

# United States Senate

WASHINGTON, DC 20510-0908

October 19, 2023

President Joe Biden  
The White House  
1600 Pennsylvania Avenue NW  
Washington, D.C. 20500

Dear Mr. President:

On September 26, 2023, the U.S. Department of Health and Human Services issued a proposed rule that would eliminate words like “father,” “mother,” and “paternity” from federal child-support regulations and instead replace them with gender-neutral alternatives.<sup>1</sup> Your administration’s “Don’t Say Dad” agenda is not only confusing, it does nothing to help single parents who are struggling to provide for their children. We urge you to rescind the proposed rule, acknowledge the essential role that mothers and fathers play in families, and focus your efforts on more important matters.

The Child Support Enforcement program (CSE) is a vital piece of the federal safety net that ensures both parents share in the responsibility of caring and providing for their children. In 2022, this program distributed more than \$30 billion to single parents—mostly single mothers—reducing poverty and helping these parents provide for their children.<sup>2</sup> Decades of research has shown that CSE encourages noncustodial fathers to take a more active role in their children’s lives, leading to numerous nonfinancial benefits.<sup>3</sup>

We are disappointed that your administration is using CSE as a tool to advance radical gender ideology, rather than strengthening its ability to help families. Americans understand that mothers and fathers are different, and that both parents play vital roles in raising their children. Federal regulations should uphold this fact rather than erasing the reality of biological sex in the law at the behest of left-wing activists.

Single moms and their children across this country are struggling, and there is a real opportunity for lawmakers to collaborate on commonsense, bipartisan reforms to CSE. For example, current child-support policy lets fathers walk away during pregnancy while mothers face thousands of dollars in medical bills. Policymakers should reform CSE to require fathers to pay child support throughout pregnancy. This reform, unlike your administration’s proposed rule, would provide tangible support to the millions of mothers who rely on this program. Crucially, it requires an acknowledgement of the basic reality of biological sex—a reality your administration sadly seeks to erase from the law.

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<sup>1</sup> <https://www.federalregister.gov/documents/2023/09/26/2023-20607/parentage-establishment-in-the-child-support-services-program>

<sup>2</sup> <https://www.acf.hhs.gov/css/policy-guidance/fy-2022-preliminary-data-report-and-tables>

<sup>3</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3060035/#:~:text=Research%20from%20the%20past%20,children%20from%20their%20nonresident%20fathers>

We ask you to rescind this unnecessary rule change, acknowledge the essential role that mothers and fathers play in families, and get back to work with policies that actually help the American people.

Thank you for your attention to this matter.

Sincerely,



Marco Rubio  
U.S. Senator



James Lankford  
U.S. Senator



Kevin Cramer  
U.S. Senator



Mike Braun  
U.S. Senator



Ted Cruz  
U.S. Senator



Cindy Hyde-Smith  
U.S. Senator

CC:

The Honorable Xavier Becerra, Secretary, U.S. Department of Health and Human Services  
Mr. Jeff Hild, Acting Assistant Secretary, Administration for Children and Families  
Ms. Tangler Gray, Commissioner, Office of Child Support Services