



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-2000

ASSISTANT SECRETARY FOR
FAIR HOUSING AND EQUAL OPPORTUNITY

December 5, 2025

Dear Colleague:

The Trump Administration is committed to restoring the rule of law and protecting the rights of all Americans. To this end, the Office of Fair Housing and Equal Opportunity (FHEO) is engaging in a continuous review of guidance documents issued by previous administrations to ensure compliance with the Fair Housing Act and related civil rights laws.

As a result of this review, and consistent with applicable law, I am rescinding the guidance document titled “Operation Allies Welcome: Frequently Asked Questions (FAQs) on Fair Housing Issues” (Operation Allies Welcome Guidance) and withdrawing FHEO from the interagency guidance document titled “Frequently Asked Questions (FAQ) Renting to Refugees and Eligible Newcomers” (Interagency FAQ). This rescission and withdrawal are effective immediately.

The Biden Administration Launches Operation Allies Welcome

On August 29, 2021, the Biden Administration initiated “Operation Allies Welcome” to provide taxpayer-funded resettlement support services to Afghan refugees arriving in the United States following that administration’s withdrawal of United States troops from Afghanistan. As part of that initiative, FHEO issued guidance to “landlords and property managers” regarding “the Fair Housing Act and other civil rights requirements as they consider participation in Operation Allies Welcome.” Additionally, the Department joined with other federal agencies in promulgating the Interagency FAQ.

The Operation Allies Welcome Guidance Discriminates Against American Citizens in Favor of Afghan Refugees

As a threshold matter, these non-binding guidance documents adopt an interpretation of the Fair Housing Act that is in fundamental conflict with the Act’s textual requirements.¹ The Fair Housing Act prohibits, among other things, discrimination in the terms, conditions, or privileges of selling or renting a dwelling because of the national origin of the prospective buyer or renter.² The Supreme Court has explained that “the term ‘national origin’ on its face refers to the country where

¹ See Antonin Scalia & Bryan A. Garner, *Reading Law: The Interpretation of Legal Texts* 56 (2012) (“Do not depart from the words of the law”).

² 42 U.S.C. § 3604(b).

a person was born, or more broadly, the country from which his or her ancestors came.”³ Native-born Americans receive the full protections of the Fair Housing Act.⁴ Therefore, housing providers are not permitted to discriminate against individuals because they were born in the United States.

Despite this well-established and elementary legal principle, the Biden Administration’s Operation Allies Welcome Guidance nevertheless invites landlords and property managers to unlawfully favor Afghan refugees over native-born American rental applicants. For instance, the guidance’s FAQs suggests that landlords and property managers “forgo credit checks for Afghan refugees” by considering making “a credit check exception” for all immigrants. Similarly, it encourages housing providers to engage in “target marketing” to “Afghan populations” in certain circumstances. Rather than “affirmatively furthering fair housing,” this guidance emboldens housing providers to discriminate on the basis of national origin—namely, by giving preferential treatment to Afghan refugees over American citizens.

Additionally, the Operation Allies Welcome Guidance provides an interpretation of Title VI of the Civil Rights Act of 1964 that conflates a lack of “language access” for those of limited English proficiency with national origin discrimination. But under Title VI, “language and national origin classifications are not interchangeable,” nor is language a protected trait.⁵

The U.S. Department of Housing and Urban Development’s guidance documents are designed to inform the American public about the Department’s interpretations of statutes and regulations and its policy priorities. These pronouncements should not be issued to jawbone landlords and property managers into violating the Fair Housing Act’s prohibition on national origin discrimination by privileging favored immigrants over Americans. But that is exactly what the Biden Administration’s Operation Allies Welcome Guidance set out to do. As of January 20, 2025, this Department is out of the business of facilitating unlawful discrimination by endorsing preferential treatment for favored groups.

Compliance with the Fair Housing Act Is Mandatory

As Assistant Secretary for Fair Housing and Equal Opportunity, I am responsible for enforcing the Fair Housing Act and related civil rights laws throughout the United States. The Biden Administration’s Operation Allies Welcome Guidance and related

³ *Espinoza v. Farah Mfg. Co., Inc.*, 414 U.S. 86, 88 (1973) (Marshall, J.) (cleaned up).

⁴ See *Thomas v. Rohner-Gehrig & Co.*, 582 F. Supp. 669, 675 (N.D. Ill. 1984) (holding that “employment discrimination against American citizens based merely on country of birth, whether that birthplace is the United States or elsewhere,” constitutes national origin discrimination).

⁵ U.S. Att’y Gen. Memo., “Implementation of Executive Order No. 14, 224: Designating English as the Official Language of the United States of America,” 6 (July 14, 2025) (citation omitted).

Interagency FAQ contains interpretations and conclusions of law inconsistent with the Fair Housing Act and Title VI. Accordingly, those documents never should have been issued. I remind housing providers that rental policies that do not comply with the Fair Housing Act are illegal, and FHEO will vigorously enforce the law to ensure compliance.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Trainor", with a long horizontal flourish extending to the right.

Craig Trainor
Assistant Secretary
Fair Housing and Equal Opportunity