



April 10, 2026

Robyn Large
Child Support Program Specialist
Office of Child Support Enforcement
Administration for Children and Families
U.S. Department of Health and Human Services
Robyn.Large@acf.hhs.gov
InfoCollection@acf.hhs.gov

Re: Income Withholding for Support Order, Request for Public Comments, Office of Management and Budget # 0970-0154 (91 *Fed. Reg.* 11979; March 11, 2026)

Dear Robyn:

Thank you for the opportunity to comment on the draft revised Income Withholding for Support Order (IWO). PayrollOrg greatly appreciates its partnership with the Office of Child Support Enforcement (OCSE).

About PayrollOrg

PayrollOrg is a nonprofit and nonpartisan association representing more than 20,000 payroll professionals throughout the United States. PayrollOrg's primary mission is to educate its members and the payroll industry regarding best practices associated with paying America's workers while complying with applicable federal, state, and local laws. PayrollOrg's Government Relations Task Force works with government to help payroll professionals with compliance, while minimizing the administrative burden on government, employers, and individual workers.

Worker Status

PayrollOrg appreciates efforts by OCSE to accommodate orders for independent contractors when not all states have mandated reporting and withholding laws and regulations in place. However, the instructions do not fully recognize child support for independent contractors.

In section 1f the terms "optional checkboxes" and "may have" are not helpful. All states mandate reporting of newly hired and rehired employees, yet this section appears to suggest that reporting is optional. If an employer is required to report independent contractors, then states will know that the worker is a contractor. What is optional is reporting of independent contractors in states without laws.



At issue is whether the individual worker identified in the IWO has a work relationship with the employer. Helpful for employers is recognizing different internal payment processes for employees and independent contractors. Knowing how internal processes impact the efficiency of getting funds to families is important, although they do not impact employers' legal child support obligations.

PayrollOrg understands that some state reporting systems and new hire databases do not include the identity of the worker as an employee or an independent contractor. Thus, currently, to know the worker's status will require more effort, such as looking at state reporting thresholds and the manner to which the worker is paid.

The solution to the problem is not to place all of the administrative burden and costs on employers, but to require states with mandates to update their reporting systems to comply with their state legislatures' instructions. The IWO should reflect joint responsibility between employers and states.

With the bolded text added to § 1f, the same language located in § VI could be removed or repeated for emphasis – “The responsibility remains on the employer to determine if the IWO is for an employee or an independent contractor. IWOs are applicable to employees and non-employees.”

Daily Pay Periods and Remittance Information

PayrollOrg appreciates that the draft revised IWO includes a line for workers with a daily pay period and instructions for how to calculate the amount of child support withholding. The section on the IWO form should be changed as follows:

1f. Check the appropriate box if the obligor was reported as an:

Employee

Independent contractor

An employer remains responsible to identify whether the named obligor is an employee or independent contractor. IWOs are applicable to employees and nonemployees.

In the instructions, the language should be changed as follows:

1f. Worker Status:

Check this box if the obligor was reported as an employee.

Check this box if the obligor was reported as an independent contractor.

Identifying worker status is optional in states that do not have laws mandating that employers report new or extended arrangements with independent contractors for purposes of child support. These states may issue IWOs when employers voluntarily report independent contractors. Please note: Correct worker status is not a criteria for employers to reject an IWO.

PayrollOrg recommends that OCSE include language in the IWO instructions under § V for employers to be informed by states about remittance for daily pay cycles.

In § V, the state provides remittance information including the date when an employer must submit payments to the state disbursement unit. Anecdotally, payroll professionals have said that even with daily pay, remittance is usually managed on a weekly basis. Yet, in general, remittance policy for daily pay cycles is unwritten.

At the bottom of § V in the box, “ NOTE TO EMPLOYER/INCOME WITHHOLDER,” in the second sentence, please correct the spelling – from “determinging” to “determining.”

In the same box, in the first sentence in reference to the Federal Consumer Credit Protection Act, add a statement that the CCPA withholding limits do not apply to independent contractors.

OCSE may want to reference the CCPA, associated U.S. Department of Labor Opinion Letter (CCPA2018-1NA), and applicability to independent contractors in § V.20 on the percentage of disposable income.

PayrollOrg also recommends adding an employer fee box to the form with instructions on whether the state allows employers to collect a processing fee and the amount that can be deducted. Employers need to show employees that they are legally authorized to deduct a fee rather than advising employees to look at a chart.

Pay Cycles

Please change the order of pay cycles in § IV regarding amounts to withhold as follows:

1. Daily
2. Weekly
3. Biweekly
4. Semimonthly
5. Monthly
6. Lump Sum

Payment Location

Thank you for highlighting on the IWO form that payments cannot be made through OCSE’s Child Support Portal. Please also add this information to the IWO instructions.

In addition, adding this information to OCSE’s website pages regarding the Child Support Portal section would be useful. For example, the information could be added to the employer home page and in the section on making payments.

Tribal Orders

Thank you for adding greater clarity to the IWO on how to find tribe-specific contacts, addresses, and withholding limitations. PayrollOrg, like OCSE, has been enhancing its engagement with tribal child support entities to improve communication.

Thank you again for the opportunity to provide recommendations. To discuss these comments further, please contact PayrollOrg at ajacobsohn@payroll.org or 202-669-4001.

Sincerely,

A handwritten signature in cursive script that reads "Alice P. Jacobsohn".

Alice P. Jacobsohn, Esq.
Director, Government Relations

For: Government Relations Task Force
Child Support Subcommittee
Cochairs, Corrinne Flores and Christena Verrill, CPP