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U.S. Department of Health and Human Services
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HHS Bans Illegal Aliens from Accessing its Taxpayer-Funded Programs

WASHINGTON, DC—July 10, 2025—The U.S. Department of Health and Human Services (HHS) today announced a significant policy shift to restore compliance with federal law and ensure that taxpayer-funded program benefits intended for the American people are not diverted to subsidize illegal aliens.

HHS has formally rescinded a 1998 interpretation of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), issued during the Clinton Administration, which improperly extended certain federal public benefits to illegal aliens.

For over two decades, the 1998 policy improperly narrowed the scope of PRWORA, undercutting the law by allowing illegal aliens to access programs Congress intended only for the American people. With this update, HHS is complying with the law—ensuring that federal benefits are administered with transparency, legal integrity, and fairness to the American people.

“For too long, the government has diverted hardworking Americans’ tax dollars to incentivize illegal immigration,” **said HHS Secretary Robert F. Kennedy, Jr.** “Today’s action changes that—it restores integrity to federal social programs, enforces the rule of law, and protects vital resources for the American people.”

The new policy applies PRWORA’s plain-language definition of “Federal public benefit,” reverses outdated exclusions, affirms that programs serving individuals, households, or families are subject to eligibility restrictions, and clarifies that no HHS programs have been formally exempted under PRWORA’s limited exceptions.

Head Start is among the programs included in the updated and expanded list of classified “Federal public benefits” under PRWORA to ensure enrollment in Head Start is reserved for American citizens from now on. Preliminary analysis by HHS estimates American citizens could receive as much as $374 million in additional Head Start services annually.

“Alongside HHS, the Administration for Children and Families (ACF) is committed to providing and protecting resources that serve America’s most vulnerable,” **said Acting Assistant Secretary Andrew Gradison**. “Head Start’s classification under the new PRWORA interpretation puts American families first by ensuring taxpayer-funded benefits are reserved for eligible individuals.”

The revised list newly includes all programs now classified as “Federal public benefits” under PRWORA:

- Certified Community Behavioral Health Clinics
- Community Mental Health Services Block Grant
- Community Services Block Grant (CSBG)
- Head Start
- Health Center Program
- Health Workforce Programs not otherwise previously covered (including grants, loans, scholarships, payments, and loan repayments).
- Mental Health and Substance Use Disorder Treatment, Prevention, and Recovery Support Services Programs administered by the Substance Abuse and Mental Health Services Administration
- Projects for Assistance in Transition from Homelessness Grant Program
- Substance Use Prevention, Treatment, and Recovery Services Block Grant

- Title IV-E Educational and Training Voucher Program
- Title IV-E Kinship Guardianship Assistance Program
- Title IV-E Prevention Services Program
- Title X Family Planning Program

The above list is not exhaustive. Any additional programs determined to be Federal public benefits will be announced in program specific guidance.

This policy change aligns with long-standing Congressional intent and recent Executive Orders by President Trump, including Executive Order 14218 of February 19, 2025, “Ending Taxpayer Subsidization of Open Borders,” prioritizing legal compliance and the protection of public benefits for eligible Americans. While the updated interpretation does not alter funding levels, it ensures that public resources are no longer used to incentivize illegal immigration.

The notice establishing the revised policy takes effect immediately upon publication in the Federal Register and has a 30-day comment period. HHS will issue further guidance to affected programs to ensure full implementation. The text of the notice may be found here [PDF, 308 KB] </sites/default/files/prwora-notice.pdf>.

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