



DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

45 CFR Part 1356

RIN 0970-AC23

Adoption and Foster Care Analysis and Reporting System

AGENCY: Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Proposed rule; withdrawal.

SUMMARY:

This document withdraws a proposed rule that was published in the *Federal Register* on January 11, 2008. The proposed rule would have amended the Adoption and Foster Care Analysis and Reporting System (AFCARS) regulations at 45 CFR 1355.40 and the appendices to Part 1355 to modify the requirements for States to collect and report data to ACF on children in out-of-home care and in subsidized adoption or guardianship arrangements with the State. This document also withdraws the provision of the 2008 proposed rule that implemented the AFCARS penalty requirements of the Adoption Promotion Act of 2003 (Pub. L. 108-145).

DATES:

The proposed rule published January 11, 2008 (73 FR 2082) is withdrawn effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

ACF published a notice of proposed rulemaking (NPRM) related to AFCARS in the *Federal Register* on January 11, 2008. The proposed rule would have amended the Adoption and Foster Care Analysis and Reporting System (AFCARS) regulations at 45 CFR 1355.40 and the appendices to Part 1355 to modify the requirements for States to collect and report data to ACF on children in out-of-home care and in subsidized adoption or guardianship arrangements with the State. The 2008 proposed rule would also have implemented the AFCARS penalty requirements of the Adoption Promotion Act of 2003 (Pub. L. 108-145).

ACF does not intend to publish a final rule following the publication of this NPRM on January 11, 2008. This decision was made due to the fact that the NPRM was published nearly 20 years ago by a prior Administration, and its continued existence on the *Federal Register* serves to only confuse the public. There have been multiple Administrations spanning this timeframe, with none seeking to finalize this proposed rulemaking. This withdrawal represents good governance and will ease the understandability of current Administration priorities for the public.

Robert F. Kennedy, Jr.,

Secretary

Department of Health and Human Services

[FR Doc. 2026-16414 Filed: 8/11/2026 8:45 am; Publication Date: 8/12/2026]