

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

This checklist is a tool intended to help Tribal IV-D programs in the Start-Up phase ensure that they have included necessary elements in an application to move to a Comprehensive IV-D program.

This checklist is not required by the regulations at 45 CFR Part 309, nor is it required to be submitted with the comprehensive IV-D application.

	Requirement	Examples of Supporting Documentation	Complete
	<p style="text-align: center;">45 CFR 309.10 -- Eligibility</p> <p>The following Tribes or Tribal organizations are eligible to apply to receive Federal funding to operate a Tribal IV-D program meeting the requirements of this part:</p>		
1.	An Indian Tribe with at least 100 children under the age of majority, as defined by Tribal law or code, in the population subject to the jurisdiction of the Tribal court or administrative agency.	<ul style="list-style-type: none"> • Tribal Census • Letter from the Tribal Enrollment Office declaring number of children under the age of majority in the Tribe's population 	
2.	A Tribal organization that has been designated by two or more Indian Tribes to operate a Tribal IV-D program on their behalf, with a total of at least 100 children under the age of majority, as defined by Tribal laws or codes, in the population of the Tribes subject to the jurisdiction of the Tribal court (or courts) or administrative agency (or agencies).	Tribal Resolution	

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3.	A Tribe or Tribal organization that can demonstrate to the satisfaction of the Secretary the capacity to operate a Child Support Enforcement program and provide justification for operating a program in a cost effective manner with less than the minimum number of children may be granted a waiver of 45 CFR 309.10(a) or (b), as appropriate.	From 45 CFR 309.10(c): “(1) a Tribe or Tribal organization’s request for waiver of paragraph (a) or (b) of this section must include documentation sufficient to demonstrate that meeting the requirement is not necessary. Such documentation must state: (i) that the Tribe or Tribal organization otherwise complies with the requirements established in subpart C of these regulations; (ii) that the Tribe or Tribal organization has the administrative capacity to support operation of a Child Support Enforcement program under the requirements of this part; (iii) that the Tribal IV-D program will be cost effective; and (iv) the number of children under the jurisdiction of the Tribe or Tribal organization.”	
	45 CFR 309.20 -- Who submits the application?		
4.	Is the application signed by the authorized representative of the Tribe or Tribal organization?	The application must be signed by an authorized Tribal official.	
5.	Applications must be submitted to the Office of Child Support Enforcement with a copy to the appropriate regional office.	The application should be mailed to the Director of DOSS, Office of Child Support Enforcement, 370 L’Enfant Promenade, SW, 4 th Floor East, Washington, DC 20447	

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	45 CFR 309.65 -- Plan Requirements		
6.	<p>Evidence that the Tribe or Tribal organization has in place procedures for accepting all applications for IV-D services and promptly providing IV-D services required by law and regulation.</p> <p>These must be <i>final</i> procedures.</p>	<p>Copies of Tribal law, policies and/or procedures must clearly indicate that the Tribe serves those who are non-Tribal members in addition to Tribal members.</p> <p>Statement about where application for IV-D services will be made available, for example:</p> <ul style="list-style-type: none"> • IV-D offices • Web • Government offices • Social services agencies • Schools 	
7.	<p>Assurance that the due process rights of the individuals involved will be protected in all activities of the Tribal IV-D program, including establishment of paternity, and establishment, modification, and enforcement of support orders.</p>	<p>Copies of codes that describe service of process and jurisdiction; codes that describe what a summons and a petition must contain in order to put a customer on notice of the action to be taken; how, when, and where to respond to the action; and how to give the customer notice of his/her day in court.</p>	
8.	<p>Tribally-determined performance targets for paternity establishment, support order establishment, amount of current support to be collected, amount of past due support to be collected, and any other performance measures a Tribe or Tribal organization may want to submit.</p>	<p>Copies of the required performance measures and targets. These must be performance targets as required in the regulation.</p> <p>These targets must be measurable and results-oriented.</p>	

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	45 CFR 309.70 -- Population/Jurisdiction		
9.	A Tribe or Tribal organization must include in its Tribal IV-D plan a description of the population subject to the jurisdiction of the Tribal court or administrative agency for child support enforcement purposes and certify that there are at least 100 children under the age of majority in the population subject to the jurisdiction of the Tribe. (See #1 under §309.10.)	<p>If the Tribe will exert authority over non-Tribal members, it must provide evidence of the Tribe's ability to exercise authority over Tribal and non-Tribal members to establish paternity, and establish, modify, and enforce support orders.</p> <p>For Tribal organizations (consortia, associations), provide evidence of the authority of the organization to establish, modify and enforce a legally binding support order.</p> <p>Include a detailed description of the population subject to the Tribe's or Tribal organization's jurisdiction. It may be helpful to include a map of the Program's service area.</p> <p>Description of the legal system--either judicial or administrative-based.</p>	

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	45 CFR 309.75 -- Administrative and Management Procedures		
10.	<p>A description of the structure of the IV-D agency and the distribution of responsibilities within the agency.</p> <ul style="list-style-type: none"> ▶ §309.60(c): If the Tribe or Tribal organization delegates any of the functions of the Tribal IV-D program to another Tribe, a State, and/or another agency or entity pursuant to a cooperative arrangement, contract, or Tribal resolution, the Tribe or Tribal organization is responsible for securing compliance with the requirements of the Tribal IV-D plan by such Tribe, State, agency or entity. The Tribe or Tribal organization is responsible for submitting copies and appending to the Tribal IV-D plan any agreements, contracts, or Tribal resolutions between the Tribal IV-D agency and a Tribe, State, other agency or entity. 	<p>Include an organizational chart that reflects the written descriptions of the structure of the agency and the distribution of responsibilities within the agency.</p> <p>Include copies of contracts--whether fully executed or draft. Examples may include agreements for locate or use of a State automated system. Draft copies are acceptable, but after funding is approved, signed copies must be submitted. Signed copies will be reviewed for conformity with the regulation upon receipt by OCSE.</p>	

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11.	<p>Evidence that all Federal funds and amounts collected by the Tribal IV-D agency are protected against loss. Tribes and Tribal organizations may comply with this paragraph by submitting documentation that establishes that every person who receives, disburses, handles, or has access to or control over funds collected under the Tribal IV-D program is covered by a bond or insurance sufficient to cover all losses.</p> <p>These must be the <i>final</i> procedures.</p>	<p>Explanation or internal policies and procedures explaining security for handling negotiables -- both incoming and outgoing child support payments.</p> <p>Assurance of employee bonding. Does the Tribe or Tribal comply with this requirement by means of self-bonding?</p> <p>Copy of current insurance coverage policy.</p>	
12.	<p>Procedures under which notices of support collected, itemized by month of collection, are provided to families receiving services under the Tribal IV-D program at least once a year. In addition, a notice must be provided at any time to either the custodial or noncustodial parent upon request.</p> <p>These must be the <i>final</i> procedures.</p>	<p>Provide copies of the notice.</p> <p>Copy of procedures for sending/content of annual notice.</p>	

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13.	<p>A certification that for each year during which the Tribe or Tribal organization receives or expends funds pursuant to section 455(f) of the Social Security Act and this part, it shall comply with the provisions of chapter 75 of Title 31 of the United States Code (the Single Audit Act of 1984, Pub. L. 98-502, as amended) and OMB Circular A-133.</p>	<p>Certification of audit compliance with the Single Audit Act (perhaps from Tribal Finance Office) or a copy of the most recent audit report.</p>	
14.	<p>If the Tribe or Tribal organization intends to charge an application fee or recover costs in excess of the fee, the Tribal IV-D plan must provide that: the application fee must be uniformly applied and must be a flat amount not to exceed \$25 or an amount based on a fee schedule not to exceed \$25. The Tribal IV-D agency may not charge an application fee in an intergovernmental case referred to the Tribal IV-D agency. No application fee may be charged to an individual receiving services under title IV-A, IV-E foster care maintenance assistance or XIX (Medicaid) of the Act.</p>		

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	45 CFR 309.80 -- Safeguarding		
15.	<p>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.</p> <p>These must be the <i>final</i> procedures.</p>	<p>Copies of law, policies or final procedures with an explanation of who has access.</p> <p>Include a copy of the Program's policies and procedures manual that details the procedures under which the disclosure of information is limited to purposes directly connected with the administration of the Program or the TANF and Medicaid programs.</p>	

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16.	<p>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, including: (1) safeguards against unauthorized use or disclosure of information relating to proceedings or actions to establish paternity, or to establish, modify or enforce support; (2) prohibitions against the release of information on the whereabouts of one party or the child to another party against whom a protective order with respect to the former party or the child has been entered; (3) prohibitions against the release of information on the whereabouts of one party or the child to another person if the Tribe has reason to believe that the release of the information to that person may result in physical or emotional harm to the party or child; and (4) procedures in accordance with any specific safeguarding regulations applicable to Tribal IV-D programs promulgated by the Secretary.</p>	<p>Include a copy of the Program's policies and procedures manual that details the procedures under which the disclosure of information is limited to purposes directly connected with the administration of the Program. Also include (blank) copies of any employee agreements, affirmations, or declarations to abide by the Tribe's and the Program's policies and procedures. Also include procedures to identify cases that involve domestic violence and to document that the mandated safeguards applicable to all confidential information are met.</p>	
17.	<p>Procedures under which sanctions must be imposed for the unauthorized use or disclosure of information.</p> <p>These must be the <i>final</i> procedures.</p>	<p>Include copies of the Tribe's law, policies, or procedures that detail the procedures under which sanctions will be imposed for unauthorized use or disclosure of information. Also include (blank) copies of any agreements that employee declares s/he understands sanctions will be imposed for unauthorized use of information.</p>	

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	Requirement	Examples of Supporting Documentation	Complete
	<p>45 CFR 309.85 -- Maintenance of Records Evidence that the Tribal IV-D agency will maintain records necessary for the proper and efficient operation of the program, including records regarding:</p>		
18.	<p>Applications for child support services. These must be the <i>final</i> procedures.</p>	<p>Include a copy of the application in addition to the Program's policies and procedures manual that details how and where case files will be stored, and when and where applications for services will be archived, whether kept in paper or electronic format.</p> <p>Procedures that require case files to include all actions taken in the case.</p>	
19.	<p>Efforts to locate noncustodial and custodial parents.</p>	<p>Copies of law, policies, or procedures for locating both noncustodial and custodial parents.</p>	
20.	<p>Actions taken to establish paternity and obtain and enforce support.</p>	<p>Copies of law, policies, or procedures for establishing paternity.</p>	
21.	<p>Amounts owed, arrearages amounts, and sources of support collections, and the distribution of such collections.</p>	<p>Copies of law, policies, or procedures for keeping payment records.</p>	
22.	<p>IV-D program expenditures and any fees charged and collected, if applicable.</p>	<p>Copies of law, policies, or procedures for keeping payment records.</p>	
23.	<p>Statistical, fiscal, and other records necessary for reporting and accountability required by the Secretary.</p>	<p>Copies of law, policies, or procedures for submitting mandated reports.</p>	
24.	<p>The Tribal IV-D agency will comply with the retention and access requirements at 45 CFR 74.53, including the requirement that records be retained for at least three years.</p>	<p>Copies of law, policies, or procedures for records retention.</p>	

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	<p>45 CFR 309.90 -- Tribal Laws or Regulations A Tribe or Tribal organization must include in its Tribal IV-D plan Tribal law, code, regulations, and/or other evidence that provides for:</p>	<p>All laws and codes should be in final copy approved by Tribal authority or council. Drafts are not acceptable.</p>	
25.	Establishment of paternity for any child up to and including at least 18 years of age.	Include copies of Tribal codes or laws that specifically state paternity establishment procedures and include the age of majority for paternity establishment under the IV-D grant.	
26.	Establishment and modification of child support obligations.	Include copies of Tribal codes or laws that specifically state the circumstances under which child support will be established and modified, and that identify who can establish and modify child support. If the established or modified child support obligation deviates from the guidelines, then the codes or laws must state that the court order will identify what the obligation will be according to the guidelines and include a finding that the application of the guidelines would be unjust or inappropriate and a justification of why the order varies from the guidelines. Also, include copies of child support guidelines worksheets, if used.	
27.	Enforcement of child support obligations, including requirements that Tribal employers comply with income withholding as required under §309.110.	Include copies of Tribal codes or laws that specifically list the ways in which a child support order will be enforced, including requirements that Tribal employers comply with income withholding. Include a copy of the current Federal wage withholding form. If the enforcement method is income withholding, the codes or laws must also state that the amount to be withheld may not exceed the maximum permitted under section 303(b) of the Consumer Credit Protection Act, but may be set at a lower amount. It may be helpful to include a copy of section 303(b) of the Consumer Credit Protection Act.	
28.	Location of custodial and noncustodial parents.	Include copies of Tribal codes or laws that specifically address the location of both custodial and noncustodial parents.	

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29.	In the absence of written laws and regulations, a Tribe or Tribal organization may provide in its plan detailed descriptions of any Tribal custom or common law with the force and effect of law which enables the Tribe or Tribal organization to satisfy the requirements in 45 CFR 309.90.	Provide assurance that the procedures have the same force and effect of written laws.	
	45 CFR 309.95 -- Location of Custodial and Noncustodial Parents		
30.	The Tribal IV-D agency must attempt to locate custodial or noncustodial parents or sources of income and/or assets when location is required to take necessary action in a case.	Provide law, policies, or procedures on how locate will be accomplished.	
31.	Assurance that the Tribal IV-D agency will use all sources of information and records reasonably available to the Tribe or Tribal organization to locate custodial or noncustodial parents and their sources of income and assets.	<p>Copy of policy and procedures manual on what sources will be accessed to locate addresses, employers, or assets.</p> <p>Copies of cooperative agreements with States or other Tribes, as necessary, which include assurances that relevant safeguarding requirements will be met (e.g., for FPLS, IRS data).</p>	

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	45 CFR 309.100 -- Establishment of Paternity	E	
32.	A Tribe or Tribal organization must include in its Tribal IV-D plan the procedures for the establishment of paternity included in this section. The Tribe must include in its Tribal IV-D plan procedures under which the Tribal IV-D agency will: (1) attempt to establish paternity by the process established under Tribal law, code, and/or custom.	<p>Include copies of Tribal codes or laws that detail the ways in which paternity can be established, who can initiate a paternity action, the time in which a paternity action with IV-D services (age of majority) can be initiated, the circumstances under which the IV-D program need not attempt to establish paternity, and any evidence needed to corroborate when paternity need not be established.</p> <p>Evidence of the legal process used to exercise the legal authority to establish paternity.</p>	
33.	Provide an alleged father the opportunity to voluntarily acknowledge paternity.	<p>Include copies of Tribal codes or laws that allow an alleged father the opportunity to voluntarily acknowledge paternity and the time frame in which such an acknowledgment can be rescinded. It would be helpful to include a copy of the Voluntary Acknowledgment form.</p> <p>Copies of procedures for where/when voluntary acknowledgment of paternity is offered and available.</p> <p>Evidence of the authority for the voluntary acknowledgment.</p>	

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34.	In a contested paternity case (unless otherwise barred by Tribal law) require the child and all other parties to submit to genetic tests upon the request of any such party, if the request is supported by a sworn statement by the party -- (i) alleging paternity, and setting forth facts establishing a reasonable possibility of the requisite sexual contact between parties; or (ii) denying paternity, and setting forth facts establishing a reasonable possibility of the nonexistence of sexual contact between the parties.	Include copies of Tribal codes, laws or procedures that related to contested paternity cases.	
35.	When genetic testing is used to establish paternity, the Tribal IV-D agency must identify and use accredited laboratories which perform, at reasonable cost, legally and medically acceptable genetic tests which intend to identify the father or exclude the alleged father.	Include a draft copy of the contract. A copy of the final contract will be required once it is executed.	
	45 CFR 309.105 -- Child Support Guidelines		
36.	Establish one set of child support guidelines by law or action of the tribunal for setting and modifying child support obligation amounts.	Include a copy of the Tribal Resolution that adopts the guidelines and the child support calculation grid, if appropriate. Also include a copy of codes or laws that indicate child support obligations will be based on the guidelines. Proof of mandatory guidelines.	

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37.	Include a copy of child support guidelines governing the establishment and modification of child support obligations.	<p>Copy of guidelines that take into consideration earnings and income of the noncustodial parent and the needs of the child.</p> <p>Examples may include a grid or formula.</p>	
38.	Indicate whether noncash payments will be permitted to satisfy support obligations, and if so; (i) require that Tribal support orders allowing non-cash payments also state the specific dollar amount of the support obligation; and (ii) describe the type(s) of non-cash support that will be permitted to satisfy the underlying specific dollar amount of the support order; and (iii) provide that noncash payments will not be permitted to satisfy assigned support obligations.	<p>List of any allowable types of in-kind support in the support schedule.</p> <p>If in-kind support is allowed, the laws or codes must include the different types of in-kind support allowed by law and include a provision that states the custodial parent and noncustodial parent must agree to the terms of in-kind support and that in-kind support must be converted to a specific dollar amount in the child support order itself. It may also be helpful to include a provision that states that valuation of in-kind support is the responsibility of the Tribal IV-D Program. Include any in-kind support valuation worksheets.</p> <p>Copy of any conversion chart.</p>	
39.	Indicate that child support guidelines will be reviewed and revised, if appropriate, at least once every four years.	<p>Copies of mandated review authority. Proof of mandatory review.</p> <p>Examples of proof include policies and procedures or laws/codes that specify guidelines are reviewed every four years.</p>	

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40.	Provide that there shall be a rebuttable presumption, in any proceeding for the award of child support, that the amount of the award that would result from the application of the guidelines established consistent with this section is the correct amount of child support to be awarded.	Copy of Tribal law, policy, or procedure that establishes the basis for mandatory use of guidelines as a rebuttable presumption.	
41.	Provide for the application of the guidelines unless there is a written finding or a specific finding on the record of the tribunal that the application of the guidelines would be unjust or inappropriate in a particular case in accordance with criteria established by the Tribe or Tribal organization. Such criteria must take into consideration the needs of the child. Findings that rebut the guidelines must state the amount of support that would have been required under the guidelines and include a justification of why the order varies from the guidelines.	Include copies of Tribal codes or laws that specifically state the circumstances under which child support can be established and modified, and that identify who can establish and modify child support. If the established or modified child support obligation deviates from the guidelines, then the codes or laws must state that the court order will identify what the obligation will be according to the guidelines and include a finding that the application of the guidelines would be unjust or inappropriate and a justification of why the order varies from the guidelines. Also, include copies of child support worksheets.	
42.	The guidelines established must at a minimum: (1) take into account the needs of the child and the earnings and income of the noncustodial parent; and (2) be based on specific descriptive and numeric criteria and result in a computation of the support obligation.	Copy of guidelines that take into consideration earnings and income of the noncustodial parent and the needs of the child.	

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	45 CFR 309.110 -- Income Withholding		
43.	In the case of each noncustodial parent against whom a support order is or has been issued or modified under the Tribal IV-D plan, or is being enforced under such plan, so much of his or her income, as defined in §309.05, must be withheld as is necessary to comply with the order. (Income is defined in §309.05 as any periodic form of payment due to an individual regardless of source, except that a Tribe may expressly decide to exclude per capita, trust, or Individual Indian Money (IIM) payments.)	Copies of the law/mandate.	
44.	In addition to the amount to be withheld to pay the current month's obligation, the amount withheld must include an amount to be applied toward liquidation of any overdue support.	Copies of the law/mandate. Include an algorithm or method to calculate repayment of arrears.	
45.	The total amount to be withheld may not exceed the maximum amount permitted under section 303(b) of the Consumer Credit Protection Act [15 U.S.C. 1673(b)], but may be set at a lower amount.	Copies of the law/mandate.	
46.	Income withholding must be carried out in compliance with the procedural due process requirements established by the Tribe or Tribal organization.	Copies of the law/mandate for due process in relation to income withholding.	
47.	The Tribal IV-D agency will promptly refund amounts which have been improperly withheld.	Copies of the law, policies, or procedures to promptly refund improperly withheld amounts.	

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48.	The Tribal IV-D agency will promptly terminate income withholding in cases where there is no longer a current order for support and all arrearages have been satisfied.	Copies of the law, policies, or procedures to promptly terminate income withholding.	
49.	If the employer fails to withhold income in accordance with the provision of the income withholding order, the employer will be liable for the accumulated amount the employer should have withheld from the noncustodial parent's income.	Copies of the law, policies, or procedures to hold the employer liable for the accumulated amount that should have been withheld.	
50.	Income shall not be subject to withholding in any case where: (1) either the custodial or noncustodial parent demonstrates, and the tribunal enters a finding, that there is good cause not to require income withholding; or (2) a signed written agreement is reached between the noncustodial and custodial parent, which provides for an alternative arrangement, and is reviewed and entered into the record by the tribunal.	Copies of the law, policies, or procedures that income will not be subject to withholding when there is good cause not to require it, or there is a signed written agreement.	
51.	Where immediate income withholding is not in place, the income of the noncustodial parent shall become subject to withholding, at the earliest, on the date on which the payments which the noncustodial parent has failed to make under a Tribal support order are at least equal to the support payable for one month.	Copies of the law, policies, or procedures that state that the withholding will be sent without prior notice to the NCP.	

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52.	The only basis for contesting a withholding is a mistake of fact, which for purposes of this paragraph, means an error in the amount of current or overdue support or in the identity of the alleged noncustodial parent.	Copies of the law, policies, or procedures that the only basis for contesting the withholding is a mistake of fact.	
53.	Tribal law must provide that the employer is subject to a fine to be determined under Tribal law for discharging a noncustodial parent from employment, refusing to employ, or taking disciplinary action against any noncustodial parent because of the withholding.	Copies of the law, policies, or procedures that the Tribal employer is subject to a fine. If used, also include copies of any publications that put employers on notice that discharging an NCP, refusing to employ an NCP, or taking disciplinary action against an NCP because of an income withholding, will subject them to a fine.	
54.	To initiate income withholding, the Tribal IV-D agency must send the noncustodial parent's employer a notice using the standard Federal income withholding form.	Copy of the form -- the most up-to-date version of the form must be used. Copies of the law, policies, or procedures	
55.	The Tribal IV-D agency must allocate withheld amounts across multiple withholding orders to ensure that in no case shall allocation result in a withholding for one of the support obligations not being implemented.	Copies of the law, policies, or procedures.	
56.	The Tribal IV-D agency is responsible for receiving and processing income withholding orders from States, Tribes, and other entities, and ensuring orders are properly and promptly served on employers within the Tribe's jurisdiction.	Copies of the law, policies, or procedures.	

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	<p align="center">45 CFR 309.115 -- Distribution of Child Support</p>	<p align="center">Please refer to the OCSE publication, “Child Support Distribution in Tribal IV-D Cases” for details about this. It is found at http://www.acf.hhs.gov/programs/cse/resources/tribal/</p>	
57.	<p><i>General Rule:</i> The Tribal IV-D agency must, in a timely manner: (1) apply collections first to satisfy current support obligations, except as provided in paragraph (e) of this section; and (2) pay all support collections to the family unless the family is currently receiving or formerly received assistance from the Tribal TANF program and there is an assignment of support rights to the Tribe’s TANF agency, or the Tribal IV-D agency has received a request for assistance in collecting support on behalf of the family from a State or Tribal IV-D agency.</p>	<p>Copies of law, policies or procedures. Evidence that the money will be forwarded to any initiating jurisdiction, as appropriate.</p> <p>Include an algorithm or method to distribute child support for multiple cases. It may be helpful to include policies and procedures for distributing child support in cases that involve State and/or Tribal TANF and cases that never receive State and/or Tribal TANF.</p>	

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58.	<p><i>Current Receipt of Tribal TANF:</i> If the family is currently receiving assistance from the Tribal TANF program and has assigned support rights to the Tribe and:</p> <p>(1) there is no request for assistance in collecting support on behalf of the family from a State or Tribal IV-D agency under §309.120 the Tribal IV-D agency may retain collections on behalf of the family, not to exceed the total amount of Tribal TANF paid to the family. Any remaining collections must be paid to the family.</p> <p>(2) there is a request for assistance in collecting support on behalf of the family from a State or Tribal IV-D agency under §309.120 the Tribal IV-D agency may retain collections, not to exceed the total amount of Tribal TANF paid to the family. Except as provided in paragraph (f) of this section, the Tribal IV-D agency must send any remaining collections, as appropriate, to the requesting State IV-D agency for distribution under section 457 of the Act and 45 CFR 302.51 or 302.52, or to the requesting Tribal IV-D agency for distribution in accordance with this section.</p>	<p>Copies of law, policies or procedures. Evidence that the money will be forwarded to any initiating jurisdiction, as appropriate.</p>	

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59.	<p><i>Former Receipt of Tribal TANF:</i> If the family formerly received assistance from the Tribal TANF program and there is an assignment of support rights to the Tribe and: (1) there is no request for assistance in collecting support from a State or Tribal IV-D agency under §309.120 the Tribal IV-D agency must pay current support and any arrearages owed to the family to the family and may then retain any excess collections, not to exceed the total amount of Tribal TANF paid to the family. Any remaining collections must be paid to the family. (2) there is a request for assistance in collecting support from a State or Tribal IV-D agency under §309.120 the Tribal IV-D agency must send all support collected, as appropriate, to the requesting State IV-D agency for distribution under section 457 of the Act or 45 CFR 302.51 or 303.52, or to the requesting Tribal IV-D agency for distribution.</p>		

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	Requirement	Examples of Supporting Documentation	Complete
60.	<p><i>Requests for Assistance from State or Tribal IV-D Agency:</i> If there is no assignment of support rights to the Tribe as a condition of receipt of Tribal TANF and the Tribal IV-D agency has received a request for assistance in collecting support on behalf of the family from a State or another Tribal IV-D agency under §309.120 the Tribal IV-D agency must send all support collected to either the State IV-D agency for distribution in accordance with section 457 of the Act and 45 CFR 302.51 and 302.52, or to the Tribal IV-D agency for distribution under this section, as appropriate, except as provided in paragraph (f) of this section.</p>	<p>Copies of law, policies, or procedures. Evidence that the money will be forwarded to any initiating jurisdiction, as appropriate.</p>	
61.	<p><i>Federal Income Tax Refund Offset Collections:</i> Any collections received based on Federal income tax refund offset under section 464 of the Act and distributed by the Tribal IV-D agency must be applied to satisfy child support arrearages.</p>	<p>Copies of law, policies, or procedures. Evidence that the money will be forwarded to the State, as appropriate.</p> <p>Copies of agreements with the State IV-D who will be administering tax refund offset procedures on behalf of the Tribal IV-D program (see #70 below).</p> <p>If used as a collection tool, evidence in the application for services that applicants are aware this collection tool may be used by the Tribal IV-D program.</p>	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
62.	<p><i>Option to Contact Requesting Agency for Appropriate Distribution:</i> Rather than send collections to a State or another Tribal IV-D agency for distribution a Tribal IV-D agency may contact the requesting State IV-D agency to determine appropriate distribution under section 457 of the Act, or the other Tribal IV-D agency to determine appropriate distribution under this section, and distribute collections as directed by the other agency.</p>	<p>Copies of law, policies, or procedures</p>	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
	45 CFR 309.125 -- Intergovernmental Case Processing		
63.	That the Tribal IV-D agency will extend the full range of services available under its IV-D plan to respond to all requests from, and cooperate with, State and other Tribal IV-D agencies.	Copies of law, policies, or procedures.	
64.	That the Tribe or Tribal organization will recognize child support orders issued by other Tribes and Tribal organizations, and by States, in accordance with the requirements under the Full Faith and Credit for Child Support Orders Act, 28 U.S.C. 1738B.	Copies of law, policies, or procedures.	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
	45 CFR 309.130 -- How will Tribal IV-D programs be funded and what forms are required?		
65.	Standard Form (SF) 424, "Application for Federal Assistance," to be submitted with the initial grant application for funding.	Ensure that the form is signed.	
66.	SF 424A, "Budget Information—Non-Construction Programs," to be submitted annually, no later than August 1 (60 days prior to the start of the funding period) in accordance with §309.15(a)(2) With each submission, the following information must be included: (i) a quarter-by-quarter estimate of expenditures for the funding period; and (ii) notification of whether the Tribe or Tribal organization is requesting funds for indirect costs and an election of a method to calculate estimated indirect costs; and (iii) a narrative justification for each cost category on the form; and for funding under §309.65(a) either: (iv) a statement certifying that the Tribe or Tribal organization has or will have the non-Federal share of program expenditures available, as required, or (v) a request for a waiver of the non-Federal share	Include justification for all expenses. Include copies of specs and quotes. Include a copy of the most recent negotiated cost rate with the BIA. All waiver requests must be done in accordance with §309.130(e).	
67.	Will the Tribe be providing a 10% match?		

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
68.	Will the Tribe be providing an in-kind match?	What is the in-kind match? Ensure that the in-kind match is allowable and appropriate to the IV-D program.	
	Enforcement by use of Federal Income Tax Refund Offset		
69.	Will the Tribe be working with the State to submit cases for Federal Income Tax Refund Offset?	This must be done in accordance with PIQT-07-02.	
	A. The plan indicates that the Tribe has entered into a cooperative agreement with the State under §309.60(b) and (c) for the State to submit arrearages owed in Tribal IV-D cases for Federal tax refund offset. The Tribe must submit as part of its Tribal IV-D plan or plan amendment copies of any such agreement.	Copy of the cooperative agreement with the State. If the cooperative agreement is in draft, a signed final copy must be forwarded to OCSE after approval of the Tribal IV-D plan.	
	B. The cooperative agreement between the Tribe and State includes a statement that the Tribal IV-D program will comply with all safeguarding requirements with respect to Federal tax refund offset in accordance with §309.80, section 454(26) of the Act and the Internal Revenue Code 26 USC 6103, which prohibits the release of IRS information outside of the IV-D program.	Copy of the cooperative agreement with the State.	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
	C. Evidence that the Tribe's application for IV-D services under §309.65(a)(2) includes a statement that the applicant is applying for State IV-D services for purposes of submitting arrearages for Federal tax refund offset.	Copy of the application for services. If yes, evidence in the application for services that mentions potential use of Federal Tax Refund Offset in the Tribal IV-D plan.	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
	Supplemental Information regarding Office Automation and Use of State Systems		
70.	What was the disposition of the equipment purchased during the start-up period?	Narrative explanation including whether the equipment is still in use, and if not, how it was disposed of. (Note: If the equipment disposed of was used less than three years, a monthly depreciation table is needed to determine how many months of non-use are unallowable for Federal funding in terms of total cost of said equipment.) [“Non-use” is defined as how many months less than 36 the equipment was actually used before its disposition.]	
71.	A request for new computer equipment, computer software, and/or computer services under a Comprehensive Tribal IV-D grant request.	Please see Appendix 1 for example of narrative and explanatory detail on equipment, software, and services requested.	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

	Requirement	Examples of Supporting Documentation	Complete
72.	Contracts for computer hardware, software, and services.	<p>For hardware and software contracts, please include a copy of the contract with the grant application.</p> <p>For computer services contracts regarding software planning, design, development, implementation, maintenance, networking, operations, or related services, please include a copy of the negotiated -- but not yet executed -- contract in the grant application.</p> <p>For all procurement actions, please include a narrative statement describing the procurement method (competitive proposal, negotiated bid, small purchase procedure, master contract list, sealed bid, etc.) and a statement that the procurement complied with Tribal procurement regulations and statutes, and Federal grant regulations at 45 CFR Part 92, and more specifically, in accordance with 45 CFR:</p> <ul style="list-style-type: none"> §92.34 Copyrights. §92.35 Subawards to disbarred or suspended parties. §92.36 Procurement. §92.37 Subgrants. 	

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

Appendix I -- Example of a Narrative Description

Automation Description of Need (2-4 paragraphs)

The Tribal CSE Program requires a small Local Area Network (LAN) that will facilitate file sharing between staff, provide access to a Tribal Wide Area Network (WAN) for internet access for staff, email and basic office automation (including word processing, spreadsheet, presentation, and calendaring software), in order to support program operations and business processing. All equipment will be purchased from an open, competitively procured, Tribal government contract with ACME Computers, Inc., in accordance with standard Tribal procurement rules governing small purchases (less than \$25,000 total which requires minimum three bids be requested and evaluated). All equipment and software will be installed immediately.

We also intend to procure beginner and intermediate training in the office productivity, email, and internet software, and basic computer use. In addition, the CSE program will require security and privacy training of staff to ensure data safeguarding and privacy in the Tribal CSE program. Security capabilities will also include the use of network and internet firewall software, and data and file backup, recovery, and encryption software. These will be purchased and installed with the equipment described below.

LAN, workstation computers, and printers will be supported through a service level agreement (SLA) contract with a local retail electronics company or through the vendor from whom the equipment is purchased. If from a third party, such a SLA contract will be procured through a limited local solicitation (minimum three bids requested and evaluated.)

The Tribe intends to conduct an open-competitive procurement to secure a software firm's services to develop some limited office automation capabilities using Microsoft Office™ productivity software through the use of macros, and the scripting language capabilities in the Microsoft Office™ productivity suite. This office automation capability will be used to generate reports, prepare correspondence, and conduct basic case tracking and case data capture, retention, reuse.

Automation Specifications (1-2 pages)

Computer Workstations (4)

- *Dell Model GX1000:*
2.4 Ghz Intel Core2 Duo, 2GB SDRAM, 19" LCD Monitor, 48X CD/DVD,
10/100/1000 Ethernet, 120GB HD. Cost is \$1,111.00 each times four. *4,444.00*
- *Linksys Ethernet Hub, 8 port, 10/100/1000. Cost is \$120 each time one.* *120.00*

CHECKLIST TO MOVE FROM START-UP TO COMPREHENSIVE

Printers

- **LAN Printer.** HP LaserJet 2420: 30+ pages per minute B&W, 32MB memory, 500 sheet input, Ethernet connection. Cost is \$450.00 times one. 450.00
 - **Workstation Printer.** HP LaserJet 1020: Black and White, 15 ppm, 2MB, USB connection. Cost is \$179.00 each times four. 716.00
- Subtotal** 1,166.00

Software

- Microsoft Office Professional 2003, Cost is \$500 each four. 2,000.00
 - MS Vista Ultimate Operating System, Cost is \$300 per workstation times four. 1,200.00
 - Microsoft Project, Project Management Software. One copy @ \$599.00 599.00
 - ZoneAlarm Pro Firewall software, Cost is \$79 each times four copies. 316.00
- Subtotal** 4,115.00

Local Area Network

- Cat 5 cabling of one 600 sq. ft. office, with build-out of LAN in Ethernet network topology. 800.00
 - 24/7 on-call LAN, workstation maintenance. Cost is \$200.00/month times twelve. 2,400.00
 - Fractional T-1 internet access from TeleComm Corp. at \$220.0/month time twelve. 2,640.00
- Subtotal** 5,040.00

Training

- 80 hours MS Office and basic computer skills training at \$1,200 per staff times three staff. 3,600.00
- Subtotal** 3,600.00

Contractual Services

- Office Automation/Office Productivity Suite Software Design and Development. 161 Hours at \$65.00/hour (estimated). See contract attached. 10,500.00
- Subtotal** 10,500.00

TOTAL \$ 29,785.00