



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 1370

RIN 0970-AD42

Reducing Bureaucracy and Burden in Family Violence and Prevention Services

AGENCY: Office of Family Violence Prevention and Services (OFVPS), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Department of Health and Human Services, Administration for Children and Families, proposes to remove duplicative or unnecessary Sections from the Family Violence Prevention and Services program regulations (45 CFR Part 1370). These amendments will streamline the Family Violence Prevention and Services regulations and make them more accessible to the public. The docket on <https://www.regulations.gov> will include a plain language summary of the NPRM

DATES: In order to be considered, written comments on this proposed rule must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: You may submit written comments, identified by docket number ACF-2026-0430 and/or RIN number **0970-AD42**, by one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email Deregulation@acf.hhs.gov.* Include the docket number ACF-2026-0430 and/or RIN number **0970-AD42** in the subject line of the message.

Instructions: All submissions received must include the agency name and docket number or RIN number for this rulemaking. All comments received are a part of the public record and will be posted for public viewing on www.regulations.gov, without change. Please be advised that the substance of the comments and the identity of individuals or entities submitting the comments will be subject to public disclosure.

FOR FURTHER INFORMATION CONTACT: Adam N. Jones, Deputy Chief of Staff, Immediate Office of the Assistant Secretary, Administration for Children and Families, Department of Health and Human Services, Washington, D.C. 202-417-0115 or Deregulation@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

This proposed NPRM is being issued under the authority granted to the Secretary of Health and Human Services by the Family Violence Prevention and Services Act (FVPSA) at 42 U.S.C. 10404(a)(4).

II. Background

45 CFR Part 1370, “Family Violence Prevention and Services Programs” is a regulatory package established under FVPSA, as amended (42 U.S.C. 10401 et seq.), that governs the administration of multiple federal grants implemented for the purposes of increasing public awareness about and preventing family violence, domestic violence, and dating violence; providing immediate shelter and supportive services for victims of family violence, domestic violence, and dating violence and their dependents; providing for technical assistance and training relating to family violence, domestic violence, and dating violence programs; providing for State Domestic Violence Coalitions; providing specialized services for abused parents and their children; and operating a national domestic violence hotline.

The FVPSA regulations were initially published on February 22, 1996 (Family Violence Prevention and Services Programs, 61 Fed Reg. 6,791 (Feb. 22, 1996) (codified at 45 CFR pt. 1370)). They were amended on November 2, 2016. Family Violence and Prevention Services Program, 81 FR 76,446 (Nov. 2, 2016) (codified at 45 CFR pt. 1370). The amended regulations reflected FVPSA's most recent reauthorization under the Child Abuse Prevention and Treatment (CAPTA) Reauthorization Act of 2010 (Pub. L. 111-320). *See* 81 FR 76,446, 76,446. FVPSA has not been amended since 2010 and the FVPSA regulations have not been amended since 2016.

III. Executive Summary

This NPRM proposes to rescind two Sections of the FVPSA regulations that are duplicative or unnecessary. These rescissions would impact States, Territories, Tribes, and nongovernmental entities. The regulation Sections to be removed and reserved can be designated into two categories: those that are duplicative and those that are unnecessary because they are better suited for a different format other than regulation.

45 CFR 1370.1 is proposed for removal because it is unnecessary. This regulation Section articulates the general purpose of FVPSA grants but merely summarizes the programs funded by the Act. It imposes no obligations on grant recipients or applicants, nor does it give any guidance on how to interpret relevant statutory language. We propose removal because the content in this regulation Section could assist grant applicants and recipients more effectively in the introduction to a Notice of Funding Opportunity ("NOFO") or in fact sheets distributed by ACF.

45 CFR 1370.3 is proposed for removal because it is duplicative. It imposes no new obligations and offers no new guidance because the authority and requirements are pulled directly from other statutes and regulations. 45 CFR 1370.3 lists Government-wide and HHS-wide regulations that apply to FVPSA grant recipients and subrecipients. The cited regulations

apply to grant recipients and subrecipients regardless of whether they are listed in the FVPSA regulations, so their inclusion in the FVPSA regulations creates no additional authority. We propose removal of this Section because it serves no purpose other than to repeat requirements that are available elsewhere. Further, the list of authorities included at 45 CFR 1370.3 is not an exhaustive list of all Federal regulations that apply to grant recipients and subrecipients, making its inclusion in the FVPSA regulations not merely duplicative but potentially confusing. *See* Family Violence Prevention and Services Program, 80 FR 61,890, 61,896 (proposed Oct. 14, 2015).

45 CFR 1370.6 is proposed for removal because it is unnecessary and better suited to a different format such as sub-regulatory guidance or inclusion in a NOFO. 45 CFR 1370.6 addresses requirements for reports and evaluations for FVPSA formula grants. The first part of the regulation merely restates the reporting requirement listed in the FVPSA statute at 42 U.S.C. 10406(d). The rest of the regulation does not impose an obligation on grant recipients, but rather, clarifies that Territorial governments must also submit a performance report unless they consolidate FVPSA funds with other HHS funds in a Consolidated Block Grant under 45 CFR Part 97, in which case they do not need to submit a performance report. ACF initially added this clarifying language to address earlier questions about reporting requirements for Territorial grantees. *See* Family Violence Prevention and Services Program, 80 FR 61,890, 61,899 (proposed Oct. 14, 2015). Territories that have consolidated FVPSA funds with other HHS funds in a Consolidated Block Grant are bound by 48 U.S.C. 1469a and 45 CFR Part 97 and are already on notice that they do not need to submit a separate performance report for FVPSA compliance. This Section of the regulation is unnecessary because grant recipients and subrecipients are already informed about reporting requirements through existing NOFOs, the FVPSA statute itself, and other applicable law and regulations. Grant documents and sub-regulatory guidance are better suited than regulation to answer questions from any grant recipient, including Territories, about reporting obligations.

45 CFR 1370.30, 45 CFR 1370.31, and 45 CFR 1370.32 are proposed for removal because they are in part duplicative of statutory language and in part unnecessary. These three Sections address requirements for National Resource Center and Training and Technical Assistance grants (45 CFR 1370.30), requirements for specialized services for abused parents and their children (“SSAPC”) grants (45 CFR 1370.31), and requirements for National Domestic Violence Hotline grants (45 CFR 1370.32). Most of the language in these Sections repeats requirements articulated clearly in statute and serves no purpose in regulation. *Compare* 42 U.S.C. 10410 *with* 45 CFR 1370.30; 42 U.S.C. 10412 *with* 45 CFR 1370.32; 42 U.S.C. 10411 *with* 45 CFR 1370.31.

Although much of the FVPSA regulation restates statutory language in these three Sections, even language that diverges from statutory requirements is not necessary to include in regulation. Conversely, other Sections of the FVPSA regulation restate the authorizing statute in part but also include additional requirements not found in statute that are necessary for program operation. See, e.g., 45 CFR 1370.10 (outlining requirements for State and Indian Tribal grants and describing consultation requirements for Tribes), 45 CFR 1370.20 (describing requirements for State Domestic Violence Coalitions and detailing the process through which ACF designates entities to serve as State Domestic Violence Coalitions). In 45 CFR 1370.30-32, where regulatory language expands on or diverges from statutory language, such as SSAPC grant application requirements listed in 45 CFR 1371.31(b), content can be shifted from regulatory text to NOFOs and other grant documents without negative consequences. Indeed, all NOFOs must include all application requirements already, and agency expectations that differ from those listed in the statute are especially important to explain via grant application documents regardless of whether they are already located in regulation.

Severability.

The purpose of this Section is to clarify ACF's intent with respect to the severability of the provisions of this NPRM. As explained above, ACF proposes removing Sections of the FVPSA regulations because we determined that doing so would make the regulations clearer, less burdensome, and more accessible to the public. To the extent that any portion of the proposed removals are declared invalid by a court, ACF intends for all other provisions of this proposed rule to remain in effect to the greatest extent possible to ensure that FVPSA regulations remain as concise and accessible as possible. None of the provisions contained herein are central to an overall intent of the proposed rule, nor are any provisions dependent on the validity of other, separate provisions.

IV. Discussion of Proposed Changes

45 CFR Part 1370 Family Violence Prevention and Services Programs

Subpart A – General Provisions

Section 1370.1 What are the purposes of the Family Violence Prevention and Services Act Programs?

This Section is proposed for removal because it is unnecessary. This Section explains the general purpose of FVPSA grants but provides no instructions to grant applicants or recipients, nor does it impose any new obligations. Thus, this Section is not needed in regulation and would better serve grant applicants and recipients if it were moved to the opening of a NOFO and described elsewhere in sub-regulatory guidance.

Section 1370.3 What Government-wide and HHS-wide regulations apply to these programs?

This Section is proposed for removal because it is duplicative. The Section restates a list of Federal regulations applicable to FVPSA grant recipients and subrecipients without explanation of why each regulation is flagged yet excludes other Federal regulations that apply to all grant recipients and subrecipients. See Family Violence Prevention and Services Program, 80

FR 61,890, 61,896 (proposed Oct. 14, 2015) (“This new list does not attempt to list all of the Federal laws and regulations...that pertain to organizations that may be grant awardees.”). The listed regulations apply to FVPSA grant recipients and subrecipients (and in many cases, all HHS or Federal agency grant recipients and subrecipients) regardless of whether they are included in FVPSA regulations, and the arbitrary nature by which the listed regulations were selected for inclusion demonstrates further that this Section serves no purpose.

Section 1370.6 What requirements for reports and evaluations apply to these programs?

This Section is proposed for removal because it is part duplicative and in part unnecessary. This Section merely restates formula grant reporting requirements found in the FVPSA statute at 42 U.S.C. 10406(d) and reporting requirements for Consolidated Block Grants in 45 CFR Part 97. While this Section was added to the FVPSA regulations to “clarify requirements that have been questioned in the past,” the FVPSA statute, Standing NOFOs, and existing program instructions are sufficiently clear about reporting requirements to make this Section unnecessary. Any remaining questions about FVPSA performance reports for Territory grant recipients are best addressed in sub-regulatory guidance which would also allow for more detail than the regulatory language includes.

Subpart D – Discretionary Grants and Contracts

Section 1370.30 What National Resource Center and Training and Technical Assistance grant programs are available and what additional requirements apply?

This Section describes national resource center and training and technical assistance grants authorized in the FVPSA Program at 42 U.S.C. 10410 and lists additional requirements for the grants. This Section is proposed for removal because it is unnecessary. Most of this Section merely summarizes the statutory language, which is already prescriptive in its description of available grants, allowable activities, and eligibility requirements. While the terminology in the regulation Section sometimes differs slightly from the statutory language, this Section includes

no new obligations or necessary clarifications. Where the regulation Section provides a more detailed description of program requirements than the statute, such description should be relocated to NOFOs. Grant requirements are better suited for NOFOs or other grant documents, such as supplemental terms and conditions. For example, the term “Culturally-Specific Special Issue Resource Centers” appears in the regulation at 45 CFR 1370.30(a)(4) but not in statute, but using this term over the corresponding statutory language at 42 U.S.C. 10410(b)(2)(E) has no impact on grant applicants or recipients. Where the regulation section provides a more detailed description of program requirements than the statute, such description should be relocated to NOFOs. Indeed, this Section already directs grant applicants and recipients to refer to the NOFO (here called a “Funding Opportunity Announcement”) for more information about application requirements, making any guidance provided by this Section incomplete. *See* 45 CFR 1370.30(b).

Section 1370.31 What additional requirements apply to grants for specialized services for abused parents and their children?

This Section is proposed for removal because it is unnecessary. Most of this Section summarizes authorizing statutory language from 42 U.S.C. 10412, which is already prescriptive in its description of available grants, allowable activities, and eligibility requirements. Where the regulation Section provides a more detailed description of program requirements than the statute, such as in 45 CFR 1370.31(b), such description should be relocated to NOFOs. Grant requirements are better suited for NOFOs or other grant documents, such as supplemental terms and conditions. As with 45 CFR 1370.30 cited above, this Section already directs grant applicants and recipients to refer to the NOFO (here called a “Funding Opportunity Announcement”) for more information about application requirements, making any guidance provided by this Section incomplete. *See* 45 CFR 1370.30(b)(4).

Section 1370.32 What additional requirements apply to the National Domestic Violence Hotline grants?

This Section is proposed for removal because it is unnecessary. Most of this Section summarizes the statutory language at 42 U.S.C. 10411, which is already prescriptive in its description of allowable activities, and eligibility requirements for National Domestic Violence Hotline grants. Where the regulation Section provides a more detailed description of program requirements than the statute or differs from the statute, such as including a definition of “telephone” at 45 CFR 1370.32(b) that incorporates a broader use than the term initially held, such clarifications should be relocated to NOFOs. Grant requirements are better suited for NOFOs or other grant documents, such as supplemental terms and conditions. Indeed, this Section already directs grant applicants and recipients to refer to the NOFO (here called a “Funding Opportunity Announcement”) for more information about application requirements, making any guidance provided by this Section incomplete. *See* 45 CFR 1370.32(c)(7).

V. Regulatory Process Matters

Paperwork Reduction Act

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*, as amended) (PRA), all Departments are required to submit to the Office of Management and Budget (OMB) for review and approval any reporting or recordkeeping requirements inherent in a proposed or final rule. This NPRM does not contain any information requiring OMB approval under the PRA and, therefore, will not create any new paperwork burdens or modify existing burdens subject to OMB review.

Executive Order 13132

Executive Order 13132 requires federal agencies to consult with State and local government officials if they develop regulatory policies with federalism implications. Federalism is rooted in the belief that issues that are not national in scope or significance are most appropriately addressed by the level of government close to the people. This proposed rule

would not have substantial direct impact on the States, on the relationship between the federal government and the States, or on the distribution of power and responsibilities among the various levels of government. This NPRM would not pre-empt State law. The changes proposed in the NPRM are removing duplicative and unnecessary regulations from the Office of Family Violence Prevention and Services regulations. Therefore, in accordance with Section 6 of Executive Order 13132, it is determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

Assessment of Federal Regulations and Policies on Families

Assessment of Federal Regulations and Policies on Families Section 654 of the Treasury and General Government Appropriations Act of 1999 (Pub. L. 105-277) requires federal agencies to determine whether a policy or regulation may negatively affect family well-being. If the agency determines a policy or regulation negatively affects family well-being, then the agency must prepare an impact assessment addressing seven criteria specified in the law. HHS believes it is not necessary to prepare a family policymaking assessment because the actions proposed in this NPRM will not have any impact on the autonomy or integrity of the family as an institution.

VI. Regulatory Impact Analysis

We have examined the impacts of the proposed rule under Executive Order 12866, Executive Order 13563, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601-612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

Executive Orders 12866 and 13563 direct us to assess all benefits and costs of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits. Rules are “significant” under Executive Order 12866 Section 3(f)(1) if they “have an annual effect on the economy of \$100 million or more; or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the

environment, public health or safety, or State, local or tribal governments or communities.”

Executive Order 14192 requires that any new incremental costs associated with significant new regulations “shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations.” The Office of Information and Regulatory Affairs (OIRA) has determined that this proposed rule is not a significant action under Executive Order 12866 Section 3(f). This analysis indicates that the proposed rule, if finalized would be a deregulatory action as defined by Section 3 of Executive Order 14192.

The Regulatory Flexibility Act (RFA) requires agencies to consider the impact of their regulatory proposals on small entities. Because this NPRM proposes repealing duplicative and unnecessary language, we propose to certify that the proposed rule would not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (UMRA) generally requires that each agency conduct a cost-benefit analysis; identify and consider a reasonable number of regulatory alternatives; and select the least costly, most cost effective, or least burdensome alternative that achieves the objectives of the rule before promulgating any proposed or final rule that includes a Federal mandate that may result in expenditures of more than \$100 million (adjusted for inflation) in at least one year by State, local, and tribal governments, in the aggregate, or by the private sector. Each agency issuing a rule with relevant effects over that threshold must also seek input from State, local, and tribal governments. The current threshold after adjustment for inflation is \$193 million, using the most current (2025) Implicit Price Deflator for the Gross Domestic Product. This proposed rule would not result in an expenditure in any year that meets or exceeds this amount.

VII. Tribal Consultation Statement

Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, requires agencies to consult with Indian Tribes when regulations have “substantial direct effects

on one or more Indian tribes, on the relationship between the Federal government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.” *Consultation and Coordination With Indian Tribal Governments*, 65 FR 67249. Similarly, ACF's Tribal Consultation Policy says that consultation is triggered for any legislative proposal, new rule adoption, or other policy change that significantly affects Tribes, meaning there exists a reasonable presumption that it has or many have substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and Indian Tribes, on the amount or duration of ACF program funding, on the delivery of ACF programs or services to one or more Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes. However, as this is a deregulatory action, per OMB M-25-36, *Streamlining the Review of Deregulatory Actions*, this action presumptively does not trigger the consultation requirements of Executive Order 13175. ACF is nevertheless committed to consulting with Indian Tribes and Tribal leadership on this action to the extent practicable and permitted by law.

List of Subjects in 45 CFR Part 1370

Administrative practice and procedure, Child welfare, Domestic violence, Grant programs-Indians, Grant programs-social programs, Public assistance programs, Reporting and recordkeeping requirements, Technical assistance.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 1370 as follows:

PART 1370 – FAMILY VIOLENCE PREVENTION AND SERVICES PROGRAMS

1. The authority citation for part 1370 continues to read as follows:

Authority: 42 U.S.C. 10401 *et seq.*

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§ 1370.1 [Removed and Reserved]

2. Remove and reserve § 1370.1

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§ 1370.3 [Removed and Reserved]

3. Remove and reserve § 1370.3.

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§ 1370.6 [Removed and Reserved]

4. Remove and reserve § 1370.6.

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§ 1370.30 [Removed and Reserved]

5. Remove and reserve § 1370.30.

§ 1370.31 [Removed and Reserved]

6. Remove and reserve § 1370.31.

§ 1370.32 [Removed and Reserved]

7. Remove and reserve § 1370.32.

Dated: April 2, 2026

Robert F. Kennedy, Jr.,

Secretary,

Department of Health and Human Services.