

United States Senate

WASHINGTON, DC 20510

December 18, 2025

The Honorable Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, D.C., 20201

Dear Secretary Kennedy:

We write to express our outrage at recent U.S. Health and Human Services (Department) actions to prohibit Head Start grantees from providing services that are clearly permitted under the law, like training teachers on how best to care for children with disabilities or enabling Tribes to serve their own members. As part of enforcing your illegal guidance banning diversity, equity, and inclusion (DEI), the Office of Head Start has now prohibited nearly 200 words and phrases.¹ Your actions directly conflict with the statutory requirements established by Congress on a bipartisan basis under the *Head Start Act* to provide community-driven services and supportive classrooms for children with disabilities, and they force Head Start grantees to make an impossible and unacceptable choice between complying with the law or bending to the Administration's unlawful DEI ban to keep their funding. The chaos you are creating is already jeopardizing services for nearly 700,000 young children across this country.

On March 18, 2025, the Office of Head Start (OHS) notified all Head Start programs that “the use of federal funding for any training and technical assistance or other program expenditures that promote or take part in diversity, equity, and inclusion (DEI) initiatives” will not be approved and that any questions should be directed to regional offices.² The policy was accompanied by a list of nearly 200 banned words and phrases, such as “disability,” “women,” “Tribal,” and “mental health”—all words that are explicitly referenced in the *Head Start Act* and that are integral to fulfilling the program's statutory purpose. The ambiguous policy was not accompanied by clarification on what the Administration considers “DEI,” and Head Start programs were left with no meaningful guidance on compliance. Meanwhile, the Administration eliminated staff in regional offices, leaving 800 Head Start programs across 22 states without dedicated support staff to assist with grant applications and local day-to-day operations.³

While the Department has claimed in court that there is no “credible threat of enforcement,” the facts demonstrate otherwise.⁴ On December 5, 2025, the American Civil Liberties Union provided additional evidence that the Trump Administration has been enforcing the banned

¹ <https://www.npr.org/2025/12/11/nx-s1-5640757/head-start-hhs-funding-dei>

² <https://acf.gov/ohs/news/federal-funding-restrictions-diversity-equity-and-inclusion-initiatives>

³ <https://www.americanprogress.org/article/closures-of-head-start-regional-offices-jeopardize-critical-services-for-children-and-families/>

⁴ <https://www.courtlistener.com/docket/69962650/116/washington-state-association-of-head-start-and-early-childhood-education/>

words policy and rejecting or modifying grant applications as a result.⁵ Court filings document instances in which programs were instructed to remove trainings on supporting children with autism, and in which Tribal programs were directed to remove preferences for Tribal members from their eligibility criteria. These directives directly contradict the *Head Start Act*, which explicitly permits American Indian and Alaska Native Head Start programs to prioritize Tribal membership or other criteria selected by the Tribe. Further news reporting show that OHS has been directing Head Start programs to remove phrases that the Administration interprets as similar to DEI, creating additional, arbitrary hurdles for grant applications.⁶

The list of banned words is fundamentally at odds with the clear requirements and permissible activities outlined in the *Head Start Act*. For example:

- Banning the usage of the word “women” from Head Start grant applications conflicts with the statutory requirement for Early Head Start programs to serve pregnant women. Head Start agencies need to submit “...a description of how the needs of pregnant women, and of infants and toddlers, will be addressed...” in their application, as outlined under section 645 of the *Head Start Act*.
- Banning the usage of the words “disability,” “inclusive,” and “accessibility” conflicts with Head Start programs’ requirements in meeting the needs of children with disabilities and “providing disability-related services for children” as required in Sections 645 and 650 of the *Head Start Act*.
- Banning “culturally appropriate” conflicts with the Secretary’s role in establishing Head Start program performance standards with measures that are “...developmentally, linguistically, and culturally appropriate services for the population served...” as required under section 641A of the *Head Start Act*.
- Banning the use of “mental health” will undermine the statutory obligations of programs to provide mental health services and promote partnerships with substance abuse and mental health treatment agencies to strengthen family and community environments under section 642B of the *Head Start Act*.
- Banning the word “Tribal” is an egregious violation of Tribal sovereignty and contradicts many of the explicit requirements to consult Tribal governments, Indian Tribes, or Tribal organizations in administering the American Indian and Alaska Native Head Start programs, the *Head Start Act*, such as sections 641, 645, 649, 658D, and 658O.

This ban is the latest in a long series of attacks from this administration on Head Start and early childhood education programs, which have created chaos and uncertainty for families nationwide. On July 23, 2025, the Government Accountability Office found that the U.S. Department of Health and Human Services violated the *Impoundment Control Act* by withholding over \$825 million of Head Start funding between January and April.⁷ This administration’s decision to block funding for Head Start created chaos, forced programs to draw up plans to lay off staff, forced parents to stress about back up plans, and even caused some programs to temporarily close their doors.^{8 9 10} The constant chaos and uncertainty facing 1,600

⁵ <https://www.aclu.org/documents/motion-to-supplement-the-record-in-washington-state-association-of-head-start-and-early-childhood-assistance-and-education-program-et-al-v-robert-f-kennedy-et-al>

⁶ <https://vtdigger.org/2025/12/18/watch-your-language-trump-admin-questioned-vermont-head-start-providers-funding-request-over-dei-terms/>

⁷ <https://www.gao.gov/products/b-337202>

Head Start grantees undermines the early education and care of tens of thousands of children and their families nationwide.

Let's be clear: banning these words and restricting the ability of Head Start programs to provide the services and support they are obligated to by law—all in an attempt to ban “DEI”—doesn’t only defy federal law and mandates that Congress created and funds on a bipartisan basis, it puts the vital support that kids and families across the country count on at serious risk. This is unacceptable. For more than 60 years, Head Start has provided high-quality early education and comprehensive services to more than 40 million children and working-class families. Your actions threaten that legacy and the families who rely on these services today.

As Secretary, you are legally obligated to administer Head Start in accordance with the statute Congress enacted, not to condition funding on compliance with unlawful and undefined policy directives.

Head Start grantees, educators, young children, and families deserve answers. Please provide a written response to the questions no later than 10 days from receipt:

1. Please provide all guidance, directives and communications related to banned words and phrases and other anti-DEI policies, pursuant to the January 20 executive order “Ending Radical and Wasteful Government DEI Programs and Preferencing,” that have been communicated to Head Start grantees.
2. How did the Administration decide on the banned words list and how did it evaluate the list’s contradictions with the statutory requirements of the *Head Start Act*?
 - a. For each term, please provide the Administration’s analysis explaining how its inclusion does not conflict with the *Head Start Act*.
3. How many Head Start grantees have been instructed to remove words or content from their grant applications as a result of this guidance?
4. How many grantees have had to wait for funding beyond the first day of the annual funding cycle because of banned words?
5. To what extent does the Administration rely on artificial intelligence to review grant applications and identify banned words?
6. How many drawdown requests in the Payment Management System have required modification to comply with the banned words policy?

⁸ <https://www.americanprogress.org/article/closures-of-head-start-regional-offices-jeopardize-critical-services-for-children-and-families/>

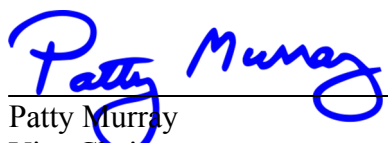
⁹ <https://www.jsonline.com/story/news/local/2025/04/18/wisconsin-head-start-faces-35-million-drop-in-funding-possible-closures-child-care-preschool/83141572007/>

¹⁰ <https://www.seattletimes.com/education-lab/central-wa-head-start-programs-shut-down-without-federal-funding/>

- a. Have any grantees been denied funding due to the Administration's banned DEI list? If so, how many and under what circumstances?
7. When did the Administration begin implementing the banned words list in its grant review process?
8. Does HHS apply or plan to apply the banned words policy to other HHS-administered grant programs, including the Child Care and Development Block Grant?
 - a. If not, please explain why Head Start has been singled out for this policy.
 - b. If so, please identify each affected program and provide the corresponding guidance.
9. How has HHS assessed the impact of the banned words policy on American Indian and Alaska Native Head Start programs administered by Tribes and Tribal organizations?
 - a. Did HHS consult with Tribes prior to implementing this policy, as required under the Head Start Act and federal Tribal consultation obligations?
 - b. If not, why not?

We expect the Department to immediately reverse course, comply with the bipartisan law Congress enacted, and ensure Head Start programs can continue providing comprehensive services to children and families without fear of arbitrary enforcement or funding retaliation.

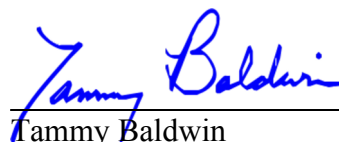
Sincerely,



Patty Murray
Vice Chair
Senate Committee on
Appropriations



Bernard Sanders
United States Senator
Ranking Member, Committee
on Health, Education, Labor,
and Pensions



Tammy Baldwin
Ranking Member
Appropriations Subcommittee
on Labor, Health and Human
Services, Education, and
Related Agencies