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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Parts 301, 302, 303, 304, 305, 307, 308, 309, and 310

RIN 0970-AD39

Reducing Bureaucracy and Burden for Child Support Enforcement Programs

AGENCY: Office of Child Support Enforcement (OCSE), 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 Child Support regulations to eliminate unnecessary and obsolete regulations in the following sections: State Plan Approval and Grant Procedures, State Plan Requirements, Standards for Program Operations, Federal Financial Participation, Program Performance Measures, Standards, Financial Incentives, and Penalties, Computerized Support Enforcement Systems, Annual State Self-Assessment Review and Report, Tribal Child Support Enforcement (IV-D) Program, and Computerized Tribal IV-D Systems and Office Automation. A plain language summary of this proposed rule is available at *https://www.regulations.gov*.

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

ADDRESSES: You may submit written comments, identified by docket number ACF-2026-0529 and/or RIN number **0970-AD39**, by one of the following methods:

- *Federal eRulemaking Portal*: Go to *https://www.regulations.gov*. Follow the instructions for submitting comments.
- *Email: Deregulation@acf.hhs.gov.* Include the docket number ACF-2026-0529 and/or RIN number **0970-AD39** in the subject line of the message.

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

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

SUPPLEMENTARY INFORMATION:

I. Statutory Authority

This proposed rule is published under the authority granted to the Secretary of Health and Human Services by section 1102 of the Social Security Act (the Act), 42 U.S.C. 1302. Section 1102 of the Act authorizes the Secretary to publish regulations, not inconsistent with the Act, which "may be necessary for efficient administration of the functions for which the Secretary is responsible under the Act." This proposed rule is also published in accordance with section 455(f) of the Act, 42 U.S.C. 655(f). Section 455(f) of the Act authorizes the Secretary to issue regulations governing the grants to Tribes and Tribal organizations operating child support programs.

II. Background

The Child Support Enforcement Program, established under Title IV-D of the Social Security Act, is a federal-state-tribal partnership designed to help children receive financial support from their noncustodial parents. The program operates through state and tribal child support agencies that provide child support enforcement services including locating noncustodial parents, establishing paternity, establishing and enforcing support orders, and collecting and distributing child support payments. Since the program's establishment in 1975, OCSE has

worked with States and Tribes to improve the effectiveness and efficiency of child support program operations. Over time, Congress has amended Title IV-D to expand and refine program responsibilities, and ACF has promulgated implementing regulations to support consistent national administration of the program while providing flexibility to States and Tribes. *See*, e.g., 40 FR 27156 (June 26, 1975) (initial implementation of the Child Support Enforcement Program regulations); 54 FR 15761 (Apr. 19, 1989) (revising interstate and enforcement procedures to improve program effectiveness); 57 FR 30658 (July 10, 1992) (implementing Family Support Act amendments and strengthening automated processing and distribution requirements); 63 FR 44795 (Aug. 21, 1998) (implementing provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 related to program automation) 69 FR 16638 (Mar. 30, 2004) (implementing direct funding of Tribal Child Support Enforcement programs); and 81 FR 93492 (Dec. 20, 2016) (modernizing child support program operations and emphasizing family-centered enforcement approaches).

In conducting this review, ACF examined both the regulatory text proposed for rescission and the historical rulemaking records associated with those provisions, including prior notices of proposed rulemaking and final rule preambles explaining the purpose and necessity of the regulations at the time they were promulgated. Many of the provisions proposed for rescission were originally adopted during periods of substantial statutory expansion of the Title IV-D program, when ACF sought to provide introductory program descriptions, restate newly enacted statutory requirements, promote national consistency during early implementation efforts, or codify administrative practices that were not yet well established among State agencies. *See*, e.g., 40 FR 27156, 27160–61 (describing the need for foundational regulations to establish uniform State plan requirements during initial implementation of Title IV-D); 57 FR 30658, 30659–60 (explaining that several provisions were intended to clarify statutory responsibilities and standardize administration among States); 63 FR 44795, 44795–96 (stating that certain amendments were intended to codify statutory changes enacted by Personal Responsibility and

Work Opportunity Reconciliation Act of 1996 (PRWORA) and provide operational guidance to States during implementation); and 81 FR 93492, 93493–95 (describing the purpose of regulatory amendments as improving program flexibility and modernizing existing practices). In several instances, prior preambles explained that the regulations were intended primarily to clarify statutory requirements, provide organizational context, or assist States during transitions following major legislative amendments.

ACF has determined that many of those rationales no longer support maintaining these provisions in the Code of Federal Regulations because the Title IV-D program has matured substantially and State and Tribal agencies now operate within a well-established statutory and administrative framework supported by decades of program guidance, policy issuances, automated systems requirements, and operational practice. In addition, Congress has amended Title IV-D numerous times to codify core program requirements directly in statute, thereby reducing any independent regulatory effect of certain provisions. As a result, many of the regulations proposed for rescission now merely restate statutory text, provide historical or descriptive information without imposing substantive obligations, or address matters more appropriately administered through sub-regulatory guidance and technical assistance. ACF has concluded that retaining such provisions in regulation is no longer necessary to ensure effective administration of the Title IV-D program.

These proposed rescissions are also consistent with the President's directives in Executive Order 14219, *Ensuring Lawful Governance and Implementing the President's "Department of Government Efficiency" Deregulatory Initiative* (Feb. 19, 2025), which seeks to restore the constitutional separation of powers by ensuring regulations are authorized by federal statutes and ending federal bureaucratic overreach, and Executive Order 14192, *Unleashing Prosperity Through Deregulation*, which requires that for every one new regulation issued, at least ten existing regulations must be repealed.

This NPRM therefore proposes to rescind multiple regulations that ACF has determined are duplicative` unnecessary, or obsolete. Duplicative regulations are those that include requirements stated elsewhere, such as in statute, and that ACF has determined are unnecessary as they do not impose new or additional requirements on state and tribal child support programs. Obsolete regulations are those that are outdated, have been superseded by law and are no longer relevant to the operation of the child support program. We also propose rescinding regulations that are better suited to a different format, i.e., as a sub-regulatory guidance document, such as those that include technical details that belong in programmatic instruction.

In proposing these rescissions, ACF does not intend to alter the underlying statutory obligations applicable to State or Tribal child support agencies. Where statutory requirements remain in effect, affected agencies will continue to be bound by those requirements independent of the rescission of duplicative regulatory text. ACF further notes that rescinding unnecessary or duplicative regulations may improve regulatory clarity by reducing confusion regarding whether regulatory provisions impose obligations distinct from those already established by statute.

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. None of the provisions contained herein are central to the overall intent of the proposed rule, nor are any provisions dependent on the validity of other, separate provisions.

IV. Discussion of Proposed Changes

ACF seeks public comment on how the proposed changes outlined below in this section may impact States and their ability to efficiently provide child support enforcement and services and whether any changes would have an impact on children and families served by child support enforcement programs.

45 CFR Part 301 State Plan Approval and Grant Procedures

§ 301.0 Scope and applicability of this part

This section provides a brief overview of Part 301 and how the Part addresses the federal administration of Title IV-D. This section does not impose any additional requirements or provide further clarification of the subsequent sections in this Part. Because this section is not necessary for the implementation or enforcement of the child support program, it is proposed for removal. The removal of this section will not result in changes to the child support program's operation.

§ 301.10 State plan

This section describes what a State plan is and asserts that the plan "contains all information necessary for the Office to determine whether the plan can be approved." This section is not needed as the State plan is already discussed heavily in title IV-D and the Child Support regulations. As this section is duplicative, it is proposed for removal. The removal of this section will not result in changes to State plans or the operation of child support programs.

45 CFR Part 302 State Plan Requirements

§ 302.0 Scope of this part

This section provides a brief overview of Part 302 which describes the State plan provisions required for an approved plan under title IV-D of the Act. This section imposes no additional requirements or further clarification of the subsequent sections in this Part. Because this section is not necessary for the implementation or enforcement of the child support program it is proposed for removal. The removal of this section will not result in changes to the child support program's operation.

§ 302.1 Definitions

This section states that the definitions found in section 301.1 also apply to Part 302. This requirement is duplicative as section 301.1 *General Definitions* provides that the definitions in section 301.1 apply throughout this chapter, i.e., Parts 301-310, unless the context otherwise

indicates. Because section 302.1 is duplicative, it is proposed for removal. Removal of this section will not result in changes to the child support program's operation.

§ 302.11 State financial participation

This section requires the State plan to confirm that the State will participate financially in the program. This section is duplicative of Section 454(2) of the Act, 42 U.S.C. 654(2), which requires that a State plan for child and spousal support must provide for financial participation by the State. This regulation does not establish a new or additional requirement not already required by statute and the removal of this section will not result in any changes to the State plan requirements. In other words, by removing this section, it does not mean that State plans can exclude this requirement as the statute requires States to contribute the non-Federal share of expenses to be eligible for Federal matching funds pursuant to section 455 of the Act, 42 U.S.C. 655. Removal of this section will not result in changes to the child support program's operation.

§ 302.14 Fiscal policies and accountability

This section requires the State plan to provide that the IV-D agency will maintain an accounting system and supporting fiscal records adequate to ensure that claims for Federal funds comply with applicable Federal requirements. This section also cross-references 2 CFR 200.344 through 200.338 to incorporate the records retention requirements of 2 CFR part 200. This section is not needed because 45 CFR 301.15 *Grants* and 45 CFR 304.10 *General administrative requirements* provide that as a condition for Federal financial participation, the requirements of 2 CFR part 200 (with the exception of 2 CFR 200.306 and 200.328) establishing uniform administrative requirements and cost principles apply to all grants made to States under this part. In turn, 2 CFR part 200 requires recipients of Federal awards to maintain accounting systems and comply with financial management requirements for Federal awards that include maintaining records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, and tracking expenditures to establish that funds have been disbursed and used in accordance with Federal statutes, regulations, and the terms and conditions of the Federal

award. *See* 2 CFR 200.302 *Financial management*. Because section 302.14 is duplicative, it is proposed for removal. The removal of this section will not result in changes to the child support program's operation.

§ 302.15 Reports and maintenance of records

This section requires State plans to confirm that the IV-D agency "will maintain records necessary for the proper and efficient operation of the program" and "will make such reports in such form and containing such information, as the Secretary may from time to time require, and comply with such provisions as he may from time to time find necessary to assure the correctness and verification of such reports." This section is not needed in regulation because it is duplicative of statutory and regulatory requirements, and contains technical details that may be better suited to a different format. Therefore, this section is proposed for removal. States must continue to comply with their statutory and regulatory obligations under Sections 454(10) and 455(d) of the Act, as well as 45 CFR 301.11, 301.15, and 304.10. The removal of this section will not result in a change in the operation of the child support program.

§ 302.17 Inclusion of State statutes

This section requires State IV-D agencies to include in the State plan a copy of the State statutes and regulations that provide procedures to determine paternity and establish and enforce child and spousal support obligations. We have determined 45 CFR 302.17 is not necessary because 45 CFR 301.11 already requires States to submit all information necessary for State plan approval in the format prescribed by the Office. 45 CFR 301.11 *State plan; format* requires that the State plan must be submitted to the Office "in the format and containing the information prescribed by the Office, and within time limits set in implementing instructions issued by the Office." Since submission of State statutes, regulations, and policies is necessary for the Office to determine whether a State plan can be approved under 45 CFR part 301, Section 302.17 is duplicative and unnecessary and is therefore proposed for removal. The removal of Section 302.17 will not result in changes to the requirements for State plan approval.

§ 302.30 Publicizing the availability of support enforcement services

This section requires the State plan to provide that the State will publicize the availability of support enforcement services. This section is a near-verbatim regulatory restatement of section 454(23) of the Act, 42 U.S.C. 654(23) and does not add new requirements beyond the statute. Because restating this requirement found in statute is duplicative and not necessary, this section is proposed for removal. The removal of this section will not change the requirement from remaining in effect due to the statutory language.

§ 302.32 Collection and disbursement of support payments by the IV-D agency

Section 302.32 discusses the collection and disbursement of support payments by the IV-D agency as well as the requirement for the State plan to establish and operate a State Disbursement Unit (SDU). This section is not needed in regulation as the authorizing statute is already prescriptive regarding the establishment of an SDU as well as the collection and disbursement of support payments. As such, there is not a need to restate these requirements in regulation, therefore this section is unnecessary. ACF will consider sub-regulatory guidance on this subject to further emphasize that while this section is being proposed for removal, the removal does not reflect a change in the position or operation of the child support program. ACF seeks public comment on what, if any, additional guidance agencies may require to support State administration and efficient provision of child support enforcement and services.

§ 302.33 Services to individuals not receiving title IV-A assistance

This section discusses the services available to individuals not receiving title IV-A assistance, and includes regulations related to the application fees, recovery of costs, and annual fees. This section is not needed in regulation as the authorizing statute is already prescriptive as to application fees, the allowability of recovering costs, and annual fees in 42 U.S.C. 654(6)(B). Furthermore, as the authorizing statute still legally requires States to provide IV-D services and provide notice and continue services after Temporary Assistance for Needy Families (TANF) ends, in addition to the duplicative requirements stated previously, this section is unnecessary.

Thus, it is proposed for removal. The removal will not result in a change in the operation of the child support program.

§ 302.34 Cooperative arrangements

This section states that the State plan must provide that the State will enter into cooperative arrangements under 45 CFR 303.107 with the appropriate courts, law enforcement officials, such as district attorneys, attorneys general, and similar public attorneys and prosecutors, corrections officials, and Indian Tribes or Tribal organizations. This section is not needed in regulation as Section 454(7) and (33) of the Act, 42 U.S.C. 654(7) and (33), is already prescriptive as to requiring that State plans include entering into cooperative arrangements. As such, this section is duplicative and unnecessary and therefore is proposed for removal. The removal of this section will not result in a change in the operation of the child support program.

§ 302.36 Provision of services in intergovernmental IV-D cases

This section provides that States must include in their State plan that they will cooperate with other State and Tribal IV-D agencies, as well as foreign reciprocating countries under section 459A of the Act, 42 U.S.C. 659a, and any foreign country (or political subdivision thereof) with which a State has entered into a reciprocal arrangement for the establishment and enforcement of support obligations consistent with section 459A(d) of the Act. This section reflects Title IV-D State plan requirements of sections 454(9), (20)(A), (32)(A) and 466(f) of the Act, which respectively require interstate cooperation, cooperation with foreign reciprocating countries and through the Uniform Interstate Family Support Act of 2008, cooperation with Tribal IV-D agencies. This section also reflects the requirements of the Full Faith and Credit for Child Support Orders Act (FFCCSOA), 28 U.S.C. 1738B that requires States to recognize each other's support orders. This section is not needed in regulation as the above-referenced statutes collectively establish the requirement that States must provide the full range of services in intergovernmental cases. In addition, section 303.7 establishes specific requirements regarding intergovernmental cooperation in child support enforcement services for States and 309.120

provides that Tribal IV-D agencies must cooperate with and extend the full range of services under their IV-D plans to States and other Tribal IV-D agencies. As such, this section is duplicative and unnecessary and therefore is proposed for removal. The removal of this section will not result in a change in the operation of the child support program.

§ 302.38 Payments to the family

This section describes the requirement that State plans include payments being made to specific individuals. This section is not needed in regulation as the authorizing statute is already prescriptive as to requiring that State plans must "provide that any payment required to be made under section 656 or 657 of this title to a family shall be made to the resident parent, legal guardian, or caretaker relative having custody of or responsibility for the child or children." As such, this section is unnecessary and therefore proposed for removal. ACF believes removing this section will not result in a change in the operation of the child support program. ACF seeks public comment on what, if any, impacts States may experiences as a result of this change.

45 CFR Part 303 Standards for Program Operations

§ 303.0 Scope and applicability of this part

This section is a brief overview of Part 303 which describes the minimum organizational and staffing requirements and the standards for program operation the State IV-D agency must meet in carrying out the IV-D program. This section does not impose any additional requirements or provide any further clarification of the subsequent regulations in Part 303. Because this section is duplicative and not otherwise necessary for the implementation or enforcement of the child support program it is proposed for removal. The removal of this section will not result in changes to the child support program's operation.

§ 303.1 Definitions

This section provides that the definitions found in 45 CFR 301.1 also apply to Part 303. As explained in this proposed rule, section 301.1 states that the general definitions apply throughout this chapter unless the context otherwise indicates. Because this section is duplicative

it is proposed for removal. ACF believes removing this section will not result in a change in the operation of the child support program. ACF seeks public comment on what, if any, impacts States, children, and families may experiences as a result of this change.

§ 303.32 National Medical Support Notice

This section describes the National Medical Support Notice (NMSN) requiring States to have laws to enforce the provision of health care coverage for children of noncustodial parents and, at the State option, custodial parents who are required to provide health coverage. This section is not needed in regulation as the authorizing statute (42 U.S.C. 666(a)(19)) is already prescriptive. As such, this section is duplicative and unnecessary and therefore is proposed for removal. The removal of this section will not result in a change in the operation of the child support program.

45 CFR Part 304 Federal Financial Participation

§ 304.12 Incentive payments

This section describes the computation process for determining incentive payments for States prior to the Child Support Performance and Incentive Act of 1998 (CSPIA), which created a new incentive funding system for State IV-D programs based on program performance. *See* Section 458 of the Act, 42 U.S.C. 658. 45 CFR Part 305 was added to implement and phase-in the new incentive system under section 458 (formerly 458A) of the Act, superseding section 304.12, which became obsolete on October 1, 2001. *See* 65 FR 82178. Section 201(b) of CSPIA established a transition period which phased in the new incentive system over a three-year period during which both the prior and new system were used to determine the amount a State would receive. In fiscal year 2002, the formula set forth under Part 305 was fully implemented and used to determine all incentive amounts going forward. Because section 304.12 is now obsolete, it is proposed for removal. The removal of this section will not result in a change in the operation of the child support program. ACF seeks public comment on what, if any, additional guidance

agencies may require to support State administration and efficient provision of child support enforcement and services.

§ 304.20 Availability and rate of Federal financial participation

This section describes a list of eligible instances of Federal financial participation (FFP). This section is not needed in regulation as this is not an exhaustive list, but rather a partial composition of potential FFP opportunities. Existing sub-regulatory guidance documents expand on this list. As such, this section is proposed for removal as ACF believes the complete list of eligible uses is better suited for sub-regulatory guidance and the existence of a partial list in regulation could be a source of confusion to the public, State IV-D agencies, and stakeholders. The removal of this section will not result in a change in the operation of the child support program. ACF seeks public guidance on what, if any, additional guidance agencies may require to support State administration and efficient provision of child support enforcement and services.

45 CFR Part 305 Program Performance Measures, Standards, Financial Incentives, and Penalties

§ 305.0 Scope

This section provides a brief overview of Part 305 and the statutory basis for the incentive system requirements, penalty provisions, and Federal audit requirements as described by the Act. This section does not impose any additional requirements or provide any further clarification of the subsequent regulations in Part 305. This section is not necessary for the implementation or enforcement of the child support program and therefore is proposed for removal. The removal of section 305.0 will not result in changes to the child support program's operation.

§ 305.42 Penalty phase-in

This section describes the penalty phase-in period for States based on data reported for fiscal year 2001. CSPIA established a new penalty system under section 458 of the Act (formerly Section 458A) beginning in fiscal year 2001. To implement the new penalty system, this

regulation established the base year for data (fiscal year 2000 data) from which to determine improvements in performance during FY 2001. This section is not needed in regulation as the phase-in period for the current penalty system has long since expired. Because this section is obsolete, it is proposed for removal. The removal of this section will not result in changes to the child support program's operation.

§ 305.62 Disregard a failure which is of a technical nature

This section describes that if a state is subject to a penalty under 45 CFR 305.61(a)(1)(ii) or (iii) as a result of a failure of a technical nature which does not adversely affect the performance of the State IV-D program, the State may be determined, as appropriate, to have submitted adequate data or to have achieved substantial compliance with one or more of the IV-D requirements. This section is not needed in regulation as it is a restatement of 42 U.S.C. 609(a)(8)(C). As these requirements are already stated in statute, the removal of this section will not result in changes to the child support program's operation.

45 CFR Part 307 Computerized Support Enforcement Systems

§ 307.0 Scope of this part

This section describes the sections of the Act implemented by Part 307. This section is not necessary to understand the Act or the regulations that implement it, nor does it impose any additional requirements. The removal of this section will not result in a change to the child support program's operation.

45 CFR Part 308 Annual State Self-Assessment Review and Report

§ 308.0 Scope

This section explains that Part 308 establishes standards and criteria for the State self-assessment review and report process as required by section 454(15)(A) of the Act. This section is not needed as the statutory authority for Part 308 is clearly stated as section 454(15)(A) of the Act. The removal of this section will not result in a change to the child support program's operation.

§ 308.3 Optional program areas of review

This section provides optional reporting items that can be included in a State's Annual State Self-Assessment Review and Report. These items are not required by statute and not otherwise needed to measure State compliance with Federal requirements. When this section was initially published, drafters stated that the goal was for States to describe in these optional areas the successes or failures that States were seeing in the operation of their program. When the rule was initially proposed a commenter stated that this section should be deleted from the regulation as it addresses optional areas of review and has no statutory basis. *See* 65 FR 77742.

The response from HHS at the time was that the Secretary has the authority to regulate beyond the statute so long as it is necessary for the efficient administration of the program. Upon further evaluation, this section is not essential for the efficient administration of the program as States can provide optional information to other States and the Department with or without this section. As such, it is not necessary that these optional program areas of review be included in the child support program regulations. The removal of this section will not result in a change in the operation of the child support program.

45 CFR Part 309 Tribal Child Support Enforcement (IV-D) Programs

Subpart A Tribal IV-D Program: General Provisions

§ 309.01 What does this part cover?

This section provides a summary of what the remainder of the Part covers as well as the statutory provision that it implements. This section is not needed in regulation as it is merely summarizing the subsequent sections, and that they are required as a result of the statute. The removal of this section from regulation will not result in a change to the child support program's operation.

Subpart C Tribal IV-D Plan Requirements

§ 309.55 What does this subpart cover?

This section provides a brief summary of what the remainder of the subpart covers. This section is not needed in regulation as it is merely summarizing the subsequent sections and does not impose any additional requirements or provide any further clarification of the subsequent sections. The removal of this section will not result in a change to the child support program's operation.

Subpart E Accountability and Monitoring

§ 309.165 What recourse does a Tribe or Tribal organization have to dispute a determination to disallow Tribal IV-D program expenditures?

This section states that Tribes will follow the grant appeals procedures outlined in 45 CFR part 16 in the event of a dispute arising from a decision to disallow Tribal IV-D program expenditures. This section is not necessary because 45 CFR Part 16, Appendix A specifies that the Departmental Grant Appeals Board reviews disallowances under Title IV of the Social Security Act. Thus, the removal of this section will not change Tribes' ability to appeal a decision to disallow a Tribal IV-D program expenditure or the procedures to do so. The removal of this section will not result in the change of any operation of the tribal child support program.

45 CFR Part 310 Computerized Tribal IV-D Systems and Office Automation

Subpart A General Provisions

§ 310.0 What does this part cover?

This section serves as a table of contents for the information contained in Part 310. Because this section merely summarizes the subsequent sections, the removal of this section will not result in a change to the child support program's operation.

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 collection requirements 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 Child Support Enforcement 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. 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 a significant action under Executive Order 12866 Section 3(f).

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

List of Subjects

45 CFR Part 301

Child support, Grant programs-social programs, Reporting and recordkeeping requirements

45 CFR Part 302

Child support, Grant programs-social programs, Reporting and recordkeeping requirements, Unemployment compensation

45 CFR Part 303

Child support, Grant programs-social programs, Reporting and recordkeeping requirements

45 CFR Part 304

Child support, Grant programs-social programs, Reporting and recordkeeping requirements

45 CFR Part 305

Accounting, Child support, Grant programs-social programs, Penalties, Reporting and recordkeeping requirements, Statistics

45 CFR Part 307

Child support, Computer technology, Grant programs-social programs, Reporting and recordkeeping requirements

45 CFR Part 308

Accounting, Child support, Grant programs-social programs, Reporting and recordkeeping requirements

45 CFR Part 309

Child support, Grant programs-social programs, Indians-tribal government, Reporting and recordkeeping requirements

45 CFR Part 310

Child support, Grant programs-social programs, Indians

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

PART 301 – STATE PLAN APPROVAL AND GRANT PROCEDURES

1. The authority citation for part 301 continues to read as follows:

Authority: 42 U.S.C. 651 through 658, 659a, 660, 664, 666, 667, 1301, and 1302.

2. § 301.0, titled “Scope and applicability of this part,” is removed and reserved.

3. § 301.10, titled “State plan,” is removed and reserved.

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, 1369a(a)(25), 1396b(d)(2), 1396b(o), 1396b(p), and 1396(k).

2. § 302.0, titled "Scope of this part," is removed and reserved.

3. § 302.1, titled "Definitions," is removed and reserved.

4. § 302.11, titled "State financial participation," is removed and reserved.

5. § 302.14, titled "Fiscal policies and accountability," is removed and reserved.

6. § 302.15, titled "Reports and maintenance of records," is removed and reserved.

7. § 302.17, titled "Inclusion of State statutes," is removed and reserved.

8. § 302.30, titled "Publicizing the availability of support enforcement services," is removed and reserved.

9. § 302.32, titled "Collection and disbursement of support payments by the IV-D agency," is removed and reserved.

10. § 302.33, titled "Services to individuals not receiving title IV-A assistance," is removed and reserved.

11. § 302.34, titled "Cooperative arrangements," is removed and reserved.

12. § 302.36, titled "Provision of services in intergovernmental IV-D cases," is removed and reserved.

13. § 302.38, titled "Payments to the family," is removed and reserved.

PART 303 – STANDARDS FOR PROGRAM OPERATIONS

1. 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, 1369a(a)(25), 1369b(d)(2), 1369b(o) 1369b(p), 1369(k), and 25 U.S.C. 1603(12) and 1621e.

2. § 303.0, titled "Scope and applicability of this part," is removed and reserved.

3. § 303.1, titled "Definitions," is removed and reserved.

4. § 303.32, titled "National Medical Support Notice," is removed and reserved.

PART 304 – FEDERAL FINANCIAL PARTICIPATION

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

Authority: 42 U.S.C. 651 through 655, 657, 1302, 1369a(a)(25), 1369b(d)(2), 1369b(o) 1369b(p), 1369(k).

2. § 304.12, titled “Incentive payments,” is removed and reserved.

3. § 304.20, titled “Availability and rate of Federal financial participation,” is removed and reserved.

PART 305 – PROGRAM PERFORMANCE MEASURES, STANDARDS, FINANCIAL INCENTIVES, AND PENALTIES

1. The authority citation for part 305 continues to read as follows:

Authority: 42 U.S.C. 609(a)(8), 652(a)(4), and (g), 658a, and 1302.

2. § 305.0, titled “Scope,” is removed and reserved.

3. § 305.42, titled “Penalty phase-in,” is removed and reserved.

4. § 305.62, titled “Disregard of a failure which is of a technical nature,” is removed and reserved.

PART 307 – COMPUTERIZED SUPPORT ENFORCEMENT SYSTEMS

1. The authority citation for part 307 continues to read as follows:

Authority: 42 U.S.C. 652 through 658, 664, 666 through 669A, and 1302.

2. § 307.0, titled “Scope of this part,” is removed and reserved.

PART 308 – ANNUAL STATE SELF-ASSESSMENT REVIEW AND REPORT

1. The authority citation for part 308 continues to read as follows:

Authority: 42 U.S.C. 654(15)(A) and 1302.

2. § 308.0, titled “Scope,” is removed and reserved.

3. § 308.3, titled “Optional program areas of review,” is removed and reserved.

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

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

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

2. § 309.01, titled “What does this part cover?” is removed and reserved.

3. § 309.55, titled “What does this subpart cover?” is removed and reserved.

4. § 309.165, titled “What recourse does a Tribe or Tribal organization have to dispute a determination to disallow Tribal IV-D program expenditures?” is removed and reserved.

PART 310 – COMPUTERIZED TRIBAL IV-D SYSTEMS AND OFFICE AUTOMATION

1. The authority citation for part 310 continues to read as follows:

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

2. § 310.0, titled “What does this part cover?” is removed and reserved.

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Robert F. Kennedy, Jr.,

Secretary,

Department of Health and Human Services

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