

§ 309.145 What costs are allowable for Tribal IV-D programs carried out under § 309.65(a) of this part? [Link to an amendment published at 89 FR 80072, Oct. 2, 2024.](#)

Federal funds are available for costs of operating a Tribal IV-D program under an approved Tribal IV-D application carried out under § 309.65(a) of this part, provided that such costs are determined by the Secretary to be reasonable, necessary, and allocable to the program. Allowable activities and costs include:

(a) Administration of the Tribal IV-D program, including but not limited to the following:

- (1) Establishment and administration of the Tribal IV-D plan;
- (2) Monitoring the progress of program development and operations, and evaluating the quality, efficiency, effectiveness, and scope of available support enforcement services;
- (3) Establishment of all necessary agreements with other Tribal, State, and local agencies or private providers for the provision of child support enforcement services in accordance with Procurement Standards found in 45 CFR 75.326 through 75.340. These agreements may include:
 - (i) Necessary administrative agreements for support services;
 - (ii) Use of Tribal, Federal, State, and local information resources;
 - (iii) Cooperation with courts and law enforcement officials;
 - (iv) Securing compliance with the requirements of the Tribal IV-D program plan in operations under any agreements;
 - (v) Development and maintenance of systems for fiscal and program records and reports required to be made to OCSE based on these records; and
 - (vi) Development of cost allocation systems.

(b) Establishment of paternity, including:

- (1) Establishment of paternity in accordance with Tribal law codes, and/or custom in accordance with § 309.100 of this part, as outlined in the approved Tribal IV-D plan;
- (2) Reasonable attempts to determine the identity of a child's father, such as:
 - (i) Investigation;
 - (ii) Development of evidence, including the use of genetic testing performed by accredited laboratories; and
 - (iii) Pre-trial discovery;
- (3) Actions taken by a tribunal to establish paternity pursuant to procedures established by Tribal law, and/or codes or custom in accordance with § 309.100 of this part;

- (4) Identifying accredited laboratories that perform genetic tests (as appropriate); and
- (5) Referrals of cases to another Tribal IV-D agency or to a State to establish paternity when appropriate.
- (c) Establishment, modification, and enforcement of support obligations, including:
 - (1) Investigation, development of evidence and, when appropriate, court or administrative actions;
 - (2) Determination of the amount of the support obligation (including determination of income and allowable non-cash support under Tribal IV-D guidelines, if appropriate);
 - (3) Enforcement of a support obligation, including those activities associated with collections and the enforcement of court orders, administrative orders, warrants, income withholding, criminal proceedings, and prosecution of fraud related to child support;
 - (4) Investigation and prosecution of fraud related to child and spousal support cases receiving services under the IV-D plan; and
 - (5) Employment and training services activities in accordance with §§ 309.65(b) and 309.121.
- (d) Collection and disbursement of support payments, including:
 - (1) Establishment and operation of an effective system for making collections and identifying delinquent cases and collecting from them;
 - (2) Referral or transfer of cases to another Tribal IV-D agency or to a State IV-D program when appropriate; and
 - (3) Services provided for another Tribal IV-D program or for a State IV-D program.
- (e) Establishment and operation of a Tribal Parent Locator Service (TPLS) or agreements for referral of cases to a State PLS, another Tribal PLS, or the Federal PLS for location purposes.
- (f) Activities related to requests to State IV-D programs for enforcement services for the Federal Income Tax Refund Offset.
- (g) Establishing and maintaining case records.
- (h) Automated data processing computer systems, including:
 - (1) Planning efforts in the identification, evaluation, and selection of an automated data processing computer system solution meeting the program requirements defined in a Tribal IV-D plan and the automated systems requirements in part 310 of this chapter;
 - (2) Installation, operation, maintenance, and enhancement of a Model Tribal IV-D System as defined in and meeting the requirements of part 310 of this title;

- (3) Procurement, installation, operation and maintenance of essential Office Automation capability;
 - (4) Establishment of Intergovernmental Service Agreements with a State and another comprehensive Tribal IV-D agency for access to the State or other Tribe's existing automated data processing computer system to support Tribal IV-D program operations, and Reasonable Costs associated with use of such a system;
 - (5) Operation and maintenance of a Tribal automated data processing system funded entirely with Tribal funds if the software ownership rights and license requirements in § 310.25(c)(1) are met; and
 - (6) Other automation and automated data processing computer system costs in accordance with instructions and guidance issued by the Secretary.
- (i) Staffing and equipment that are directly related to operating a Tribal IV-D program.
 - (j) The portion of salaries and expenses of a Tribe's chief executive and staff that is directly attributable to managing and operating a Tribal IV-D program.
 - (k) The portion of salaries and expenses of tribunals and staff that is directly related to required Tribal IV-D program activities.
 - (l) Service of process.
 - (m) Training on a short-term basis that is directly related to operating a Tribal IV-D program.
 - (n) Costs associated with obtaining technical assistance that are directly related to operating a IV-D program, from non-Federal third-party sources, including other Tribes, Tribal organizations, State agencies, and private organizations, and costs associated with providing such technical assistance to public entities.
 - (o) Any other costs that are determined to be reasonable, necessary, and allocable to the Tribal IV-D program in accordance with the cost principles in 45 CFR part 75, subpart E. The total amount that may be claimed under the Tribal IV-D grant are allowable direct costs, plus the allocable portion of allowable indirect costs, minus any applicable credits.
- (1) All claimed costs must be adequately documented; and
 - (2) A cost is allocable if the goods or services involved are assignable to the grant according to the relative benefit received. Any cost that is allocable to one Federal award may not be charged to other Federal awards to overcome funding deficiencies, or for any other reason.

[69 FR 16672, Mar. 30, 2004, as amended at 75 FR 8520, Feb. 25, 2010; 81 FR 3021, Jan. 20, 2016; 81 FR 93569, Dec. 20, 2016; 89 FR 100809, Dec. 13, 2024]