OCSE Stafford Act Flexibilities Request Form

OCSE recognizes that specific states and tribes may need flexibilities in addition to the modified timeframes listed in DCL-20-04. Section 301 of the Stafford Act, 42 U.S.C. § 5141, provides that "Any Federal agency charged with the administration of a Federal assistance program may, if so requested by the applicant State [or Indian tribal government] or local authorities, modify or waive, for a major disaster, such administrative conditions for assistance as would otherwise prevent the giving of assistance under such programs if the inability to meet such conditions is a result of the major disaster."[1]

Complete this form to request additional program flexibilities during the declared major disaster and submit it to the Regional Program Manager in your area. The request from the state or tribal child support director must identify the specific timeframe(s) needing modification or waiver (including the statutory or regulatory citations), a short description/rationale justifying the need for the modification or waiver of the timeframe based on the impact of the COVID-19 pandemic on program operations, and the desired revised timeframe.

OCSE will expedite the review process and the Regional Program Manager will provide a response via email to the state or tribal child support director.

Complete this section

State/Territory/Tribe

Modification of Timeframe(s) from DCL-20-04

Identify in the table below any requested timeframe modifications from the examples in DCL-20-04.

CRITERIA	DESCRIPTION	STATUTE/REGULATION	CURRENT REQUIREMENT	FLEXIBILITY
STATE PLAN	Payment disbursement within 2 business days	454B (c) (1) 302.32(b)(1), (2)(i), and 2(ii)	2 Business Days	5 Business Days for fully electronic processes and 10 Business days if manual processes are required.

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[1]Regulations issued by the Federal Emergency Management Agency (FEMA) under the Stafford Act at 44 CFR 206.2(a)(16), define the term "local government" to include Indian tribe, authorized tribal organization, or Alaska Native village or organization.

CRITERIA	DESCRIPTION	STATUTE/REGULATION	CURRENT REQUIREMENT	FLEXIBILITY
STATE PLAN	Child support guidelines reviews conducted at least once every four years	467(a), 469 302.56(e)	Every 4 years	If a state is in the process of conducting a review or is initiating a review in 2020, the state has one additional year to complete the review.
PATERNITY AND SUPPORT ORDER	Establish orders or complete service of process within 90 calendar days of locate	303.4(d)	90 Calendar Days	180 Calendar Days
ENFORCEMENT	Take enforcement action within 30 calendar days of delinquency	303.6(c)(2)	30 Calendar Days	60 Calendar Days
ENFORCEMENT	Take enforcement action within 60 calendar days of delinquency when service of process is necessary	303.6(c)(2)	60 Calendar Days	120 Calendar Days
INTERSTATE	Make Intergovernmental referrals within 20 calendar days	303.7(c)(4)(i),(ii)	20 Calendar Days	40 Calendar Days
INTERSTATE	Take specified actions within 75 calendar days of receipt of an intergovernmental form and documentation from its central registry	303.7(d)(2)(i), (ii), and (iii)	75 Calendar Days	150 Calendar Days
INTERSTATE	Within 10 working days of locating the noncustodial parent in a different State, return forms, or, if directed, forward/transmit forms to noncustodial parent's state	303.7(d)(3)	10 Working Days	20 Working Days

	CRITERIA	DESCRIPTION	STATUTE/REGULATION	CURRENT REQUIREMENT	FLEXIBILITY
	INTERSTATE	Forward/transmit forms within 10 working days of locating the noncustodial parent in a different political subdivision within the State	303.7(d)(4)	10 Working Days	20 Working Days
	INTERSTATE	File the controlling order determination request within 30 calendar days	303.7(d)(5)(i)	30 Calendar Days	60 Calendar Days
	INTERSTATE	Notify appropriate jurisdictions of the controlling order determination and any reconciled arrearages within 30 calendar days	303.7(d)(5)(ii)	30 Calendar Days	60 Calendar Days
	INTERSTATE	Within 10 working days of receipt of instructions for case closure, stop responding state income withholding and close interstate case	303.7(d)(9)	10 Work Days	20 Work Days
	REVIEW AND ADJUSTMENT	Provide notice (of the right to request review of the order) within 15 business days when learning of noncustodial parent incarceration of more than 180 calendar days	303.8(b)(7)(ii)	15 Business Days	30 Business Days
	INCOME WITHHOLDING	Issue the income withholding order (IWO) notice to the employer within 2 business days	303.100 (e)(2), 303.100 (e)(3), 454A(g)(1)(A)(i), 466, 453A (g) (1)	2 Business Days	5 Business Days for fully electronic processes and 10 Business days if manual processes are required.
	SYSTEMS	The statewide system must transmit IWO orders and notices to employers and other debtors within 2 business days	307.11 (c) (1) (i)	2 Business Days	5 Business Days for fully electronic processes and 10 Business days if manual processes are required.

CRITERIA	DESCRIPTION	STATUTE/REGULATION	CURRENT REQUIREMENT	FLEXIBILITY
TRIBAL PLAN	Provide notices of support collected itemized by month of collection, at least once a year	309.75(c)		Yearly notices of support collected due may be sent to families no later than December 31, 2020.
TRIBAL PLAN	Indicate that child support guidelines will be reviewed and revised, if appropriate, at least once every four years	309.105(a)(4)	Every 4 years	If a tribe is in the process of conducting a review or is initiating a review in 2020, the tribe has one additional year to complete the review

Other Modification or Waiver Being Requested

Identify the program requirement needing modification or waiver.

Statutory or Regulatory Citations

Enter the statutory or regulatory citations of the requirement you are requesting to have modified or waived. (No citations are needed for timeframes from the above chart.)

Reason for Request

Describe the specific impact on the program that prompts your request. If requesting flexibility on a timeframe, please specify your proposed new timeframe.

Date of Submission:

Submitted By:

Date Submission Received

Division Assigned

Recommendation

Date Completed