

**ACTION TRANSMITTAL  
OCSE-AT-**

**DATE:**

**TO:** TRIBAL AGENCIES ADMINISTERING CHILD SUPPORT  
ENFORCEMENT PLANS UNDER TITLE IV-D OF THE SOCIAL  
SECURITY ACT AND OTHER INTERESTED INDIVIDUALS

**SUBJECT:** The Tribal Child Support Enforcement Annual Data Report, Form  
OCSE-75

**CONTENT:** This Action Transmittal contains instructions for completing the above  
form, which is to be used to report program status and accomplishments  
under Title IV-D of the Social Security Act as required by CFR 45  
Section 309.170(b). Tribes administering Child Support Enforcement  
Programs under Title IV-D of the Social Security Act are required to  
submit the OCSE-75 report annually, 90 days after the end of the Federal  
Fiscal Year, or by December 29<sup>th</sup> of each year.

Please mail the report to the following address:

Department of Health and Human Services  
Administration for Children and Families  
Office of Child Support Enforcement  
Division of Special Staffs, Fourth Floor East  
370 L'Enfant Promenade, S.W.  
Washington, DC 20447

**RELATED  
MATERIAL:**

Support Enforcement Programs

AT-04-01 Final Rule on Tribal Child

**SUPERSEDED  
MATERIAL:**

NONE

**ATTACHMENTS:** Instructions for completing Form OCSE-75 for tribes.

**EFFECTIVE  
DATE:**

Tribes are to begin using the Form OCSE-75 to report Title IV-D Program status and accomplishments for the Federal Fiscal Year beginning October 1, 2006. The first report is due by December 29, 2007.

**INQUIRIES  
TO:**

OCSE Division of Special Staffs

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Margot Bean

Commissioner

Office of Child Support Enforcement

**INSTRUCTIONS FOR COMPLETING FORM OCSE-75  
THE TRIBAL CHILD SUPPORT ENFORCEMENT ANNUAL DATA REPORT**

**GENERAL REPORTING INSTRUCTIONS**

Tribes will use the OCSE-75 to report statistical information on their Child Support Enforcement (CSE) program to the Department of Health and Human Services (HHS). The authority to collect this information is set forth in regulations at 45 CFR 309.

**1. Submittal and Due Dates**

The OCSE-75 report is to be completed by Tribal IV-D agencies 90 days after the end of the Federal Fiscal Year, or by December 29<sup>th</sup> of each year.

An original must be submitted to the OCSE Central Office at the following address:

Department of Health and Human Services  
Administration for Children and Families  
Office of Child Support Enforcement  
Division of Special Staffs, Fourth Floor East  
370 L'Enfant Promenade, S.W.  
Washington, DC 20447

**2. Signature**

The OCSE-75 must be signed and dated by the Director of the Tribal IV-D program. The individual who signs the report is certifying that the information provided there and on all accompanying documents is accurate to the best of his or her knowledge.

**3. Public Reporting**

**THE PAPERWORK REDUCTION ACT OF 1995**

The public reporting burden for this collection of information is estimated to average 22.5 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Send comments regarding this burden estimate or any other aspect of this request for information, including suggestions for reducing this burden, to Reports Clearance Officer, Administration for Children and Families, Department of Health and Human Services, 370 L'Enfant Promenade, S.W., Washington, DC 20447.

#### **4. Narrative Reports**

A narrative report on activities, accomplishments, and progress of the program, including success in reaching the performance targets as established by the Tribe or Tribal organization, must be included with the submission of this form. Tribes should also indicate on form OCSE-75, by placing an X in the box that reads “narrative report”, that the report is attached.

Tribes are encouraged to provide OCSE with information that reflects their definition of program progress.

Tribes must also abide by regulations at 45 CFR 92 which establish uniform administrative rules for Federal grants.

**DEFINITIONS TO USE IN COMPLETING FORM OCSE-75,  
TRIBAL CHILD SUPPORT ENFORCEMENT PROGRAM ANNUAL DATA  
REPORT**

The following definitions of terms are to be used in completing form OCSE-75

**Case Inventory Definitions**

**1. IV-D Case** - A parent (mother, father, or putative father) who is now or eventually may be obligated under law for the support of a child or children receiving services under the Tribal and State IV-D Program.

A parent is reported as a separate IV-D case for each family with a dependent child or children that the parent may be obligated to support. **If both parents are absent and liable or potentially liable for support of a child or children receiving services under the Title IV-D Program, each parent is considered a separate IV-D case.**

**a. Tribal TANF or State TANF Case** - A case where the children have been determined to be eligible for Temporary Assistance for Needy Families (TANF) under title IV-A of the Social Security Act, the children's support rights have been assigned by a caretaker relative to a tribe or state, and a referral to the Tribal or State IV-D agency has been made.

**b. Tribal Non-TANF or State Non-TANF Case** - A case where the children *formerly* received title IV-A (AFDC or Tribal or State TANF) or a case where the children are receiving services under the title IV-D program, but have not previously received assistance under Title IV-A of the Social Security Act.

**Support Order** - The legal establishment of: an amount of money that is due and owed by a parent for the support of the parent's children. This amount or responsibility must be established by court order or administrative process, voluntary agreement (in tribes or states where such agreements are filed in the court or agency of the administrative process as an order and are legally enforceable) or other legal process. This includes a judgment for arrears. This does *not* include judgments under tribal or state laws that create a debt owed to the tribe or state by the non-custodial parent for public assistance paid for that parent's child or children (laws of general obligation).

**Paternity** - The legal establishment of fatherhood for a child, either by tribal custom, court determination, administrative process, or voluntary acknowledgment. A *paternity acknowledgment* involves the legal establishment of fatherhood for a child through a voluntary acknowledgement signed by both parents as part of an in-hospital or other acknowledgement service.

## **SECTION AND LINE ITEM INSTRUCTIONS FOR THE OCSE-75**

Form OCSE-75 was developed to obtain information on the status and accomplishments of each Tribal Child Support Enforcement Program. The form contains four sections: A-Case Inventory, B-Paternity Establishment, C-Collections Due and Distributed, and D-Cost of the Program.

Section A requires counting the entire open IV-D caseload, while most of sections B through D require counting activities for the funding period for which the tribe is reporting. The sections' introductions and line item information give specific details related to that section or line. Particular attention should be given to the time period for counting the line items--during the fiscal year or on the last day of the fiscal year.

### **SECTION A: CASE INVENTORY**

In this section, report the total number of IV-D (line 1), tribal (line 1a) or state (line 1b) TANF IV-D cases, Non-TANF IV-D (line 1c) cases, and IV-D cases with a support order (line 2) that are in the tribal inventory.

Remember, a IV-D case is a parent (mother, father or putative father) who is or may be liable for support. A parent is reported as a separate case for each family with a dependent child or children that the parent may be obligated to support. (See definition section at the front of this AT.) If there are multiple putative fathers for one child, only one case should be reported.

Report all IV-D cases open at the end of the fiscal year. If a parent has more than one child in the same family and any of the children are currently receiving TANF assistance, report the case as a TANF case.

Include both cases sent to and received from other tribes or states in the count. A case should be counted only once within a tribe or state.

#### **Line 1 – Total Number of Cases**

Report the number of IV-D cases open on the last day of the fiscal year. Include cases open at end of the fiscal year as a result of requests for assistance received from other tribes or states, as well as cases open in your tribe that you have referred to another tribe or state. (Lines 1a+1b+1c = Line 1)

#### **Line 1a –Total Number of Tribal TANF Cases**

Of the total number of IV-D cases, report the total number that are receiving tribal TANF services under Title IV-A of the Social Security Act. Report a case only once. Cases included on this line are a subset of and should have been counted in line 1.

**Line 1b – Total Number of State TANF Cases**

Of the total number of IV-D cases, report the total number that are receiving state TANF services under Title IV-A of the Social Security Act. Report a case only once. Cases included on this line are a subset of and should have been counted in line 1.

**Line 1c –Total Number of Non-TANF Cases**

Report the total number of IV-D cases open in the tribe that are not receiving TANF services under Title IV-A of the Social Security Act. Report a case only once. These cases are a subset of and should have been counted in line 1.

**Line 2 – Total Number of Cases With a Support Order**

Report the number of IV-D cases that have support orders established. Cases reported on line 2 are a subset of and should have been included in line 1. Include cases with orders entered prior to the case becoming a IV-D case, as well as cases with orders established by the IV-D agency. Include judgments for arrears, regardless of whether there is a payment schedule or an order for ongoing support. Remember, count cases only once regardless of the number of orders. Do not include voluntary support agreements in this line unless the agreements are legally enforceable in the reporting tribe.

Include all cases received from or sent to another tribe or state that have an order for support—regardless of when or where the order was established.

**SECTION B: PATERNITY ESTABLISHMENT**

Under Section B, tribes are to report the number of children in each line item and not the number of cases. Include children in both initiating and responding IV-D cases.

A paternity can only be counted once--either when a voluntary acknowledgement is obtained or at the time an order determining paternity is established.

**Line 3 – Total Number of Children in the Previous Year Without Paternity Established**

Report the number of children in the previous Federal Fiscal Year who needed paternity established.



**Line 4 – Total Number of Children With Paternity Established or Acknowledged**

Report the number of children in the tribe for whom paternity was established in the current reporting fiscal year. This includes acknowledgments after genetic testing, but before adjudication, if applicable.

Include children with paternity acknowledged through a voluntary in-hospital acknowledgment program and other acknowledgment processes.

**SECTION C: COLLECTIONS DUE AND DISTRIBUTED**

In this section, report the amount of collections due and the amount of collections that were distributed in the fiscal year. These amounts should be computed monthly and the total of all months reported at the end of the fiscal year. Include support due in cases that closed during the fiscal year. For purposes of this report, report distributed collections when disbursed.

Report amounts due and distributed for both initiating and responding IV-D cases.

Collections for spousal support, childcare, and other cash payments should be included in the amounts reported for Section C, if they are included in the child support order.

For purposes of counting arrears or past due support, an arrearage occurs the month that the payment is missed.

**Line 5 -Total Amount of Current Support Due On All Cases**

Report the total amount of current support due on all IV-D cases. Include voluntary collections as amounts due. (Voluntary collections are those made without a support order or payments made that exceed the amount ordered.)

**Line 6 - Total Amount of Current Support Collected**

Report the total amount of support collected as current support for all IV-D cases. Voluntary payments are considered current support and should be reported here even though there is no order to require payment.

**Line 7 - Total Amount of Past Due Support Owed On All Cases**

Report the total amount of past due support owed on all IV-D cases.

**Line 8 - Total Amount of Past Due Support Collected**

Report the total amount of past due support collected. The amounts reported should include judgments ordered and paid for support.

**SECTION D: PROGRAM COST**

Report the total amount of costs being claimed for the fiscal year. Also report the amount of fees and other recoverable costs collected by the program and the total amount of laboratory costs for paternity establishment incurred by the tribe during the fiscal year.

**Line 9 – Total Costs Claimed**

The total amount of expenditures being claimed for the fiscal year.

**Line 10 – Total Amount of Fees and Costs Recovered**

Report the total amount of program income obtained during the fiscal year resulting from the operation of the program and used to offset administrative costs.

**Lines 11 – Total Amount of Laboratory Cost for Paternity Established**

Report the total amount of laboratory costs associated with the process of determining paternity.



**TRIBAL CHILD SUPPORT ENFORCEMENT ANNUAL DATA REPORT**

(This report consists of one page.)

STATE:	SUBMISSION:	• NEW	• REVISED	FISCAL YEAR:
ITEMS		TOTAL		• NARRATIVE REPORT (place X in box to confirm narrative report is attached)
<b>SECTION A: CASE INVENTORY</b>				
1. Total Number of Cases				
a. Total Number of Tribal TANF Cases				
b. Total Number of State TANF Cases				
c. Total Number of Non-TANF Cases				
2. Total Number of Cases With A Support Order				
<b>SECTION B: PATERNITY ESTABLISHMENT</b>				
3. Total Number of Children in the Previous Year Without Paternity Established				
4. Total Number of Children With Paternity Established or Acknowledged				
<b>SECTION C: COLLECTIONS DUE AND DISTRIBUTED</b>				

5. Total Amount of Current Support Due On All Cases	
6. Total Amount of Current Support Collected	
7. Total Amount of Past Due Support Owed On All Cases	
8. Total Amount of Past Due Collected	

**SECTION D: PROGRAM COST**

9. Total Costs Claimed	
10. Total Amount of Fees and Costs Recovered	
11. Total Amount of Laboratory Cost for Paternity Establishment	

Paperwork Act Notice: Tribes are required to provide the information requested to receive a grant award under the provision of Title IV-D, Part 309 of the Social Security Act. This is public information. The responses to this collection are mandatory. This information is not considered confidential, therefore, no additional safeguards are considered necessary beyond that customarily applied to routine government information.

Reporting Burden Notice: Public reporting burden for this collection of information is estimated to average 2.5 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. Send comments regarding either this burden estimate or other aspect of this request for information to: the Administration for Children and Families, Office of Child Support Enforcement, 370 L'Enfant Promenade, S.W., Washington, D.C. 20447

This is to certify the information provided on this report is accurate to the best of my knowledge and belief.	Signature: Director, Title IV-D	
Agency Name	Typed Name, Title,	Date:

**FORM OCSE-75**