

Tribal Consultation: Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) Rulemaking

October 1-2, 2026
U.S. Department of Labor



Personal Responsibility and Work Opportunity Reconciliation Act

- **Definition of Federal Public Benefit** [8 USC § 1611(c)(1)]: any retirement, welfare, health, disability, public or assisted housing, postsecondary education, food assistance, unemployment benefit, or any other similar benefit for which payments or assistance are provided to an individual, household, or family eligibility unit by an agency of the United States or by appropriated funds of the United States.
- **Qualified Alien** [8 USC § 1641(b)]: Whether someone is a “qualified alien” under PRWORA is determined by a person’s immigration status at the time the person applies for, receives, or attempts to receive a Federal public benefit. PRWORA’s list of qualified aliens at 8 USC § 1641(b) includes lawful permanent residents, asylees, refugees, and some others.
- **Exception for Indians** [8 USC § 1612(a)(G)]: PRWORA’s eligibility restrictions to receive Federal public benefits does not apply to any individual—(i) who is an American Indian born in Canada to whom the provisions of section 289 of the Immigration and Nationality Act (8 U.S.C. 1359) apply; or (ii) who is a member of an Indian tribe (as defined in section 5304(e) of title 25).



Consultation Questions

1. **Impact on Tribal service delivery:** What practical impacts should the Department consider as ETA defines Federal public benefits under PRWORA?
2. **Serving non-Tribal members:** What do Tribal leaders want the Department to know about Tribal grantees or service providers serving individuals who are not members of any Federally recognized Tribe? Are there any particular challenges Tribal grantees might face in serving individuals who are not members of any Federally-recognized Tribe?
3. **Anything else:** Are there other considerations that the Department should understand before issuing a proposed rule?



Thank you!

- Please submit any additional written comments to TribalConsultation@dol.gov by **November 2, 2026**.

