



August 8, 2025

*Submitted electronically*

U.S. Department of Health and Human Service  
Hubert H. Humphrey Building  
200 Independence Avenue SW  
Washington, DC 20201

RE: HHS Notice titled " Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); Interpretation of "Federal Public Benefit"

### **I. Introduction**

ZERO TO THREE appreciates the opportunity to comment on the U.S Department of Health and Human Services (HHS or Department) notice: *Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA); Interpretation of "Federal Public Benefit"* (hereinafter referred to as "2025 Notice"). This statutory reinterpretation would have a profoundly detrimental impact on the safety, health, development, and ultimately the futures of infants and toddlers across the United States. To ensure young children and the adults who care for them continue to have access to the resources they need for babies to reach their full potential, ZERO TO THREE urges the Department to immediately withdraw the 2025 Notice.

ZERO TO THREE is a national organization focusing on ensuring that infants and toddlers have a strong start in life. We recognize that no baby exists alone – they rely on the grown-ups in their families and communities for the health care they receive, the food they eat, the toys they play with (or gnaw on), the floors they crawl on, and the relationships they build early in life. To that end, we take a comprehensive view of early childhood well-being, engaging a range of disciplines in order to address the full range of factors that influence a child's development. Through this holistic, collaborative approach, we work to develop solutions that promote healthy development and prevent more significant, costlier conditions later in life.

In our July 14, 2025, comment on the Department's *Request for Information (RFI): Ensuring Lawful Regulation and Unleashing Innovation to Make America Healthy Again*, we laid out a "Framework for Babies," describing six principles ZERO TO THREE urges the Department to consider in any proposed policy changes in order to ensure policies address the needs of infants and toddlers.<sup>1</sup> These include: transparency and engagement; using the science of child development to guide policy; prioritizing the well-being of young children; strengthening the family to support the child; the need for knowledge, skills, and training to work with children; and the need to ease the burden of policies on individuals and families, not just systems. While we appreciate the Department's solicitation of comments on the 2025 Notice, unfortunately, the implications of this policy are inconsistent with many of these principles, and the impacts of the 2025 Notice risk setting back the growth and development of young children nationwide.

---

<sup>1</sup> ZERO TO THREE (2025), *Public Comment RE: HHS Notice titled "Request for Information (RFI): Ensuring Lawful Regulation and Unleashing Innovation to Make America Healthy Again," Docket AHRQ-2025-0001, 90 Fed. Reg. 20478 (May 14, 2025)*, <https://www.regulations.gov/comment/AHRQ-2025-0001-0788>.



## **II. The 2025 Notice Has Led to Widespread Confusion, and Concern, Among Service Providers and Families**

For nearly three decades, the early childhood field – from early educators to health care providers – have relied on a clear, consistent interpretation of “federal public benefit” under PRWORA.<sup>2</sup> This 1998 interpretation identified 31 HHS programs for which certain immigrants would not qualify for federal benefits, while others programs – particularly those deemed to serve the broader community – were excluded on the basis of the PRWORA’s statutory text. By vastly expanding the scope of the interpretation of a “federal public benefit” under PRWORA, while indicating this reinterpretation would go into effect immediately, the 2025 Notice has caused widespread confusion and concern among early childhood providers and families.

In our organization’s engagement with the broad range of practitioners who work with young children, we have heard significant uncertainty about the implications of, and even how to comply with, the 2025 Notice. We have heard questions regarding whether this Notice applies to particular funding streams, what such applicability might mean for programs that serve multiple individuals or groups, and what funding recipients’ obligations under the 2025 Notice might be. The lack of program-specific guidance has only exacerbated this confusion.

We are also deeply concerned that the 2025 Notice and the uncertainty regarding its enforcement will have a chilling effect even on families where caregivers and/or babies remain eligible for benefits under an expanded reinterpretation of PRWORA. Most Americans are not steeped in the nuances of immigration policy or how the programs in which they participate are funded, and so many immigrant households will likely assume proposed restrictions apply to them, even if they fall into an exception under the 2025 Notice. Similarly, if there is uncertainty regarding whether eligibility depends on the parent’s or the child’s immigration status, or if parents are concerned their information may be used for immigration enforcement activities, they will likely avoid essential services.

Implementation will also be practically and logistically challenging, both for organizations and families. As the 2025 Notice encompasses programs never considered federal public benefits under PRWORA in the past, funded entities will have to create processes that do not mesh with how their programs are conceived and funded. They will need to engage with systems that will be difficult for program staff to navigate, an administrative burden that will distract from their core mission of providing health and social services to families. Similarly, families in programs newly covered by this expanded interpretation may be subject to having their citizenship status confirmed, posing a substantial paperwork burden on already busy caregivers and further triggering concerns about how families’ information may be used. This lack of clarity and additional paperwork burdens will exacerbate the chilling effect of the 2025 Notice, result in administrative errors, and ultimately lead to even more babies and families losing access to crucial services.

These families are not hypothetical—they include babies with developmental delays, mothers dealing with postpartum depression, and caregivers struggling to balance work and raising a toddler, all of whom live in and contribute to their communities. Approximately 17.9 million U.S. children live with at least

---

<sup>2</sup> 63 Fed. Reg. 41658 (Aug. 4, 1998).



one immigrant parent, making up over a quarter of children in the United States.<sup>3</sup> An estimated 5.6 million U.S. citizen children live in households with at least one undocumented resident, including over 1.9 million children under the age of 6.<sup>4</sup> As such, the 2025 Notice will have a widespread, negative impact far beyond those groups facing restrictions under PRWORA.

### **III. The Expansion of Programs is Overly Broad and Will Undermine the Healthy Growth and Development of Babies**

Under the 1998 interpretation, programs that serve communities or provide educational services to children are generally exempted from the definition of “federal public benefit.” By newly adding such funding streams, including block grants and programs like Head Start, the reinterpretation of PRWORA in the 2025 Notice will reduce access to essential services and increase risk to the well-being of babies, young children, and their families across the country.

Programs that provide benefits to children lay the groundwork for the adults they will become, adults who will be America’s workforce, leaders, and community members. Development in the first three years is foundational to all learning and development that follows. Gaps open up early between children who have the supports they need and those who do not have access. Addressing these gaps also becomes costlier later on, whether through additional services in school, costly health services as adults, or less productivity in the workforce. Excluding additional children from benefits that could help place their development on the positive track needed to succeed in school and work will undermine not only the future of these young children, but of America as a whole.

For example, any analysis of an early education program such as Head Start must start with a recognition of the holistic nature of early childhood learning and development. Per statutory mandate, the purpose of Head Start is “to promote the school readiness of low-income children.”<sup>5</sup> Head Start’s provision of “health, educational, social and other services” to families are included for that purpose, in recognition of the science of early childhood development, which demonstrates that nutrition, health, and parental support are all contributors to and supports for school readiness.<sup>6</sup> The nature of early childhood development makes clear that physical and emotional development are inextricably intertwined with cognitive development and thus cannot be separated from learning and education, particularly when considering the rapid neural development and needs of infants, toddlers, and preschool-aged children. As recognized in Head Start’s authorizing statute, these components of Head Start’s mission are essential to supporting school readiness, and they should not and cannot be seen as “welfare benefits.”

---

<sup>3</sup> Batalova, J. (2025), Frequently Requested Statistics on Immigrants and Immigration in the United States, *Migration Information Source*, <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states>.

<sup>4</sup> Lisiecki, M. & Velasco, K., & Watson, T. (2025), *What will deportations mean for the child welfare system?*, The Brookings Institution and Center for Migration Studies, <https://www.brookings.edu/articles/what-will-deportations-mean-for-the-child-welfare-system/>.

<sup>5</sup> 42 U.S.C. 9831.

<sup>6</sup> Phillips, D. A., & Shonkoff, J. P. (Eds.) (2000), *From neurons to neighborhoods: The science of early childhood development*, National Academies Press; HHS ACF Administration on Children, Youth and Families, Office of Head Start (2024, June 3), *Healthy Children Are Ready to Learn*, <https://headstart.gov/school-readiness/article/healthy-children-are-ready-learn>.



In addition, infant and early childhood mental health (IECMH) is the foundation for lifelong health, development, and well-being. The drastic expansion in the definition of “federal public benefit” in the 2025 Notice to include several mental health programs will have a lasting negative impact on babies and their families. From birth to age three, a child’s brain forms 1 million neural connections per second, laying the groundwork for all future learning and development.<sup>7</sup> Early relationships are essential in shaping these connections. By intervening at this young age, whether by supporting parents in providing the care their babies need or by working with a toddler (such as those with developmental delays) directly, we can prevent mental health concerns from turning into mental health conditions.

The expansion of PRWORA’s limitations to programs such as the Title IV-E Prevention Services Program and Certified Community Behavioral Health Clinics (CCBHCs) in the 2025 Notice will restrict children’s access to mental health services at a pivotal time. Title IV-E funds are used to provide mental health services for children and families at risk for child welfare involvement, including programs that support parents and interventions for young children recovering from traumatic events, such as abuse and neglect. CCBHCs similarly provide mental health screening, diagnosis, and treatment to an estimated 3 million people, regardless of age, including crisis care.<sup>8</sup> CCBHCs are a place where the entire family—from infants to parents—can go to receive mental health services. The addition of these mental health funding streams will mean that families may avoid seeking care in a mental health or substance use crisis, leaving young children and their caregivers at risk.

Similarly, Community Health Centers are a critical part of health care infrastructure and foundational care providers for nearly 1.4 million babies and toddlers under 3 each year. When confusion about eligibility and immigration policy deters even immigrant families not excluded from programs under PRWORA from bringing their babies to well-child or sick visits, their physical and mental health and development can be undermined. Families with more limited access to care will continue to have health care needs, which may result in increased Emergency Department utilization and costs in uncompensated care as health conditions go unaddressed for too long. Rather than redirecting resources within the United States, the policy changes in the 2025 Notice will simply result in worsened maternal and infant health outcomes and higher costs for America’s health care system, communities, and states.

#### **IV. Conclusion**

Although infants and toddlers are the learners, workers, and leaders of tomorrow, today, they are wholly reliant on the adults in their lives to meet their developmental needs. Whether stacking letter blocks with a Head Start educator or being cared for by a parent receiving needed mental health care, young children need regular, reliable, sustained access to the services the Department has long provided to the community—an approach grounded in reasonable interpretations of laws like PRWORA and recognizing that, by caring for all babies in a community, we strengthen the community as a whole.

ZERO TO THREE urges the Department to rescind the 2025 Notice and its reinterpretation of PRWORA’s definition of “federal public benefit.” America’s future begins with babies, and now is the time to make

---

<sup>7</sup> ZERO TO THREE (n.d.), *Why 0-3?*, <https://www.zerotothree.org/why-0-3/>.

<sup>8</sup> National Council for Mental Wellbeing (2024), *2024 CCBHC Impact Report*, <https://www.thenationalcouncil.org/resources/2024-ccbhc-impact-report/>



sure our policies strengthen, rather than restrict, families' ability to access the services babies need for the strongest start in life.