

HOUSING ACCESS FOR IMMIGRANT HOUSEHOLDS

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Across America, millions of households—particularly those with the lowest incomes—struggle to afford high housing costs. Rather than investing in proven solutions to the nation’s affordable housing and homelessness crisis, the Trump administration has blamed immigrants for the high cost of housing, and used every federal agency, including HUD, to intimidate and stoke fear in immigrant communities.

Policies proposed by the Trump administration that target immigrants, such as withholding federal resources from [sanctuary jurisdictions \(https://tr.ee/7Jpa6f\)](https://tr.ee/7Jpa6f), allowing immigration enforcement to [raid shelters \(https://tr.ee/JFSG5f\)](https://tr.ee/JFSG5f) and other sensitive areas, [evicting mixed-status](https://tr.ee/Wfsh9U) immigrant households from HUD housing (<https://tr.ee/Wfsh9U>), and [discouraging access to public benefits \(https://tr.ee/a3NBgQ\)](https://tr.ee/a3NBgQ), will lead to more housing insecurity and make it harder for states and communities to address pressing housing needs.

While the Trump administration has scapegoated immigrant communities as the cause of the affordable housing crisis, research has shown [there is no correlation between increases in housing costs and increases in the number of foreign-born workers \(https://tr.ee/eh3KjT\)](https://tr.ee/eh3KjT). Immigrants make communities stronger and play a crucial role in the development of affordable housing. Foreign-born workers make up about one-fourth of the construction workforce, making immigrants critical to efforts to increase the supply of affordable housing. For many generations, immigrants have also helped to revitalize and stabilize communities throughout the country by spurring economic growth, preserving important industries, and increasing local tax bases.

NLIHC opposes policies that deter eligible immigrant families from seeking housing benefits and opposes proposals that force immigrant families currently receiving housing benefits to forego that assistance, or face family separation or eviction. Housing advocacy

must be inclusive of all our neighbors, from native to newcomer.

Immigrant rights organizations and housing advocates have taken action to defend their communities from attacks on immigrants and must continue to do so in 2026. NLIHC partners with the Protecting Immigrant Families (PIF) Coalition (www.pifcoalition.org) to defend immigrant families’ access to decent, safe, and affordable housing.

Immigrant Eligibility in Federally Subsidized Housing

Two main sources of immigration status restrictions on eligibility for federal housing and homelessness programs are: Section 214 of the “Housing and Community Development Act of 1980” (Section 214) and title IV of the “Personal Responsibility and Work Opportunity Reconciliation Act of 1996” (PRWORA).

SECTION 214

Residents of certain federally subsidized units (defined below) are subject to immigration status restrictions under Section 214 of the “Housing and Community Development Act of 1980” (Section 214), including:

- HUD programs under Section 214: Public Housing, Section 8 Housing Choice Vouchers, Section 8 Project-Based Rental Assistance (PBRA), Section 235 Home Loan Program, Section 236 Rental Assistance Program, and the Rent Supplement Program.
- U.S. Department of Agriculture’s (USDA’s) Rural Housing Service (RHS) programs: Section 542 Rural Development Voucher program, Section 502 Guaranteed Rural Housing Loans, the Section 504 Home Repair program, and Section 521 Rental Assistance for the Section 515 and Section 514/516 programs.

Section 214 limits people with certain immigration statuses who are eligible for the above listed HUD and USDA programs, including:

- U.S. Nationals,
- Lawful Permanent Residents (Green Card holders),
- “Violence Against Women Act” (VAWA) self-petitioners,
- Asylees,
- Refugees,
- Parolees,
- Persons Granted Withholding of Removal/Deportation,
- Certain victims of trafficking,
- Individuals who entered under the Compacts of Free Association with the Marshall Islands, Micronesia, and Palau (COFA), and
- Immigrants admitted for lawful temporary residence prior to January 1, 1982.

Being ineligible for housing assistance is not equivalent to being undocumented. Immigrants with student visas, Temporary Protected Status, U nonimmigrant status, and other statuses are also not eligible for federal housing subsidies.

PRWORA

PRWORA restricts individuals who are not “qualified” from being eligible for “federal public benefits.” Though “qualified” individuals are defined below, “federal public benefits” are left up to each federal agency to interpret.

PRWORA limits eligibility to immigrants with the following statuses:

- Legal permanent residency,
- Refugees,
- Asylees,
- Individuals paroled into the U.S. for a period of at least one year,
- Individuals whose deportation is being withheld on the basis of prospective persecution,

- Individuals granted conditional entry pursuant to the “Immigration and Nationality Act” (INA) section 203(a) (7), as in effect prior to April 1, 1980, and
- Cuban/Haitian entrants

PRWORA primarily impacts programs that constitute regular, ongoing cash assistance, such as the Temporary Assistance for Needy Families (TANF) block grant and Supplemental Security Income (SSI) as well as Medicaid and the Supplemental Nutrition Assistance Program (SNAP). Prior to 2025, HUD has not specified which of their programs provide “federal public benefits,” and advocates were able to safely assume that housing programs were not considered under PRWORA. However, the Trump administration has taken steps to issue new HUD guidance that would include many HUD programs under PRWORA consideration.

For further details on Section 214 and PRWORA, please refer to the National Housing Law Project (NHLPP)’s “Immigration Requirements: Assistance Programs for Housing and Homelessness, Energy, Disaster, and Water (ESG, CoC, CDBG, HOME, FEMA, RUSH, LIHEAP, LIWHAP, CRF, and ERAP)” available [here](https://tr.ee/WaSBuJ) (<https://tr.ee/WaSBuJ>).

TRUMP ADMINISTRATION ATTEMPTS TO ISSUE NEW PRWORA GUIDANCE RESTRICTING IMMIGRANT ELIGIBILITY

Historically, each federal agency has been able to release guidance to determine which of their programs qualify as “federal public benefit” programs and thus must verify immigration status. The Trump administration in 2025 began issuing guidance across federal agencies defining which programs constitute “federal public benefits,” but litigation has limited the implementation of these new guidance documents.

In July 2025, the Departments of Justice (DOJ), Agriculture (USDA), Education (ED), Labor (DOL), and Health and Human Services (HHS) issued notices threatening to impose new immigration restrictions on essential benefits and services in an attempt to alter longstanding policy. Several states [sued](https://tr.ee/3KBwEY) (<https://tr.ee/3KBwEY>) over this action; the National Immigration Law Center (NILC) provided a [summary](https://tr.ee/qhEcrm) (<https://tr.ee/qhEcrm>) of the notices and their implications for immigrant families.

On November 26, 2025, HUD issued its own PRWORA guidance, "[Personal Responsibility and Work Opportunity Reconciliation Act of 1996 \(PRWORA\): Interpretation of 'Federal Public Benefit'](https://tr.ee/RiCOcp)" (<https://tr.ee/RiCOcp>). This guidance interprets PRWORA to apply to these "covered grant programs":

- Home Investment Partnerships program (HOME),
- Home Investment Partnerships program American Rescue Plan (HOME-ARP),
- Community Development Block Grant (CDBG),
- Community Development Block Grant Disaster Recovery (CDBG-DR),
- Community Planning and Development programs and grants (including Homeless Assistance programs such as the Emergency Solutions Grants (ESG) and Continuum of Care (CoC) programs)
- Housing Trust Fund (HTF),
- Housing Opportunities for Persons with AIDS (HOPWA),
- Congressionally Directed Spending (earmarks)
- Pathways to Removing Obstacles to Housing (PRO Housing),
- Preservation and Reinvestment Initiative for Community Enhancement (PRICE), and
- Self-Help Homeownership Opportunity Program (SHOP)

The interpretation represents a significant shift in practice for programs that had not previously been required to verify immigration status. It acknowledges that charitable organizations are not required to conduct eligibility verification, though it requires states and governmental entities to ensure all relevant programs are in compliance with PRWORA. The notice states that HUD will issue new guidance regarding verification for benefits, though HUD will be relying on guidance from the Department of Homeland Security (DHS) once DHS publishes such guidance. The notice is not subject to a comment period and was effective immediately upon publication.

The Protecting Immigrant Families Coalition released a [statement](https://tr.ee/qQI2uk) (<https://tr.ee/qQI2uk>) in response to the updated guidance, emphasizing, "the notice sends conflicting messages on status verification. While it clearly indicates that the immigration status of people seeking help through HUD programs must be verified, it also clearly indicates that the agency is not yet issuing guidance on verification requirements for state or local governments or nonprofits granted HUD funding through covered programs."

In December 2025, the existing litigation by states challenging other PRWORA agency notices was updated to include the HUD PRWORA notice. The parties in the case filed a [stipulation](https://tr.ee/1yP4LB) (<https://tr.ee/1yP4LB>) with the court agreeing that the HUD notice would not be enforced in the 21 plaintiff jurisdictions until the lawsuit is decided. The jurisdictions include New York, Rhode Island, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Hawai'i, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Vermont and Washington.

Advocates should monitor the most recent litigation regarding PRWORA guidance to verify the impact on HUD programs. PIF has shared a Changes in Immigrant Eligibility Toolkit here (<https://tr.ee/5hMnoE>).

LEGISLATIVE ACTION

In the 118th Congress, Representative Pramila Jayapal (D-WA) introduced [H.R.4170](https://tr.ee/Dz5vPW) (<https://tr.ee/Dz5vPW>), "Lifting Immigrant Families Through Benefits Access Restoration Act of 2021," or the "LIFT the BAR Act," with 100 original cosponsors. Senator Mazie Hirono (D-HI) introduced a companion bill in the Senate, [S.2038](https://tr.ee/Pw1HOD) (<https://tr.ee/Pw1HOD>), with 11 original cosponsors. The "LIFT the BAR Act" would restore access to public programs for lawfully present immigrants by removing the five-year waiting period and other restrictions to accessing federal public benefits.

The "bar" represents harmful barriers created by PRWORA. PRWORA created an arbitrary five-year waiting period for immigrants to access healthcare and social service programs, including Medicaid, the Children's Health Insurance Program (CHIP), the

Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Supplemental Security Income (SSI), and certain housing assistance programs, including public housing, Housing Choice Vouchers, and Section 8 Project-Based Rental Assistance. These barriers continue to stoke fear and confusion among immigrant communities, reducing participation in essential social safety net programs. NLIHC endorsed the LIFT the BAR Act along with [nearly 200 organizations](https://tr.ee/9PMAJb) (<https://tr.ee/9PMAJb>).

Immigration Enforcement in Shelters

BACKGROUND

The U.S. Department of Homeland Security (DHS) has had policies in place preventing immigrant enforcement in certain areas, including childcare facilities and hospitals, since 2013. In 2021, the Biden administration's now rescinded "protected areas" [policy](https://tr.ee/aPTHkv) (<https://tr.ee/aPTHkv>), also known as "sensitive locations," (<https://tr.ee/gBKLDm>) prohibited immigration enforcement activities at social service organizations, including homeless shelters, disaster response areas, and domestic violence shelters.

The protected areas policy prohibited immigration enforcement activities at places that benefitted the "well-being of people and the communities of which they are a part." The Biden-era DHS policy recognized "the impact an enforcement action would have on people's willingness to be in the protected area and receive or engage in the essential services or activities that occur there." The policy listed the following areas as protected:

- Places providing social services, including disaster or emergency response and relief, such as food banks and pantries, community-based organizations, and other shelters and centers that provide assistance.
- Medical treatment and health care facilities, such as hospitals, doctors' offices, accredited health clinics, emergent or urgent care facilities, community health centers, and vaccination and testing sites.

- Schools, including pre-schools, pre-kindergarten programs, Head Start programs, early care and education programs, K-12 schools, colleges and universities, after-care programs, and vocational or trade schools. Other education-related activities and events are also included in the policy, including school bus stops.
- Places where children gather, such as childcare programs, playgrounds, and recreation centers.
- Places of worship, such as churches, synagogues, mosques, and temples.
- Religious or civil ceremonies or observances, such as funerals and weddings.
- During public demonstrations, such as marches, rallies, or parades.

TRUMP ADMINISTRATION RESCINDS PROTECTED AREAS POLICY

The Trump administration released a [statement](https://tr.ee/TxKWIS) (<https://tr.ee/TxKWIS>) on January 21, 2025 rescinding the "protected areas" policy and opening up previously protected areas—including shelters for people experiencing homelessness—to immigration enforcement.

[Research confirms](https://tr.ee/aulQF4) (<https://tr.ee/aulQF4>) that immigration enforcement operations deter United States citizens, lawfully present immigrants, and other people in immigrant families from using health and social services programs for which they qualify under federal law. The proposal will threaten the health and wellbeing of millions of immigrant families, as well as worsen social problems ranging from unmet healthcare to poverty, hunger, and homelessness.

RESOURCES FOR HOUSING PROVIDERS & ADVOCATES

Following the policy rescission, immigration enforcement has increased in formerly protected areas. The National Homelessness Law Center and Crowell & Moring LLP released a resource: "[ICE Raid Guidance for Homeless Service Providers: What to do Before, During, and After a Raid](https://tr.ee/EBGh2s)" (<https://tr.ee/EBGh2s>). NILC

also released a resource, [“Factsheet: Trump’s Rescission of Protected Areas Policies Undermines Safety for All”](https://tr.ee/Mjl21y) (<https://tr.ee/Mjl21y>).

The Asian Law Caucus released another resource for housing providers to address and respond to immigration enforcement with a goal of fostering inclusive and safe resident communities. [“Safety Starts at Home: Legal Guidance for Housing Providers,”](https://tr.ee/xmwPGY) (<https://tr.ee/xmwPGY>) outlines the steps housing providers, including private landlords and subsidized housing providers, can take to protect resident data and train staff and residents before, during, and after an immigration enforcement action. Asian Law Caucus also offers a [shorter, 2-page overview](https://tr.ee/pfRdwU) (<https://tr.ee/pfRdwU>) of how to respond to requests for records or documents. *Note that this guide contains general information and is not intended to be legal advice for your specific situation. If you have questions about your specific situation, please consult an attorney.*

LEGISLATIVE ACTION

Senator Richard Blumenthal (D-CT) and Representative Adriano Espaillat (D-NY) introduced the “Protecting Sensitive Locations Act” ([S.455/H.R.1061](https://www.congress.gov/bill/119th-congress/house-bill/1061?s=3&r=1); <https://www.congress.gov/bill/119th-congress/house-bill/1061?s=3&r=1>) on February 6, 2025, to safeguard immigrant communities from being targeted by Immigration and Customs Enforcement (ICE) in sensitive locations. The bill has support from NLIHC and over 800 other organizations. NLIHC will continue to work with immigration advocates to ensure homeless shelters and other emergency spaces are safe for all, regardless of immigration status. Read about the Protected Areas policy and see a list of endorsers from the Center on Law and Social Policy (CLASP) [here](https://tr.ee/YhfUng) (<https://tr.ee/YhfUng>).

Mixed-Status Families in Federally Subsidized Housing

BACKGROUND

Families with at least one U.S. citizen or eligible immigrant are allowed to live in a HUD-subsidized housing unit. These families are referred to as “mixed-status” and receive prorated assistance so that the subsidy amount is decreased to only cover family members with eligible immigration status. Family members applying for assistance must have their immigration status verified.

TRUMP ADMINISTRATION’S 2019 PROPOSED MIXED-STATUS FAMILIES RULE

On May 10, 2019, [HUD released a proposed rule](https://tr.ee/chMlhl) (<https://tr.ee/chMlhl>) that would have further restricted eligibility for federal housing assistance based on immigration status by prohibiting mixed-status families from living in subsidized units subject to Section 214. The rule would have forced impacted households to choose between separating as a family to keep their subsidy or face eviction and potentially homelessness. According to [HUD’s own analysis](https://tr.ee/x9y4ti) (<https://tr.ee/x9y4ti>), the proposed rule would have effectively evicted 25,000 immigrant families from their homes, including 55,000 children eligible for housing assistance. In fact, two-thirds of people in mixed-status families were U.S. citizens, most of them children, at the time HUD released its proposal.

Thanks to advocates around the country mobilizing to oppose the rule, including leadership from the Keep Families Together campaign, a final rule was never published under the first Trump administration. On April 2, 2021, the Biden administration published a [notice in the Federal Register](https://tr.ee/ZdEmst) (<https://tr.ee/ZdEmst>) announcing its intention to withdraw the Trump administration’s proposed rule.

The first Trump administration pursued a similar mixed-status families rule in USDA's Rural Housing Service. The proposed rule, "[Implementation of the Multi-Family Housing U.S. Citizenship Requirements](https://tr.ee/ZjXdfd)," (<https://tr.ee/ZjXdfd>) aimed to prohibit mixed-immigration status families from receiving housing assistance from some RHS programs covered by Section 214 of the "Housing and Community Development Act of 1980." This included the Rural Development (RD) voucher program (Section 521) and rental assistance for the Section 515 and Section 514/516 programs. The proposed RHS rule would have led to families splitting up, forgoing assistance, or being evicted from their homes. The rule was never published in the *Federal Register* and was withdrawn via a [notice in the Federal Register](https://tr.ee/PNxDNQ) (<https://tr.ee/PNxDNQ>) the Biden administration.

TRUMP ADMINISTRATION'S LEAKED PROPOSED MIXED-STATUS FAMILIES RULE

On September 29, 2025 *ProPublica* [published](https://tr.ee/RDwZMq) (<https://tr.ee/RDwZMq>) a [leaked draft](https://tr.ee/Mrh2r3) (<https://tr.ee/Mrh2r3>) of the Trump administration's proposed changes to HUD's mixed-status rule. The leaked draft mirrors the policy proposals in the Trump administration's 2019 rule. As of this article's writing, the proposed rule has not been published on the *Federal Register*; once it is published, it will need to go through the formal rulemaking process before it can be finalized and implemented.

Under current policy, mixed-status families retain the right to live together in HUD-assisted housing. Immigrant families in HUD-assisted housing can use this [Know Your Rights resource](https://tr.ee/xxZuTc) (available in English and Spanish, <https://tr.ee/xxZuTc>) from the National Housing Law Project (NHLP) to learn more about their rights as recipients of federal housing assistance.

KEEP FAMILIES TOGETHER CAMPAIGN

In response to the proposed Mixed-Status rule in 2019, NLIHC, NHLP, PIF, and the Center on Budget and Policy Priorities (CBPP) launched the Keep Families Together campaign to mobilize opposition to the proposal. During the public comment period, individuals and organizations submitted 30,450 comments; for comparison, the previous record for most public comments on a proposal rule was just over 1,000

comments. An NHLP analysis of these comments found that more than 95% of the comments opposed the Trump administration's proposed rule and supported allowing families with "mixed" immigration status to live together. Advocates are encouraged to monitor the Keep Families Together [website](http://www.keep-families-together.org) at www.keep-families-together.org for the latest policy updates, including how to take action after the proposed mixed-status rule is released in the second Trump administration.

Changes to the Definition of Public Charge

BACKGROUND

The "public charge" test has been a component of U.S. immigration policy for over 140 years, used to determine if an individual is likely to depend on government assistance as their main source of support. If someone is deemed likely to become a "public charge," the federal government can deny admission to the U.S. or deny an application for lawful permanent resident status (a "green card"). Permanent residents applying to become U.S. citizens are not subject to the public charge test; public charge also does not apply to humanitarian immigrants including refugees; asylees; survivors of domestic violence, trafficking and other serious crimes; special immigrant juveniles; and certain individuals paroled into the U.S.

Historically, immigration officials have considered "public cash assistance for income maintenance" and long-term institutionalization paid for by the government when making public charge determinations. Supplemental Security Income (SSI), Temporary Assistance for Needy Families (TANF) cash assistance and General Assistance are examples of cash assistance for income maintenance. Immigration officials will also consider the individual's circumstances, including age, income, education and skills, health, family size, and support from friends or family in the U.S. as part of the public charge test so that positive factors can help overcome negative factors.

Decisions about applications for admission or lawful permanent resident status inside the U.S. are made by the U.S. Citizenship and Immigration Services (USCIS)

within DHS; applications for admission or green cards outside the U.S. at embassies or consular offices abroad are reviewed by the Department of State (DOS). Each agency has its own regulations for how to consider the public charge test.

CHANGES TO THE PUBLIC CHARGE RULE - 2019, 2022, AND 2025

The first Trump administration changed the public charge rule at both DHS and DOS to include housing assistance and additional services in the public charge test. In 2025, the Trump administration issued a proposed rule to broaden the public charge test without *explicitly naming which programs may be considered*.

First Trump Administration Public Charge Actions (2019 Public Charge Rule)

In the first Trump administration, DHS proposed expanding the list of benefits considered as part of the public charge test, which would make it easier for immigration officials to deny entry or permanent resident status to low-income immigrants because they use, or might in the future use, health, nutrition (specifically, SNAP), or housing assistance programs (specifically, public housing, Housing Choice Vouchers, and Project-Based Rental Assistance (PBRA)). The rule, "[Inadmissibility on Public Charge Grounds](https://tr.ee/Mt9RTJ)" (<https://tr.ee/Mt9RTJ>) was proposed in October 2018 and finalized in 2019 (and commonly referred to as the "2019 public charge rule"). The Protecting Immigrant Families Coalition (PIF) led a pivotal campaign to push back against the rule and coordinated 266,000 public comments during the 60-day comment period. DOS also published an interim final rule aligning DOS's public charge standards in cases decided at U.S. consulates and embassies abroad to those of DHS.

The final public charge rule was set to go into effect on October 15, 2019, but several courts blocked the rule from implementation until the lawsuits were settled. Additionally, state, county, and city governments joined nonprofits and individuals in suing the Trump administration in nine different lawsuits. Three courts ordered national injunctions, preventing DHS from implementing the rule until a final decision was made. These orders were eventually lifted by the Supreme

Court, and USCIS began implementing the 2019 rule on February 24, 2020.

Biden Administration's Public Charge Rule Changes (2022 Public Charge Rule)

Advocates worked nationwide to pressure the Biden administration to reverse the previous administration's harmful changes to the public charge rule. President Joe Biden signed three Executive Orders (EOs) on immigration reform on February 2, 2021, setting into motion changes to reverse the previous administration's policy changes. Under the EOs, DHS and USCIS reverted back to the [1999 Interim Field Guidance \(https://tr.ee/ROAnSe\)](https://tr.ee/ROAnSe) policy in place before the Trump administration's 2019 rule. Under this policy, DHS did not consider a person's receipt of Medicaid, public housing, or SNAP benefits as part of the public charge inadmissibility determination.

DHS [issued a final rule \(https://tr.ee/mWzozH\)](https://tr.ee/mWzozH) on the "public charge" regulation on September 8, 2022 (commonly referred to as the "2022 public charge rule"), adding critical protections to immigrant families' access to social safety net programs, including housing. The final rule clarifies that several health and social services are not considered in the public charge determination and took effect on December 23, 2022.

Additionally, DOS under the Biden's administration issued a [final "public charge" regulation \(https://tr.ee/w6b8eS\)](https://tr.ee/w6b8eS) confirming the agency would not finalize the Trump administration's harmful 2019 interim final rule. The DOS rule, effective as of October 5, 2023, aligns with the U.S. Department of Homeland Security's final public charge rule, which clarified that several health and social services are not to be considered in a public charge determination.

Second Trump Administration Public Charge Actions (2025 Public Charge Rule)

On November 19, 2025 DHS released a proposed public charge rule, "Public Charge Ground of Inadmissibility" [published \(https://tr.ee/zoQBPw\)](https://tr.ee/zoQBPw) to the *Federal Register* with a 30-day comment period ending on December 19, 2025. The rule, if finalized, would significantly restrict access to essential resources for millions of low-income immigrants and their children, at

a time when families are already navigating increased housing, healthcare, and food insecurity. Until the DHS rule is finalized, the Biden administration’s 2022 public charge rule remains in effect, and housing is not considered in a public charge test.

PIF, NLIHC and other advocates released a [joint press statement](https://tr.ee/997xUA) (<https://tr.ee/997xUA>) and are submitting comments by December 19, 2025. PIF has compiled resources for advocates to engage on the proposed public charge rule [here](https://tr.ee/BDaTdK) (<https://tr.ee/BDaTdK>), including a comment template for direct service providers who serve immigrant families, a comment template for organizations, and an organizational sign-on letter. Once the comment period for the proposed rule ends in December, the Office of Management and Budget (OMB) is required to review the comments before published a final rule in the *Federal Register*. Advocates should also monitor any ongoing litigation that may impact enforcement of the 2025 public charge rule.

LEGISLATIVE ACTION

While there was no significant legislative action on public charge in 2025, advocates should be prepared to support legislation that may attempt to defund or block the Trump administration’s harmful 2025 public charge rule. In 2019, Rep. Judy Chu introduced the “[No Federal Funds for Public Charge Act](https://tr.ee/WCA14q)” (<https://tr.ee/WCA14q>) to prevent any federal funds from being used to implement President Trump’s proposed public charge rule. As of December 2025, no such legislation has been introduced in the 119th Congress.

PROTECTING IMMIGRANT FAMILIES

The [Protecting Immigrant Families \(PIF\) Coalition](https://pifcoalition.org/) (<https://pifcoalition.org/>) unites more than 800 organizations nationwide to fight for a more prosperous, more inclusive, and better future where immigrants and their families thrive and everyone has access to life’s essentials. PIF organized opposition to the public charge rule and has worked to ensure that immigrant communities know their rights.

PIF consistently keeps advocates updated with the latest research on the impacts of the public charge rule, updates on litigation, fact sheets and “Know Your Rights!” messages for community members, and

guidance and additional resources for immigration lawyers. PIF members were involved in legal battles against the first Trump administration’s changes to the public charge rule and were key leaders during the public comment campaign.

Data-Sharing with DHS & Immigrant Data Safety

Keeping immigrant families safe from targeting, harassment, and deportation has been critical in 2025 and will continue to be in 2026 and beyond. In addition to ensuring immigrant families’ physical safety, policy advocates have worked to protect immigrants’ taxpayer data from being shared with DHS and used immigration enforcement.

The Trump administration’s escalated immigration enforcement measures are projected to result in the deportation of more than 400,000 people within the administration’s first year. Immigration arrest rates in cities like Los Angeles and Chicago [quadrupled](https://tr.ee/qpxPM8) (<https://tr.ee/qpxPM8>) between April and June 2025, creating a climate of tension and fear. Information sharing between federal agencies is one of many methods to facilitate the targeting and deportation of immigrant families, violating the safety of immigrants and U.S. citizens alike.

In March 2025, HUD signed a Memorandum of Understanding (MOU) with DHS, agreeing to share data between the two agencies. The [MOU](https://tr.ee/zL0ZSZ) (<https://tr.ee/zL0ZSZ>) did not change eligibility for immigrants in HUD’s housing programs, but established an interagency partnership to share data on recipients of HUD housing assistance.

In July 2025, the Centers for Medicare and Medicaid Services (CMS) entered an [agreement](https://tr.ee/PHk6qZ) (<https://tr.ee/PHk6qZ>) with DHS, complying with DHS’s request to provide the personal data, including home addresses and ethnicities, of Medicaid enrollees to immigration officials. Sharing the home addresses and identifying information of Medicaid recipients for immigration enforcement cultivates fear and uncertainty among immigrants and their families, discouraging them from seeking essential resources—including those for which they are eligible—out of concern doing so could result

in their personal information being shared with ICE, and they could become a target for deportation.

PIF released a resource, "[Privacy Protections in Selected Federal Benefits Programs](https://tr.ee/NNCp1H)," (<https://tr.ee/NNCp1H>) outlining the federal laws, regulations and guidance that protect the personal information immigrant families provide to agencies when applying for health, nutrition, cash assistance, child care, housing and other assistance programs.

LEGISLATIVE ACTION

In April 2025, House Democrats penned a letter to HUD Secretary Scott Turner opposing HUD's MOU with DHS. On September 11, 2025, Representative Juan Vargas (D-CA) [introduced](https://tr.ee/WL6DBF) (<https://tr.ee/WL6DBF>) the "Home Together Act" to prevent HUD from sharing personal data with DHS for immigration enforcement and deportation purposes. The legislation was announced with Representative Sydney Kamlager-Dove (D-IL)'s "Limiting ICE National Encroachment (LINE) Act," which would prohibit two other agencies, the Department of Health and Human Services (HHS) and the Centers for Medicare and Medicaid Services (CMS) from sharing similar data with DHS. Designed to protect data and families, the two bills are a response to the Trump administration's attempts to access and direct sensitive, personal housing and health information to immigration enforcement officials. The introduction of the "Home Together Act" and "LINE Act" takes a stand against federal agencies complicit in sharing sensitive information with DHS and ICE and works to ensure access to key services like housing and healthcare doesn't come at the cost of government surveillance on families.

Forecast for 2026

President Trump is expected to continue pursuing every avenue to intimidate and threaten immigrant families and communities. NLIHC will continue to work with partners in immigration to oppose these policies. Advocates should build strong relationships with local immigrant rights organizations to help defend against the many attacks on immigrant communities.

How Advocates Can Take Action

Advocates should speak to lawmakers with the message that:

- Blaming immigrant families will not fix the long waitlist for housing assistance or the affordable housing crisis. Congress should instead make significant new investments in affordable housing resources to ensure that every family, regardless of immigration status, who is eligible for HUD assistance has access to one of the most basic of human rights: a safe, accessible, and affordable place to call home.
- The Trump administration's rules directly impacted thousands of immigrant families' access to housing and continues to have a chilling effect on children's ability to receive essential health, food, and housing federal assistance that lingers to this day. This country is already facing an affordable housing crisis and limiting access for more people will only exacerbate the problem.
- Immigrants play a critical role in supporting local economies, including construction and trades which help build more affordable housing. By limiting immigrants' ability to work and seek vital health resources, elected officials scapegoat immigrant communities for the affordable housing crisis. In reality, Congress must invest in affordable housing to meet the housing needs of all people.
- Human needs do not change based on immigration status. It is simply impractical, dangerous, and inhumane to only allow citizens to access critical, lifesaving benefits such as housing assistance. Members of Congress should work to restrict or halt the implementation of these harmful rules if they return through executive actions or legislation.

URGE LEGISLATORS TO:

- Oppose the Trump administration's efforts to allow federal agencies (including HUD) to share personal information of residents with DHS.
- Oppose any effort to evict mixed-status immigrant households, and to oppose the mixed-status rule.

- Oppose the public charge rule and any other proposal that would use immigration policy to stoke fear and promote a chilling effect among immigrant families who are eligible for critical safety programs like healthcare and housing.
- Adequately address the needs of low-income immigrant families through investments in affordable housing and by reducing barriers to such affordable housing.
- Work to pass essential immigration reform legislation such as the “LIFT the BAR Act”.

For More Information

National Housing Law Project’s “Immigration Requirements: Assistance Programs for Housing and Homelessness, Energy, Disaster, and Water (ESG, CoC, CDBG, HOME, FEMA, RUSH, LIHEAP, LIWHAP, CRF, and ERAP)” available [here](https://tr.ee/WaSBuJ) (<https://tr.ee/WaSBuJ>)

HUD’s PRWORA guidance, “[Personal Responsibility and Work Opportunity Reconciliation Act of 1996 \(PRWORA\); Interpretation of ‘Federal Public Benefit’](https://tr.ee/RiCOcp)” (<https://tr.ee/RiCOcp>)

PIF’s executive actions tracker [here](https://tr.ee/jRBUXr) (<https://tr.ee/jRBUXr>)

National Immigration Law Center’s “[Factsheet: Trump’s Rescission of Protected Areas Policies Undermines Safety for All](https://tr.ee/Mjl21y)” (<https://tr.ee/Mjl21y>)

ProPublica’s September 29, 2025 article [exposing](https://tr.ee/RDwZMq) (<https://tr.ee/RDwZMq>) the Trump administration’s [leaked draft](https://tr.ee/Mrh2r3) (<https://tr.ee/Mrh2r3>) of HUD’s proposed mixed-status rule

PIF, NLIHC and other advocates’ [joint press statement](https://tr.ee/997xUA) (<https://tr.ee/997xUA>) on the 2025 public charge rule

PIF has compiled resources for advocates to engage on the proposed public charge rule [here](https://tr.ee/BDaTdK) (<https://tr.ee/BDaTdK>)