JWL NEWS

NATIONAL INVESTIGATION | PUBLIC ACCOUNTABILITY

THE WAR FOR ACCOUNTABILITY

Washington Proposes Reducing Child Welfare Reporting While Families Demand Answers

An investigation into federal child welfare oversight, public transparency, and the November 4, 2026 deadline for Americans to weigh in.

JUSTICE WITHOUT LIMITS • JWL NEWS
OCTOBER 11, 2026 • By Jessica Saxton
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60.78%	29,994	NOV 04
proposed reduction in annual reporting burden	annual burden hours HHS estimates would be saved	2026 public-comment deadline

THE CENTRAL QUESTION

"When agencies are permitted to provide less documentation of their performance, what guarantees the public can still hold them accountable?"

BASED ON THE OCTOBER 5, 2026 FEDERAL REGISTER PROPOSAL • 91 FR 63226–63243

READER'S BRIEF

This report examines a proposed administrative rule, not a final change in law. HHS estimates reduced paperwork hours, **not** an equivalent reduction in substantive protections. The deadline for public comments is **November 4, 2026**.

THE INVESTIGATION / WHAT IS AT STAKE

Across the United States, parents are fighting battles most Americans will never witness. Behind courthouse doors, families are demanding answers to questions that should be fundamental in a constitutional republic. Why

was a child removed from the family home? What evidence justified that removal? Were less restrictive alternatives considered? Were reasonable efforts made to preserve the family? Who verified the allegations? And who is responsible when the system entrusted with protecting children fails to follow the law? These are not unreasonable questions. They concern some of the most consequential powers exercised by government: the authority to intervene in family life and, under certain legal circumstances, separate children from their parents.

Yet while families demand greater transparency, Washington is proposing to eliminate numerous federal child welfare reporting requirements.

On October 5, 2026, the U.S. Department of Health and Human Services (HHS), through its Administration for Children and Families (ACF), published a proposed rule titled *Reforming Federal Reporting and Assessments in Child Welfare*. The proposal appears in the Federal Register at **91 FR 63226–63243**, Document No. **2026-20329**, and concerns regulations implementing Title IV-B of the Social Security Act.

The government describes its initiative as ***administrative reform***. It argues that existing regulations contain duplicative, outdated, and unnecessary reporting requirements that consume resources better spent assisting children and families. Reducing unnecessary bureaucracy is a legitimate objective.

But the fundamental question remains:

> THE CENTRAL QUESTION
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> **When government agencies are permitted to provide less documentation of their performance, what guarantees that the public will still receive the information necessary to hold them accountable?**

This is not merely a debate about paperwork. It is a debate about ***evidence, public oversight, government authority, and the ability of American families to scrutinize institutions operating with federal funding.***

And the American people have until **November 4, 2026**, to place their concerns in the official federal record.

01 FOLLOW THE FEDERAL MONEY

To understand the significance of this proposal, ***Americans must first understand Title IV-B.***

Title IV-B is a section of the Social Security Act that provides federal funding to states and tribal governments for child welfare services. Its programs support child safety, family preservation, preventive services, reunification, and adoption-related services. Two major programs operate under this framework: the Stephanie Tubbs Jones Child Welfare Services Program and the MaryLee Allen Promoting Safe and Stable Families Program.

These programs were not designed solely to support the placement of children outside their homes. Family preservation and safe reunification are central components of their statutory purposes. In exchange for participating in these federally funded programs, agencies must satisfy applicable federal requirements. Among their responsibilities are preparing child welfare plans, evaluating progress, reporting expenditures, and meeting statutory conditions attached to federal funding.

The federal government uses a ***five-year Child and Family Services Plan***, commonly called a CFSP, and an Annual Progress and Services Report, or APSR, to obtain information about state and tribal child welfare programs. Those

reports are part of the documentary record through which federal officials, researchers, journalists, and members of the public can evaluate agency promises and performance. They are not the same as individual child-removal records, and they do not establish whether a particular custody decision was lawful.

Nevertheless, they serve an important purpose: ***allowing the public to examine what publicly funded child welfare institutions are doing.***

> JWL / KEY FINDING
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> **Federal funding must be accompanied by meaningful accountability. Otherwise, taxpayers are left financing systems they cannot adequately evaluate.**

02 THE GOVERNMENT'S OWN NUMBERS

One of the most significant figures appears in the proposal's regulatory impact analysis. HHS estimates that its proposed changes would reduce annual reporting burden hours from approximately ***49,350 to 19,355***.

That represents a projected **60.78% reduction in reporting burden**.

> READ THE NUMBER CORRECTLY
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> The proposed 60.78% reduction measures administrative **reporting burden hours**. It does not mean 60.78% fewer legal safeguards or 60.78% less federal oversight.

To be absolutely clear, this figure does not mean 60.78% of child welfare protections would disappear. Nor does it mean that federal oversight itself would decrease by that percentage. It measures the agency's estimated reduction in time devoted to specified administrative reporting activities. ***But the scale of the proposed change deserves close examination.***

Congress enacted the Supporting America's Children and Families Act on January 4, 2025. That law requires HHS to reduce Title IV-B administrative burden by at least 15%. HHS now proposes a substantially larger paperwork reduction, which it estimates would save approximately **$1.74 million annually** across child welfare agencies and the federal government, measured in 2025 dollars.

The question is not whether savings are desirable. The question is which reporting requirements should be eliminated, which should be preserved, and whether any information lost from federal reports will remain independently verifiable and publicly accessible. Congress directed the government to reduce unnecessary administrative burdens. ***It did not direct the government to make agency accountability less meaningful.***

> JWL / KEY FINDING
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> **Efficiency must be measured by improved outcomes for children and families, not merely by the number of reporting hours eliminated.**

03 THE DOCUMENTATION REQUIREMENTS ON THE CHOPPING BLOCK

A close examination of the October 5 proposal identifies several significant changes.

1. Documenting reliable performance data — 45 CFR § 1357.15(j)

The existing regulation requires agencies to describe the methods they use to measure progress toward their child welfare goals. It also requires a description of processes intended to ensure reliable information. HHS proposes removing this provision, arguing that modern automated information systems now perform many of the functions that originally justified the reporting requirement. That explanation raises an important accountability question.

Where will the public find the information necessary to determine whether an agency's reported performance data is valid and reliable?

Eliminating a narrative from a federal plan does not necessarily eliminate underlying data-validation systems. But if one source of explanation disappears, the government should identify the replacement. The existence of a computer system is not, by itself, proof that the information entered into it is accurate.

2. Consulting parents and stakeholders — 45 CFR § 1357.15(d) and (l)

The current regulations require consultation with a broad range of stakeholders and documentation describing that process. HHS proposes removing these specific regulatory provisions, giving agencies greater flexibility in how they conduct consultation and eliminating certain descriptions from federal plans. Federal statutory consultation requirements would remain.

Under **42 U.S.C. § 629b(b)(1)**, states developing Title IV-B subpart 2 plans must consult specified participants, including parents with child welfare experience, foster and adoptive parents, kinship caregivers, and young people with experience in the child welfare system.

But the proposed removal of detailed regulatory documentation still presents a legitimate question:

How can the public verify that meaningful consultation occurred rather than merely accepting an agency's assurance that it complied?

There is a difference between allowing parents to participate and demonstrating that their concerns were heard, evaluated, and incorporated where appropriate.

That distinction matters.

3. Reporting agency goals and progress — 45 CFR § 1357.15(h), (i), (j), and (k)

HHS proposes eliminating several existing regulatory requirements concerning detailed goals, objectives, progress measurements, and baseline information. The agency argues that some requirements exceed statutory mandates and that automated systems already capture much of the necessary information. Certain statutory planning, annual progress review, and

reporting obligations would continue. But reducing narrative reporting creates questions about the public's ability to compare agency commitments against actual performance over time.

What happens when a state promises to expand family preservation services but fails to meet its goals?

Where can taxpayers identify the discrepancy?

Where will families find evidence of corrective action?

JWL / KEY FINDING

Accountability requires more than setting goals. It requires establishing whether those goals were achieved.

4. Explaining who receives child welfare funding — 45 CFR § 1357.15(r)

This provision requires Title IV-B agencies to explain how they select organizations for funding and how those organizations satisfy requirements concerning community-based family support services. ***HHS proposes eliminating this reporting narrative, reasoning that existing state policies, laws, and procurement practices already govern provider selection.*** That may be sufficient for some administrative purposes. It does not necessarily establish that the public will have equivalent access to the same information.

When taxpayer money flows through government agencies into outside organizations, the public has a legitimate interest in knowing how providers are selected and how their performance is evaluated. Removing this federal reporting narrative would not eliminate state procurement laws or other applicable financial disclosure requirements. However, it makes identifying those alternative disclosure mechanisms particularly important.

5. Annual progress reporting — 45 CFR § 1357.16

The proposal would also remove detailed regulatory requirements governing the contents of annual progress reports. These currently include descriptions of accomplishments, revisions to goals, changes in services, and certain planned activities. HHS argues that the reporting requirements go beyond what Congress requires and impose unnecessary burdens.

Statutory annual review and reporting responsibilities for Title IV-B subpart 2 would remain in effect. But the central question persists:

If federal reports become less detailed, what evidence will allow the public to identify a pattern of agency underperformance before that failure becomes a crisis?

04 THE REMOVAL OF FAMILY PRESERVATION PRINCIPLES

Perhaps one of the most symbolically significant changes concerns **45 CFR § 1355.25**, which establishes guiding principles for child and family services. The existing regulation recognizes child safety as paramount, emphasizes strengthening and preserving families when safety can be assured, and encourages service providers to treat

families as partners. HHS proposes eliminating this section because it characterizes those principles as advisory rather than legally enforceable requirements.

The agency's position is that the principles are better suited to guidance than regulation. This distinction must be understood accurately. Removing § 1355.25 would not, by itself, abolish federal requirements concerning reasonable efforts, child safety, reunification, or other statutory protections. But that does not make the decision unworthy of scrutiny.

For decades, these principles have expressed an important understanding of child welfare: protecting children and preserving safe family relationships are not opposing objectives. They are responsibilities that must be pursued together. ***If the federal government removes those principles from its regulations, it should explain where they will be preserved, how they will inform agency decisions, and how their implementation will be measured.***

05 A FEDERAL SYSTEM THAT HAS FAILED ITS OWN COMPREHENSIVE REVIEWS

Perhaps the most consequential evidence comes from the federal government's own research. On November 18, 2025, the HHS Office of the Assistant Secretary for Planning and Evaluation published a research brief titled ***No State Has Ever Passed the Child and Family Services Reviews: Findings from an Analysis Over the Last 25 Years.***

According to that federal research, **not one state had passed the comprehensive Child and Family Services Review process during the period examined.** That does not mean every state failed every individual measure or that every child welfare intervention was improper. It means the comprehensive federal review system has revealed longstanding difficulties meeting the full set of performance standards.

The same research questioned whether the costly review and improvement process was effectively driving better results. This creates an issue Congress and HHS should confront directly.

If the existing oversight process is failing to produce the desired improvements, the answer cannot simply be to preserve ineffective bureaucracy indefinitely. But neither should the answer be to eliminate documentation without demonstrating that stronger, more useful accountability mechanisms will replace it.

> JWL / KEY FINDING
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> **A failing oversight system needs reform. The public deserves evidence that the reform will actually strengthen outcomes.**

WHAT THE GOVERNMENT SAYS — AND WHAT NEEDS TO BE PROVEN

HHS presents several legitimate arguments in support of its proposal. Existing reports can be lengthy and repetitive. The proposed rule cites research finding that annual progress reports averaged 256 pages, with substantial portions repeating language from previous submissions. The agency also received feedback from tribal representatives concerning the burden imposed by reporting obligations, particularly where grant amounts are relatively small.

Those concerns deserve attention.

A tribal child welfare program should not have to spend disproportionate resources completing unnecessary federal paperwork instead of assisting children and families. HHS also argues that many requirements duplicate statutes or other regulations and that significant statutory protections will remain in place. These explanations deserve serious consideration.

But there is an important difference between proving that a reporting requirement is redundant and merely asserting that it has limited value. An effective regulatory reform should demonstrate where the relevant information is already captured, how it is verified, whether it remains publicly available, and how federal authorities will respond when agencies fail.

That is the standard by which proposals affecting publicly funded child welfare institutions should be examined.

THE MISSING QUESTION: WHY WERE THE CHILDREN REMOVED?

For families involved in child protective services investigations and custody proceedings, the federal reporting debate is only one part of a much larger accountability problem. Families may need to challenge allegations, examine investigative records, obtain forensic evidence, understand judicial findings, and determine whether officials complied with applicable law. Those are case-specific issues, governed by a combination of state law, federal constitutional requirements, and other legal protections.

The October 5, 2026, proposal does not directly eliminate the records that must support individual child-removal proceedings. Separate federal foster care data requirements, including AFCARS, also remain outside the principal Title IV-B reporting provisions targeted here. But aggregate government reports generally cannot answer every question about an individual removal. A state may report thousands of child welfare interventions without those statistics establishing whether each intervention was supported by sufficient evidence or complied with constitutional and statutory requirements.

This is where broader transparency and individual due process intersect. A child welfare system must be capable of protecting children from genuine abuse and neglect while also protecting families from unjustified state intervention. **The government's duty to protect children does not exempt it from the duty to obey the law.** And parents' constitutional rights do not disappear merely because an agency opens an investigation.

THE CONSTITUTIONAL PRINCIPLE: GOVERNMENT AUTHORITY IS DELEGATED, NOT ABSOLUTE

The United States is founded upon **limited government**, due process, and the principle that public officials exercise authority subject to law. The Fourteenth Amendment protects against state deprivation of liberty without due process of law. The Supreme Court has long recognized fundamental parental interests in the care, custody, and control of their children, although those interests are not absolute.

Child protection is a legitimate and essential governmental responsibility.

The exercise of that responsibility must remain subject to constitutional limitations, meaningful judicial review, and applicable statutory safeguards. Title IV-B reporting rules are not themselves the source of all parental constitutional protections. They are, however, part of the broader administrative framework governing institutions financed with federal funds. When federal reporting obligations change, the public is entitled to ask whether the remaining safeguards will allow meaningful evaluation of government performance.

The authority to act on behalf of children is not unlimited.

JWL / KEY FINDING

Government power must remain answerable to the law, and government performance must remain answerable to the public.

THE WAR FOR ACCOUNTABILITY IS A WAR OVER INFORMATION

Every serious investigation begins with information. Information establishes timelines. Timelines expose inconsistencies. Documents reveal financial relationships, administrative decisions, and departures from established procedures. Evidence allows allegations to be tested rather than accepted on faith. This is why recordkeeping and public access matter.

In any struggle for accountability, information is the terrain upon which competing claims are examined. A government agency should not be burdened with useless paperwork. But it also should not be relieved of meaningful documentation merely because accountability requires effort or $1.7M.

The objective is not to produce the greatest possible number of documents. It is to preserve ***the evidence necessary to determine whether public institutions are fulfilling their legal responsibilities.***

That distinction should guide every proposed change to federal child welfare reporting.

PUBLIC PARTICIPATION / ACTION GUIDE

NOVEMBER 4, 2026: THE PUBLIC COMMENT DEADLINE

The October 5, 2026, proposal is not yet a final rule. HHS has opened a formal public-comment period, and comments must be received by **November 4, 2026**.

This gives parents, kinship caregivers, former foster youth, journalists, advocates, church leaders, tribal representatives, researchers, and other interested members of the public an opportunity to review the proposal and submit evidence or recommendations.

Comments can address the proposal as a whole or identify specific provisions that should be retained, modified, clarified, or eliminated.

Among the questions deserving public examination are:

01	**Data reliability:** If § 1357.15(j) is removed, where will the federal government document and verify the reliability of child welfare performance information?
02	**Family participation:** If § 1357.15(l) is removed, how will the public verify that parents, caregivers, and affected youth were meaningfully consulted?

03	**Financial transparency:** If § 1357.15(r) is eliminated, what publicly accessible records will explain how child welfare service providers are selected?
04	**Performance accountability:** If portions of § 1357.16 are removed, which documents will allow the public to compare annual agency promises with actual results?
05	**Family preservation:** If § 1355.25 is eliminated, how will HHS preserve and communicate the principles of safe family preservation and family-centered services?
06	**Public access:** Will HHS identify precisely where information previously contained in federal plans and reports will remain accessible?
07	**Measured outcomes:** What objective evidence will demonstrate that the reporting reductions improve child safety, family preservation, reunification, and service quality?

An effective public comment should identify the relevant provision, explain the concern, provide supporting facts where possible, and recommend a concrete change or safeguard.

Personal experiences can help illuminate consequences that may otherwise be overlooked, but careful consideration should take place before placing confidential records and identifying information about children in a public filing. (You can attach up to 20 files, but each file cannot exceed 10MB.)

HOW TO SUBMIT A PUBLIC COMMENT

THE PUBLIC RECORD IS OPEN

Submit your comment by November 4, 2026

Docket: ACF-2026-0562 | RIN: 0970-AD32

OPEN THE FEDERAL COMMENT PORTAL ↗

SCAN TO COMMENT

Federal proposal: Reforming Federal Reporting and Assessments in Child Welfare

Federal Register document: 2026-20329

Docket number: ACF-2026-0562

Regulatory Information Number: 0970-AD32

Deadline: November 4, 2026

Official public-comment portal: https://www.regulations.gov/commenton/ACF-2026-0562-0001

Readers may also examine the complete proposal in the Federal Register:
https://www.govinfo.gov/content/pkg/FR-2026-10-05/html/2026-20329.htm

At the time of this article, there were 7 submissions total, many from agencies in support of the proposal. The submission portal permits comments and supporting attachments. Comments are part of a public federal administrative process and may be published online.

THE FINAL WORD: ACCOUNTABILITY IS NOT ADMINISTRATIVE BURDEN

For too long, debates about child welfare administration have centered on agencies, budgets, procedures, and institutional obligations. Those matters are important. However, they cannot eclipse human beings at the center of the system: children who need protection, parents seeking to preserve safe family relationships, and families whose futures may be changed forever by government decisions. A child welfare agency should be equipped to act quickly when a child faces genuine danger. ***It should also be equipped to demonstrate that its actions comply with the law.***

These duties are not contradictory. They are inseparable.

The federal government has presented a proposal intended to reduce administrative reporting burdens. The public now has an opportunity to examine whether those reductions preserve meaningful accountability. That examination should be rigorous, informed, and grounded in evidence. Remember, the strongest position in any battle for accountability is built upon intelligence. Intelligence requires information. Information requires reliable records.

And a government entrusted with protecting children must never confuse freedom from unnecessary paperwork with freedom from public accountability.

PUBLIC COMMENT DEADLINE

THE DEADLINE IS NOVEMBER 4, 2026.

The public record is open. The questions deserve answers.

PRIMARY DOCUMENTS AND RESEARCH

FEDERAL REGISTER

Reforming Federal Reporting and Assessments in Child Welfare, 91 FR 63226–63243, October 5, 2026.
govinfo.gov/content/pkg/FR-2026-10-05/html/2026-20329.htm

FEDERAL STATUTE

42 U.S.C. § 629b — State Plans and Consultation Requirements.
uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title42-section629b&num=0&edition=prelim

FEDERAL RESEARCH

HHS ASPE — No State Has Ever Passed the Child and Family Services Reviews, November 18, 2025.
aspe.hhs.gov/reports/no-state-has-ever-passed-cfsrs-findings-analysis-over-last-25-years

PUBLIC COMMENT PORTAL

Regulations.gov — ACF-2026-0562.
regulations.gov/docket/ACF-2026-0562

EDITORIAL DISCLOSURE

Editorial disclosure: This JWL News feature combines reporting on the proposed rule with public-interest analysis and advocacy for transparent, accountable government. The proposed regulatory changes have not yet been finalized.