

*Submitted via [www.regulations.gov](http://www.regulations.gov)*

July 8, 2019

Office of General Counsel, Rules Docket Clerk  
Department of Housing and Urban Development  
451 7th Street SW, Room 10276  
Washington, DC 20410-0500

Re: HUD Docket No. FR-6124-P-01, Comments in Response to Proposed  
Rulemaking: Housing and Community Development Act of 1980: Verification of  
Eligible Status

Dear Sir/Madam:

I am writing on behalf of the Legal Aid Society of the District of Columbia to express strong opposition to the Department of Housing and Urban Development's (HUD) proposed rule change regarding "verification of eligible status," published in the Federal Register on May 10, 2019.

The Legal Aid Society of the District of Columbia is the oldest general legal services program in the District of Columbia. Over the past 87 years, Legal Aid has provided legal assistance to tens of thousands of individuals and impacted many more through our systemic litigation and advocacy. Today, we provide legal services in five broad areas: housing, family law, public benefits, consumer law, and immigration, our newest practice area added in 2018.

Legal Aid's mission is to make justice real for persons living in poverty in the District. Our work includes representing low-income tenants in eviction proceedings in the D.C. Superior Court and in administrative proceedings before the District of Columbia Housing Authority (DCHA). Legal Aid also engages in systemic advocacy before the D.C. Council and agencies of the District government to increase funding for affordable housing and rental assistance, ensure the provision of safe and sanitary rental housing, and promote access to justice for low-income residents of the District. In our housing law practice, as in all of our work, Legal Aid is proud to represent citizens and non-citizens alike.

HUD's proposed rule represents a cruel and needless change in policy that would inflict harm on vulnerable immigrants regardless of their immigration status. The proposed rule is contrary to HUD's stated mission of creating "strong, sustainable, inclusive communities and quality affordable homes for all."<sup>1</sup> If implemented, the rule would weaken communities across the country by forcing immigrant families to separate or

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<sup>1</sup> HUD Mission Statement, <https://www.hud.gov/about/mission>.

become homeless, and endanger their health and welfare by moving into overcrowded living conditions. If implemented, this rule would increase discrimination and retaliation against low-income immigrants without actually increasing access to federally-assisted housing for non-immigrants. In reality, HUD’s own analysis of the proposed rule concludes that fewer, not more, families are likely to receive assistance as a result of this change and that its financial impact will decrease the quality of public housing overall.<sup>2</sup>

***We therefore urge HUD to withdraw this proposed rule in its entirety and allow current and long-standing regulations to remain in effect.*** Specifically, we oppose this rule because its implementation would: (1) harm tens of thousands of immigrant families, including over 55,000 children<sup>3</sup>; (2) impose additional burdens—some of which may not be surmountable—on all recipients of federal housing assistance; (3) reduce the quality and quantity of federally assisted housing; and (4) run counter to HUD’s legal obligation to affirmatively further the goal of fair housing.

**Implementation of the Proposed Rule Would Harm Tens of Thousands of People, Including an Estimated 55,000 Children**

***Families, including many with children, will be forced to separate or become homeless.***

According to HUD’s analysis, 76% of “mixed status” households (or about 19,000 families) consist of a combination of adults and children.<sup>4</sup> Most of the children in these families—over 55,000 of them, according to HUD—are eligible for federal housing assistance. Under the current rule, these children can live with their parents or other adult family members (who may not be eligible for assistance) and receive the benefit of stable housing to which they are legally entitled. Since children lack the legal capacity to sign leases themselves, the adult heads of household, including those who do not receive assistance, must sign contracts on behalf of the entire family. However, the proposed rule would prohibit the ineligible adults in these families from signing the contracts and living in the subsidized units. Therefore, implementation of this rule would foreclose the possibility of U.S. citizen and legal permanent resident children in these families from receiving any housing assistance under the covered housing programs.

These families would therefore either have to break apart or forego assistance altogether. Family separation undermines family stability and is linked to toxic stress, trauma, and

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<sup>2</sup> HUD, Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1980*, Docket No. FR-6124-P-01 (Apr. 15, 2019).

<sup>3</sup> *See id.* at 6-8 (73% of eligible family members are children and there are a total of 76,141 eligible individuals in the covered programs, for a total of 55,582 eligible children).

<sup>4</sup> *Id.* at 8.

attachment issues in children.<sup>5</sup> Even a temporary separation from family can have an enormous negative impact on the health and educational attainment of children later in life, and many parents struggle to restore the parent-child bond once it has been disrupted by a separation.<sup>6</sup>

In order to avoid the consequences of separating a child who is eligible for assistance from one or two ineligible parents, most of these families would likely choose to forgo assistance. In its analysis of the impact of implementation of the proposed regulation, HUD assumes that “fear of the family being separated would lead to prompt evacuation by most mixed households [from federally funded housing], whether that fear is justified.”<sup>7</sup> This “evacuation” would push as many as 108,000 already vulnerable individuals in mixed status families (in which nearly 3 out of 4 would remain *eligible* for assistance) into homelessness and unstable housing.<sup>8</sup>

***The proposed rule will strip benefits from non-citizens who are legally residing in the United States.***

In addition to the many U.S.-born children who will lose benefits, the Administration’s rhetoric glosses over the fact that among the “ineligible” adults who will be affected are people *legally* living and working in the U.S. with Temporary Protected Status (TPS). These people live and work in the U.S., authorized by federal law, as the result of a natural disaster, armed conflict, or other ongoing condition that makes it unsafe for them to return to their home country.

U.S. Citizenship and Immigration Services recorded 417,341 individuals with TPS in the U.S. as of November 2018.<sup>9</sup> The country of origin with the largest number of TPS holders is El Salvador, with 251,526.<sup>10</sup> Salvadoran TPS holders have lived in the U.S. for

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<sup>5</sup> Laura C. N. Wood, *Impact of Punitive Immigration Policies, Parent-Child Separation and Child Detention on the Mental Health and Development of Children*, 2 *BMJ Paediatrics Open* (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6173255/>.

<sup>6</sup> *Id.*

<sup>7</sup> HUD, Regulatory Impact Analysis, *supra* note 2, at 7.

<sup>8</sup> *Id.* at 8; Pratt Ctr. for Cmty. Dev., *Confronting the Housing Squeeze: Challenges Facing Immigrant Tenants, and What New York Can Do* (2018), <https://prattcenter.net/research/confronting-housing-squeeze-challenges-facing-immigrant-tenants-and-what-new-york-can-do>.

<sup>9</sup> USCIS Immigration and Citizenship Data, *Total number of current I-821 Temporary Protected Status (TPS) individuals as of November 29, 2018*. Excel spreadsheet accessible at <https://www.uscis.gov/tools/reports-studies/immigration-forms-data>.

<sup>10</sup> *Id.*

an average of 21 years,<sup>11</sup> and as a result, many of them have U.S.-born citizen children. In October 2017, the Center for American Progress estimated that, for the 195,000 Salvadoran TPS holders then in the U.S., there were 192,700 U.S.-born children with parents who were Salvadoran TPS holders.<sup>12</sup>

The Washington, D.C. metropolitan area has the highest concentration of Salvadoran TPS holders, with over 30,000.<sup>13</sup> It is not known how many of these individuals could be impacted by this rule change, and HUD should provide data that squarely answers this question. It is conceivable that hundreds of legally-present TPS-holders in the Washington, D.C. metropolitan area could be among those affected by the rule change and could lose their housing.

***The proposed rule will force immigrant families into unsafe and overcrowded living conditions and make them vulnerable to retaliation.***

Families who lose their federal assistance could be forced to double-up with others in order to afford a market-rent unit. In the District, fair market rent for a 2-bedroom apartment is \$1,793 per month, while an “affordable rent” level for a minimum-wage earner is just \$689.<sup>14</sup> In the District, a minimum-wage worker would have to work 91 hours a week to be able to rent a 1-bedroom home at fair market rent.<sup>15</sup>

When families are forced to double-up, children suffer most. Children who live in overcrowded homes lag behind their peers in educational performance and are more prone to withdrawal and fighting in school.<sup>16</sup> Their parents also report more health issues

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<sup>11</sup> Center for American Progress, *TPS Holders in the United States*, [https://cdn.americanprogress.org/content/uploads/2017/10/19125633/101717\\_TPSFactsheet-USA.pdf](https://cdn.americanprogress.org/content/uploads/2017/10/19125633/101717_TPSFactsheet-USA.pdf).

<sup>12</sup> *Id.*

<sup>13</sup> Immigrant Legal Resource Center, *Economic Contributions by Salvadoran, Honduran, and Haitian TPS Holders* (April 2017), [https://www.ilrc.org/sites/default/files/resources/2017-04-18\\_economic\\_contributions\\_by\\_salvadoran\\_honduran\\_and\\_haitian\\_tps\\_holders.pdf](https://www.ilrc.org/sites/default/files/resources/2017-04-18_economic_contributions_by_salvadoran_honduran_and_haitian_tps_holders.pdf).

<sup>14</sup> National Low Income Housing Coalition, *Out of Reach 2018: District of Columbia*, <https://reports.nlihc.org/gap/2017/dc>.

<sup>15</sup> *Id.*

<sup>16</sup> J. Brian Charles, *Children May Suffer Worst Effects of Housing Crunch*, *Governing* (Jan. 18, 2018), <https://www.governing.com/gov-children-overcrowding-housing-cities-lc.html>.

with their children because of the lack of adequate space and substandard housing conditions.<sup>17</sup>

In addition, unscrupulous landlords can take advantage of the precariousness of a doubled-up family's living situation, particularly with immigrant families. Legal Aid has encountered properties with a high number of immigrant families where landlords use the pretextual threat of eviction for "unauthorized occupants" to retaliate against tenants who request repairs to fix unsafe or unsanitary housing conditions. The absorption of immigrant families who lose their federal assistance will jeopardize receiving families' housing security by putting them at risk of greater retaliation and discrimination. Diminishing the assistance available to eligible immigrants will thus have negative cascading effects on the entire immigrant community and the health and safety of rental housing in the District and across the country.

### ***The Proposed Rule Will Hurt U.S. Citizens and Elderly Non-Citizens***

While it is clear that the proposed rule is a direct attack on immigrants and citizens in mixed status households, these families are not the only group that will be harmed if the rule is finalized. In addition to attacking mixed status families, the proposed rule creates red tape that threatens housing security for 9.5 million U.S. citizens currently receiving HUD assistance and all future U.S. citizens seeking these benefits.

The rule would require that all who declare they are U.S. citizens under penalty of perjury provide evidence of their citizenship, a practice that has proven to be burdensome, costly, and unnecessary to protect program integrity.<sup>18</sup> Currently, to establish eligibility for housing assistance under Section 214 of the Housing and Community Development Act of 1980, U.S. citizens must provide a declaration, signed under penalty of perjury, of their citizenship or nationality status. The proposed rule would require that these individuals also provide documentary proof of citizenship or nationality, such as a birth certificate, which can be extremely difficult for certain segments of the population to provide or obtain. Those who are unable to produce the required documents within the required time period under the proposed HUD rule will lose their housing assistance and face eviction.

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<sup>17</sup> *Id.*

<sup>18</sup> Housing and Community Development Act of 1980: Verification of Eligible Status, 84 Fed. Reg. 20,589, 20,592 (proposed May 10, 2019) (to be codified at 24 C.F.R. part 5); Donna Cohen Ross, *New Medicaid Citizenship Documentation Requirement is Taking a Toll: States Report Enrollment Is Down and Administrative Costs Are Up*, CPBB (Mar. 13, 2007), <https://www.cbpp.org/research/new-medicaid-citizenship-documentation-requirement-is-taking-a-toll-states-report>.

One survey from 2006 showed that as many as seven percent of citizens did not have citizenship documentation readily available.<sup>19</sup> Obtaining such documentation can be particularly difficult for U.S. citizens over the age of 50, citizens of color, citizens with disabilities, and citizens with low incomes. Older individuals face many challenges in getting this kind of documentation, including difficulties getting to government offices to replace lost records or coming up with the funds to replace these records; others may have never been issued a birth certificate in the first place.<sup>20</sup> The same survey suggests that:

- At least 12 percent of citizens earning less than \$25,000 a year do not have proof of citizenship;
- Many people who do have documentation have birth certificates or IDs that don't reflect their current name or address, such as people who changed their name;
- 18 percent of citizens over the age 65 do not have a photo ID; and
- 25 percent of African American citizens lack a photo ID.

After Congress required state Medicaid agencies to implement a citizenship documentation requirement, there was a sharp decline in Medicaid enrollment. Half of the 44 states responding to a Government Accountability Office survey indicated that Medicaid enrollment fell because of the citizenship documentation requirement. The GAO also found that states reported increased administrative costs and time spent on applications and redeterminations of eligibility due to the need to spend more time providing help to applicants and beneficiaries.<sup>21</sup>

The proposed rule would also place additional documentation burdens on 120,000 non-citizen seniors as well, by requiring non-citizens 62 years old or older to provide documentation of their immigration status.<sup>22</sup> Presently, these non-citizen seniors are required to submit a signed declaration of their eligible immigration status and proof of age. Many immigrant seniors will struggle in the same way as citizen seniors to produce this documentation.

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<sup>19</sup> Brennan Center for Justice, *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification* (Nov. 2006), [http://www.brennancenter.org/sites/default/files/legacy/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf)

<sup>20</sup> Ina Jafe, *For Older Voters, Getting the Right ID Can Be Especially Tough*, NPR: All Things Considered (Sept. 7, 2018), <https://www.npr.org/2018/09/07/644648955/for-older-voters-getting-the-right-id-can-be-especially-tough>.

<sup>21</sup> U.S. Gov't Accountability Office, *Medicaid: States Reported That Citizenship Documentation Requirement Resulted in Enrollment Declines for Eligible Citizens and Posed Administrative Burdens* (June 2007), <https://www.gao.gov/new.items/d07889.pdf>.

<sup>22</sup> Housing and Community Development Act of 1980: Verification of Eligible Status, 84 Fed. Reg. 20,589, 20,592 (proposed May 10, 2019) (to be codified at 24 C.F.R. part 5).

The proposed documentation requirements will be particularly burdensome for recipients of rental assistance who were formerly homeless, as well as for people experiencing homelessness who could be assisted by Section 214-covered housing programs in the future. People experiencing homelessness often lose important documents such as photo identification, birth certificates, and social security cards because they have no safe places to store them.<sup>23</sup> Adding more documentation requirements creates more barriers to housing for those who need it most, and could cause many people who have gained stability through rental assistance to return to homelessness. HUD has failed to take into account the added costs and burdens of these new documentation requirements and should complete an analysis of these costs before finalizing the proposed rule.

***The increase in the number of homeless or unstably housed families will have long-term negative consequences.***

The consequences of the inability to find stable housing will be profound for families and individuals, who will face reduced opportunities and increased health problems in the long term.<sup>24</sup> Having safe and stable housing is crucial to a person's good health, sustaining employment, and overall self-sufficiency. Studies have shown that unstable housing situations can cause individuals to experience increased hospital visits, loss of employment, and are associated with increased likelihood of mental health problems in children.<sup>25</sup>

These effects will be particularly prominent in the children of mixed status families, nearly all of whom are U.S. citizens. Research has shown that economic and housing instability impedes children's cognitive development, leading to poorer life outcomes as adults.<sup>26</sup> Housing instability is directly correlated to decreases in student retention rates

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<sup>23</sup> Nat'l L. Ctr. on Homelessness & Poverty, *Photo Identification Barriers Faced by Homeless Persons: The Impact of September 11* (Apr. 2004), [https://nlchp.org/wp-content/uploads/2018/10/ID\\_Barriers.pdf](https://nlchp.org/wp-content/uploads/2018/10/ID_Barriers.pdf).

<sup>24</sup> Megan Sandel et al., *Unstable Housing and Caregiver and Child Health in Renter Families*, 141 *Pediatrics* 1 (2018), <http://pediatrics.aappublications.org/content/141/2/e20172199>.

<sup>25</sup> See Will Fischer, *Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-Term Gains Among Children*, Center on Budget and Policy Priorities (October 7, 2015), <https://www.cbpp.org/research/research-shows-housing-vouchers-reduce-hardship-and-provide-platform-for-longterm-gains>; see also Linda Giannarelli et al., *Reducing Child Poverty in the US: Costs and Impacts of Policies Proposed by the Children's Defense Fund* (Jan. 2015), <http://www.childrensdefense.org/library/PovertyReport/assets/ReducingChildPovertyintheUSCostsandImpactsofPoliciesProposedbytheChildrensDefenseFund.pdf>.

<sup>26</sup> Heather Sandstrom & Sandra Huerta, *The Negative Effects of Instability on Child Development: A Research Synthesis* (2013),

and contributes to homeless students' high suspension rates, school turnover, truancy, and expulsions, limiting students' opportunity to obtain the education they need to succeed later in life.<sup>27</sup>

In the District, there are already more than 30,000 fewer affordable rental homes than there are extremely low-income renters.<sup>28</sup> The affordable housing market in the District simply cannot absorb any additional homeless families or individuals who would be forced out of HUD-assisted housing because of the rule change.

As a former Legal Aid client with TPS status, who used to live in federally subsidized housing with her U.S. citizen children, put it, "No one wants to ask for help unless they need it; if people ask for help, it's because they need it." Legal Aid knows that the immigrant families who receive federal housing assistance need it because they simply cannot find affordable housing in the District. For this particular Legal Aid client, a single working mother, the loss of her children's housing assistance because of her ineligible TPS status would have meant, at best, having to work more jobs just to be able to afford market rent. If such work were not available or still not enough to cover market rent, the family would have been homeless. In either scenario, as this mother put it, "who this will affect more than anyone will be the children."

### **The Proposed Rule Will Reduce the Quantity and Quality of Federally Assisted Units**

*The proposed rule will reduce the number of families that receive federally subsidized assistance.*

While this rule would produce unconscionable harm to non-citizens and their citizen family members, it will not even produce the results that HUD promises. By HUD's own assessment, implementation of the proposed rule would likely lead to a decrease in the overall number of families who receive federal housing assistance. HUD estimates that if the agency replaced the 25,000 mixed status families currently receiving HUD assistance with households comprised of only eligible individuals, this change alone (to say nothing of administrative costs) would increase the cost of the program by \$193 million to \$227

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<https://www.urban.org/sites/default/files/publication/32706/412899-The-Negative-Effects-of-Instability-on-Child-Development-A-Research-Synthesis.PDF>.

<sup>27</sup> See Mai Abdul Rahman, *The Demographic Profile of Black Homeless High School Students Residing in the District of Columbia Shelters and the Factors that Influence their Education*, 55 (Mar. 2014) (Ph.D. dissertation, Howard University), available at <http://gradworks.umi.com/3639463.pdf> (citations omitted)

<sup>28</sup> National Low-Income Housing Coalition. *2019 District of Columbia Housing Profile* (February 28, 2019), [https://nlihc.org/sites/default/files/SHP\\_DC.pdf](https://nlihc.org/sites/default/files/SHP_DC.pdf).



million annually.<sup>29</sup> The increased costs are attributable to the fact that the households that would replace mixed families, on average, have less income and would receive higher per household subsidies.<sup>30</sup>

However, HUD does not anticipate that Congress would provide more funding to serve these families. Instead, the agency assumes that HUD would “serve these costlier households without additional resources,” and that “the likeliest scenario, would be that HUD would have to reduce the quantity and quality of assisted housing in response to higher costs.”<sup>31</sup>

***The proposed rule will reduce the habitability of federally assisted housing.***

Compounding the harm of reducing the availability of housing assistance, HUD states, “With part of the budget being redirected to cover the increase in subsidy . . . for public housing, this would have an impact on the quality of service, e.g., maintenance of the units and possibly deterioration of the units that could lead to vacancy.”<sup>32</sup>

The state of public housing across the country is at a breaking point. Tenants in public housing in the District live in units with deplorable conditions—lead paint, black mold, rodents, cockroaches, leaks, and other badly-needed, long-deferred structural repairs.<sup>33</sup> Of the approximately 8,000 public housing units in the District, 2,610 require “extremely urgent” attention, and another 4,445 are in “critical condition.”<sup>34</sup> DCHA (the agency administering public housing in the District) estimates a cost of \$2.2 billion over 17 years to repair the District’s public housing stock.<sup>35</sup> At this rate, DCHA, like other housing authorities across the nation, cannot afford further cuts to the funding that supports the maintenance of the country’s public housing stock.

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<sup>29</sup> HUD, Regulatory Impact Analysis, *supra* note 2, at 10.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.* at 3.

<sup>32</sup> *Id.*

<sup>33</sup> Morgan Baskin, *What Life is Like—Still—In D.C. Public Housing*, Washington City Paper (Aug. 16, 2018), <https://www.washingtoncitypaper.com/news/housing-complex/article/21018152/for-public-housing-residents-in-dc-fighting-for-better-living-conditions-is-a-fulltime-job>.

<sup>34</sup> *Id.*

<sup>35</sup> Jenny Gathright, *D.C.’s Public Housing Stock Requires \$2.2 Billion in Repairs*, Housing Authority Says, WAMU (April 12, 2019), <https://wamu.org/story/19/04/12/d-c-s-public-housing-stock-requires-2-2-billion-in-repairs-housing-authority-says/>.

The stated reason for the promulgation of the proposed rule—to reduce the millions of individuals currently on waitlists across the country<sup>36</sup>—is undercut by the reality that the increased costs from implementing this rule will actually reduce the overall availability of housing assistance. And those who remain eligible for and able to obtain assistance will live in even more deplorable—and worsening—housing conditions. In light of these negative consequences for *all* recipients of federal housing assistance, regardless of their immigration status, it is hard to see what legitimate purpose the proposed rule serves.

### **The Rule Would Violate HUD’s Obligation to Affirmatively Further Fair Housing**

Adoption of this proposed rule would violate HUD’s statutory obligation to affirmatively further the goals of fair housing. The federal Fair Housing Act (FHA) mandates that the HUD Secretary shall “administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of” the FHA.<sup>37</sup> In 2015, HUD defined “affirmatively further[ing] fair housing” to mean “taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.”<sup>38</sup> This obligation also includes “fostering and maintaining compliance with civil rights and fair housing laws.”<sup>39</sup>

As discussed above, it is almost certain that the implementation of new, burdensome documentation requirements will have a disproportionate impact on the elderly, people of color, and people with disabilities. HUD should perform a disparate impact analysis to determine whether this proposed rule change would violate the FHA with respect to these and other protected groups.

The proposed rule does nothing to advance fair housing aims, or compliance with other civil rights laws. Instead, it seeks to do the exact opposite by denying housing opportunities to thousands of immigrant families, using eligible immigration status as a pretext for discriminating against individuals based on their race and national origin. Furthermore, because 70 percent of the households negatively impacted by this proposed rule *are families with eligible children* in mixed status households,<sup>40</sup> the proposed rule would also have a disproportionate and devastating impact on families with children.

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<sup>36</sup> Tracy Jan, *Trump Proposal Would Evict Undocumented Immigrants From Public Housing*, Wash. Post (Apr. 18, 2019), [https://www.washingtonpost.com/business/2019/04/18/trump-proposal-would-evict-undocumented-immigrants-public-housing/?utm\\_term=.f68fec836d53](https://www.washingtonpost.com/business/2019/04/18/trump-proposal-would-evict-undocumented-immigrants-public-housing/?utm_term=.f68fec836d53).

<sup>37</sup> 42 U.S.C.A. § 3608(e)(5) (West 2019).

<sup>38</sup> 24 C.F.R. § 5.152 (definition of “Affirmatively furthering fair housing”).

<sup>39</sup> *Id.*

<sup>40</sup> HUD, Regulatory Impact Analysis, *supra* note 2, at 8.

This clearly discriminatory policy is wholly inconsistent with HUD's obligation to combat housing discrimination and segregation.

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***For all the foregoing reasons, HUD should immediately withdraw this harmful and unnecessary proposed rule in its entirety.*** If enacted, the proposed rule will force thousands of families to make an impossible decision between splitting up or becoming homeless. It will push the majority of those families into homelessness or into unsafe and overcrowded housing situations. The proposed rule will strip benefits from over 55,000 eligible children and from other individuals legally working and contributing to the U.S. economy. It will decrease the overall quality and quantity of federally assisted housing; undermine HUD's obligation to affirmatively further fair housing; disproportionately impact the elderly, people of color, and families with children; and impose burdens on all participants in federally-assisted housing programs.

We hope that HUD will instead rededicate its efforts to advancing policies that strengthen—rather than undermine—the ability of immigrants to support themselves and their families in the future. If we want our communities to thrive, everyone in those communities must be able to stay together and get the care, services and support they need to remain healthy and productive.

Thank you for the opportunity to submit comments on the proposed rulemaking. Please do not hesitate to contact Eleni Christidis at 202-386-6674 or [echristidis@legalaiddc.org](mailto:echristidis@legalaiddc.org) to provide further information.

Sincerely,



Eric Angel  
Executive Director