



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of the Assistant Secretary | 330 C Street, S.W., Suite 4034
Washington, D.C. 20201 | www.acf.hhs.gov

March 24, 2025

Dear TANF Administrator:

On March 10, 2025, I wrote a [letter](#) to State, Tribal, Territorial, and Local Government partners regarding actions taken by the Administration for Children and Families (ACF) to fully and faithfully implement President Trump's Executive Order 14218 "[Ending Taxpayer Subsidization of Open Borders](#)." I am writing to you as the Acting Assistant Secretary for ACF, the agency that administers the Temporary Assistance for Needy Families (TANF) program to be sure that you take all necessary actions to align your program with the Executive Order's provisions and federal statutes and regulations concerning restrictions on permitting illegal aliens to obtain cash or non-cash federal public benefits.

Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), P.L. 104-193, as amended, limits TANF and other "federal public benefits" to American citizens and qualified aliens. Illegal aliens are not citizens or qualified aliens, and thus not eligible for TANF benefits. More information can be found in the 1998 Office of Family Assistance (OFA) [Information Memorandum](#). The ACF Office of Family Assistance will be updating this guidance soon.

I want to remind you that, as a TANF agency, you are responsible for ensuring that sub-recipients and contractors follow all applicable laws related to the use of TANF funds, including prohibitions against providing benefits to illegal aliens. See 45 CFR 75.352(a)(2). A state that provides services or benefits in violation of PRWORA or fails to verify eligibility in accordance with the Income and Eligibility Verification System requirements, 42 USC 1320b-7, could be subject to a TANF penalty. See 42 USC § 609(a)(1); §608(e); § 609(a)(4). ACF will use all available options, including direct oversight, as well as providing targeted technical assistance, to ensure compliance on prohibitions against grantees or subgrantees providing direct benefits to illegal aliens or any other actions that contravene PRWORA, the Income and Eligibility Verification System requirements, 42 USC 1320b-7, or President Trump's Executive Order 14218.

Sincerely,

Andrew Gradison
Acting Assistant Secretary
Administration for Children and Families