



U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS
1139 LONGWORTH HOUSE OFFICE BUILDING
Washington, DC 20515

April 22, 2025

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

Dear Secretary Kennedy:

We write regarding what appears to be the Department of Government Efficiency (DOGE) illegally withholding Temporary Assistance for Needy Families (TANF) block grant payments to states, which is in direct violation of Title IV-A of the *Social Security Act*. Their unauthorized action risks cutting off child care, work supports for parents, and foster care for abused and neglected children.

Under your new Payment Management System, states are being blocked from drawing down funds specifically authorized and appropriated by Congress, and are instead receiving a message from an unknown email address identified only as “DOGE Defend the Spend.” The message asks for a “payment justification that includes a description of the award and what you plan to do with the funds,” and provides an unrecognized link to do so. These messages are signed “God Bless America.”

Just one week ago, your senior legislative affairs team assured bipartisan Ways and Means Committee staff that “you have our word” that payments authorized by the Committee will not be delayed.

We demand that you immediately reverse this illegal action.

Section 417 of the *Social Security Act* expressly **prohibits** the Department of Health and Human Services (HHS) from requiring any other data beyond that which is provided in the state plan described in Section 402, which provides for a TANF State Plan to be approved by the Secretary, or otherwise specifically required by statute. When the Secretary has accepted the TANF State Plan as including all the statutorily-required data elements, states are **legally entitled** to their allocated TANF funds.

Congress extended both Section 417 and Section 402 **without changes** in H.R. 1968, which was signed into law by President Trump on March 15, 2025.

The unauthorized message appears to be delaying legally-required funding in order to request information which has already been provided by states and is publicly available. The TANF State Plan, as required by Section 402, describes how the state's TANF funds will be obligated and expended, how the state's TANF program will be administered and operated, and contains certain required certifications by the state's Chief Executive Officer. Those plans were formally accepted by the Secretary of HHS. Since the information is public, you are welcome to share it with DOGE if you so choose, or most state plans can be found on the Internet with a simple search.

Section 405 of the Social Security Act provides that the Secretary of HHS **shall** pay states the TANF funds they are entitled to on a quarterly basis. The timing is not discretionary. Apparently on instructions from DOGE, HHS is withholding funds for the current quarter, which began on March 1, 2025.

Please answer or provide the following by May 6, 2025:

- 1) Who approved the withholding of TANF funding in violation of the *Social Security Act*?
- 2) Please provide a full list of programs in the HHS Payment Management System that received the email sent to TANF administrators, and the specific authority that permits HHS to delay payments for each program, if any exists.
- 3) Does DOGE have access to the HHS Payment Management System, and if so, under what authority?
- 4) What is the name and title of the person running the DefendTheSpend@HHS.gov email address, and what person and law authorized them to communicate with grantees and withhold funding?
- 5) Please provide all communications in which this Payment Management System approval process was discussed, both within HHS and externally.
- 6) Please describe the plan for providing technical assistance to states when they have questions about the new Payment Management System and complying with federal law regarding payment timing in the absence of the regional office infrastructure that you abruptly dismantled?

Sincerely,



Richard E. Neal
Ranking Member
Committee on Ways and Means



Danny K. Davis
Ranking Member
Subcommittee on Worker and Family
Support

