

August 11, 2026

Submitted via [Regulations.gov](https://www.regulations.gov)

TANF Data Division, Office of Family Assistance
Administration for Children and Families
330 C Street SW, Washington D.C. 20201

Re: Regulations.gov Posting # 09-80-0375

Dear Mr. John Talieri,

This comment is submitted on behalf of the Center for Law and Social Policy (CLASP) to raise concerns about a new agency policy to the existing system of records that authorizes the Department of Health and Human Services to share citizenship and immigration data with the Department of Homeland Security, published in the Federal Register on June 23, 2026. CLASP is a national, nonpartisan, anti-poverty organization advancing policy solutions that improve the lives of people with low incomes. We work at the federal, state, and local levels to strengthen public systems, reduce barriers to economic security, and ensure that policies are informed by the experiences of directly impacted communities. CLASP has advocated for policy solutions to strengthen the Temporary Assistance for Needy Families (TANF) cash assistance program for decades. We also advocate for the inclusion of immigrant children and families in public benefit programs and public services.

This policy update to the existing system of records for the TANF program could lead to a harmful chilling effect, where immigrant families fear accessing public benefits that they are eligible for due to concerns about their data being shared with immigration enforcement authorities. Reducing access to cash assistance for families with low incomes blunts the positive outcomes families gain from receiving such cash assistance, including positive education and health outcomes for children among others.¹

TANF provides monthly cash assistance for families with very low incomes. While benefits averaged to only about \$673 per month for families in FY 2024, and are much lower in some states, this additional income helps parents afford diapers, rent, groceries and other vital day-to-day expenses for their family.² TANF is one of the few public benefit programs that provide unrestricted cash to families, investing in parents to help them afford expenses for their children.³

Research has concluded that when families with low incomes receive cash assistance, children are likelier to have better health outcomes, better education outcomes once they reach school-age, a higher likelihood of graduating high school, and even higher earnings once the child reaches adulthood.⁴ Conversely, when a child grows up living in poverty, research has concluded

that the child is likelier to face worse outcomes; worse health outcomes, worse education outcomes, and worse future earnings and economic outcomes.⁵ Such research demonstrates the vital importance of public benefit programs that provide targeted cash support to families facing financial precarity, including the TANF cash assistance program.

CLASP is very concerned about the new guidance, allowing routine use of records that would “authorize disclosures to another federal or grantee agency or entity engaged by ACF (e.g. DHS or TANF program administrators) to assist ACF with program integrity reviews or projects, to verify whether TANF grantee agencies are complying with TANF program requirements, including verifying citizenship or immigration status.”

In testimony reported by the Government Accountability Office (GAO) to the Subcommittee on Work and Welfare on the Committee of Ways and Means, several recommendations were posed to the Department of Health and Human Services to provide oversight to the TANF program, including documenting regular fraud risk assessments across nine categories and creating criteria to determine the likelihood of a category of fraud occurring.^{6,7} Not once, in the GAO report to Congress, nor in its current audit, nor in its semiannual Department of Health and Human Services report, are immigrants named as committing fraud.⁸ Sharing data across agencies under the pretense of immigrants committing fraud will not only cause harm to TANF recipients and their families, but also redirect critical dollars and resources to build out TANF program integrity towards unnecessary and wasteful spending on surveillance---drawing people in poverty away from essential dollars to support their families.

We are also concerned about the limited authority given to the Administration for Children and Families to impose more data collection requirements for states of TANF recipients and households. If the federal government oversteps the SORN’s purposes and mandates data collection beyond what is defined in 42 U.S.C. 611, it would violate 42 U.S.C. 617, which states: “No officer or employee of the Federal Government may regulate the conduct of States under this part or enforce any provision of this part, except to the extent expressly provided in this part.”

About 41 percent of TANF cases represented child-only cases in FY 2024.⁹ Child-only cases are available for families where the parent, or another adult caregiver, is not eligible for TANF, but the child meets eligibility requirements. One reason a family may receive TANF cash assistance as a child-only grant is due to the child being a United States citizen, while their parent is ineligible due to their immigration status. An estimated 25 percent of TANF child-only cases fell into this category in FY 2024.¹⁰

Such families could drop out of the TANF cash assistance program if this change goes into effect, despite being eligible and despite the positive benefits for their children from receiving such support, out of fear of higher surveillance and data-sharing across agencies. Unfortunately, this has already happened in other public benefit programs as a result of similar prior policy

changes. For example, following the change by the Trump administration to the policy of who would be considered a public charge, chilling effects were observed across various public benefit programs. An analysis by the Food Research & Action Center of SNAP data from the U.S. Department of Agriculture between 2016 and 2019 found that SNAP participation declined by about 36 percent among U.S. citizen children in households with non-citizen members, compared to only a decline of 12 percent for citizen-only SNAP households.¹¹ This suggests that the anti-immigration policies implemented in this time period impacted SNAP enrollment in mixed-status households.

CLASP research has also found that when immigration and identity data are shared across government agencies, this can create chilling effects in public benefit programs. Since the beginning of the second Trump administration, immigrant communities have been subjected to cruel and indiscriminate policies and practices at the hands of the Department of Homeland Security, the U.S. Immigration and Customs Enforcement, and U.S. Customs and Border Protection. A recent CLASP study involving focus groups and interviews with parents of young children and early care and education providers found that the fear generated by government immigration actors have led immigrant families to self-isolate to mitigate the risk posed by heightened immigration operations. Parents are scared to go to work, get groceries, and take their children to school.¹²

To make matters worse, immigrant parents are making the difficult decision to withhold their applications for public benefit programs or are disenrolling from them altogether in large numbers. Under the first Trump administration, immigrant parents were equally uneasy about applying for assistance that could label them as a public charge in the future, even if their children were the beneficiaries.¹³

CLASP conducted these focus groups and interviews in June through December 2025, prior to changes to the public charge rules going into effect. Focus group participants expressed a pervasive worry that applying for or participating in such programs would supply the Department of Homeland Security with sensitive information, putting them at risk of detention or deportation, or have a negative impact on their prospects for legal or permanent immigration status. Accordingly, providers in multiple states have noticed declines in SNAP and Medicaid applications, even among individuals with lawful permanent residency.¹⁴

These findings align with other studies that have shown the persistent chilling effect of changes to public charge rules, even after the rescission of the first Trump administration's expansions to the definition of public charge. Another unreleased study conducted by Protecting Immigrant Families and CLASP in 2023 through 2024 that examined immigrants' access to public benefits in Michigan mirrored these findings.

Additionally, interviews with early care and education providers that receive Head Start funding revealed that a growing number of children are missing early education, school, and after-school

programming.¹⁵ Participation in these programs can help protect families from the negative effects of food insecurity by connecting children with meals and snacks.¹⁶ When families opt out of such programming, they are worse off. Early education facilities also can provide families with an opportunity to learn about other public benefits or non-governmental resources they could be eligible for. When families opt out of engagement with such programming, they risk facing a ripple effect of missing out on key programs that could benefit their children's development and ease their ability to afford food and basic needs.

Reduced enrollment and participation in public benefits means that immigrant families in need will suffer from reduced access to medical care, food insecurity, and the economic fallout from missing work to provide their own child care. Children of immigrants, who are already in a precarious position, risk higher levels of exposure to health and developmental complications, in addition to losing the behavioral and economic improvements associated with participation in Head Start and early education programs.

TANF cash assistance provides vital income support for children and families with very low incomes and helps to promote positive health and education outcomes. We fear that the proposed policy change would deter eligible families from accessing the program, pushing more families into financial instability and leaving them unable to afford vital essentials like rent and diapers, and leaving their children worse off.

Thank you for the opportunity to comment on this proposal. Please contact Ashley Burnside (aburnside@clasp.org) with any questions.

¹ Arloc Sherman and Tazra Mitchell, "Economic Security Programs Help Low-Income Children Succeed Over Long Term, Many Studies Find," Center on Budget and Policy Priorities, July 2017, <https://www.cbpp.org/research/poverty-and-inequality/economic-security-programs-help-low-income-children-succeed-over>.

² Office of Family Assistance, "Characteristics and Financial Circumstances of TANF Recipients, Fiscal Year 2024," Table 37, Administration for Children & Families, April 24, 2026, <https://acf.gov/ofa/data/characteristics-and-financial-circumstances-tanf-recipients-fiscal-year-2024>.

³ To learn more about the TANF cash assistance program, please see: Elizabeth Lower-Basch and Ashley Burnside, "TANF 101: Cash Assistance," CLASP, updated July 2026, <https://www.clasp.org/publications/report/brief/tanf-101-cash-assistance/>.

⁴ Sherman and Mitchell, Ibid.

Ashley Burnside, "Despite Misleading Reporting, Guaranteed Income Programs Help Families," CLASP, November 19, 2025, <https://www.clasp.org/publications/report/brief/research-shows-guaranteed-income-helps-families/>.

⁵ Indivar Dutta-Gupta, "The Enduring Effects of Childhood Poverty," CLASP, August 14, 2023, <https://www.clasp.org/blog/the-enduring-effects-of-childhood-poverty/>.

⁶ U.S. Government Accountability Office. “Temporary Assistance for Needy Families: Additional Actions Needed to Strengthen Fraud Risk Management.” GAO-25-107290, January 28, 2025, <https://www.gao.gov/products/gao-25-107290>.

⁷ U.S. Government Accountability Office, “Temporary Assistance for Needy Families: Actions Needed to Improve HHS Oversight, *Testimony Before the Subcommittee on Work and Welfare, Committee on Ways and Means, House of Representatives*,” April 8, 2025, <https://www.gao.gov/assets/gao-25-108205.pdf>.

⁸ U.S. Department of Health and Human Services Office of the Inspector General. “Series: State Oversight of the TANF Cash Assistance Program,” SRS-A-26-017, Apr 15, 2026, <https://oig.hhs.gov/reports/work-plan/browse-work-plan-projects/state-oversight-of-the-tanf-cash-assistance-program/>.

⁹ Office of Family Assistance, “Characteristics and Financial Circumstances of TANF Recipients, Fiscal Year 2024,” Table 3, Administration for Children & Families, April 24, 2026, <https://acf.gov/ofa/data/characteristics-and-financial-circumstances-tanf-recipients-fiscal-year-2024>.

¹⁰ Office of Family Assistance, “Characteristics and Financial Circumstances of TANF Recipients, Fiscal Year 2024,” Table 8, Administration for Children & Families, April 24, 2026, <https://acf.gov/ofa/data/characteristics-and-financial-circumstances-tanf-recipients-fiscal-year-2024>.

¹¹ Food Research & Action Center, “New Data Reveal Stark Decreases in SNAP Participation Among U.S. Citizen Children Living With a Non-Citizen,” May 2021, <https://frac.org/wp-content/uploads/SNAP-Participation-Among-U.S.-Citizen-Children.pdf>.

¹² Suma Setty, Kaelin Rapport, Emily Rodriguez, and Renato Rocha, “Even the Playground Isn’t Safe: How Immigration Policies are Harming Our Youngest Children,” CLASP, April 16, 2026, <https://www.clasp.org/publications/report/brief/even-playground-unsafe-immigration-policies-hurt-child/>.

Suma Setty, Kaelin Rapport, and Emily Rodriguez, “Caregiving in Crisis: How Immigration Policies Are Undermining Early Care and Education Programs,” CLASP, April 16, 2026, <https://www.clasp.org/publications/report/brief/caregiving-in-crisis-how-immigration-policies-are-undermining-early-care-and-education-programs/>.

¹³ Shelby Gonzales, “Harsh New ‘Public Charge’ Policy Will Threaten Lawful Immigration and Lead Families to Forgo Help They Need and Are Eligible for Under Federal Law,” July 27, 2026, <https://www.cbpp.org/blog/harsh-new-public-charge-policy-will-threaten-lawful-immigration-and-lead-families-to-forgo>.

¹⁴ Setty, Rapport, Rodriguez, and Rocha “Even the Playground Isn’t Safe: How Immigration Policies are Harming Our Youngest Children,” Ibid.

¹⁵ Setty, Rapport, and Rodriguez, “Caregiving in Crisis: How Immigration Policies Are Undermining Early Care and Education Programs,” Ibid.

¹⁶ Setty, Rapport, and Rodriguez, “Caregiving in Crisis: How Immigration Policies Are Undermining Early Care and Education Programs,” Ibid.