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FISCAL IMPACT REPORT

SPONSOR	<u>Pinto</u>	ORIGINAL DATE	<u>01-25-08</u>	HB	<u></u>
		LAST UPDATED	<u></u>		
SHORT TITLE	<u>Navajo Nation Child Support Payment Tracking</u>	SM	<u>12</u>		
		ANALYST	<u>Padilla</u>		

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

Senate Memorial 12 expresses the support of the New Mexico Senate for federal changes to improve the Navajo Nation's ability to collect and track child support payments. The New Mexico Congressional Delegation is encouraged to take appropriate steps on behalf of the Navajo Nation to increase its effectiveness in child support collection and enforcement. Copies of this Memorial shall be transmitted to all members of the State's Congressional Delegation and to the President of the Navajo Nation, the Speaker of the House of the Navajo Nation, and the Secretary of Human Services.

SIGNIFICANT ISSUES

The Memorial declares as follows:

- 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. Almost half of the total Navajo population is comprised of children under the age of 18. Sixty-one percent of Navajo grandparents are responsible for grandchildren under the age of eighteen.
- Over half of the population of the Navajo Nation lives below the poverty level, and over 40 percent of persons on the Navajo Nation are unemployed.
- Collecting child support for children whose parents are able to pay child support may be critical in the health and education of a good portion of Navajo children.
- The federal government granted the Navajo Nation and 39 other tribes the ability to collect child support, establish paternity and enforce child and medical support obligations, but did not grant the Navajo Nation access to information essential for investigation and enforcement.
- The federal government has suggested that states charge the Navajo Nation for access of important personnel files of potential payers of child support.
- The Navajo Nation has suggested five changes the United States Congress can make to improve the ability to collect child support for Navajo Nation members.
- The Navajo Nation has collected almost three million dollars (\$3,000,000) in past-due

child support and received more than 10,000 acknowledgements of paternity for Navajo children.

- The Navajo Nation Department of Child Support Enforcement has collected a total of seven million two hundred forty-eight thousand two hundred thirty-seven dollars (\$7,248,237) in child support during fiscal year 2007.

OTHER SUBSTANTIVE ISSUES

The Memorial states that New Mexico's Congressional Delegation be urged to take the following steps to improve child support collection on the Navajo Nation as follows:

- A. Eliminate the federal prohibition on the Navajo Nation's ability to purchase and develop its own tribal child support computer system and, therefore remove the need for the Navajo Nation to pay another government, such as the State of New Mexico, in order to get case information on Navajo residents living in New Mexico.
- B. Allow the Navajo Nation to access, "locate, and enforcement tools," directly, removing the need to contract with other governments to provide passport denial or revocation, multi-state financial institution data matching, the parent locator service, tax offset data and demonstration grants made available by the federal government.
- C. Encourage the federal government to complete its design of a model tribal child support system to increase efficiency and effectiveness.
- D. Reduce the percentage of funds required from the Navajo Nation in order to match federal funds so that the Navajo Nation can receive federal funds to help collect child support even during time of declining employment.
- E. Provide the Navajo Nation an appeal of the federal determinations of whether a hardship is severe enough to permit a waiver of strict rules governing required tribal matching funds, and add a possible waiver into federal language for extreme economic problems instead of allowing a waiver only for natural disasters, including extreme weather and calamities such as hurricanes and earthquakes.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

The consequences of not enacting this bill will result in lack of support from the Senate for federal changes to improve the Navajo Nation's ability to collect and track child support payments.