

# Congress of the United States

Washington, D.C. 20515

May 22, 2026

The Honorable Eric Scott Turner  
Secretary  
U.S. Department of Housing and Urban Development  
451 7th Street S.W.  
Washington, DC 20410-0001

**RE: Proposed Rule “Establishing Flexibility for Implementation of Work Requirements and Term Limits” – FR-6520-P-01**

Dear Secretary Turner:

At a time when our nation is experiencing an affordable housing and homelessness crisis, we urge the Department of Housing and Urban Development (HUD) to withdraw its proposed rule “Establishing Flexibility for Implementation of Work Requirements and Term Limits” in its entirety. The proposed rule allows public housing agencies (PHA) and Project Based Rental Assistance (PBRA) owners to implement harsh time limits and work requirement policies for renters in HUD’s four core housing programs. The foundation of the proposal consists of misconceptions and discriminatory assumptions about who receives assistance in these programs. In fact, in 2024, it is reported that 54% of non-elderly, non-disabled households had employment.<sup>1</sup> Those who do work still need rental assistance to help them afford housing because wages have not kept up with housing costs.<sup>2</sup> Millions of children who live in HUD-assisted households are not responsible for the work, wages, or hours their parents or caregivers maintain, yet they will be placed at risk of eviction and homelessness as the result of HUD’s proposed rule.

Work requirements and time limits will create more administrative burdens for PHA and PBRA owners and the communities they serve. These policies will be costly for PHA and PBRA owners to implement, leading to more red tape for already financially stressed PHAs and the residents they serve. The agency’s proposal also fails to provide funding for PHA and PBRA owners to deliver supportive services, while also omitting a clear definition of what “supportive services” are supposed to be provided. This opaque and unfunded mandate will put a strain on already underfunded federal housing providers across the country. Given the lack of clarity about the supportive services mandate, PHA and PBRA owners may struggle to administer and provide these services to the residents they serve.

The rule also allows PHA and PBRA owners to implement harmful time limit policies to families that have elderly or disabled household members, contrary to HUD’s public statements about the proposal. As proposed, the time limits rule only categorically excludes disabled families and elderly families, categories which have specific definitions. However, not every household which has disabled or elderly household members meets the definition of a “disabled family” or “elderly family” under the law.<sup>3</sup> A “disabled family” is defined as one whose head, co-head, spouse, or sole member has a disability, and an “elderly family” is defined as one whose head, co-head, spouse, or sole member is at least 62 years of age, with both definitions also encompassing multiple qualifying persons living together or with live-in aides.<sup>4</sup> If the rule is adopted without correcting these glaring

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<sup>1</sup> Housing Solutions Lab, *Policy at a crossroads: What we know about work requirements and time limits in federal housing assistance* (Sept. 3, 2025).

<sup>2</sup> Aurand, A. et al. (2025). *Out of Reach: The High Cost of Housing*. National Low Income Housing Coalition.

<sup>3</sup> 24 C.F.R. § 5.403; 24 C.F.R. § 5.403

<sup>4</sup> *Id.*

drafting errors, HUD will be allowing PHA and PBRA owners to implement time limit policies which could capture and apply to some families with disabled or elderly household members.

Additionally, Congress has already spoken on these issues, and the proposed rule exceeds HUD's authority. Congress has repeatedly considered and consistently rejected the broad and harsh time limit and work requirement policies in the proposed rule. The Quality Housing and Work Responsibility Act of 1998 (QHWRA) made significant changes affecting several of HUD's federal housing programs.<sup>5</sup> The legislative history of QHWRA demonstrates Congress considered and rejected adding time limits to the public housing and housing voucher programs. Congress imposed only a limited "work requirement" of eight hours per month for non-employed (or otherwise non-exempt) adults in public housing to perform community service or engage in activity to promote self-sufficiency. The final legislation followed the Senate bill in rejecting applicability of this community work requirement to the Housing Choice Voucher (HCV) program.

Despite repeated attempts by both the current and previous Trump Administrations to restrict access to public benefits, Congress has consistently rejected such proposals. For example, in 2018 the Trump Administration proposed legislation that would have "allow[ed] PHAs or owners to impose work requirements on families and individuals," but Congress took no action to pass it.<sup>6</sup> More recently, the President's proposed 2026 Budget called for two-year time limits on rental assistance for most adults, which both chambers of Congress clearly rejected, excluding it from their appropriations bills<sup>7</sup> rather than broadly expanding such restrictions as HUD has done in this proposed rule. Congress has limited these flexibilities to the 139 PHAs participating in the Moving to Work (MTW) demonstration program.<sup>8</sup> Of those, 16 PHAs implemented work requirements but discontinued them, citing administrative burden and punitive impacts on residents.<sup>9</sup> To date, no MTW PHA has adopted anything approaching what is allowed under the proposed rule.

For the public housing program, Congress established eligibility requirements based solely on income and assets, not employment, and did not include time limits or work requirements.<sup>10</sup> Given that Congress has already established community service and economic self-sufficiency requirements, imposing an additional work requirement would exceed HUD's authority.<sup>11</sup> Imposing time limits for public housing residents also exceeds HUD's statutory authority under the text of the QHWRA. The QHWRA mandates each PHA "shall utilize leases" with "a term of 12 months and shall be automatically renewed for all purposes" barring noncompliance with community service requirements.<sup>12</sup> Allowing PHAs to institute a generally applicable time limit for all renters would contradict Congress's clearly expressed intent to allow individuals to continue to reside in public housing so long as they continue to meet their lease obligations. Moreover, for the HCV and project-based voucher (PBV) programs, Congress similarly did not authorize time limits or work requirements. The QHWRA does not contemplate a time limit for which households can receive housing voucher benefits.<sup>13</sup> Congress further provided that leases for voucher programs are "for a term of not less than 1 year," and a PHA "may approve a shorter term for an initial lease between the tenant and the dwelling unit owner if the [PHA] determines that such shorter term would improve housing opportunities for the tenant and if such shorter term is considered to be a prevailing market practice."<sup>14</sup> This provision again suggests a rule unilaterally imposing universal time limits for voucher programs would contradict this discretion afforded to PHAs. For the PBRA program, Congress has allowed PBRA owners to screen only for income, not employment status, and they have not authorized the creation of new employment-based eligibility criteria.<sup>15</sup> The eligibility requirements in the PBRA program also do not suggest a

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<sup>5</sup> 42 U.S.C. § 1437c-1.

<sup>6</sup> Making Affordable Housing Work Act of 2018.

<sup>7</sup> *Technical Supplement to the 2026 Budget: Appendix* (May 30, 2025), pp. 461-462.

<sup>8</sup> HUD, *Regulatory Impact Analysis, FR-6520-P-01: "Establishing Flexibility for Implementation of Work Requirements and Term Limits"* (Accessed Apr. 22, 2026).

<sup>9</sup> Housing Solutions Lab, *Policy at a crossroads: What we know about work requirements and time limits in federal housing assistance* (Sept. 3, 2025).

<sup>10</sup> 42 U.S.C. §§ 1437n(a), 1437d.

<sup>11</sup> 42 U.S.C. § 1437j(c)(1)(A)-(B) (imposing a requirement of 8 hours of "community service" per month or participation in an "economic self-sufficiency program"); 42 U.S.C. § 1437j(c)(2)(C) (exempting individuals who are "engaged in a work activity" from the community service and economic self-sufficiency requirements); 24 C.F.R. § 960.601(b) ("Community service is not employment[.]").

<sup>12</sup> 42 U.S.C. § 1437d(l)(1).

<sup>13</sup> 42 U.S.C. § 1437f(o)(5).

<sup>14</sup> 42 U.S.C. § 1437f(o)(7)(A).

<sup>15</sup> 42 U.S.C. § 1437n(c).

potential time limit on eligibility, only an income requirement imposed at each “recertification.”<sup>16</sup> Congress has not authorized, and has consistently rejected, the types of broad and sweeping time limit and work requirement policies in the proposed rule.

The proposed rule explicitly states that HUD will not be reviewing the fair housing implications of these different policies. However, this is problematic as the proposed rule lends itself to potentially discriminatory outcomes because it would allow housing providers to implement different work requirements and time limit policies for different programs and housing projects. For example, under this proposed rule, a PHA could implement a two-year term limit policy for one public housing building with predominately black tenants, but a ten-year limit policy for another public housing building with predominately white tenants. This example is not farfetched and presents a compelling reason why HUD must affirmatively further fair housing under the Fair Housing Act.<sup>17</sup>

For all these reasons, we urge HUD to immediately withdraw its proposed rule as it directly contradicts its mission as well as congressional intent of the law, exacerbates our nation’s housing shortage, and cruelly and unnecessarily threatens to push families into homelessness.

Sincerely,



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Maxine Waters  
Ranking Member  
Committee on Financial Services



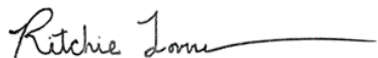
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Eleanor Holmes Norton  
Member of Congress



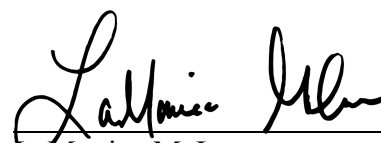
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LaMonica McIver  
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<sup>16</sup> 42 U.S.C. § 1437n(e).

<sup>17</sup> 42 U.S.C. § 3608



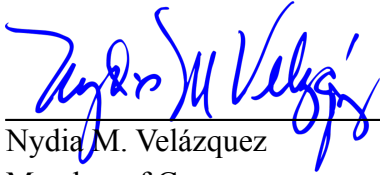
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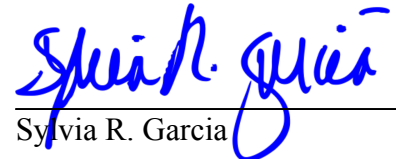
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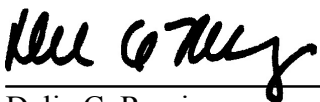
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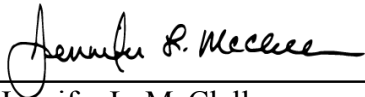
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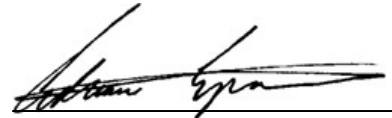
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Member of Congress



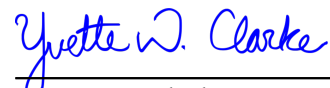
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Adriano Espaillat  
Member of Congress



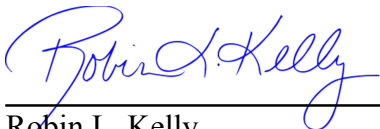
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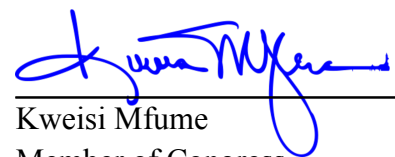
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