



## **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Administration for Children and Families**

**45 CFR Parts 201, 204, 205, 225, 233, 234, 235, 237, 260, 261, 262, 263, 264, 265, 270, 283, 284, 286 and 287**

**RIN 0970-AD38**

### **Reducing Bureaucracy and Burden for Family Assistance Programs**

**AGENCY:** Office of Family Assistance (OFA), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Administration for Children and Families proposes to amend the Grants to States for Public Assistance Programs regulations, the General Administration – State Plans and Grant Appeals regulations, the General Administration – Public Assistance Programs regulations, the Training and Use of Subprofessionals and Volunteers regulations, the Coverage and Conditions of Eligibility in Financial Assistance Programs regulations, the Financial Assistance to Individuals regulations, the Administration of Financial Assistance Programs regulations, the Fiscal Administration of Financial Assistance Programs regulations, the General Temporary Assistance for Needy Families (TANF) Provisions regulations, the Ensuring That Recipients Work regulations, the Accountability Provisions – General regulations, the Expenditures of State and Federal TANF Funds regulations, the Other Accountability Provisions regulations, the Data Collection and Reporting Requirements regulations, the High Performance Bonus Awards regulations, the Implementation of Section 403(a)(2) of the Social Security Act Bonus to Reward Decrease in Illegitimacy Ratio regulations, the Methodology for Determining Whether an Increase in a State or Territory’s Child Poverty Rate Is the Result of the TANF Program regulations, the Tribal TANF Provisions

regulations, and The Native Employment Works (NEW) Program regulations to eliminate unnecessary or obsolete regulations. 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 FROM PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may submit written comments, identified by docket number ACF-2026-0496 and/or RIN number **0970-AD38**, 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](mailto:Deregulation@acf.hhs.gov). Include the docket number ACF-2026-0496 and/or RIN number **0970-AD38** 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](http://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](mailto:Deregulation@acf.hhs.gov).

## **SUPPLEMENTARY INFORMATION**

### **I. Statutory Authority**

This proposed regulation is being issued under the authority granted to the Secretary of Health and Human Services by the Social Security Act, as amended (42 U.S.C. 301 *et seq.*), including titles I, IV-A, IV-D, X, XIV, and XVI(note) of the Social

Security Act which authorizes the administration of public assistance, child support enforcement, and other family assistance programs. This rulemaking is further supported by Section 1102 of the Social Security Act (42 U.S.C. 1302), which provides the Secretary with general authority to make and publish regulations necessary for the efficient administration of programs under the Act. These statutory authorities provide the basis for the regulations codified at 45 CFR Parts 201, 204, 205, 225, 233, 234, 235, 237, 260, 261, 262, 263, 264, 265, 270, 283, 284, 286, and 287.

## **II. Background**

45 CFR Parts 201, 204, 205, 225, 233, 234, 235, and 237 comprise the core regulatory framework governing the administration of public assistance and related programs authorized under the Social Security Act and administered by HHS, primarily through the ACF. Originally promulgated to implement Aid to Families with Dependent Children (AFDC) and other categorical assistance programs prior to enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub. L. 104–193), these regulations continue to establish foundational administrative, fiscal, and program integrity requirements applicable to States, Territories, and, where applicable, Tribal agencies operating federally funded assistance programs.

These parts establish State plan requirements, Federal financial participation (FFP) standards, reporting and recordkeeping obligations, hearing and appeals processes, eligibility and payment provisions, and administrative enforcement mechanisms. They include general administrative provisions (Part 201), public assistance reporting requirements (Part 205), financial management standards (Part 201 and related subparts), program-specific requirements for assistance and services (Part 233), and fair hearing and appeals procedures (Part 205). Collectively, these regulations provide the uniform administrative structure under which States, Tribes, and Territories receive and

administer Federal funds for cash assistance, child support enforcement, and related benefit programs.

45 CFR Parts 260 through 265 establish the regulatory framework for the TANF program, enacted under title IV-A of the Social Security Act as amended by PRWORA in 1996. Originally published in 1999 and subsequently amended, these regulations govern the purposes of TANF (Part 260), work participation requirements (Part 261), eligible and ineligible uses of Federal TANF funds (Part 263), State reporting requirements (Part 265), penalty and corrective action procedures (Part 262), and data collection and verification standards (Part 264).

The TANF regulations define key statutory terms such as “assistance,” “work activities,” and “work-eligible individual,” and establish the methodology for calculating State work participation rates. They also set forth maintenance-of-effort (MOE) requirements, limitations on administrative expenditures, and procedures for determining and appealing financial penalties. Together, these parts provide the accountability and performance measurement structure for the TANF block grant program while preserving State flexibility in program design.

45 CFR Part 270, “High Performance Bonus Awards” governs the bonus funds awarded to States for meeting certain TANF measures. The regulations lay out the amount in bonuses provided, explain the measures and what factors ACF uses to determine each state’s scores.

45 CFR Part 283 “Implementation of Section 403(A)(2) of the Social Security Act Bonus to Reward Decrease in Illegitimacy Ratio” governs the bonuses given to states who lowered illegitimacy. The regulations describe what data a state had to submit to be considered for the bonus, how ACF would consider the data, and the amounts of the bonus.

45 CFR Part 284 “Methodology for Determining Whether an Increase in a State or Territory Child Poverty Rate is the Result of the TANF Program” governs the previous requirement under 42 U.S.C. 613(i) for determining child poverty rates. The regulations explain the method of determining child poverty rates and corrective action required if the poverty rate increased by over five percent in a two-year period.

45 CFR Part 286 “Tribal TANF Provisions” establishes the regulatory requirements governing the approval and administration of Tribal TANF programs. Promulgated following statutory authorization for Tribal administration of TANF, this part specifies Tribal plan content requirements, funding methodologies, reporting obligations, and procedures for plan amendments and corrective actions. It provides for direct Federal funding to eligible federally recognized Tribes and Tribal consortia and outlines the process for determining Tribal family assistance grant amounts based on historical State expenditures.

45 CFR Part 287 “The Native Employment Works (NEW) Program” describes the rules for implementing the program described in section 412(a)(2) of the Social Security Act. This part lists plan requirements, allowable expenditures under the program, and reporting requirements.

Taken together, these regulatory parts form an integrated framework governing the administration, funding, accountability, and oversight of TANF, Tribal TANF, child support enforcement, and related assistance programs. They establish uniform procedures for State and Tribal plans, financial management, reporting, performance measurement, enforcement, and appeals, while implementing statutory requirements designed to promote program integrity, fiscal stewardship, and the effective delivery of services to low-income families.

### **III. Executive Summary**

This NPRM proposes to remove multiple regulations that are either unnecessary or wholly obsolete. These rescissions would impact States, Territories, and Tribal Lead Agencies. The regulations contained in this NPRM to be removed and reserved can be categorized into three groups: those that are duplicative, those that are better suited as a different type of sub-regulatory format, or those that are obsolete.

The duplicative regulations are those that exist yet, carry no impact as the authority and requirements stated in the regulation exist or are stated elsewhere such as in statute. This renders the language found in the regulation to be either duplicative or otherwise generally unnecessary.

The regulations that are better suited to a different format, i.e. as a sub-regulatory document, are those that generally read like a Frequently Asked Questions document or are overly prescriptive and carry technical details that belong in programmatic instruction. These documents are being proposed to be removed and reserved in order to allow for them to be published in the more appropriate format.

Finally, obsolete regulations are those that are outdated. This includes regulations that refer to grant programs that are no longer funded, practices that are no longer followed, or are otherwise no longer relevant.

#### *Effective Date.*

ACF expects all provisions included in the proposed rule, if finalized, to become effective 30 days from the date of publication of the final rule.

#### *Severability.*

The provisions of this NPRM, once it becomes final, are intended to be severable, such that, in the event a court were to invalidate any particular provision or deem it to be unenforceable, the remaining provisions would continue to be valid. The changes address a variety of issues relevant to the Office of Family Assistance. 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 201 Grants to States for Public Assistance Programs*

###### § 201.0 Scope and applicability

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program, following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

###### § 201.1 General definitions

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

##### *Subpart A – Approval of State Plans and Certification of Grants*

###### § 201.3 Approval of State plans and amendments

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.4 Administrative review of certain administrative decisions

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.5 Grants

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin

Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.6 Withholding of payment; reduction of Federal financial participation in the costs of social services and training

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.7 Judicial review

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### *Subpart B – Review and Audits*

#### § 201.10 Review of State and local administration

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.11 Personnel merit system review

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.12 Public assistance audits

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin

Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.13 Action on audit and review findings

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.14 Reconsideration under section 1116(d) of the Act

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.15 Deferral of claims for Federal financial participation

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the

1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.67 Treatment of uncashed or cancelled checks

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

#### § 201.70 Treatment of replacement checks

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural

operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this Section.

*45 CFR Part 204 General Administration – State Plans and Grant Appeals*

Part 204, which is inclusive of 45 CFR Parts 204.1, 204.2, 204.3, and 204.4, was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

*45 CFR Part 205 General Administration – Public Assistance Programs*

§ 205.5 Plan amendments

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 205.10 Hearings

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.25 Eligibility of supplemental security income beneficiaries for food stamps or surplus commodities

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.30 Methods of administration

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the

Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.32 Procedures for issuance of replacement checks

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.35 Mechanized claims processing and information retrieval systems; definitions

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.36 State plan requirements

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.37 Responsibilities of the Administration for Children and Families (ACF)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 205.38 Federal financial participation (FFP) for establishing a statewide mechanized system

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 205.45 Federal financial participation in relation to State emergency welfare preparedness

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 205.70 Availability of agency program manuals

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.100 Single State agency

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.101 Organization for administration

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and

procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.120 Statewide operation

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.130 State financial participation

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.150 Cost allocation

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the

1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.160 Equipment – Federal financial participation

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.170 State standards for office space, equipment, and facilities

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As

such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 205.190 Standard-setting authority for institutions

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### *45 CFR Part 225 Training and use of Subprofessionals and Volunteers*

Part 225, which is inclusive of 45 CFR Parts 225.1, 225.2, and 225.3, was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### *45 CFR Part 233 Coverage and Conditions of Eligibility in Financial Assistance Programs*

##### § 233.21 Budgeting methods for OAA, AB, APTD, and AABD

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations

do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.22 Determining eligibility under prospective budgeting

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.23 When assistance shall be paid under retrospective budgeting

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.24 Retrospective budgeting; determining eligibility and computing the assistance payment in the initial one or two months

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.25 Retrospective budgeting; computing the assistance payment after the initial one or two months

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.26 Retrospective budgeting; determining the eligibility after the initial one or two months

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.27 Supplemental payments under retrospective budgeting

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.28 Monthly reporting

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations

do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.29 How monthly reports are treated and what notices are required

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.31 Budgeting methods for AFDC

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.32 Payment and budget months (AFDC)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.33 Determining eligibility prospectively for all payment months (AFDC)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the

1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.34 Computing the assistance payment in the initial one or two months (AFDC)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.35 Computing the assistance payment under retrospective budgeting after the initial one or two months (AFDC)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.36 Monthly reporting (AFDC)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.37 How monthly reports are treated and what notices are required (AFDC)

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.38 Waiver of monthly reporting and retrospective budgeting requirements; AFDC

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.39 Age

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.40 Residence

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations

do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.50 Citizenship and alienage

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.51 Eligibility of sponsored aliens

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.52 Overpayment to aliens

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.53 Support and maintenance assistance (including home energy assistance) in AFDC

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.60 Institutional status

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.70 Blindness

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

#### § 233.80 Disability

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations

do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.100 Dependent children of unemployed parents

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.101 Dependent children of unemployed parents

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.106 Denial of AFDC benefits to strikers

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.107 Restriction in payment to households headed by a minor parent

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the

1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.110 Foster care maintenance and adoption assistance

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

§ 233.145 Expiration of medical assistance programs under titles I, IV-A, X, XIV, and XVI of the Social Security Act.

This Section was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. Thus, this proposed rule seeks to eliminate this Section.

*45 CFR Part 234 Financial Assistance to Individuals*

Part 234, which is inclusive of 45 CFR Parts 234.11, 234.60, 234.70, 234.75, 234.120, and 234.130, was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate

to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this part.

*45 CFR Part 235 Administration of Financial Assistance Programs*

Part 235, which is inclusive of 45 CFR Parts 235.50, 235.60, 235.61, 235.62, 235.63, 235.64, 235.65, 235.66, 235.70, and 235.110, was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this part.

*45 CFR Part 237 Financial Administration of Financial Assistance Programs*

Part 237, which is only inclusive of 45 CFR Part 237.50, was established for the AFDC Program which was in effect from 1935 to 1996. However, this program was replaced during the welfare reform era of the 1990s with many of AFDC's former responsibilities now falling under the TANF program following its creation in 1996. AFDC is now defunct. As such, the regulations do not need to remain on the books for an unfunded project. While some provisions relate to the Adult Assistance programs that still operate in Guam, Puerto Rico, and the Virgin Islands, the statute provides sufficient authority for general administrative and procedural operations of these programs to be addressed in sub-regulatory guidance. Thus, this proposed rule seeks to eliminate this part.

*45 CFR Part 260 General TANF Provisions*

*Subpart A – What Rules Generally Apply to the TANF Program?*

§ 260.10 What does this part cover?

This Section is proposed for removal as it does not provide any additional clarity, interpretation, or additional requirements. The removal of this Section will not affect program operations as the scope and authority for TANF are adequately defined elsewhere in the regulatory framework.

§ 260.32 What does the term “WtW cash assistance” mean?

This Section defines the term “WtW cash assistance.” This Section is proposed for removal as it relates to the WtW program which has been unfunded since 2004, and therefore inactive for over 20 years. As this Part refers to an inactive program, the removal of this Part will not affect the operations for the TANF program.

*Subpart B – What Special Provisions Apply to Victims of Domestic Violence?*

§ 260.50 What is the purpose of this subpart?

This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 602(a)(7), the removal of this Section will not affect program operations for TANF.

§ 260.52 What are the basic provisions of the Family Violence Option (FVO)?

This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 602(a)(7)(A), the removal of this Section will not affect program operations for TANF.

*Subpart C – What Special Provisions Apply to States that Were Operating Programs*

*Under Approved Waivers?*

§ 260.70 What is the purpose of this subpart?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

§ 260.71 What definitions apply to this subpart?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

§ 260.72 What basic requirements must State demonstration components meet for the purpose of determining if inconsistencies exist with respect to work requirements or time limits?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity

with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

§ 260.73 How do existing welfare reform waivers affect the participation rates and work rules?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

§ 260.74 How do existing welfare reform waivers affect the application of the Federal time-limit provisions?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

§ 260.75 If a State is claiming a waiver inconsistency for work requirements or time limits, what must the Governor certify?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described

under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

§ 260.76 What special rules apply to States that are continuing evaluations of their waiver demonstrations?

This Section is proposed for removal as it refers to an outdated opportunity for states to continue to keep Section 1115 “welfare reform” waivers in place as described under Section 415 of the Social Security Act so long as the waivers were in place on August 22, 1996. This was designed to allow for states to maintain their policies as allowed by the waiver, if they were inconsistent with the amendments made by PRWORA. However, as all of these waivers were for a set period of time, conformity with PRWORA was required at the point of expiration. As such, the last state waiver expired in 2006, thus making any regulations relating to this process obsolete.

*45 CFR Part 261 Ensuring That Recipients Work*

§ 261.1 What does this part cover?

This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 602, the removal of this Section will not affect program operations for TANF.

*Subpart A – What Are the Provisions Addressing Individual Responsibility?*

§ 261.10 What work requirements must an individual meet?

This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in

statute. As the language is already found at 42 U.S.C. 602(a)(1)(A)(ii) and 42 U.S.C. 602(a)(1)(B)(iv), the removal of this Section will not affect program operations for TANF.

§ 261.11 Which recipients must have an assessment under TANF?

This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 608(b), the removal of this Section will not affect program operations for TANF.

§ 261.12 What is an individual responsibility plan?

This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 608(b)(2), the removal of this Section will not affect program operations for TANF.

§ 261.13 May an individual be penalized for not following an individual responsibility plan?

This Section states the implications for an individual who receives benefits but does not follow an individual responsibility plan. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 608(b)(3), the removal of this Section will not affect program operations for TANF.

§ 261.14 What is the penalty if an individual refuses to engage in work?

This Section states the penalties for individuals who receive benefits but refuse to work. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in

statute. As the language is already found at 42 U.S.C. 607(e)(1) and 42 U.S.C. 609(a)(14), the removal of this Section will not affect program operations for TANF.

§ 261.15 Can a family be penalized if a parent refuses to work because he or she cannot find child care?

This Section clarifies that a family cannot be penalized if a parent refuses to work because he or she cannot find child care. The Section further identifies penalties for a State if they penalize parents who are covered under this provision. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(e)(2) and 42 U.S.C. 609(a)(14), the removal of this Section will not affect program operations for TANF.

§ 261.16 Does the imposition of a penalty affect an individual's work requirement?

This Section declares that any penalty issued by a State against a family for failure to comply with TANF requirements does not represent a reduction in any wage paid to such individual. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 608(c), the removal of this Section will not affect program operations for TANF.

*Subpart B – What Are the Provisions Addressing State Accountability?*

§ 261.21 What overall work rate must a State meet?

This Section details that each State must achieve at least a 50 percent work participation rate, minus any caseload reduction credit. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(a)(1), (b)(1)-(3), the removal of this Section will not affect program operations for TANF.

§ 261.23 What two-parent work rate must a State meet?

This Section details that each State must achieve at least a 90 percent two-parent work participation rate, minus any caseload reduction credit. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(a)(2), (b)(1)-(3), the removal of this Section will not affect program operations for TANF.

*Subpart C – What Are the Work Activities and How Do They Count?*

§ 261.30 What are the work activities?

This Section provides a list of what is counted as work activities. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(d), the removal of this Section will not affect program operations for TANF.

§ 261.33 What are the special requirements concerning educational activities in determining monthly participation rates?

This Section provides special requirements related to determining monthly work participation rates for instances including individuals in vocational training and individuals under 20 years of age. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(c)(2), the removal of this Section will not affect program operations for TANF.

§ 261.35 Are there any special work provisions for single custodial parents?

This Section states that a single custodial parent or caretaker relative with a child below the age of six will be considered as engaged in work if they participate in qualified activities for at least 20 hours per week. This Section is proposed for removal as it merely

restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(c)(2)(B), the removal of this Section will not affect program operations for TANF.

§ 261.36 Do welfare reform waivers affect the calculation of a State’s participation rates?

This Section discusses how a welfare reform waiver could impact a State’s workforce participation rate. This Section is proposed for removal as it is referring to an inactive practice. The last “welfare reform waiver” expired in 2006, thus making this Section outdated and obsolete. Therefore, the removal of this Section will not affect program operations for TANF.

*Subpart E – What Penalties Apply to States Related to Work Requirements?*

§ 261.54 Is a State subject to any other penalty relating to its work program?

This Section discusses that States are eligible to receive additional penalties for improperly imposing penalties on individuals. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 607(e) and 42 U.S.C. 609(a)(14), the removal of this Section will not affect program operations for TANF.

*Subpart G – What Nondisplacement Rules Apply in TANF?*

§ 261.70 What safeguards are there to ensure that participants in work activities do not displace other workers?

This Section discusses what other safeguards exist to ensure that participants in work activities are not displacing other workers. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at

42 U.S.C. 607(f), the removal of this Section will not affect program operations for TANF.

*Subpart H – How Do Welfare Reform Waivers Affect State Penalties?*

§ 261.80 How do existing welfare reform waivers affect a State’s penalty liability under this part?

This Section discusses how a welfare reform waiver could impact a State’s penalty liability in relation to this Part. This Section is proposed for removal as it is referring to an inactive practice. The last “welfare reform waiver” expired in 2006, thus making this Section outdated and obsolete. Therefore, the removal of this Section will not affect program operations for TANF.

*45 CFR Part 262 Accountability Provisions – General*

§ 262.0 What definitions apply to this part?

This Section discusses that the general TANF definitions found in Part 260 apply to this Part as well. This Section is proposed for removal as it cites back to 45 CFR 260.30 which already states that “the following definitions apply under parts 260 through 265 of this chapter.” In other words, Part 260 establishes that those definitions are used throughout the subsequent five parts. Therefore, there is no need to restate that the definitions from 260 are utilized in Part 262. As this Section is duplicative, its removal will not affect program operations for TANF.

§ 262.1 What penalties apply to States?

This Section details a list of TANF fiscal penalties that can be imposed on States. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609, the removal of this Section will not affect program operations for TANF.

*45 CFR Part 263 Expenditures of State and Federal TANF Funds*

*Subpart A – What Rules Apply to a State’s Maintenance of Effort?*

§ 263.1 How much State money must a State expend annually to meet the basic MOE requirement?

This Section describes the amount of money States are required to spend annually to meet the basic MOE requirement of the TANF program. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609, the removal of this Section will not affect program operations for TANF.

§ 263.3 When do child care expenditures count?

This Section discusses when State funds expended on child care may be counted towards the basic MOE requirement. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609, the removal of this Section will not affect program operations for TANF.

§ 263.8 What happens if a State fails to meet the basic MOE requirement?

This Section details what penalties and actions ACF will take when a State fails to meet the basic MOE requirement. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609, the removal of this Section will not affect program operations for TANF.

§ 263.9 May a State avoid a penalty for failing to meet the basic MOE requirement through reasonable cause or corrective compliance?

This Section details that the reasonable cause and corrective compliance provisions would not prevent a State from penalties for failing to meet the basic MOE requirements as it does not apply. This Section is proposed for removal as it merely

restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609(b)-(c), the removal of this Section will not affect program operations for TANF.

*Subpart C – What Rules Apply to Individual Development Accounts?*

§ 263.20 What definitions apply to Individual Development Accounts (IDAs)?

This Section defines terms related to the Individual Development Accounts. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 604(h), the removal of this Section will not affect program operations for TANF.

§ 263.21 May a State use the TANF grant to fund IDAs?

This Section explains that a State may use Federal TANF funds or WtW dollars to fund IDAs for individuals eligible for TANF. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 604, the removal of this Section will not affect program operations for TANF.

§ 263.22 Are there any restrictions on IDA funds?

This Section details the restrictions that apply to recipients of IDA funds. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 604, the removal of this Section will not affect program operations for TANF.

*45 CFR Part 264 Other Accountability Provisions*

§ 264.0 What definitions apply to this part?

This Section defines terms related to this Part. Specifically, it is broken down into two components: 1) that the general TANF definitions found in Part 260 apply to this

Part as well, and 2) lists several additional terms not defined in Part 260. The first component of this Section is proposed for removal as it cites back to 45 CFR 260.30 which already states that “the following definitions apply under parts 260 through 265 of this chapter.” In other words, Part 260 establishes that those definitions are used throughout the subsequent five parts. Therefore, there is no need to restate that the definitions from 260 are utilized in Part 264.

The second component of this Part is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 603 and 608, the removal of this Section will not affect program operations for TANF.

*Subpart A – What Specific Rules Apply for Other Program Penalties?*

§ 264.2 What happens if a State does not comply with the five-year limit?

This Section explains that if a State does not comply with the five-year assistance limit that they will face a penalty of a reduction of five percent of the adjusted State Family Assistance Grant (SFAG). This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609(a)(9), the removal of this Section will not affect program operations for TANF.

§ 264.40 What happens if a State does not repay a Federal loan?

This Section explains that when a State fails to repay a Federal loan that the SFAG payable for the succeeding fiscal year will deduct the amount of the loan balance plus all accumulated interest. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609(a)(6), the removal of this Section will not affect program operations for TANF.

§ 264.60 What policies and practices must a state implement to prevent assistance use in electronic benefit transfer transactions in locations prohibited by the Social Security Act?

This Section discusses that States must enact policies that prevent TANF or MOE funds from being used towards expenditures at liquor stores, casinos, and strip clubs. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 608(a)(12), the removal of this Section will not affect program operations for TANF.

§ 264.61 What happens if a state fails to report or demonstrate it has implemented and maintained practices required in § 264.60?

This Section details that a State's failure to implement policies that restrict usage of TANF or MOE funds for liquor stores, casinos, or strip clubs will be subject to additional penalties. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 608, the removal of this Section will not affect program operations for TANF.

*Subpart B – What Are the Requirements for the Contingency Fund?*

§ 264.70 What makes a State eligible to receive a provisional payment of contingency funds?

This Section discusses the qualifications to receive a provisional payment of contingency funds and explicitly restricts the Tribes and Territories from being eligible to be deemed as a “needy State.” This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 603(b), the removal of this Section will not affect program operations for TANF.

§ 264.71 What determines the amount of the provisional payment of contingency funds that will be made to a State?

This Section discusses the methodology for calculating the amount of the provisional payment of contingency fund that can be awarded to a State. This Section is proposed for removal as it contradicts the plain reading of the language found at 42 U.S.C. 603(b). Therefore, removing this Section will return the operation of the program to be in line with legislative intent.

*Subpart C – What Rules Pertain Specifically to the Spending Levels of the Territories?*

§ 264.83 How will we know if a Territory failed to meet the Matching Grant funding requirements at § 264.80?

This Section discusses the requirement for Territories to submit information as required by other regulations on the quarterly Territorial Financial Report. The requirement of a quarterly report is procedural and therefore better addressed in sub-regulatory guidance. Therefore, ACF is proposing to remove this Section.

§ 264.85 What rights of appeal are available to the Territories?

This Section states that Territories may appeal a disallowance to the Departmental Appeals Board. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 610, the removal of this Section will not affect program operations for TANF.

*45 CFR Part 265 Data Collection and Reporting Requirements*

§ 265.6 Must States file reports electronically?

This Section details that each State must submit their reports electronically based on format specifications prescribed by HHS. This Section is proposed for removal as HHS has the right to require reports be completed in a particular format irrespective of this regulation. Furthermore, as this Section states that the format will be specified by

HHS, it already concedes that this regulation is not penultimate in the sense that there are other guidance documents that further detail report filing specifications. Therefore, the removal of this Section will not affect the operations for the TANF program.

*45 CFR Part 270 High Performance Bonus Awards*

Part 270, which is inclusive of 45 CFR Parts 270.1, 270.2, 270.3, 270.4, 270.5, 270.6, 270.7, 270.8, 270.9, 270.10, 270.11, 270.12, and 270.13, are the regulatory provisions relating to the bonus to reward high performing States in the TANF program. This Part is proposed for removal as the High Performance Bonus (HPB) had its funding eliminated through the Deficit Reduction Act of 2005. Therefore, this program has been unfunded and inactive for over 20 years. As this Part refers to an inactive program, the removal of this Part will not affect the operations for the TANF program.

*45 CFR Part 283 Implementation of Section 403(a)(2) of the Social Security Act Bonus to Reward Decrease in Illegitimacy Ratio*

Part 283, which is inclusive of 45 CFR Parts 283.1, 283.2, 283.3, 283.4, 283.5, 283.6, 283.7, 283.8, and 283.9, are the regulatory provisions relating to the “Bonus to Reward Decrease in Illegitimacy Ratio”. This Part is proposed for removal as this bonus program was eliminated through the Deficit Reduction Act of 2005. Therefore, this program has been unfunded and inactive for over 20 years. As this Part refers to an inactive program, the removal of this Part will not affect the operations for the TANF program.

*45 CFR Part 284 Methodology for Determining Whether an Increase in a State or Territory’s Child Poverty Rate Is the Result of the TANF Program*

Part 284, which is inclusive of 45 CFR Parts 284.10, 284.11, 284.15, 284.20, 284.21, 284.30, 284.35, 284.40, 284.45, and 284.50, are the regulatory provisions relating to the methodology for determining the child poverty rates in the States and Territories. This Part is proposed for removal as the Consolidated Appropriations Act of 2017

rewrote Section 413 of the Social Security Act which removed the provision authorizing this, Part. Therefore, this regulation is inactive and therefore no longer needs to exist. Thus, the removal of this Part will not affect the operations of the TANF program.

#### *45 CFR Part 286 Tribal TANF Provisions*

##### *Subpart A – General Tribal TANF Provisions*

###### § 286.15 Who is eligible to operate a Tribal TANF program?

This Section discusses how either an Indian Tribe or an intertribal consortium of eligible Indian Tribes can apply to operate a Tribal Family Assistance Program (TFAP). This Section is proposed for removal because it imposes no requirements on Tribes and merely informs them of ACF policy. As a statement of policy, ACF believes this provision would be more appropriate for sub-regulatory guidance. The removal of this Section will not affect program operations for TANF.

##### *Subpart B – Tribal TANF Funding*

###### § 286.60 Must Tribes obligate all Tribal Family Assistance Grant funds by the end of the fiscal year in which they are awarded?

This Section states that Tribes are not required to obligate all Tribal Family Assistance Grant (TFAG) funds by the end of the fiscal year in which they are awarded. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 604, the removal of this Section will not affect program operations for TANF.

##### *Subpart C – Tribal TANF Plan Content and Processing*

###### § 286.130 Does the recipient of Welfare-to-Work (WtW) cash assistance count towards a Tribe's TANF time limit?

This Section discusses the instances in which WtW cash assistance is counted towards a Tribe's TANF time limit. This Section is proposed for removal as it relates to

the WtW program which has been unfunded since 2004, and therefore inactive for over 20 years. As this Part refers to an inactive program, the removal of this Part will not affect the operations for the TANF program.

§ 286.175 What special provisions apply in Alaska?

This Section details the special requirements and allowances available to the State of Alaska. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 612, the removal of this Section will not affect program operations for TANF.

§ 286.180 What is the process required for developing comparability criteria that are required in Alaska?

This Section describes that HHS will work with Tribes in Alaska as well as the State of Alaska to develop a process for the development and amendment of the comparability criteria. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 612, the removal of this Section will not affect program operations for TANF.

*Subpart D – Accountability and Penalties*

§ 286.235 What penalties cannot be excused?

This Section discusses that the two penalties that cannot be excused are the penalty for failure to repay a Federal loan and a penalty for failure to replace any reduction in the TFAG from other penalties. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 609 and in other regulations at 45 CFR 286.195, the removal of this Section will not affect program operations for TANF.

*Subpart E – Data Collection and Reporting Requirements*

§ 286.285 How do the data collection and requirements affect Public Law 102-477 Tribes?

This Section describes the impacts of data collection and reporting for 102-477 Tribes. This Section is proposed for removal as it restates the requirements for Tribes to comply with the reporting requirements as is already stated in P.L. 102-477. Therefore, this language is duplicative and thus, the removal of this Section will not affect the operation of the TANF program.

*45 CFR Part 287 The Native Employment Works (NEW) Program*

*Subpart A – General NEW Provisions*

§ 287.5 What is the purpose and scope of the NEW Program?

This Section states the general purpose and scope of the NEW program. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 612, the removal of this Section will not affect the operations of the NEW Program.

*Subpart B – Eligible Tribes*

§ 287.15 Which Tribes are eligible to apply for NEW Program grants?

This Section discusses which Tribes are eligible to apply for the NEW Program. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 612, the removal of this Section will not affect the operations of the NEW Program.

§ 287.20 May a Public Law 102-477 Tribe operate a NEW Program?

This Section clarifies that a P.L. 102-477 Tribe can operate a NEW Program so long as the Tribe is an “eligible Indian tribe.” This Section is proposed for

removal because it is merely an interpretation P.L. 102-477, as amended, and 42 U.S.C. 612(a)(2), which authorizes the NEW program. The removal of this Section will not affect the operation of the NEW Program.

*Subpart C – NEW Program Funding*

§ 287.35 What grant amounts are available under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) for the NEW Program?

This Section details the amount of funds that each Tribe will receive under PRWORA for the NEW Program. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 612, the removal of this Section will not affect the operations of the NEW Program.

§ 287.40 Are there any matching funds requirements with the NEW Program?

This Section states that there are no matching fund requirements with the NEW Program. This Section is proposed for removal as the authorizing statute makes no mention of matching requirements, which therefore does not authorize HHS from imposing such requirements. This Section may be better suited in a sub-regulatory frequently asked questions document. The removal of this Section will not affect program operations for the NEW Program.

§ 287.60 Are there additional financial reporting and auditing requirements?

This Section states that NEW Program grantees are required to comply with other Federal government and HHS-wide regulations regarding auditing and financial requirements. This Section is proposed for removal as irrespective of this Section, NEW Program grantees are required to comply with such regulations. The removal of this Section will not result in grantees no longer having to abide by general financial reporting requirements and will not affect program operations for the NEW Program.

§ 287.65 What OMB circulars apply to the NEW Program?

This Section states which OMB circulars apply to the NEW Program. This Section is proposed for removal as the circulars listed have since been superseded by the Uniform Guidance found at 2 CFR 200. As such, this Section is stating outdated and inaccurate information. Therefore, this Section is proposed for removal, which will not affect the operation of the NEW Program.

*Subpart D – Plan Requirements*

§ 287.90 Are Tribes required to complete any certifications?

This Section states that Tribes are required to complete certain certifications for the NEW Program. This Section is proposed for removal as the requirement that Tribes attain certain certifications exists in a variety of other locations including in other Federal government-wide statutes as well as the statute authorizing the NEW Program. The removal of this Section will not affect the operation of the NEW Program.

§ 287.95 May a Tribe operate both a NEW Program and a Tribal TANF program?

This Section clarifies that a Tribe may operate both a NEW Program as well as a Tribal TANF program so long as they meet the statutory requirements of both programs. Nothing in either authorizing statute indicates that a Tribe is prohibited from operating both programs, with each statute explicitly stating what Tribes are eligible to apply. This Section does not belong in regulation but could serve a useful purpose in a sub-regulatory format, such as a frequently asked questions document. The removal of this Section will not affect the operations of the NEW program or the TANF program.

§ 287.100 Must a Tribe that operates both NEW and Tribal TANF programs submit two separate plans?

This Section states that a Tribe that operates both a NEW Program and a Tribal TANF program must submit two separate plans. This Section is proposed for removal as the requirement for grantees to submit a plan is implied by having separate plan requirements in Part 286 (Tribal TANF) and Part 287 (NEW). This Section does not

belong in regulation but could serve a useful purpose in a sub-regulatory format, such as a frequently asked questions document. The removal of this Section will not affect the operations of the NEW program or the TANF program.

*Subpart E – Program Design and Operations*

§ 287.105 What provisions of the Social Security Act govern the NEW Program?

This Section discusses what provisions of the Social Security Act govern the NEW Program. This Section is proposed for removal as it merely restates statutory language without adding any clarity, interpretation, or additional requirements not already found in statute. As the language is already found at 42 U.S.C. 612, the removal of this Section will not affect the operations of the NEW Program.

*Subpart F – Data Collection and Reporting Requirements*

§ 287.165 What are the data collection and reporting requirements for Public Law 102-477 Tribes that consolidate a NEW Program with other programs?

This Section lists what other data collection and reporting requirements apply to P.L. 102-477 Tribes that choose to consolidate their NEW Program with other programs. This Section is proposed for removal because it is outdated and unnecessary. Reporting requirements under P.L. 102-477 are governed by 25 U.S.C. 3410 and are the responsibility of the Bureau of Indian Affairs (BIA) in coordination with each agency. Therefore, guidance on reporting could be issued by BIA. The removal of this Section will not affect the operation of the NEW Program.

§ 287.170 What are the data collection and reporting requirements for a Tribe that operates both the NEW Program and a Tribal TANF program?

This Section lists what other data collection and reporting requirements apply to Tribes that operate both a NEW Program as well as a Tribal TANF program. This Section is proposed for removal as it states that each Tribe must comply with the specific requirements found in the respective program statutes and regulations. That requirement

is true regardless of this Section. The removal of this Section will not affect the operation of either the NEW Program or the TANF program.

## **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 collections 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 unnecessary and obsolete regulations from the Office of Family Assistance rules. 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 is simply repealing obsolete 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 a new rule adoption that significantly affects tribes, meaning the new rule adoption has substantial direct effects on one on more 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**

### **45 CFR Part 201**

Grant programs-social programs, Guam, Public assistance programs, Puerto Rico, Reporting and recordkeeping requirements, Virgin Islands

### **45 CFR Part 204**

Administrative practice and procedure, Grant programs-social programs, Public assistance programs

### **45 CFR Part 205**

Computer technology, Grant programs-social programs, Privacy, Public assistance programs, Reporting and recordkeeping requirements, Wages

### **45 CFR Part 225**

Grant programs-social programs, Public assistance programs, Volunteers

### **45 CFR Part 233**

Aliens, Grant programs-social programs, Public assistance programs, Reporting and recordkeeping requirements

### **45 CFR Part 234**

Grant programs-social programs, Health care, Public assistance programs, Rent subsidies

### **45 CFR Part 235**

Aid to Families with Dependent Children, Fraud, Grant programs-social programs, Public assistance programs

### **45 CFR Part 237**

Grant programs-social programs, Public assistance programs

**45 CFR Part 260**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 261**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 262**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 263**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 264**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 265**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 270**

Grant programs-social programs, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 283**

Family planning, Health statistics, Public assistance programs

**45 CFR Part 284**

Grant programs-social programs, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 286**

Administrative practice and procedure, Day care, Employment, Grant programs-social programs, Indians, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

**45 CFR Part 287**

Administrative practice and procedure, Employment, Grant programs-social programs, Indians, Loan programs-social programs, Manpower training programs, Penalties, Public assistance programs, Reporting and recordkeeping requirements

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 201 as follows:

**PART 201 – GRANTS TO STATES FOR PUBLIC ASSISTANCE PROGRAMS**

1. The authority citation for part 201 continues to read as follows:

Authority: 42 U.S.C. 303, 603, 1203, 1301, 1302, 1316, 1353, and 1383 (note).

**§ 201.0 [Removed and reserved]**

2. Remove and reserve § 201.0.

**§ 201.1 [Removed and reserved]**

3. Remove and reserve § 201.1.

**§ 201.3 [Removed and reserved]**

4. Remove and reserve § 201.3.

**§ 201.4 [Removed and reserved]**

5. Remove and reserve § 201.4.

**§ 201.5 [Removed and reserved]**

6. Remove and reserve § 201.5.

**§ 201.6 [Removed and reserved]**

7. Remove and reserve § 201.6.

**§ 201.7 [Removed and reserved]**

8. Remove and reserve § 201.7.

**§ 201.10 [Removed and reserved]**

9. Remove and reserve § 201.10.

**§ 201.11 [Removed and reserved]**

10. Remove and reserve § 201.11.

**§ 201.12 [Removed and reserved]**

11. Remove and reserve § 201.12.

**§ 201.13 [Removed and reserved]**

12. Remove and reserve § 201.13.

**§ 201.14 [Removed and reserved]**

13. Remove and reserve § 201.14.

**§ 201.15 [Removed and reserved]**

14. Remove and reserve § 201.15.

**§ 201.67 [Removed and reserved]**

15. Remove and reserve § 201.67.

**§ 201.70 [Removed and reserved]**

16. Remove and reserve § 201.70.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 204 as follows:

**PART 204 – GENERAL ADMINISTRATION – STATE PLANS AND GRANT APPEALS**

**§ 204 [Removed and reserved]**

17. Remove and reserve Part 204.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 205 as follows:

**PART 205 – GENERAL ADMINISTRATION – PUBLIC ASSISTANCE PROGRAMS**

18. The authority citation for part 205 continues to read as follows:

Authority: 42 U.S.C. 602, 603, 606, 607, 1302, 1306(a), and 1320b-7; 42 U.S.C. 1973gg-

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**§ 205.5 [Removed and reserved]**

19. Remove and reserve § 205.5.

**§ 205.10 [Removed and reserved]**

20. Remove and reserve § 205.10.

**§ 205.25 [Removed and reserved]**

21. Remove and reserve § 205.25.

**§ 205.30 [Removed and reserved]**

22. Remove and reserve § 205.30.

**§ 205.32 [Removed and reserved]**

23. Remove and reserve § 205.32.

**§ 205.35 [Removed and reserved]**

24. Remove and reserve § 205.35.

**§ 205.36 [Removed and reserved]**

25. Remove and reserve § 205.36.

**§ 205.37 [Removed and reserved]**

26. Remove and reserve § 205.37.

**§ 205.38 [Removed and reserved]**

27. Remove and reserve § 205.38.

**§ 205.45 [Removed and reserved]**

28. Remove and reserve § 205.45.

**§ 205.70 [Removed and reserved]**

29. Remove and reserve § 205.70.

**§ 205.100 [Removed and reserved]**

30. Remove and reserve § 205.100.

**§ 205.101 [Removed and reserved]**

31. Remove and reserve § 205.101.

**§ 205.120 [Removed and reserved]**

32. Remove and reserve § 205.120.

**§ 205.130 [Removed and reserved]**

33. Remove and reserve § 205.130.

**§ 205.150 [Removed and reserved]**

34. Remove and reserve § 205.150.

**§ 205.160 [Removed and reserved]**

35. Remove and reserve § 205.160.

**§ 205.170 [Removed and reserved]**

36. Remove and reserve § 205.170.

**§ 205.190 [Removed and reserved]**

37. Remove and reserve § 205.190.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 225 as follows:

**PART 225 – TRAINING AND USE OF SUBPROFESSIONALS AND VOLUNTEERS**

**§ 225 [Removed and reserved]**

38. Remove and reserve Part 225.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 233 as follows:

**PART 233 – COVERAGE AND CONDITIONS OF ELIGIBILITY IN FINANCIAL ASSISTANCE PROGRAMS**

39. The authority citation for part 233 continues to read as follows:

Authority: 42 U.S.C. 301, 602, 602 (note), 606, 607, 1202, 1302, 1352, and 1382 (note).

**§ 233.21 [Removed and reserved]**

40. Remove and reserve § 233.21.

**§ 233.22 [Removed and reserved]**

41. Remove and reserve § 233.22.

**§ 233.23 [Removed and reserved]**

42. Remove and reserve § 233.23.

**§ 233.24 [Removed and reserved]**

43. Remove and reserve § 233.24.

**§ 233.25 [Removed and reserved]**

44. Remove and reserve § 233.25.

**§ 233.26 [Removed and reserved]**

45. Remove and reserve § 233.26.

**§ 233.27 [Removed and reserved]**

46. Remove and reserve § 233.27.

**§ 233.28 [Removed and reserved]**

47. Remove and reserve § 233.28.

**§ 233.29 [Removed and reserved]**

48. Remove and reserve § 233.29.

**§ 233.31 [Removed and reserved]**

49. Remove and reserve § 233.31.

**§ 233.32 [Removed and reserved]**

50. Remove and reserve § 233.32.

**§ 233.33 [Removed and reserved]**

51. Remove and reserve § 233.33.

**§ 233.34 [Removed and reserved]**

52. Remove and reserve § 233.34.

**§ 233.35 [Removed and reserved]**

53. Remove and reserve § 233.35.

**§ 233.36 [Removed and reserved]**

54. Remove and reserve § 233.36.

**§ 233.37 [Removed and reserved]**

55. Remove and reserve § 233.37.

**§ 233.38 [Removed and reserved]**

56. Remove and reserve § 233.38.

**§ 233.39 [Removed and reserved]**

57. Remove and reserve § 233.39.

**§ 233.40 [Removed and reserved]**

58. Remove and reserve § 233.40.

**§ 233.50 [Removed and reserved]**

59. Remove and reserve § 233.50.

**§ 233.51 [Removed and reserved]**

60. Remove and reserve § 233.51.

**§ 233.52 [Removed and reserved]**

61. Remove and reserve § 233.52.

**§ 233.53 [Removed and reserved]**

62. Remove and reserve § 233.53.

**§ 233.60 [Removed and reserved]**

63. Remove and reserve § 233.60.

**§ 233.70 [Removed and reserved]**

64. Remove and reserve § 233.70.

**§ 233.80 [Removed and reserved]**

65. Remove and reserve § 233.80.

**§ 233.100 [Removed and reserved]**

66. Remove and reserve § 233.100 .

**§ 233.101 [Removed and reserved]**

67. Remove and reserve § 233.101.

**§ 233.106 [Removed and reserved]**

68. Remove and reserve § 233.106.

**§ 233.107 [Removed and reserved]**

69. Remove and reserve § 233.107.

**§ 233.110 [Removed and reserved]**

70. Remove and reserve § 233.110.

**§ 233.145 [Removed and reserved]**

71. Remove and reserve § 233.145.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 234 as follows:

**PART 234 – FINANCIAL ASSISTANCE TO INDIVIDUALS**

**§ 234 [Removed and reserved]**

72. Remove and reserve Part 234.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 235 as follows:

**PART 235 – ADMINISTRATION OF FINANCIAL ASSISTANCE PROGRAMS**

**§ 235 [Removed and reserved]**

73. Remove and reserve Part 235.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 237 as follows:

**PART 237 – FISCAL ADMINISTRATION OF FINANCIAL ASSISTANCE PROGRAMS**

**§ 237 [Removed and reserved]**

74. Remove and reserve Part 237.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 260 as follows:

**PART 260 – GENERAL TANF PROVISIONS**

75. The authority citation for part 260 continues to read as follows:

Authority: 42 U.S.C. 601, 601 note, 603, 604, 606, 607, 608, 609, 610, 611, 619, and 1308.

**§ 260.10 [Removed and reserved]**

76. Remove and reserve § 260.10.

**§ 260.32 [Removed and reserved]**

77. Remove and reserve § 260.32.

**§ 260.50 [Removed and reserved]**

78. Remove and reserve § 260.50.

**§ 260.52 [Removed and reserved]**

79. Remove and reserve § 260.52.

**§ 260.70 [Removed and reserved]**

80. Remove and reserve § 260.70.

**§ 260.71 [Removed and reserved]**

81. Remove and reserve § 260.71.

**§ 260.72 [Removed and reserved]**

82. Remove and reserve § 260.72.

**§ 260.73 [Removed and reserved]**

83. Remove and reserve § 260.73.

**§ 260.74 [Removed and reserved]**

84. Remove and reserve § 260.74.

**§ 260.75 [Removed and reserved]**

85. Remove and reserve § 260.75.

**§ 260.76 [Removed and reserved]**

86. Remove and reserve § 260.76.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 261 as follows:

**PART 261 – ENSURING THAT RECIPIENTS WORK**

87. The authority citation for part 261 continues to read as follows:

Authority: 42 U.S.C. 601, 602, 607, and 609; Pub. L. 109-171.

**§ 261.1 [Removed and reserved]**

88. Remove and reserve § 261.1.

**§ 261.10 [Removed and reserved]**

89. Remove and reserve § 261.10.

**§ 261.11 [Removed and reserved]**

90. Remove and reserve § 261.11.

**§ 261.12 [Removed and reserved]**

91. Remove and reserve § 261.12.

**§ 261.13 [Removed and reserved]**

92. Remove and reserve § 261.13.

**§ 261.14 [Removed and reserved]**

93. Remove and reserve § 261.14.

**§ 261.15 [Removed and reserved]**

94. Remove and reserve § 261.15.

**§ 261.16 [Removed and reserved]**

95. Remove and reserve § 261.16.

**§ 261.21 [Removed and reserved]**

96. Remove and reserve § 261.21.

**§ 261.23 [Removed and reserved]**

97. Remove and reserve § 261.23.

**§ 261.30 [Removed and reserved]**

98. Remove and reserve § 261.30.

**§ 261.33 [Removed and reserved]**

99. Remove and reserve § 261.33.

**§ 261.35 [Removed and reserved]**

100. Remove and reserve § 261.35.

**§ 261.36 [Removed and reserved]**

101. Remove and reserve § 261.36.

**§ 261.54 [Removed and reserved]**

102. Remove and reserve § 261.54.

**§ 261.70 [Removed and reserved]**

103. Remove and reserve § 261.70.

**§ 261.80 [Removed and reserved]**

104. Remove and reserve § 261.80.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 262 as follows:

**PART 262 – ACCOUNTABILITY PROVISIONS – GENERAL**

105. The authority citation for part 262 continues to read as follows:

Authority: 31 U.S.C. 7501 *et seq.*; 42 U.S.C. 606, 609, and 610; Sec. 7102, Pub. L. 109-171, 120 Stat. 135; Sec. 4004, Pub. L. 112-96, 126 Stat. 197.

**§ 262.0 [Removed and reserved]**

106. Remove and reserve § 262.0.

**§ 262.1 [Removed and reserved]**

107. Remove and reserve § 262.1.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 263 as follows:

**PART 263 – EXPENDITURES OF STATE AND FEDERAL TANF FUNDS**

108. The authority citation for part 263 continues to read as follows:

Authority: 42 U.S.C. 604, 607, 609, and 862a; Pub. L. 109-171.

**§ 263.1 [Removed and reserved]**

109. Remove and reserve § 263.1.

**§ 263.3 [Removed and reserved]**

110. Remove and reserve § 263.3.

**§ 263.8 [Removed and reserved]**

111. Remove and reserve § 263.8.

**§ 263.9 [Removed and reserved]**

112. Remove and reserve § 263.9.

**§ 263.20 [Removed and reserved]**

113. Remove and reserve § 263.20.

**§ 263.21 [Removed and reserved]**

114. Remove and reserve § 263.21.

**§ 263.22 [Removed and reserved]**

115. Remove and reserve § 263.22.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 264 as follows:

**PART 264 – OTHER ACCOUNTABILITY PROVISIONS**

116. The authority citation for part 264 continues to read as follows:

Authority: 31 U.S.C. 7501 *et seq.*; 42 U.S.C. 608, 609, 654, 1302, 1308, and 1337.

**§ 264.0 [Removed and reserved]**

117. Remove and reserve § 264.0.

**§ 264.2 [Removed and reserved]**

118. Remove and reserve § 264.2.

**§ 264.40 [Removed and reserved]**

119. Remove and reserve § 264.40.

**§ 264.60 [Removed and reserved]**

120. Remove and reserve § 264.60.

**§ 264.61 [Removed and reserved]**

121. Remove and reserve § 264.61.

**§ 264.70 [Removed and reserved]**

122. Remove and reserve § 264.70.

**§ 264.71 [Removed and reserved]**

123. Remove and reserve § 264.71.

**§ 264.83 [Removed and reserved]**

124. Remove and reserve § 264.83.

**§ 264.85 [Removed and reserved]**

125. Remove and reserve § 264.85.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 265 as follows:

**PART 265 – DATA COLLECTION AND REPORTING REQUIREMENTS**

126. The authority citation for part 265 continues to read as follows:

Authority: 42 U.S.C. 603, 605, 607, 609, 611, and 613.

**§ 265.6 [Removed and reserved]**

127. Remove and reserve § 265.6.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 270 as follows:

**PART 270 – HIGH PERFORMANCE BONUS AWARDS**

Under the authority in 42 U.S.C. 1302, and for the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 270 as follows:

**§ 270 [Removed and reserved]**

128. Remove and reserve Part 270.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 283 as follows:

**PART 283 – IMPLEMENTATION OF SECTION 403(a)(2) OF THE SOCIAL SECURITY ACT BONUS TO REWARD DECREASE IN ILLEGITIMACY RATIO**

Under the authority in 42 U.S.C. 1302, and for the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 283 as follows:

**§ 283 [Removed and reserved]**

129. Remove and reserve Part 283.

Under the authority in 42 U.S.C. 1302, and for the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 284 as follows:

**PART 284 – METHODOLOGY FOR DETERMINING WHETHER AN INCREASE IN A STATE OR TERRITORY’S CHILD POVERTY RATE IS THE RESULT OF THE TANF PROGRAM**

**§ 284 [Removed and reserved]**

130. Remove and reserve Part 284.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 286 as follows:

**PART 286 – TRIBAL TANF PROVISIONS**

131. The authority citation for part 286 continues to read as follows:

Authority: 42 U.S.C. 601, 604, and 612; Public Law 111-5.

**§ 286.15 [Removed and reserved]**

132. Remove and reserve § 286.15.

**§ 286.60 [Removed and reserved]**

133. Remove and reserve § 286.60.

**§ 286.130 [Removed and reserved]**

134. Remove and reserve § 286.130.

**§ 286.175 [Removed and reserved]**

135. Remove and reserve § 286.175.

**§ 286.180 [Removed and reserved]**

136. Remove and reserve § 286.180.

**§ 286.235 [Removed and reserved]**

137. Remove and reserve § 286.235.

**§ 286.285 [Removed and reserved]**

138. Remove and reserve § 286.285.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 287 as follows:

**PART 287 – THE NATIVE EMPLOYMENT WORKS (NEW) PROGRAM**

139. The authority citation for part 287 continues to read as follows:

Authority: 42 U.S.C. 612.

**§ 287.5 [Removed and reserved]**

140. Remove and reserve § 287.5.

**§ 287.15 [Removed and reserved]**

141. Remove and reserve § 287.15.

**§ 287.20 [Removed and reserved]**

142. Remove and reserve § 287.20.

**§ 287.35 [Removed and reserved]**

143. Remove and reserve § 287.35.

**§ 287.40 [Removed and reserved]**

144. Remove and reserve § 287.40.

**§ 287.60 [Removed and reserved]**

145. Remove and reserve § 287.60.

**§ 287.65 [Removed and reserved]**

146. Remove and reserve § 287.65.

**§ 287.90 [Removed and reserved]**

147. Remove and reserve § 287.90.

**§ 287.95 [Removed and reserved]**

148. Remove and reserve § 287.95.

**§ 287.100 [Removed and reserved]**

149. Remove and reserve § 287.100.

**§ 287.105 [Removed and reserved]**

150. Remove and reserve § 287.105.

**§ 287.165 [Removed and reserved]**

151. Remove and reserve § 287.165.

**§ 287.170 [Removed and reserved]**

152. Remove and reserve § 287.170.

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*Robert F. Kennedy, Jr.,*

*Secretary*

*Department of Health and Human Services*