



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Parts 302, 303, 304, and 309

RIN: 0970-AD18

Employment and Training Services for Noncustodial Parents in the Child Support Program; Rescission

AGENCY: Office of Child Support Enforcement (OCSE), Administration for Children and Families (ACF), Department of Health and Human Services (HHS or the Department).

ACTION: Notice of proposed rulemaking.

SUMMARY: The Office of Child Support Enforcement proposes to rescind the Employment and Training Services for Noncustodial Parents in the Child Support Program final rule, published in the Federal Register on December 13, 2024. The final rule allowed child support agencies to utilize Federal Financial Participation under title IV-D of the Social Security Act for providing specific, optional, and non-duplicative employment and training services to eligible noncustodial parents.

DATES: Consideration will be given to written comments on this Notice of Proposed Rulemaking (NPRM) received on or before (INSERT 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER).

ADDRESSES: You may submit comments, identified by [docket number (ACF-2026-0100) and/or Regulatory Information Number (RIN) 0970-AD18 by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Written comments may be submitted to: Office of Child Support

Enforcement, *Attention:* Director of Policy and Training, 330 C Street SW.,
Washington, DC 20201.

Instructions: All submissions received must include the agency name and docket number or RIN for this rulemaking. All substantive comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided.

The docket on <https://www.regulations.gov> will include a plain language summary of the NPRM.

FOR FURTHER INFORMATION CONTACT: Kimberly Curtis, Division of Policy and Training, OCSE, telephone (202) 690-6614. Email inquiries to ocse.dpt@acf.hhs.gov. Telecommunications Relay users may dial 711 first.

SUPPLEMENTARY INFORMATION:

Submission of Comments

OCSE invites all interested parties to participate in this rulemaking process by submitting written comments, views, and data on any aspect of this notice of proposed rulemaking (NPRM). When submitting comments, please identify the relevant section of the document and explain the basis for each suggestion. All comments will be reviewed by OCSE.

Comments may be submitted either online or by mail, but please choose only one method.

Background and Scope of Regulatory Action

On December 13, 2024, OCSE published the Employment and Training Services for Noncustodial Parents in the Child Support Program final rule (89 FR 100789), which amended 45 CFR parts 302, 303, 304, and 309 to allow state and tribal child support agencies to claim Federal Financial Participation (FFP) under title IV-D of the Social Security Act (the Act) for the cost of providing certain optional employment and training services for eligible noncustodial parents involved in the child support program. The

intention behind the final rule was to allow matching funds for child support agencies to provide services that enhance the economic stability of noncustodial parents, thereby improving the regularity and reliability of child support payments. However, a review of the rule's necessity, effectiveness, and costs following the issuance of Executive Order 14219 Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative, 90 FR 10583 (February 25, 2025), Executive Order 14278, Preparing Americans for High-Paying Skilled Trade Jobs of the Future, 90 FR 17525 (April 28, 2025), and Executive Order 14303, Restoring Gold Standard Science, 90 FR 22601 (May 29, 2025) informed the decision to issue a proposal to rescind the final rule.

Rationale for Proposed Rescission

OCSE acknowledges that this proposed rule adopts a different policy approach than the 2024 final rule, which authorized FFP under title IV-D of the Act for certain employment and training services based on the premise that improving noncustodial parents' employment outcomes could improve the regularity and reliability of child support payments. OCSE is proposing this rescission because, upon further review, we have concluded that the evidence and analysis presented in the final rule do not adequately support the determinations made in that rule, and that the policy approach reflected in the final rule is not the most cost-effective or efficient means of advancing title IV-D objectives.

In particular, OCSE's proposed rescission is based on the following considerations: (1) the final rule projected substantial Federal expenditures over time, reaching \$98.5 million per budget year by FY 2034; (2) the evidence discussed in the final rule indicates, at most, modest improvements in certain employment measures and does not consistently demonstrate improvements in the regularity or amount of child support paid, while some evaluations relied upon are not designed to support causal

conclusions; (3) the final rule's approach creates a parallel service-delivery and funding pathway within child support agencies that overlaps with existing Federal workforce programs, increasing administrative complexity and fragmentation even where coordination is possible; and (4) the final rule does not adequately address key uncertainties and assumptions regarding participation, generalizability, and expected outcomes under Executive Order 14303. The discussion below addresses these concerns in turn.

OCSE recognizes that the 2024 final rule included features intended to address concerns regarding duplication and program integration, including requirements that IV-D agencies determine that participants are not receiving the same services under other Federally funded employment and training programs and flexibility to coordinate with those programs. Nevertheless, for reasons described in this rescission proposal, we have concluded that these design features do not sufficiently address concerns regarding cost-effectiveness, evidence of effectiveness, and administrative complexity.

The estimated fiscal impact of the 2024 final rule against a baseline of no action, accounting for existing trends, was projected to increase Federal expenditures in FY 2025 by \$17.8 million, the first fiscal year analyzed in the 2024 final rule's estimates. As more child support programs use this authority, the estimated fiscal impact was projected to increase. By FY 2034, the estimated fiscal impact was projected to be \$98.5 million per budget year. These estimates reflect only the projected Federal costs (i.e., increased Federal expenditures) associated with providing employment and training services under the rule. They do not include potential benefits to the Federal Government, such as reduced costs for child support enforcement or decreased reliance on means-tested programs, because these benefits are speculative and cannot be reliably quantified for this

rescission NPRM.¹ Given these substantial projected costs to the Federal government, it is in the best interest of the child support program and the broader Federal budget to rescind the final rule.

This NPRM is consistent with Executive Order 14219, which directed agencies to “prioritize review of those rules that satisfy the definition of ‘significant regulatory action’ in Executive Order 12866 of September 30, 1993 (Regulatory Planning and Review), as amended.” As the Employment and Training Services for Noncustodial Parents final rule was designated by OMB as a significant regulatory action, review of the rule was prioritized accordingly. Executive Order 12866, in turn, requires agencies to, as relevant here, assess the costs and benefits of the regulation, and design its regulations in the most cost-effective manner. Upon further review, and for reasons stated below, the final rule failed to fully and transparently assess the costs and relative benefits of providing funding under title IV-D of the Act for employment and training services, nor did it ensure that the rule was designed in the most cost-effective manner.

We note also, upon further review, that the demonstrations and studies cited in the 2024 final rule forming the basis of the Secretary’s determination to allow FFP under title IV-D of the Act for noncustodial parent employment and training services provide, at most, modest quantified evidence of improvement in employment outcomes. OCSE summarizes the full evidentiary record discussed in the 2024 final rule but discusses in greater detail the quantified findings from the Child Support Noncustodial Parent Employment Demonstration (CSPED) and the Families Forward Demonstration because they are the most recent evaluations cited in the final rule and therefore the most directly relevant to current conditions. For example, CSPED, which enrolled 10,173 noncustodial parents across 18 local jurisdictions, increased participants’ employment rate by three

¹ As discussed below, even benefits to non-Federal entities from the 2024 final rule have been demonstrated to be minimal, particularly in light of the projected Federal costs.

percent during the first two years after enrollment and increased their earnings by four percent during the first year after enrollment (measured using quarterly earnings). *See*, 89 FR at 100795 - 96. The final rule also reports an eight percent increase in the likelihood of paying child support through income withholding during the first year after enrollment. However, the rule further acknowledges that CSPED did not increase the amount of child support paid, explaining that enhanced child support services, including order modifications that reduce average order amounts, may have operated at cross-purposes with employment services. *See* 89 FR at 100796 (including footnote 74). In addition, the final rule describes the Families Forward Demonstration as relying on an implementation study and a pre-/post-enrollment analysis of child support outcomes and explicitly notes that the evaluation was not designed to attribute causality, limiting the conclusions that can be drawn regarding sustained employment impacts from that demonstration. *See* 89 FR at 100796.

We further note that many of the additional demonstrations and evaluations cited in the 2024 final rule share similar methodological limitations. A substantial portion of the evidence relied upon in the rule was drawn from pre-/post-enrollment analyses or quasi-experimental designs conducted in a limited number of jurisdictions, often without a contemporaneous control group. While such studies may be informative for program operations or hypothesis generation, they do not permit reliable causal attribution of observed changes in employment, earnings, or child support payment outcomes to the provision of employment and training services under the child support program.

Upon reconsideration of the evidentiary record in light of the principles articulated in Executive Order 14303, Restoring Gold Standard Science, and the White House Office of Science and Technology Policy (OSTP) Director's June 23, 2025 implementing memorandum, "Agency Guidance for Implementing Gold Standard Science in the Conduct & Management of Scientific Activities," OCSE has determined

that the evidentiary record discussed in the 2024 final rule does not provide a sufficiently robust basis to support the significant policy expansion. The OSTP guidance explains that, when research is used to inform policy, especially in an operational or regulatory context, agencies should emphasize disciplined study design (including appropriate controls, robust statistical methods, and adequate sample sizes), transparency (including clear methodological reporting and, where feasible and lawful, access to underlying data and analytical tools), and clear communication of error and uncertainty through quantitative measures (e.g., confidence intervals, error margins, or sensitivity analyses), along with clear descriptions of assumptions, methodological limits, and what findings do and do not establish. The guidance further cautions against speculative claims or extrapolations beyond the data's scope. In light of these standards, the final rule's reliance on studies that frequently reflect short-term outcome measures, limited external validity, and designs that often do not isolate the independent effects of IV-D-funded activities does not support confident conclusions that allowing title IV-D funding for noncustodial parent employment and training services would reliably or sustainably improve employment stability or child support payment regularity on a national scale.

Moreover, many of the initiatives cited in the final rule depended on intensive service models, judicial involvement, or significant funding and service delivery contributions from workforce agencies, community-based organizations, philanthropic sources, or time-limited grants. These features further complicate the attribution of outcomes to IV-D program activities and limit the ability to generalize or replicate results within the ongoing title IV-D funding structure, as contemplated by the 2024 final rule.

Accordingly, OCSE has concerns that the evidentiary record cited in the 2024 final rule does not fully support the broader conclusions drawn in the rule regarding the effectiveness of allowing title IV-D funding for noncustodial parent employment and training services to meaningfully improve stable employment and the regularity of child

support payments. Even assuming that some jurisdictions could achieve positive outcomes under the optional approach adopted in the 2024 final rule, OCSE has reconsidered the appropriate role of the title IV-D program and, as a policy matter, OCSE proposes to focus title IV-D resources on core child support functions, which are locating parents, establishing paternity and support orders and enforcing those orders, rather than establishing an additional employment and training service channel within the IV-D program.

We further note that, while the 2024 final rule extended this optional funding authority to tribal IV-D programs, the NPRM did not propose an explicit tribal funding provision and the studies discussed in the final rule did not evaluate employment and training services delivered through tribal child support programs. Moreover, there are programmatic features that could materially affect both implementation and fiscal effects in tribal settings. In particular, tribal IV-D programs receive 100 percent FFP for allowable activities, which may change uptake incentives and the Federal budget exposure relative to state IV-D programs. In addition, the tribal provisions were added in response to comments and were justified primarily on equity, sovereignty, and trust-responsibility considerations rather than on tribal program evaluation findings. Accordingly, OCSE has concerns about the extent to which evidence from state-focused demonstrations can be assumed to apply to tribal IV-D program implementation and outcomes.

The 2024 final rule is based primarily on the Secretary's authority under sections 452(a)(1) and 454(13) of the Act (42 U.S.C. 652(a)(1) and 654(13)) to establish such other requirements and standards as the Secretary determines to be necessary and effective for obtaining child support and collecting support payments. The final rule is also based on authority under section 1102 of the Act (42 U.S.C. 1302), providing the Secretary with authority to publish rules and regulations, not inconsistent with this Act,

as may be necessary to the efficient administration of HHS programs. However, as explained above, the evidentiary record discussed in the final rule does not demonstrate that permitting title IV-D FFP for noncustodial parent employment and training services is necessary and effective for obtaining child support and collecting child support payments, or that the regulatory changes are necessary to the efficient administration of HHS programs. In particular, the studies relied upon in the final rule indicate, at most, modest improvements in certain employment-related measures, do not consistently indicate improvements in the regularity or amount of child support paid, and in some instances rely on evaluation designs that are not intended to support causal conclusions about program effects. The final rule also does not present tribal-program specific evaluation findings supporting extension to tribal IV-D programs. Moreover, the final rule does not demonstrate that the evidentiary record it relies upon is consistent with the Gold Standard Science principles and implementing guidance described in Executive Order 14303 and the June 23, 2025 OSTP memorandum, establishing criteria for “Gold Standard Science,” including clear presentation of uncertainty, limits on generalizability, and avoidance of extrapolations beyond the scope of the underlying data. The final rule does not fully address study outcomes showing limited or mixed impacts on stable employment and regular child support payments.

Additionally, this NPRM complies with Executive Order 14278, which emphasizes consolidating and streamlining fragmented Federal workforce development programs while also optimizing and better targeting Federal workforce investments. The services authorized for reimbursement under the 2024 final rule (e.g., job search assistance, job readiness training, job development/placement, occupational training, work supports, and related case management) substantially overlap with services already available through existing Federal workforce and employment and training programs, including the Workforce Innovation and Opportunity Act (WIOA) one-stop American

Job Center network and Employment Services, as well as programs such as SNAP Employment and Training and TANF employment-focused activities administered by states and tribes.

The 2024 final rule concluded that authorizing title IV-D agencies to provide employment and training services could complement traditional child support enforcement by helping noncustodial parents secure and maintain employment. The rule further found that existing federally funded workforce development programs often lack sufficient funding to meet service needs and are not designed with a specific focus on unemployed or underemployed noncustodial parents. Upon further consideration, however, OCSE believes that permitting state and tribal IV-D agencies to claim Federal financial participation under title IV-D of the Act for employment and training services is not the most effective or sustainable approach to addressing those limitations.

Although OCSE acknowledges that workforce development programs generally are not structured around parental status and may not target noncustodial parents as a distinct population, those programs are designed to serve unemployed and underemployed individuals with significant barriers to employment, including many noncustodial parents. OCSE further recognizes that funding constraints within the workforce system can limit the availability and intensity of services for some populations. However, establishing a separate IV-D funded employment and training service pathway would not resolve these systemic limitations and would instead require IV-D agencies to undertake additional eligibility screening, contracting or service delivery arrangements, case management, reporting, and oversight functions. This approach would increase fragmentation across the workforce development system and raise the risk of duplicative administrative costs. While the 2024 final rule sought to mitigate duplication by requiring IV-D agencies to determine that participants are not receiving the same services under other Federally funded employment and training

programs and by allowing coordination with those programs, OCSE believes this approach still adds a separate workforce-service structure rather than leveraging existing workforce systems and therefore does not align with the Administration's workforce development program consolidation and resource realignment goals.

OCSE therefore believes that strengthening coordination, referrals, and partnerships between IV-D agencies and existing workforce programs, rather than creating a parallel IV-D funded employment service structure within child support agencies, better aligns with the Administration's workforce development consolidation and resource realignment goals while continuing to support noncustodial parents' access to employment services needed to promote consistent child support payments.

Alternatives Considered

OCSE considered a range of alternatives to rescission, including modifications to the final rule adopted in 2024, as well as other potential approaches to addressing the underlying policy objectives. These alternatives were evaluated in light of concerns regarding cost-effectiveness, evidentiary support, administrative complexity, and projected Federal expenditures.

First, OCSE considered retaining the final rule without change. The final rule adopted a limited set of allowable, non-duplicative employment and training services, excluded certain higher-cost approaches such as subsidized employment, and emphasized coordination with other Federal and state workforce programs and authorities. OCSE evaluated whether these existing limitations and coordination requirements would be sufficient to address concerns regarding program costs, implementation burden, and the strength of the evidence supporting improved employment and child support outcomes. Upon further review, OCSE concluded that retaining the rule in its current form would not adequately address these concerns.

Second, OCSE considered narrowing the scope of allowable activities or further restricting eligibility, service duration, or allowable costs under the final rule. OCSE also considered whether additional safeguards, reporting requirements, or evidentiary standards could be imposed to better ensure cost-effectiveness and measurable outcomes. OCSE determined that such modifications would add administrative complexity for state agencies and the Federal government, while still relying on a limited and uncertain evidence base regarding meaningful improvements in stable employment and child support payment outcomes.

Third, OCSE considered delaying implementation of the final rule or adopting a phased or pilot-based approach to allow for further evaluation and evidence development prior to full implementation. OCSE concluded that this approach would continue to authorize Federal expenditures and impose compliance and administrative burdens without sufficient assurance that the anticipated benefits would be realized.

Finally, OCSE considered whether reliance on existing authorities and programs outside the final rule would more effectively support employment and child support outcomes. OCSE determined that this approach is the most prudent path forward, as existing Federal and state workforce programs and other available authorities already provide avenues for coordination and service delivery without the additional costs and complexities associated with the final rule.

Based on this analysis, OCSE has concluded that alternatives short of rescission would not sufficiently address the concerns described above. Accordingly, OCSE proposes rescission of the final rule and requests comment on whether additional modifications, not identified here, could meaningfully address these concerns while achieving the intended policy objectives.

Reliance Interests and Implementation Status

OCSE recognizes that, in some circumstances, regulated entities may take steps in reliance on a final rule, including planning, staffing, contracting, or developing operational changes. OCSE understands that participation under the 2024 final rule is optional and, as of the development of this NPRM, we are not aware of any state or tribal IV-D agencies that have claimed FFP under this authority. OCSE requests comment on: (1) whether any state or tribal IV-D agencies have opted in or initiated implementation activities under the 2024 final rule; (2) the types and magnitude of any reliance activities undertaken; and (3) what transition period or other measures, if any, would be appropriate to address those reliance interests if this rescission is finalized.

Tribal Consultation

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.” 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. The Secretary has determined that the proposed rescission of the 2024 final rule triggers tribal consultation under these policies. Accordingly, OCSE conducted a virtual tribal consultation on January 15, 2026, on the rescission of the Employment and Training Services for Noncustodial Parents in the Child Support Program final rule. This consultation focused on the proposed changes that affect tribal IV-D programs and, specifically the proposal to remove and reserve 45 CFR 309.121 and the related

conforming changes in 45 CFR part 309 (including removal of §§ 309.65(b), 309.145(c)(5), and 309.155(f)) as well as any other provisions of this NPRM that may have substantial direct effects on Indian tribes. All comments made during the consultation were recorded or summarized and will be included in the public record of comments on the proposed rule.

Statutory Authority

This NPRM is published under the authority granted to the Secretary of Health and Human Services by sections 1102, 452(a)(1), and 454(13) of the Act (42 U.S.C. 1302, [652\(a\)\(1\)](#), and [654\(13\)](#)). Upon further review, and for the reasons stated above, OCSE no longer believes the 2024 final rule allowing funding for employment and training services under title IV-D of the Act achieves the purposes set forth in these sections by establishing program requirements that are necessary and make the program more efficient relative to the cost of the final rule.

Section by Section Discussion

Part 302 State Plan Requirements

OCSE is proposing to remove § 302.76, *Employment and Training Services*, and to reserve the citation. This section grants states the option to provide employment and training services for eligible noncustodial parents in accordance with § 303.6(c)(5). The provision was intended to complement traditional child support enforcement tools by helping noncustodial parents gain and maintain employment to better support their children. However, upon further review, and for reasons stated above, the final rule implementing the provision failed to fully and transparently assess the costs and relative benefits of providing funding under title IV-D of the Act for employment and training services and to design the final rule in the most cost-effective manner. Removing § 302.76 would allow the child support program to better focus on its core responsibilities:

locating parents, establishing paternity and support orders, and enforcing those orders, and would reduce costs for both the Federal Government and state governments.

Part 303 Standards for Program Operations

OCSE is proposing to remove § 303.6(c)(5) and redesignate paragraph (c)(6) as paragraph (c)(5). This section grants states the option to enforce child support obligations by providing employment and training services to eligible noncustodial parents. It sets out required eligibility criteria in addition to criteria that may be established by the IV-D agency, defines allowable employment and training services activities, and provides that FFP may be used to provide case management in connection with those allowable services.

As previously stated, the final rule implementing the provision failed to fully and transparently assess the costs and relative benefits of providing funding under title IV-D of the Act for employment and training services and to design the final rule in the most cost-effective manner. Removing § 303.6(c)(5) would allow the child support program to better focus on its core responsibilities: locating parents, establishing paternity and support orders, and enforcing those orders, and would reduce costs for both the Federal Government and state governments.

Part 304 Federal Financial Participation

OCSE is proposing to remove § 304.20(b)(3)(vii), and redesignate paragraph (b)(3)(viii) as paragraph (b)(3)(vii), which authorizes FFP for certain employment and training services provided to eligible noncustodial parents in accordance with §§ 302.76 and 303.6(c)(5), as this provision is directly linked to §§ 302.76 and 303.6(c)(5), which we also propose removing. The removal of this provision would support Executive Order 14278, which aims to consolidate and streamline fragmented Federal workforce development programs while also enhancing and better targeting Federal investments in workforce development. Allowing state and tribal IV-D programs to claim FFP under

title IV-D of the Act to provide employment and training services, thereby creating yet another fragmented workforce development program, does not align with these objectives.

Additionally, eliminating § 304.20(b)(3)(vii) would reinforce the focus of the IV-D child support program on its core mission: locating parents, establishing paternity, setting and modifying support orders, and enforcing child support obligations.

OCSE is also proposing to remove § 304.23(k), as this provision is directly linked to § 303.6(c)(5), which we propose removing. Removing § 303.6(c)(5), which grants states the option to enforce child support obligations by providing employment and training services to eligible noncustodial parents, would render § 304.23(k) obsolete. Eliminating this provision would ensure consistency across regulations and support the overall effort to streamline the child support program by focusing resources on core enforcement functions.

Part 309 Tribal Child Support Enforcement (IV-D) Program

OCSE is proposing to remove § 309.65(b) and redesignate paragraph (c) as paragraph (b). This section, which is optional for tribes, allows the use of FFP for specific, non-duplicative employment and training services provided to eligible noncustodial parents. The provision was intended to complement traditional child support enforcement tools by helping noncustodial parents gain and maintain employment to better support their children. However, upon further review, and for reasons stated above, the final rule implementing the provision failed to fully and transparently assess the costs and relative benefits of providing funding under title IV-D of the Act for employment and training services and to design the final rule in the most cost-effective manner.

The 2024 final rule also stated that this optional authority would be particularly valuable for tribal IV-D programs because employment and training services available to

tribal communities are often underfunded. OCSE recognizes these broader workforce funding constraints. However, we have concerns that using title IV-D funding to support employment and training services through tribal child support agencies is not an efficient or well-targeted mechanism to address underfunding of workforce programs. In our view, this approach risks diverting tribal IV-D program resources (e.g., administrative capacity, case management attention, and oversight) from core child support functions and adds an additional service-delivery and reporting structure alongside existing workforce programs, even where coordination is possible. Accordingly, OCSE concludes that the underfunding rationale does not overcome the concerns described above regarding cost-effectiveness, transparency of the underlying analysis, and the need for tribal IV-D programs to focus on their primary responsibilities under title IV-D.

For these reasons, OCSE is proposing to remove the optional employment and training authority in § 309.65(b). Removing § 309.65(b) would allow the tribal child support program to better focus on its core responsibilities: locating parents, establishing paternity and support orders, and enforcing those orders, and would reduce costs for the Federal government.

OCSE is proposing to remove and reserve § 309.121 Employment and training services, as well. This optional provision permits tribes to claim FFP for certain non-duplicative employment and training services provided to eligible noncustodial parents. As with § 302.76 for state child support programs, this provision was intended to supplement traditional child support enforcement tools by assisting noncustodial parents in securing and maintaining employment, thereby enabling them to meet their child support obligations.

As discussed above in connection with § 309.65(b), the 2024 final rule stated that this optional authority would be particularly valuable for tribal IV-D programs because employment and training programs serving tribal communities are often underfunded.

OCSE recognizes these broader workforce funding constraints. However, for the reasons discussed above, we have concerns that using title IV-D funding to support employment and training services is not an efficient or well-targeted mechanism to address such underfunding and may increase administrative complexity and divert program resources from core IV-D functions.

Furthermore, as previously stated, the final rule implementing the provision failed to fully and transparently assess the costs and relative benefits of providing funding under title IV-D of the Act for employment and training services and to design the final rule in the most cost-effective manner. Removing § 309.121 would reduce costs for the Federal government while allowing the tribal child support program to maintain focus on its primary responsibilities.

Additionally, OCSE is proposing to remove § 309.145(c)(5), which was added to allow FFP for tribes and tribal organizations operating IV-D programs to provide optional employment and training services. This provision would no longer be needed with the proposed removal of §§ 309.65(b) and 309.121.

Finally, OCSE is proposing to remove § 309.155(f), and redesignate paragraph (g) as paragraph (f), which is directly tied to § 309.121 and outlines employment and training services related activities for which FFP is not available. With the proposed removal of § 309.121, § 309.155(f) would become obsolete.

Impact Analysis

Paperwork Reduction Act of 1995

The Department has determined that this proposed rule does not impose new information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521).

Regulatory Flexibility Analysis

The Secretary certifies, under 5 U.S.C. 605(b), as enacted by the Regulatory Flexibility Act (RFA), Pub. L. 96-354, that this proposed rule would not result in a significant impact on a substantial number of small entities. The primary impact is on state and tribal governments. State and tribal governments are not considered small entities under the Regulatory Flexibility Act.

Regulatory Impact Analysis

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if the regulation is necessary, to select regulatory approaches that maximize net benefits. Executive Order 13563 also emphasizes the importance of quantifying both costs and benefits, reducing costs, harmonizing rules, and promoting flexibility. The Office of Management and Budget's Office of Information and Regulatory Affairs has designated this proposed rule as an economically significant regulatory action under section 3(f)(1) of Executive Order 12866. This proposed rule, if finalized as proposed, is expected to be neither an Executive Order 14192 regulatory action nor an Executive Order 14192 deregulatory action. The baseline for this analysis is continued implementation of the December 13, 2024, final rule permitting state and tribal IV-D agencies to claim FFP under title IV-D for certain optional and non-duplicative employment and training services for eligible noncustodial parents. As discussed in the 2024 final rule and summarized in this NPRM, that rule was projected to increase Federal expenditures by \$17.8 million in FY 2025, with projected Federal expenditures rising to \$98.5 million per budget year by FY 2034 as more child support programs used the authority. Relative to that baseline, this proposed rescission would avert the projected impacts associated with the 2024 final rule. Table 1 summarizes the estimated annual Federal expenditure effects of the proposed rescission relative to that baseline.

OCSE is proposing rescission because, upon further review, we have concluded that the evidence and analysis discussed in the 2024 final rule do not adequately support the determinations made in that rule and that the policy approach reflected in that rule is not the most cost-effective or efficient means of advancing title IV-D objectives. In particular, OCSE has concluded that the 2024 final rule projected substantial Federal expenditures that were not netted against demonstrated benefits, the evidence discussed showed at most modest improvements in certain employment measures and did not consistently demonstrate improvements in the regularity or amount of child support paid, and the rule included studies that in some instances were not designed to support causal conclusions. OCSE also has concerns regarding overlap with existing Federal workforce programs, administrative complexity, and uncertainty regarding participation, generalizability, and expected outcomes, including in tribal settings.

OCSE considered alternatives to rescission, including retaining the 2024 final rule without change, narrowing the scope of allowable activities or imposing additional safeguards, and delaying implementation or adopting a phased or pilot-based approach. OCSE concluded that these alternatives would not sufficiently address concerns regarding projected Federal expenditures, administrative burden, and the limited and uncertain evidence base supporting the 2024 rule. OCSE also considered reliance on existing authorities and programs outside the 2024 final rule and concluded that existing Federal and state workforce programs already provide avenues for coordination and service delivery without the additional costs and complexities associated with that rule.

OCSE recognizes that there is uncertainty regarding the extent to which state and tribal IV-D agencies would have used the authority established by the 2024 final rule and the extent of any implementation or reliance activities already undertaken. Accordingly, we request comments on whether any state or tribal IV-D agencies have initiated implementation activities under the 2024 final rule, the types and magnitude of any

reliance activities undertaken, and what transition period or other measures, if any, would be appropriate if this rescission is finalized.

Table 1. Estimated Economic Effects of the Proposed Rescission Relative to the Baseline of Continued Implementation of the 2024 Final Rule

Fiscal Year	Projected Federal expenditure impact of 2024 final rule	Estimated effect of proposed rescission relative to baseline
2025	\$17.8 million	(\$17.8 million)
2026	\$25.1 million	(\$25.1 million)
2027	\$32.7 million	(\$32.7 million)
2028	\$40.7 million	(\$40.7 million)
2029	\$49.0 million	(\$49.0 million)
2030	\$59.8 million	(\$59.8 million)
2031	\$69.0 million	(\$69.0 million)
2032	\$78.4 million	(\$78.4 million)
2033	\$88.3 million	(\$88.3 million)
2034	\$98.5 million	(\$98.5 million)

Note: Values in parentheses reflect reduced Federal expenditures relative to the baseline of continued implementation of the 2024 final rule.

Unfunded Mandates Reform Act

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires that a covered agency prepare a budgetary impact statement before promulgating a rule that includes any Federal mandate that may result in the expenditure by state, tribal and local governments, in the aggregate, or by the private sector, of \$100 million or more in any one year (adjusted annually for inflation). That threshold level is currently

approximately \$193 million. This proposed rule, if finalized, does not impose any mandates on state, local, or tribal governments, or the private sector, that will exceed this threshold in any year.

Assessment of Federal Regulations and Policies on Families

Section 654 of the Treasury and General Government Appropriations Act of 1999 requires Federal agencies to determine whether a policy or regulation may negatively affect family well-being. If the agency's determination is affirmative, then the agency must prepare an impact assessment addressing seven criteria specified in the law. The required review of the regulations and policies to determine their effect on family well-being has been completed. This regulation does not impose requirements on states or families and will not have an adverse impact on family well-being as defined in the legislation.

Executive Order 13132

Executive Order 13132 prohibits an agency from publishing any rule that has federalism implications if the rule either imposes substantial direct compliance costs on state and local governments and is not required by statute, or the rule preempts state law, unless the agency meets the consultation and funding requirements of section 6 of the Executive Order. This proposed rule does not have a federalism impacts as defined in the Executive Order 13132.

Alex J. Adams, Assistant Secretary for the Administration for Children and Families, approved this document on June 3, 2026.

List of Subjects

45 CFR Part 302

Child support, State plan requirements

45 CFR Part 303

Child support, Standards for program operations

45 CFR Part 304

Child support, Federal financial participation

45 CFR Part 309

Child support, Tribal child support enforcement (IV-D) program

For the reasons discussed in the preamble, the Department of Health and Human Services proposes to amend 45 CFR Chapter III as follows:

PART 302—STATE PLAN REQUIREMENTS

1. The authority citation for part 302 continues to read as follows:

Authority: 42 U.S.C. 651 through 658, 659a, 660, 664, 666, 667, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

§ 302.76 [Remove and Reserve]

2. Remove and Reserve § 302.76:

PART 303—STANDARDS FOR PROGRAM OPERATIONS

3. The authority citation for part 303 continues to read as follows:

Authority: 42 U.S.C. 651 through 658, 659a, 660, 663, 664, 666, 667, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k), and 25 U.S.C. 1603(12) and 1621e.

§ 303.6 [Amend]

4. Amend § 303.6 by:

- a. Adding the word “and” at the end of paragraph (c)(4)(iii);
- b. Deleting paragraph (c)(5); and
- c. Redesignating paragraph (c)(6) as paragraph (c)(5).

PART 304—FEDERAL FINANCIAL PARTICIPATION

5. The authority citation for part 304 continues to read as follows:

Authority: 42 U.S.C. 651 through 655, 657, 1302, 1396a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

§ 304.20 [Amend]

6. Amend § 304.20 by:

- a. Adding the word “and” at the end of paragraph (b)(3)(vi);
- b. Deleting paragraph (b)(3)(vii); and
- c. Redesignating paragraph (b)(3)(viii) as paragraph (b)(3)(vii).

§ 304.23 [Amend]

7. Amend § 304.23 by deleting paragraph (k).

PART 309—TRIBAL CHILD SUPPORT ENFORCEMENT (IV-D) PROGRAM

8. The authority citation for part 309 continues to read as follows:

Authority: 42 U.S.C. 655(f) and 1302.

§ 309.65 [Amend]

9. Amend § 309.65 by:

- a. Deleting paragraph (b); and
- b. Redesignating paragraph (c) as paragraph (b).

§ 309.121 [Remove and Reserve]

10. Remove and Reserve paragraph § 309.121.

§ 309.145 [Amend]

11. Amend § 309.145 by:

- a. Adding the word “and” at the end of paragraph (c)(3);
- b. Removing “; and” at the end of paragraph (c)(4) and adding a period; and
- c. Deleting paragraph (c)(5).

§ 309.155 [Amend]

12. Amend § 309.155 by:

- a. Adding the word “and” at the end of paragraph (e); and
- b. Deleting paragraph (f); and
- c. Redesignating paragraph (g) as paragraph (f).

Robert F. Kennedy, Jr.

Secretary,

Department of Health and Human Services.

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