

FACT SHEET

HUD Proposed Rule

What Faith Communities Need to Know

Q: What's wrong with the proposal?

A: HUD published a proposed rule on February 20, 2026 (FR-6524-P-01) that would revise its regulations implementing Section 214 of the Housing and Community Development Act of 1980. Section 214 restricts HUD housing assistance to U.S. citizens and certain eligible noncitizens.

Q: What would it change?

A: The rule proposes three significant changes. It would require verification of citizenship or eligible immigration status for every household member regardless of age, removing the current exemption for individuals 62 and older. It would eliminate the "do not contend" provision, which currently allows a family member to opt out of asserting immigration status without losing assistance. And it would end prorated assistance as a long-term option for mixed-status families — families would have just 90 days, with a maximum 30-day extension, to submit documentation before losing assistance entirely.

Q: Who is affected?

A: HUD's own figures estimate approximately 24,000 ineligible individuals currently living in roughly 20,000 mixed-status households receiving HUD assistance. However, that number reflects only the ineligible members. When the full households are counted — including eligible members who would also lose their homes — [the Center on Budget and Policy Priorities estimates that nearly 80,000 people would face eviction](#). Of those, nearly 37,000 are children, and nearly all of those children are U.S. citizens.

Q: What programs are covered?

A: The rule covers HUD's Public Housing programs, Section 8 Housing Choice Vouchers, Section 8 Project-Based Rental Assistance, and the Section 236 program.

Q: Has this been tried before?

A: Yes. The Trump administration proposed a similar rule in 2019. [It received more than 30,000 public comments, with over 95 percent in opposition](#). It was never finalized and was withdrawn by the Biden administration in 2021.

Q: Is there time to respond?

A: Yes, but the window is closing. The public comment period closes April 21, 2026. Comments can be submitted at [regulations.gov](https://www.regulations.gov), referencing Docket No. FR-6524-P-01.

Q: Why does this matter?

A: Housing instability directly threatens the conditions that make religious freedom possible. When families lose housing, they lose the stability necessary to participate in congregational life, civic life, and community. Faith communities depend on the presence, participation, and belonging of all their members. A rule that displaces families from their homes displaces them from their communities of faith. That is a religious freedom concern.

Sources:

[U.S. Department of Housing and Urban Development](#), HUD Moves to Close "Mixed Status Households" Roommate Loophole, 2/20/26

[Center on Budget and Policy Priorities](#), Administration Plan Targeting Immigrants Would Take Away Rental Assistance, Create New Barriers (by Erik Gartland and Sonya Acosta), 12/12/25

[National Low Income Housing Coalition](#), Leaked HUD Mixed Status Rule Points to Similar Effort to Keep Families Together as 2019 (by Kayla Blackwell, Sarita Kelkar, and Sarah Abdelhadi), 10/06/2025