
**Office of Child Support
Enforcement (OCSE)
Information Memorandum**

U.S. Department of
Health and Human Services
Administration for Children
and Families
Washington, DC 20447

Memorandum No. IM-01-09

Date: November 13, 2001

TO: STATE AGENCIES ADMINISTERING CHILD SUPPORT ENFORCEMENT PLANS UNDER TITLE IV-D OF THE SOCIAL SECURITY ACT, DEFENSE FINANCE AND ACCOUNTING SERVICE (CLEVELAND CENTER), OFFICES OF THE INDIVIDUAL MILITARY SERVICES OF THE JUDGE ADVOCATE GENERAL, MILITARY FAMILY SUPPORT CENTERS, AND OTHER INTERESTED INDIVIDUALS

SUBJECT: Mobilization of Reservists for Military Operation Enduring Freedom -- Review and Adjustment

ATTACHMENT: Virginia DCSE Form; Request for Review and Adjustment

REFERENCES: 45 CFR 308.8, OCSE Information Memorandum (IM) 96-02

BACKGROUND: In the wake of September 11, 2001, terrorist attacks, Congress authorized the President to activate up to 50,000 U.S. reserve troops for duty in the fight against terrorism.

When called for active duty, men and women will be taken from their civilian careers and assigned for duty in the support of operation "Enduring Freedom," both at home and abroad. For some, being called to active duty can mean a reduction of total monthly income. Those reservists who are currently paying child support payments based on higher monthly income may find that child support arrears will begin to accumulate when monthly child support payments are not met. Additionally, custodial parents who are activated may also be affected in their ability to meet their children's needs. Reservists experiencing a reduction in monthly income, may wish to contact their child support office to request a review and modification of their child support orders. Information needed to accomplish an adjustment can vary from State to State, however, providing basic information

needed to process a request should include the reason for the request (provide a copy of your orders), provide current military pay information (such as pay grade and time in service or a copy of latest leave and earning statement), and child support order information.

Attached to this information memorandum is an example of a Request for Review and Adjustment Form provided by the Commonwealth of Virginia. A copy of this form can be downloaded from the Commonwealth of Virginia website at: www.dss.state.va.us/family/dcse_form.html. A review could result in an upward, downward, or no modification. If a child support obligation is adjusted, the order will be effective from the date that the non-requesting party receives notice of proposed review. The sooner a request for a modification is initiated with your State, the sooner an adjustment can be made, if warranted.

We encourage all State IV-D Agencies, courts, and legal associations to give these requests for an adjustment of a child support order the highest priority and flexibility allowable under State law. We ask that military family community support centers and legal assistance offices provide support when needed. We further urge the appropriate Department of Defense offices to make this information available to activated reservists that adjustments are possible for non-custodial and custodial parents and the use of this memorandum is encouraged to disseminate to activated reservists and their dependents.

WAGE WITHHOLDING:

Income withholding orders for reservists activated by the Department of Defense (including the Army National Guard, and Air National Guard) in support of Operation Enduring Freedom, should be sent to the Defense Finance and Accounting Service (DFAS) in Cleveland, Ohio at the following address:

DFAS – Cleveland Center
Garnishment Division
PO Box 998002
Cleveland, Ohio 44199-8002

MEDICAL COVERAGE:

Activated military members and dependents are entitled to medical care through TriCare (previously through CHAMPUS). See IM 96-02 for additional information on obtaining medical coverage for children whose parent is a military member.

CONTACTS: For more information, contact your ACF Regional Office or your local Child Support Office.

Wade F. Horn, Ph.D
Assistant Secretary
for Children and Families