meetings to ensure meaningful, two-way communication.

Detailed comments, oral and written by topic:

<u>Implementing Public Law 118-258 – Supporting America's Children and Families Act:</u>

Verbal testimony:

Raegan Hendrickson, Child Support Director, White Earth Nation:
Good morning, good afternoon. I didn't know if I should come in right away, because I was trying to wait for council members to go first.

Again, my name is Raegan Hendrickson, and I'm the manager for the White Earth Nation Tribal Child Support Program and a delegate on behalf of White Earth Nation.

I just want to start off with FTI is a crucial for locating non-custodial parents, determined ability to pay, and enforcing child support orders. Previously, only state and local agencies had access to the information, creating a gap in enforcement power for tribal nations.

With this said, there's a lot of benefits that come out of this, which promotes parity for the tribal nations, improves child support outcomes. Access to FTI allows tribal agencies to locate absent parents, access income and improve collection rates. Ultimately, this helps more children in tribal communities receive the support they're owed.

It also enhances sovereignty and self-governance. By empowering tribal governments to access the same tool as states, the law supports tribal sovereignty and self-determination. It removes the need for tribes to rely on states for data access. Reduces its administrative delays. Without FTI access, tribal programs had to rely on indirect channels, which slowed the enforcement process.

PL 118-258 enables direct access beating up support determination and enforcement actions, supports efficient government operations. Tribal child support programs are held to rigorous standards and accountability. With proper safeguards in place, as the IRS publication 1075, tribes can securely manage that FTI.

Tribal Child Support Enforcement Agencies play a crucial role in ensuring children receive the financial support they deserve. Public Law 118-258 finally gives these programs the same access to tax data as state agencies, allowing them to be more effective and efficient. The law upholds tribal sovereignty, supports children, and strengthens families across the Indian nation. Therefore, White Earth Nation acknowledges that there are certification requirements that are set to follow for eligibility for federal tax offset refunds in which the nation is in support of. White Earth Nation recommends the allowance for the tribe to set their own requirements when to enforce a federal offset refund. And also, access to enforcement tools such as passport denial,

bank account, levies, and insurance matches also have requirements set forth which White Earth Nation acknowledges and supports. White Earth Nation recommends the allowance for tribes to set the Nation's own requirements when to enforce other than following the requirements set by the federal government.

Thank you.

Maria Huynh, Children Family Assistant Director and Child Support Interim Program Manager, Port Gamble S'Klallam Tribe:
Hi, my name is Maria Huynh. I am the program manager, actually I need to change my title. I'm the Children Family Assistant Director now for the Port Gamble S'Klallam Tribe. I was recently in this position in January, and I'm still currently the interim program manager for the Port Gamble S'Klallam Tribe Child Support Program, as well.

I wanted to let you guys know, also, I've been here for over 23 years. I've been around for a long time and want to thank all the tribes who work really, really hard, like Chairwoman Caldera said. It's been decades. And so, this has been going on for a long time and we've finally got this passed and we're really excited to see what the future holds.

But I wanted to talk about, mainly is what we agree with. Right now, we agree with using the Child Support online portal and implementing for our future uploads and download capability. I remember in the previous conference call we had there was discussion about whether tribes can upload and download. I think this would be a really important tool for tribes. Especially small tribes like Port Gamble who are probably not being able to do the automated batch exchange. So, I know that one of the other options that OCSE wanted to implement also was the fully automated batch exchange and we are full support of that.

So going forward, I want to make sure that these are not mandated for tribes. It, it's, it's a choice that tribes want to make whether they choose to implement intercepting IRS. Because I think that, implementing IRS without… We, we have to talk about funds, right? What's the cost of this? How much it's going to cost and resources and time. So, I think it's important that we look at not making sure these are mandated and that they remain optional.

The other part is, we currently have an agreement with the state of Washington right now. And they're doing a really great job for us. And looking at number of cases, maybe Port Gamble in the future we want to implement direct access, but right now we wouldn't want to. So, we want to continue to have those state agreements, because it's more cost effective for us and time and resources.

We also want to make sure that we have access to administrative offset and passport denial. I know that currently with the state of Washington it's separate. Like I, like intercepting federal text refund is one and then intercepting IRS is another. I'm an interesting admin offset. So, we want to make sure that continues to remain separate so we can choose which options we want.

Okay, let me see what else.

So, one thing that we do want to point out also is that in the previous discussion we have, there was a discussion on whether or not there's going to be regulations that are going to be implemented to make these change. And I wasn't quite sure on. There was regulations going to need to be altered. And… so, I want to make sure that if that happens that before pen hits paper, we really need to have a discussion with tribal leaders and tribal directors on what those regulation regulations would look like. Similar to how we did the tribal nonfederal share and how we reduce the match. We had, we negotiated that, and we negotiate what rulemaking we're looking at. And that worked out really well and it was, you know, on both ends. So, I think that was really successful that process. So, I want to say that I think to continue this relationship we have, we really need to look at negotiated rulemaking if that's what's going to happen. I'm not sure if that was going to happen, but I just want to make sure I put that out there.

And then, just having a lot of discussions before we write regulations, if that's the case, and there's many opportunities like we did in the past. We, we have meetings at our National Tribal Child Support Directors meeting. We tacked on two meetings at like regional meetings. We had virtual meetings. We even had meeting at the National Tribal Conference a few times. I just think that there and we could have virtual meetings as well. I think that there's many opportunities to learn more from tribes and to have you know meaningful two-way discussions.

That is all I have right now. Thank you.

Written testimony:

Nez Perce:
We recognize that Public Law 118-258 aims to strengthen child support enforcement nationwide. However, to ensure it benefits Tribal programs equitably, we respectfully recommend the following:

Federal Tax Refund Offset Program ("FTROP") access must be fully funded under tribal Title IV-D allocations. The infrastructure, security, and administrative demands associated with FTROP compliance are significant. Unlike state agencies, tribal programs cannot absorb these costs without dedicated funding. We urge OCSS to provide clear assurances that these costs will be eligible and supported through existing IV-D grants.

Implementation processes must be simplified. Tribal programs are significantly smaller than state programs, with limited staff, fewer technical experts, and restricted administrative capacity. Therefore, we ask that OCSS provide streamlined guidance, simplified procedures, and accessible technical assistance tailored specifically for tribal Title IV-D programs.

Any new requirements under Public Law 118-258 should include a tribal opt-in process, a realistic implementation timeline, and ongoing technical support. Our programs are ready and willing to comply, but we ask for flexibility that respects the realities of our resources and workforce.

Preferred FTRO Implementation Option: Option 1 or Option 2

The Nez Perce Tribe Child Support Program would be open to implementing either Option 1 or Option 2 for participation in the Federal Tax Refund Offset ("FTRO") program. Both options align with our current technical capacity and program structure.

Option 1 offers a simple interface that may be sufficient for smaller caseloads and low-volume processing. Option 2 provides a more efficient and scalable process by enabling file upload and download functionality, while still using the familiar Child Support Portal interface. Option 2 would significantly reduce manual data entry, minimize errors, and increase overall efficiency without the complex and costly setup demands of a full Secure File Transfer Protocol ("SFTP") environment.

Our Tribal Department of Technology Services confirmed that our program can securely make outbound VPN or SFTP connections to OCSS servers. However, the Tribe does not currently host inbound SFTP or VPN connections, which would be necessary for Option 3. Therefore, Option 3 is not currently feasible without significant infrastructure investment.

We respectfully recommend that OCSS prioritize support and technical assistance for both Option 1 and Option 2 as practical pathways for tribal FTRO participation. Additionally, we encourage the development of tribal-specific templates and tools that will ease the transition and support program readiness.

Northern Arapaho Tribe:
The Tribe supports Public Law 118-258 since we believe that it will strengthen child support enforcement programs. However, more discussion needs to occur to better understand potential burdens on tribal child support programs and tribal courts. Ensuring tribal sovereignty through simplified reporting requirements, less burdensome reporting and strict adherence to ICWA will be a great benefit.

Port Gamble S'Klallam Tribe
The Port Gamble S'Klallam Tribe supports the Strengthening America's Children and Families Act, signed on January 4, 2025, specifically Section 202, the Strengthening State and Tribal Child Support Enforcement Act. Section 202 amends Section 6103(I) of the Internal Revenue Code to provide tribal IV-D programs with direct access to federal tax information (FTI) and formally authorizes state and tribal child support programs to disclose FTI to any agent under contract with such child support program for purposes of establishing and collecting child support obligations and locating individuals owing such obligations. Additionally, it amends section 464 of the Social Security Act to authorize tribal IV-D programs direct access to FTI to collect past-due child support from federal tax refund offsets.

We are in full agreement that tribes should have direct access to the Federal Tax Refund Offset Program, but the method of intercepting Federal Tax Refunds Offsets (FTRO) should be left to the preference of each tribe. Option 1, allowing tribes to add, view, update and delete case data one case at a time in the Child Support Portal appears to present limited functionality to tribes and is therefore not our preference. Option 2, granting tribes additional upload and download capabilities would be more valuable and efficient and is the option our Tribe is most likely to consider utilizing at this point. Option 3, fully automated batch exchange, could ultimately be the most valuable for tribes, but, without a dedicated funding stream to pay for development and operation of systems that are compatible with the federal system, our Tribe, and presumably many others, will be unable to afford to set up access and migrate their data.

Ultimately, tribes need to maintain flexibility to implement the system that works best for them. Currently PGST has a cooperative agreement with the State of Washington to intercept FTROs on our behalf. This agreement has proven to be both economical and efficient for a tribe our size and, again, without additional federal resources, we are most likely to continue this arrangement, assuming the state will continue to honor it.

Finally, although Section 454(31) of the Social Security Act makes state participation in the passport denial program mandatory, tribes should continue to have flexibility to determine when and if to request passport denial.

White Earth Nation:
On behalf of the White Earth Nation Child Support Program, I submit the following testimony regarding Public Law 118-258- Supporting America's Children and Families Act. As a federally recognized sovereign Tribal Nation, White Earth is committed to supporting the well- being of our children and families through effective and culturally appropriate child support enforcement programs.

We appreciate the federal government's continued efforts to strengthen child and family support services nationwide. In the spirit of partnership and tribal sovereignty, we respectfully submit the following comments and recommendations:

1. *Federal Tax Refund Offset – Certification Requirements*
   White Earth Nation acknowledges the certification requirements for federal tax refund offset eligibility and supports these standards. However, we recommend that Tribal Nations be granted the authority to set their own requirements for determining when to enforce such offsets. This flexibility would allow Tribes to align enforcement practices with community values, cultural considerations, and individual case circumstances.
2. Enforcement Tools – Passport Denial, Bank Levies, and Insurance Matches
   We recognize the importance of enforcement mechanisms such as passport denial, bank account levies, and insurance matches in child support enforcement. While supporting existing federal requirements for access to these tools, White Earth Nation recommends that Tribal programs be allowed to define their own criteria for initiating enforcement. Allowing Tribal discretion ensures that enforcement remains both effective and culturally responsive.

Federal Parent Locator Service (FPLS) systems and data including the Federal Case Registry (FCR):

Verbal testimony:

Raegan Hendrickson, Child Support Director, White Earth Nation:
I just want to start, tribal child support programs face challenges as state agencies but often with fewer resources. Currently, White Earth Nation Child Support has access to the FPLS. And then, but never have been able to discuss, in the past or come forwards in regards to the Federal Case Registry.

There are a lot of good benefits that come out of the case registry that enables tribal programs to access and share case information with other jurisdictions, reducing duplications in the support. And it improves the interstate and inter-jurisdictional coordination. And becomes a seamless data sharing between travel, state, and federal entities making it easier to enforce orders across all borders and across the nation.

It can also help increase the collections and support for tribal children. This improves the ability to collect payments, issue wage garnishment, and ultimately get money to the children.

And again, as always, supports the tribal sovereignty and self-sufficiency. Direct access to these federal tools reduces dependence on state intermediates and strengthens the capacity of tribal governments to manage child support services independently consistent with their sovereign rights. Therefore, the FCR provides data match to custodial, non-custodial parent cases across the United States. This would be beneficial to White Earth as it provides data match and locating tool to review multiple cases linked to the NCP so, agencies can establish reasonable orders and preventing duplication of court orders and enhancing collaborative efforts with other agencies.

Currently, the tribes that do not have access to the FPLS do not have access, would not have access, to the FCR system. With us moving forward, and our decision to have the opportunity to upload our cases to the FCR, White Earth recommends the allowance to opt into the FCR system and consideration for tribes to enter limited information to protect the tribal data as a sovereign nation. So, meaning that, you know, we know their standard, standard, private information that would have to go on to the FCR, but we would like to have that, pick and choose what information we put on FCR pertaining to our clients.

Thank you.

Maria Huynh, Children Family Assistant Director and Child Support Interim Program Manager, Port Gamble S'Klallam Tribe:
So, I want to say that thank you, Raegan, for your testimony. Port Gamble is in agreement with that as well.

We just would like to add that, currently, we don't know that the Federal Case Registry looked like.

And we haven't had a lot of experience on what is needed to be on the registry. We, we don't have that, we haven't been able to see it. So, I would like to add that prior to us having access to it, we would like some more training on it as well and information sharing on what access may look like for tribes. And to make it optional for tribes. We don't want this to be mandated for

tribes to have to use the FCR. I know for states I believe it's mandatory. And so, we, we are asking that this is optional and, and tribes choose what they want to add.

Thank you.

Written testimony:

Nez Perce Tribe
FPLS and FCR are critical enforcement tools, but current access and response timelines for tribal programs pose significant challenges:

We often face delays in receiving match results, even when jurisdiction is established, and cases are ready for enforcement. These delays hinder our ability to serve legal documents, locate non-custodial parents, and proceed with enforcement actions. We recommend that OCSS streamline the FPLS match process for tribal programs, especially in cases where jurisdiction is already confirmed.

Tribal IV-D programs are much smaller and less resourced than states, often lacking in-house IT teams or dedicated data staff. Access to these systems should be simplified, with training and interfaces designed for lower-capacity programs. We encourage the development of tribal-specific tools and guidance.

We also request that Tribal FPLS requests be prioritized and that OCSS explore direct access solutions for tribes with secure systems, so we are not reliant on state intermediaries.

Northern Arapaho Tribe:
Currently the Northern Arapaho Child Support Program (NACSP) has a partner-ship with the State of Wyoming Child Support for Parent Locator Services. If NACSP had direct access to the FPLS, then turnaround times would significantly decrease.

Port Gamble S'Klallam Tribe:
FPLS is an important and valuable tool to locate non-custodial parents and their income sources and tribal access to the National Directory of New Hires and the FCR is essential. While we are fully in favor of maintaining tribal access, we oppose any mandate that would require tribes to upload case information and data on tribal cases as this would violate established principles of tribal sovereignty. Tribes need to have control over how their data is accessed, shared and stored and must be ensured that all data collected and stored by the Tribal IV-D programs remains the property of the Tribe. We anticipate that some tribes may agree to add their cases to the database, other tribes' preferences to keep their cases confidential should be respected. Our Tribe does not anticipate adding any cases to the FCR due to tribal sovereignty and privacy concerns.

White Earth Nation:
The FCR provides a vital function by matching data across custodial and non-custodial parent cases nationwide. This benefits Tribal programs by helping:

- Locate non-custodial parents
- Identify linked cases
- Preventing duplicate court orders
- Facilitate collaboration with other jurisdictions

Although some Tribes currently have access to FPLS, Tribal cases are not entered into the FCR. We strongly recommend:

- Allowing Tribes to opt into the FCR system
- Permitting Tribes to input limited case information that protects sensitive Tribal data

This inclusion would enhance our ability to establish accurate and enforceable orders while respecting our sovereignty.

Systems Security and Safeguarding:

Verbal testimony:

Raegan Hendrickson, Child Support Director, White Earth Nation:
Hello, Raegan Hendrickson, White Earth Nation. I'm kind of surprised we haven't had a lot more on this because this has been kind of one of those long going ones also, you know along with the FTI and so forth. I just want to start with that.

White Earth Nation, we use the MTS, the Model Tribal System, that was developed by the federal government for the use of the tribal child support programs. And we're very satisfied with the MTS. I know when it comes to other systems and trying to develop a system, it's going to cost a lot of time and money. And I think, you know, that's something that I believe that OCSE is going to have to really sit back and take a look at and see if this was to be an option for a tribe, as to how much funding they were going to, how they would reward that funding to those tribes to develop those. Myself, with White Earth, it just takes too much time and too much money. And like I said, we're satisfied with the MTS. It does what we want it to do.

However, there are some things that I would like to see with the MTS. The federal government built this system that supports tribal child support programs known as the MTS. If this system interfaced with other federal portals, it would allow for timely real-time access to information including higher hits, quarterly wages, and unemployment insurance for example. The states have this interface when they receive a new hire it generates an income with holding order for the employer.

White Earth Nation recommends interfacing capabilities between MTS and other federal hurdles. But that being said, if we were able to have these interfaces, the streamlined access to federal data systems when MTS interfaces with systems like FPLS, FCR, NDHI, it enables real-time data of retrieval, improving the ability to locate parents, verify employment and income, and track interstate cases. It'll improve the efficiency and timelessness. Automated data exchange means less manual work, fewer delays, and faster enforcement actions. Tribal programs can identify case actions, send documents, and update information with minimal lag. It can also support accurate and compliment case management, ensures tribal programs stay aligned with federal reporting and data accuracy standards, can reduce the risk of errors or missed enforcements due to outdated or soiled data. And then it can enhance interjurisdictional collaborations, facilitate better coordination with state child support programs, other tribes, federal agencies such as SSA and IRS, crucial for handling cross border or off reservation cases, and as always, strengthens the tribal sovereignty and autonomy.

MTS allows tribes to maintain their own systems and data while connecting to essential federal resources, encourages independence from state run systems, and promote self-determination to managing child support. Cost effective and federally supported, MTS is provided free of charge for, to federally recognized tribes operating approved IV-D programs. Interfacing features are built in, reducing the cost of developing separate integrations or custom platforms, and last, better outcomes for the children and families.

When the tribal Model System is connected to key federal programs, it becomes a powerful engine for justice, equity, and efficiency. It puts critical information in the hands of tribal child support workers supporting children honoring sovereignty and bridging systemic gaps.

Thank you.

Maria Huynh, Children Family Assistant Director and Child Support Interim Program Manager, Port Gamble S'Klallam Tribe:
Oh, so what I wanted to say is that the current tribal regulations, 45 CFR part 10, does not allow tribes to purchase systems for federal funds. It only allows for MTS, office automation, which is like an access database, and maintenance of a tribe, a tribal system.

So, right now, tribes are not even on the same playing fields as states, right? So, this APD process, is it's a little bit confusing for me because we don't get federal funds. So, why would we have an APD process?

So, I don't know what this will look like in the future. But what I want to see is for a tribe like Port Gamble, we're a small tribe, we have like 350 cases. Is it realistic for us to do some type of

data match, you know? Because, maybe that cost would be way more than then what, what it is to run a program even. I don't know what, what that would look like. For, I think there needs to be more information on what this data match will look like and what the potential cost is. And what kind of systems you actually need? Because, can an access database intermatch, and with like, you know, FPLS and all those programs? I don't know. So, I think that having, having those resources and having more discussions on what the cost will be for tribes and is it realistic? Can tribes actually do this? Being such a small program like Port Gamble, and there needs to be more flexibility. We really need to look at the regulations in order to get, this is one of my fights for many years. But we really need to look at the regulations because now we need to modernize, right, try some moving to the future. We're not going to, you know, have that pull out that file cabinet anymore and hope, you know that. I don't know, we can get a bunch of information and data and statistics from it.

We were lucky during COVID to get a waiver. So, we can't get funding for office automation even. So, that's not even a system system, you know. So, we were lucky to get that and and it's moved us forward because now, when clients come in and they said, hey Maria, can I get a deck up? Oh, like done here, 5 minutes. Before we're like, give us a day and we got to update all the Excel spreadsheet and we got to make sure all the payments match and we got to look at this Excel spreadsheet and that.

Yeah. So I think we really need to look at modernizing tribes and really looking at regulations to support federal funds for it. And one of the other things I was thinking is, maybe, you know, looking at different funding sources for different size. Or also allowing, for a long time, Port Gamble wanted to use Eaglesun, because Eaglesun right now incorporates other ACF funding source that we have, TANF. So, TANF is already on this system. Wouldn't it be so much more cost-effective if we were on the same system as TANF? You would think. Or foster care. Foster care is on it as well. And now we're going to get our vulnerable adult on it.

So, I feel like with us not being allowed to even have funding to get a system that we don't necessarily build, but it doesn't allow for proprietorship systems. So, I think it makes it really hard for a small tribe like Port Gamble to share resources. So, I think we really need to look at those waivers and the regulations. Because TANF can do it. They were able to pay for without with federal funds, a system. And they would, and IV- E as well. So, I don't know why our ACF program won’t allow child support to do it. So, I think we really need a look at that. And, I think I have all my points.

Thank you.

Written testimony:

Nez Perce Tribe:
We understand the critical importance of safeguarding personal and financial information in our cases. Many tribal programs, including ours, are actively working toward full compliance with IRS Publication 1075 and OCSS security standards. Our Department of Technology Services advised that our Microsoft 365 Government Community Cloud environment meets Federal Information Processing Standard 140 encryption standards and supports multifactor authentication. We also utilize Microsoft Defender for Endpoint as part of our threat detection and prevention strategy.

To meet IRS Pub 1075 compliance, our Department of Technology Services team emphasized the importance of physical security upgrades, such as auditable door systems, controlled printer access, privacy screen filters, and secure data backups. These will require both technical guidance and funding support.

Additionally, our Department of Technology Services highlighted that the single greatest security vulnerability lies in human error. We support the development of program-level security policies, staff training, and operational controls to mitigate these risks. We ask that OCSS provide tools and templates to help tribal programs create these internal safeguards.

We also request support for necessary hardware upgrades, including transitioning to Windows 11 Pro, as Windows 10 will reach end-of-life status in October 2025, posing a compliance and security risk.

Northern Arapaho Tribe:
System Security has long been a goal for NACSP. We currently utilize on-site storage that is maintained by a tribal contractor. This has proven to be effective, since we have not had any data breaches or compromises to our program re-sources. However, we understand that system security and safeguarding is a continual process and we are excited to explore new methods and products to continue to maintain a secure information technology environment.

Port Gamble S'Klallam Tribe:
Currently, 45 CFR Part 310.5(c), dictates that comprehensive Tribal IV-D agencies may design, develop, procure, or enhance an automated data processing system funded entirely with Tribal funds. Federal funding is only available for the limited purposes of installation, operation, maintenance and some enhancements of computerized Tribal IV-D systems. This restriction precludes most tribes from developing their own programs as design, development and procurement of programs are often cost prohibitive. Although 45 CFR Part 310.5(b) allows tribes to utilize the Model Tribal IV-D System designed by OCSS at no cost, currently only 20% of tribes with IV-D programs utilize it.

Finally, 45 CFR Part 310.5(c) gives tribes the option to use "conduct automated data processing and recordkeeping activities through Office Automation." This is the only option that is eligible for full federal funding. For this reason, many tribes, including our Tribe operates an Access database. While we currently make it work for our purposes, it is quickly becoming outdated and serves as only a band-aid type solution.

The documentation and approval process states are mandated to adhere to now, including multiple pre-planning and ongoing reports, requirement should not be imposed on tribe and do not align with the need and capabilities of tribes. For example, the Advance Planning Document, Implementation Advance Planning Document and Annual Update requirement may fall squarely within states' capabilities but would be overly burdensome for many tribes. Simply substituting tribes for states in the regulations, ignores the reality tribes do not and cannot operate like states. Any processes and system need to be implemented with tribal capacities and needs in mind. For example, our Tribal Child Support Program has a caseload of approximately 350 cases carried by two caseworkers, and a small IT department that serves all tribal government programs. A mandated one-size-fits-all approach would be detrimental to tribal autonomy and success.

Once federal funds are available, these processes need to be addressed and amended to realistically permit tribes of varying sizes and resources to qualify for federal funding for automated systems. In addition, a multi-tiered solution based on tribal case load size should be considered.

White Earth Nation:
The federal Model Tribal System (MTS) was developed to assist Tribal child support programs. However, it does not currently interface with key federal data systems-unlike state systems, which benefit from real-time access to:

- New hire reports
- Quarterly wage data
- Unemployment insurance information

White Earth Nation recommends enhancing MTS with interfacing capabilities to federal portals. This modernization would:

- Provide timely data access
- Improve enforcement efficiency
- Support faster establishment and modification of orders

Such enhancements are critical to ensuring equity between Tribal and state programs.