

116TH CONGRESS
2D SESSION

S. 3154

To improve the effectiveness of tribal child support enforcement agencies,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 8, 2020

Mr. THUNE (for himself and Mr. WYDEN) introduced the following bill; which
was read twice and referred to the Committee on Finance

A BILL

To improve the effectiveness of tribal child support
enforcement agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Tribal Child Support
5 Enforcement Act”.

6 **SEC. 2. IMPROVING THE EFFECTIVENESS OF TRIBAL CHILD**
7 **SUPPORT ENFORCEMENT AGENCIES.**

8 (a) IMPROVING THE COLLECTION OF PAST-DUE
9 CHILD SUPPORT THROUGH STATE AND TRIBAL PARITY
10 IN THE ALLOWABLE USE OF TAX INFORMATION.—

1 (1) AMENDMENT TO THE SOCIAL SECURITY
2 ACT.—Section 464 of the Social Security Act (42
3 U.S.C. 664) is amended by adding at the end the
4 following:

5 “(d) APPLICABILITY TO INDIAN TRIBES AND TRIBAL
6 ORGANIZATIONS RECEIVING A GRANT UNDER THIS
7 PART.—This section, except for the requirement to dis-
8 tribute amounts in accordance with section 457, shall
9 apply to an Indian tribe or tribal organization receiving
10 a grant under section 455(f) in the same manner in which
11 this section applies to a State with a plan approved under
12 this part.”.

13 (2) AMENDMENTS TO THE INTERNAL REVENUE
14 CODE.—

15 (A) Section 6103(a)(2) of the Internal
16 Revenue Code of 1986 is amended by striking
17 “any local child support enforcement agency”
18 and inserting “any tribal or local child support
19 enforcement agency”.

20 (B) Section 6103(a)(3) of such Code is
21 amended by inserting “, (8)” after “(6)”.

22 (C) Section 6103(l) of such Code is
23 amended—

24 (i) in paragraph (6)—

1 (I) by striking “or local” in sub-
2 paragraph (A) and inserting “tribal,
3 or local”;

4 (II) by striking “AND LOCAL” in
5 the heading thereof and inserting
6 “TRIBAL, AND LOCAL”;

7 (III) by striking “The following”
8 in subparagraph (B) and inserting
9 “The”;

10 (IV) by striking the colon and all
11 that follows in subparagraph (B) and
12 inserting a period; and

13 (V) by adding at the end the fol-
14 lowing:

15 “(D) STATE, TRIBAL, OR LOCAL CHILD
16 SUPPORT ENFORCEMENT AGENCY.—For pur-
17 poses of this paragraph, the following shall be
18 treated as a State, tribal, or local child support
19 enforcement agency:

20 “(i) Any agency of a State or political
21 subdivision thereof operating pursuant to a
22 plan described in section 454 of the Social
23 Security Act which has been approved by
24 the Secretary of Health and Human Serv-
25 ices under part D of title IV of such Act.

1 “(ii) Any child support enforcement
2 agency of an Indian tribe or tribal organi-
3 zation receiving a grant under section
4 455(f) of the Social Security Act.”;

5 (ii) in paragraph (8)—

6 (I) in subparagraph (A), by strik-
7 ing “or State or local” and inserting
8 “State, tribal, or local”;

9 (II) by adding the following at
10 the end of subparagraph (B): “The
11 information disclosed to any child
12 support enforcement agency under
13 subparagraph (A) with respect to any
14 individual with respect to whom child
15 support obligations are sought to be
16 established or enforced may be dis-
17 closed by such agency to any agent of
18 such agency which is under contract
19 with such agency for purposes of, and
20 to the extent necessary in, estab-
21 lishing and collecting child support
22 obligations from, and locating, individ-
23 uals owing such obligations.”;

24 (III) by striking subparagraph
25 (C) and inserting the following:

“(C) STATE, TRIBAL, OR LOCAL CHILD
SUPPORT ENFORCEMENT AGENCY.—For pur-
poses of this paragraph, the term ‘State, tribal,
or local child support enforcement agency’ has
the same meaning as when used in paragraph
(6)(D).”; and

(IV) by striking “AND LOCAL” in
the heading thereof and inserting
“TRIBAL, AND LOCAL”; and

(iii) in paragraph (10)(B), by adding
at the end the following new clause:

“(iii) The information disclosed to any
child support enforcement agency under
subparagraph (A) with respect to any indi-
vidual with respect to whom child support
obligations are sought to be established or
enforced may be disclosed by such agency
to any agent of such agency which is under
contract with such agency for purposes of,
and to the extent necessary in, establishing
and collecting child support obligations
from, and locating, individuals owing such
obligations.”.

(D) Subsection (c) of section 6402 of the
Internal Revenue Code of 1986 is amended by

1 adding at the end the following: “For purposes
2 of this subsection, any reference to a State shall
3 include a reference to any Indian tribe or tribal
4 organization receiving a grant under section
5 455(f) of the Social Security Act.”.

6 (b) REIMBURSEMENT FOR REPORTS.—Section
7 453(g) of the Social Security Act (42 U.S.C. 653(g)) is
8 amended—

9 (1) in the subsection heading, by striking
10 “STATE”; and

11 (2) by striking “and State” and inserting “,
12 State, and tribal”.

13 (c) TECHNICAL AMENDMENTS.—Paragraphs (7) and
14 (33) of sections 454 of the Social Security Act (42 U.S.C.
15 654) are each amended by striking “450b” and inserting
16 “5304”.

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