

**JOINT RESOLUTION SUPPORTING NEEDED  
IMPROVEMENTS IN THE NAVAJO NATION'S ABILITY TO  
COLLECT AND TRACK CHILD SUPPORT PAYMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Christine F. Watkins**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This joint resolution supports congressional action related to the Navajo Nation's ability to collect and track child support payments.

**Highlighted Provisions:**

This resolution:

- ▶ provides background on the Navajo Nation, its needs, and its ability to collect and track child support;
- ▶ encourages Utah's congressional delegation to take action in specific areas; and
- ▶ provides for distribution.

**Special Clauses:**

None

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*Be it resolved by the Legislature of the state of Utah:*

WHEREAS, the Navajo Nation is the largest Native American tribe within the boundaries of the United States and is larger than ten of the 50 states;

WHEREAS, Navajo children under the age of 18 comprise almost half the total population, and some 61% of Navajo grandparents are responsible for grandchildren under the age of 18;



28 WHEREAS, over half the population of the Navajo Nation lives below the poverty  
29 level, and over 40% of persons on the Navajo Nation are unemployed;

30 WHEREAS, collecting child support for children whose parents are able to pay child  
31 support may be critical in the health and education of a good portion of Navajo children;

32 WHEREAS, the federal government granted the Navajo Nation and 39 other tribes the  
33 ability to collect child support, establish paternity, and enforce child and medical support  
34 obligations, but did not grant the Navajo Nation access to information essential for  
35 investigation and enforcement;

36 WHEREAS, the federal government has suggested that states charge the Navajo Nation  
37 for access to important personal files of potential payers of child support;

38 WHEREAS, the Navajo Nation has suggested five changes the United States Congress  
39 can make to improve the ability to collect child support for Navajo Nation members;

40 WHEREAS, the Navajo Nation has collected almost \$3,000,000 in past-due child  
41 support and received more than 10,000 acknowledgments of paternity for Navajo children; and

42 WHEREAS, the Navajo Nation department of child support enforcement has collected  
43 a total of \$7,248,237 in child support during fiscal year 2007:

44 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah  
45 encourage Utah's congressional delegation to take appropriate steps on behalf of the Navajo  
46 Nation to increase its effectiveness in child support collection and enforcement.

47 BE IT FURTHER RESOLVED that Utah's congressional delegation is urged to take the  
48 following steps to improve child support collection on the Navajo Nation:

49 (1) eliminate the federal prohibition on the Navajo Nation's ability to purchase and  
50 develop its own tribal child support computer system and, therefore, remove the need for the  
51 Navajo Nation to pay another government, such as the state of Utah, in order to get case  
52 information on Navajo residents living in Utah;

53 (2) allow the Navajo Nation to access "locate and enforcement tools" directly,  
54 removing the need to contract with other governments to provide passport denial or revocation,  
55 multistate financial institution data matching, the parent locator service, tax offset data, and  
56 demonstration grants made available by the federal government;

57 (3) encourage the federal government to complete its design of a model tribal child  
58 support system to increase efficiency and effectiveness;

59 (4) reduce the percentage of funds required from the Navajo Nation in order to match  
60 federal funds so that the Navajo Nation can receive federal funds to help collect child support  
61 even during times of declining employment; and

62 (5) provide the Navajo Nation an appeal of the federal determinations of whether a  
63 hardship is severe enough to permit a waiver of strict rules governing required tribal matching  
64 funds, and add a possible waiver into federal language for extreme economic problems instead  
65 of allowing a waiver only for natural disasters, including extreme weather and calamities such  
66 as hurricanes and earthquakes.

67 BE IT FURTHER RESOLVED that copies of this resolution be transmitted to:

- 68 (1) the members of Utah's congressional delegation;  
69 (2) the president of the Navajo Nation;  
70 (3) the speaker of the house of the Navajo Nation; and  
71 (4) the secretary of human services for the Navajo Nation.

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**Legislative Review Note**  
**as of 2-9-09 11:54 AM**

**Office of Legislative Research and General Counsel**

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**Fiscal Note**

**H.J.R. 5 - Joint Resolution Supporting Needed Improvements in the Navajo  
Nation's Ability to Collect and Track Child Support Payments**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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