

Congress of the United States
Washington, DC 20515

August 1, 2025

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

Dear Robert F. Kennedy, Jr.,

We write to express our strong opposition to the Department of Health and Human Services' (HHS) notice rescinding the longstanding interpretation of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)¹.

PRWORA only allows for a narrow list of “qualified” immigrants to access what the law defines as “federal public benefits.” It also grants specific exemptions for the treatment of emergency medical conditions, disaster relief, testing and treatment of communicable disease symptoms, and immunizations, among others². Federal agencies have determined which programs under their jurisdiction are “federal public benefits” and which are either outside of the definition or are otherwise exempt from restriction. For nearly thirty years, federal agencies have explained that programs intended for the good of the community are not restricted – meaning that everyone may have access to these vital services³.

This new proposed change in guidance specifically classifies over thirteen new programs as “federal public benefits,” therefore ensuring that they will not be available to individuals with Temporary Protected Status, individuals with non-immigrant visas, DACA recipients, immigrants with valid work authorization documents, or undocumented immigrants⁴.

As the notice acknowledges, PRWORA states specifically that non-profit organizations are not required to verify or determine eligibility when providing these vital services⁵. Yet government agencies that administer a non-exempt program may also be subject to this requirement. If social services staff are required to spend their time processing additional paperwork instead of serving their communities, this new interpretation would cause

¹ [Federal Register :: Personal Responsibility and Work Opportunity Reconciliation Act of 1996 \(PRWORA\); Interpretation of “Federal Public Benefit”](#)

² [PRWORA’s Restrictions on Noncitizen Eligibility for Federal Public Benefits: Legal Issues](#)

³ [HHS, “Personal Responsibility and Work Opportunity Reconciliation Act of 1996 \(PRWORA\); Interpretation of “Federal Public Benefit”](#) 63 Fed. Reg. 41658, 41659 (Aug. 4, 1998)(“Such benefits do not include benefits that are generally targeted to communities or specified sectors of the population”).

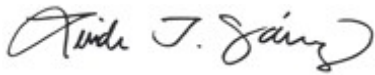
⁴ [ACF-OFA-IM-25-01 \(Restrictions on Federal Public Benefits for Non-Qualified Aliens\) | The Administration for Children and Families](#)

⁵ 8 USC 1642(d).

irrevocable harm for all individuals, regardless of their status. Many U.S. citizens, particularly survivors of crime or natural disasters, homeless individuals, seniors, people with disabilities, and low-income individuals may lack proof of their status. Imagine being required to bring a birth certificate to get care at a Community Health Center, or to provide a Social Security card to access mental health services. As this Administration adds burdensome work requirements and other barriers to services in the One Big Beautiful Bill Act ⁶, this will increase red tape exponentially for service recipients and providers.

In a dramatic departure from almost thirty years of policy, this guidance would deny services to otherwise eligible individuals who need them. Children who receive education through Head Start, students who utilize health workforce programs, individuals who rely on federally funded substance use treatment, and countless others will lose these benefits with little to no warning. The immigrants who use these benefits are members of our communities – they are our neighbors and our friends. This unnecessary and cruel change in interpretation represents one more attack on immigrant communities that will harm all of us. Instead of focusing on fixing the problems it caused by stripping millions of Americans of their healthcare to finance tax cuts for the wealthy, this Administration is prioritizing its extreme immigration agenda over our collective well-being.

Sincerely,



Linda T. Sánchez
Member of Congress



Raul Ruiz, M.D.
Member of Congress



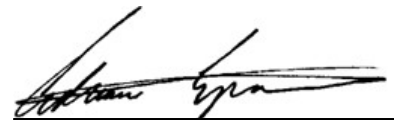
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Adriano Espaillat
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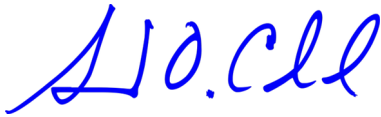


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Paul D. Tonko
Member of Congress

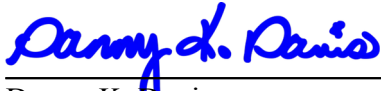
⁶ [H.R.1 - 119th Congress \(2025-2026\): One Big Beautiful Bill Act | Congress.gov | Library of Congress](#)



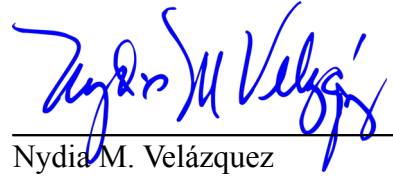
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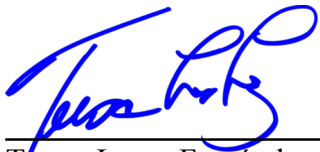
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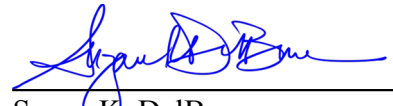
Teresa Leger Fernández
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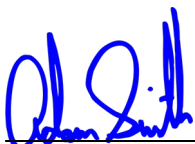
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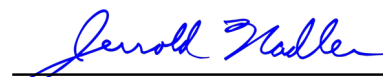
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