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The Child Support Services (CSS) Program

Introduction

The child support program was enacted into law on January 4, 1975 (P.L. 93-647). It was originally referred to as the Child Support Enforcement program and was recently renamed by the U.S. Department of Health and Human Services (HHS) as the Child Support Services (CSS) program. When the program was first established, its goals were to reimburse the states and the federal government for the cash assistance payments they provided families, and to help other families remain off cash assistance by obtaining consistent and ongoing child support payments from the noncustodial parent. Over time, the program has evolved from a *cash assistance cost-recovery* program to a *family-first* program that seeks to enhance the well-being of families by making child support a more reliable income source.

This federal-state program has the potential to impact more children and for longer periods of time than most other federal programs. It may interact with mothers, fathers, and children for 18 years and in some cases longer, such as if the noncustodial parent owes past-due child support. In recent years, it served about 17% of children in the United States. (CSS program data are published by the federal Office of Child Support Services [OCSS] in HHS. All FY2023 figures in this report are drawn from its *FY2023 Preliminary Data Report* released on June 21, 2024.)

Scope of CSS Program

Families who are required to enroll in the CSS program are those receiving cash assistance under the Temporary Assistance for Needy Families (TANF) program, Medicaid coverage, or, at state option, Supplemental Nutrition Assistance Program (SNAP) food assistance. The program is also available to non-assistance families if they choose to enroll. Families who are not required to enroll must pay a one-time \$25 fee when they apply for services, and an annual \$35 user fee if the CSS agency collects at least \$550 per year for them.

The program is available in all 50 states; the District of Columbia; the territories of Guam, Puerto Rico, and the U.S. Virgin Islands; and 60 tribal nations. Program services are generally provided locally within states, usually by county.

The CSS program is administered at the federal level by OCSS, which helps CSS agencies develop, manage, and operate their programs effectively and according to federal law. Specifically, OCSS administers federal matching funds and awards grants to states, provides policy guidance and technical assistance, conducts program audits, and supports research through demonstration grants. OCSS is also responsible for the Federal Parent Locator Service, which includes the National Directory of New Hires.

Program Components

The CSS program increases the reliability of child support paid by noncustodial parents by

- locating noncustodial parents,
- establishing paternity,
- establishing child support orders,
- reviewing and modifying child support orders,
- collecting child support payments from noncustodial parents,
- establishing and enforcing medical child support, and
- distributing child support payments to custodial parents.

CSS Collections and Methods

In FY2023, the CSS program collected \$26.7 billion on behalf of families. More than two-thirds of CSS collections were for families that had never received cash payments from the TANF program.

Table 1. CSS Collections by Family Type, FY2023

Family Type	Collections (billions)	Percentage
TANF Families	\$0.6	2%
Former TANF	\$7.1	26%
Never TANF	\$19.0	71%

Source: Congressional Research Service (CRS), based on data from the OCSS *FY2023 Preliminary Data Report*. Amounts and percentages may not sum to 100% due to rounding.

The majority of the collected payments in FY2023 (96%) went to families and the remainder went to the states and federal government, primarily as reimbursement for public assistance dollars that went to families.

Most child support payments are collected from noncustodial parents through income withholding. In FY2023, 70% of collections were obtained through income withholding. Other methods of enforcement include

- intercepting federal and state income tax refunds;
- intercepting unemployment compensation;
- filing liens against property;
- sending insurance settlement information to CSS agencies;
- intercepting lottery winnings, judgments, or settlements;

- seizing debtor parent assets held by public or private retirement funds and financial institutions;
- withholding, suspending, or restricting driver's licenses, professional or occupational licenses, and recreational or sporting licenses; and
- denying, revoking, or restricting passports.

In addition, all jurisdictions have civil or criminal contempt-of-court procedures and criminal nonsupport laws that may be used when noncustodial parents fall behind in their payments and accumulate arrears. (These procedures and laws are in addition to the enforcement methods listed above.) Federal criminal penalties may be imposed in certain cases.

Federal law also provides for international enforcement of child support.

CSS Caseload and Composition

In FY2023, the CSS system handled 12.1 million cases.

Table 2. CSS Cases by Family Type, FY2023

Family Type	Number (millions)	Percentage
TANF Families	0.9	8%
Former TANF	4.6	38%
Never TANF	6.5	54%

Source: CRS, based on data from the OCSS FY2023 Preliminary Data Report. Percentages and amounts may not sum to 100% due to rounding.

According to the most recent demographic data available (from 2017), among all custodial parents who are eligible for child support (not just those enrolled in the CSS program), 80% are women. Of women custodial parents, 53% have one eligible child, 44% are non-Hispanic White, 28% are non-Hispanic Black, 24% are Hispanic (of any race), and 4% are other races (including multiple races not categorized elsewhere).

Among all custodial families eligible for child support, 24% have income below the federal poverty level. Forty percent of poor families who were supposed to receive child support reported receiving the full amount that was due.

CSS Expenditures and Financing Structure

In FY2023, combined federal and state administrative expenditures for CSS amounted to \$6.4 billion. Federal funding for CSS requires that states must spend money in order to receive federal funding. The federal government reimburses each state 66% of all allowable expenditures on CSS activities. This requirement is open-ended in that there is no upper limit or ceiling on the federal government's match for those expenditures.

There are five funding streams associated with the CSS program. The first two streams (mentioned above) are state and federal matching funds. Third, states collect child support on behalf of families receiving TANF assistance to

reimburse themselves (and the federal government) for the cost of TANF cash payments to the families. Fourth, the federal government provides states with an incentive payment (no FY2023 estimate available; \$527 million total for FY2022) to encourage them to operate effective programs. Federal law requires states to reinvest CSS incentive payments back into the CSS program or related activities. Fifth, fees and costs recovered from non-TANF families may help finance the CSS program.

Visitation Grants and Parenting Time

A noncustodial parent's right to visit with their children is commonly referred to as visitation or child access (and more recently as voluntary parenting time agreements). OCSS administers an Access and Visitation grant program, which is funded at a total of \$10 million each fiscal year. These funds are awarded to the 50 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. The general focus of this program is to increase noncustodial parents' access to and time with their children. Eligible activities include mediation, counseling, education, development of parenting plans, visitation enforcement, and development of guidelines for visitation and alternative custody arrangements. In addition, certain CSS programs are to some degree involved with establishing voluntary parenting time agreements between custodial and noncustodial parents.

Program Effectiveness

In FY2023, the CSS program collected \$4.37 for every \$1 it spent, and made collections for 61% of its caseload. Those cases with collections were 65% of the never-TANF caseload, 59% of the former-TANF caseload, and 34% of the current-TANF caseload.

Issues

CSS issues that have been raised include the following:

- Should child support orders be more aligned with the noncustodial parent's ability to pay?
- Should child support orders be automatically reviewed and modified in cases where the noncustodial parent is unemployed or underemployed?
- Should CSS programs have the option to reduce or forgive state- and federal-owed child support arrearages (i.e., unpaid child support) in cases where doing so provides an incentive to noncustodial parents to regularly pay the current support that is owed?
- Should the CSS program have the option of funding work-oriented programs for noncustodial parents who are unable to meet their child support obligations?
- Should the states bear more of the costs of their CSS programs (i.e., reducing the federal reimbursement)?
- Should cooperation with the CSS program continue to be mandated for TANF and Medicaid families? Should federal cooperation requirements be expanded to other public assistance programs?
- Should the federal and state governments continue to retain collections to reimburse TANF costs?

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