

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

4 2009 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Christine F. Watkins**

7 Senate Sponsor: _____

8
9 **LONG TITLE**

10 **General Description:**

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

13 **Highlighted Provisions:**

14 This resolution:

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

19 **Special Clauses:**

20 None

21
22 *Be it resolved by the Legislature of the state of Utah:*

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

25 WHEREAS, Navajo children under the age of 18 comprise almost half the total
26 population, and some 61% of Navajo grandparents are responsible for grandchildren under the
27 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.

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

Office of Legislative Research and General Counsel

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

State Impact

Enactment of this bill will not require additional appropriations.

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.
