



Oregon Department of Justice

Oregon Child Support Program

Supporting Parents to Support Children

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August 25, 2023

Office of Child Support Services
Administration for Children and Families
Department of Health and Human Services
OMB No.: 0970-0171

via email only ocss.dpt@acf.hhs.gov

*RE: Proposed Information Collection Activity: Voluntary Acknowledgment of Paternity and
Required Data Elements for Paternity Establishment Affidavits
OMB Control Number 0970-0171*

Dear Commissioner Gray:

On behalf of the Oregon Child Support Program, I submit these comments on the proposed information collection activity regarding Voluntary Acknowledgment of Paternity and Required Data Elements for Paternity Establishment Affidavits published on June 29, 2023, in the Federal Register, Volume 88, Number 124, Page 42075.

In general, we believe the current data elements properly balance a well-defined voluntary acknowledgment process to expedite paternity establishment with appropriately collecting information child support programs and partner agencies use in our daily work. We suggest OCSS take this opportunity to update the language used in the current data requirements to include gender-neutral language. This would help in providing all families equal access to securing legal parentage.

In 2017, the Supreme Court held that a state may not deny married same-sex couples' inclusion on their children's birth certificates that the state grants to married opposite-sex couples. *Pavan v. Smith*, 137 S. Ct. 2075 (2017). For years, voluntary acknowledgments of paternity have been a simple, efficient way to establish a legal parent. Amending the current data requirements to include gender-neutral language eases the way for states to expand access to this process.

OCSS's support for providing services to diverse families is demonstrated in [PIQ-22-02](#). The PIQ highlighted that states have flexibility to support families with same-sex parents by adopting voluntary acknowledgments of parentage that are gender neutral. The GLBTQ Legal Advocates & Defenders (GLAD) [website](#) identifies 11 states that have already expanded the types of parentage that may be established through voluntary acknowledgments and adopted more gender-neutral language. Updating language at the federal level aligns with recommendations from the Uniform Parentage Act of 2017 and lends support to the states yet to adopt it.

As the number of diverse families increases, states are faced with challenges to the traditional concept of establishing biological paternity through an acknowledgment. State courts and legislatures are recognizing that a broader concept of voluntarily acknowledging parentage is necessary to protect the best interests of children. Amending the data elements from the historical mother-father relationship to gender-neutral language will guarantee that the voluntary acknowledgment process is inclusive of all families and will safeguard the rights of some of our most vulnerable children. Establishing legal parentage is beneficial for children and amending the language to be more inclusive of all families allows broader access to the expedited process that a voluntary acknowledgment provides. This, in turn, makes child support services more accessible.

Thank for you for the opportunity to comment.

Yours very truly,



Kate Cooper Richardson
Director, Oregon Child Support Program

c: Kevin Lopez-Mohedano, OCSS, Region 10 (via email)