

Temporary Assistance for Needy Families (TANF) Contingency Fund Application

**OMB Information Collection Request
0970 - NEW**

Supporting Statement Part A - Justification

August 2026

Type of Request: New

Submitted By:
Office of Family Assistance
Administration for Children and Families
U.S. Department of Health and Human Services

1. Circumstances Making the Collection of Information Necessary

To date, there is no single, standalone standard form for requesting TANF contingency funds; instead, ACF has provided a recommended letter of request template within official guidance to outline provisional payment and certification information including the signature of the state's Governor or authorized designee. The information collection standardizes the mechanism through which the 50 states and the District of Columbia request provisional payments on a monthly basis.

Authority to distribute provisional payments based on receipt of state requests for contingency funds is contained in section 403 of the Social Security Act (42 U.S.C. 603(b)(3), as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193, 110 Stat. 2105. When Congress established Grants to States, it codified the "Contingency Fund for State Welfare Programs" at §403(b) of the Social Security Act (the Act), and clarified the prerequisite of state request by stating that that provisional payments shall be paid to "an eligible State [which] submits to the Secretary a request for funds under this paragraph during an eligible month." 42. U.S.C. § 603(b)(3)(A).

2. Purpose and Use of the Information Collection

The TANF Contingency Fund Application is an optional request for contingency funds submitted by states to ACF. The form requires states to demonstrate eligibility, describe how they will fulfill award requirements, and provide certification by the Governor or official designee.

ACF uses the written request alongside required quarterly financial reporting (Form ACF-196R) to monitor financial data, grant contingency funds, complete the annual reconciliation process, and assess compliance with statutory and regulatory requirements relating to use of funds and state maintenance-of-effort requirements.

3. Use of Improved Information Technology and Burden Reduction

If they choose to apply, states complete the TANF contingency fund application through a fillable PDF provided by ACF and submit via email. Aside from incorporating eligibility verification, the data elements and reporting mechanism remain unchanged from the informal requests from previous years. To reduce response time and minimize burden hours, the form uses dropdown menus and consolidates guidance and existing resources.

4. Efforts to Identify Duplication and Use of Similar Information

There are no data available that are similar to what we collect with this information collection. Contingency funds are additional federal funds available to states, at their request, when unfavorable economic conditions exist.

5. Impact on Small Businesses or Other Small Entities

This collection of information does not impact small businesses or other small entities. It will affect only states.

6. Consequences of Collecting the Information Less Frequently

Although OFA has previously permitted states to submit one application at the beginning of the fiscal year requesting funds for all months in which the state anticipated qualifying as a needy state, a more faithful reading of statute supports requiring states to submit a request for each eligible month. To improve program oversight and fiscal stewardship, OFA has standardized the application mechanism through this new information collection, streamlining guidance and requiring monthly applications.

7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5

States must submit a new application in the month prior to the month for which they request funds. While the information collected is optional, it is possible that states may be eligible for and may choose to apply for every month in a fiscal year, which will create a special circumstance in which respondents report more often than quarterly. However, because contingency funds are typically exhausted by April, we estimate that eligible states would apply no more than seven times.

The TANF Contingency Fund is capped annually at \$608 million. While 42 U.S.C. § 603(b) (5) allows states to request funds in any eligible month, states typically submit applications before the start of the fiscal year (late August or September) and request the full-year statutory maximum of one-twelfth of 20% of their State Family Assistance Grant (SFAG) per month. Because states apply early and request the maximum rather than staggering monthly requests, the Fund is typically depleted by April of each year. OFA proposes updating program guidance to limit state requests to specific months in which they expect to qualify. Monthly requests with additional assurances of eligibility will support ACF in carrying out timely annual reconciliation of provisional payments, mitigate the risk of payments made in error, and reduce the need for remittances.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13) and Office of Management and Budget (OMB) regulations at 5 CFR Part 1320 (60 FR 44978, August 29, 1995), ACF published a notice in the Federal Register announcing the agency's intention to request an OMB review of this information collection activity. This notice was published on June 26, 2026 (91 FR 38716) and provided a sixty-day period for public comment. During the notice and comment period, we received one comment from the Washington State Department of Social and Health Services requesting that ACF reconsider the proposed

requirement for states to apply monthly for contingency funding and noting that this would add considerable administrative burden particularly for states that qualify for multiple months. Statute requires that provisional payments be made to "an eligible State [which] submits to the Secretary a request for funds under this paragraph during an eligible month." 42 U.S.C. section 603(b)(3)(A). Although OFA has previously permitted states to submit one application at the beginning of the fiscal year requesting funds for all months in which the state anticipated qualifying as a needy state, a more faithful reading of statute supports requiring states to submit a request for each eligible month. To improve program oversight and fiscal stewardship, the proposed approach will require states to request funds for specific months in which they expect to qualify, mitigating timing pressures and supporting timely annual reconciliation of provisional payments. This proposed reporting frequency, while more administratively burdensome up front, is intended to minimize ensuing burden by asking states to double check eligibility under 45 C.F.R. section 264.70.

9. Explanation of Any Payment or Gift to Respondents

This data collection does not involve any payment or gift to respondents other than remuneration of grantees.

10. Assurance of Confidentiality Provided to Respondents

OFA will keep the information private to the extent permitted by the law.

11. Justification for Sensitive Questions

This data collection does not contain any questions of a sensitive nature.

12. Estimates of Annualized Burden Hours and Costs

Estimated Burden Hours

The TANF Contingency Fund Application will create an optional monthly burden with an average of 15 states responding, although up to 51 states (including the District of Columbia) may be eligible. We estimate the annual burden to be an average of 3 hours per response, with an estimate of 7 responses per respondent each year.

Estimated Cost to Respondents

The cost to respondents was calculated using the hourly mean wage data from May 2025 for the Bureau of Labor Statistics (BLS) job code for Social and Human Services Assistants (21-1093) in State Government, excluding schools and hospitals, which is \$25.76 per hour. To account for fringe benefits and overhead the rate is multiplied by two, which is \$51.52.

https://www.bls.gov/oes/current/oes_stru.htm

Information Collection Title	Total Number of Respondents	Annual Number of Responses Per Respondent	Average Burden Hours Per Response	Annual Burden Hours	Average Hourly Wage	Total Annual Cost
TANF Contingency Fund Application	15	7	3	315	\$51.52	\$16,228.80

13. Estimates of Other Total Annual Cost Burden to Respondents and Record Keepers

There are no other costs to respondents and record keepers.

14. Annualized Cost to the Federal Government

We estimate total annual federal time on these information collection activities to be 5,000 hours. This includes the costs of information collection, tabulation, analysis, publication of results, technical assistance, and monitoring. Based on an estimated average hourly federal salary of \$54 per hour for federal employee (GS12 -14), to account for fringe benefits and overhead the rate is multiplied by two which is \$108, the total estimated average annual cost to the federal government is \$540,000.

15. Explanation for Program Changes or Adjustments

This is a new information collection.

16. Plans for Tabulation and Publication and Project Time Schedule

Not applicable.

17. Reason(s) Display of OMB Expiration Date is Inappropriate

Not applicable.

18. Exceptions to Certification for Paperwork Reduction Act Submissions

Not applicable.