



July 8, 2019

Submitted via www.regulations.gov
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, RIN 2501-AD89 Comments in Response to Proposed Rulemaking: Housing and Community Development Act of 1980: Verification of Eligible Status

Dear Sir/Madam:

On behalf of the Interfaith Center on Corporate Responsibility (ICCR), a coalition of faith-based and values-driven institutional investors representing \$400 billion in assets under management, we are writing in response to the Department of Housing and Urban Development's (HUD) proposed rule to express our strong opposition to the changes regarding "verification of eligible status," published in the Federal Register on May 10, 2019 (RIN 2501-AD89; HUD Docket No. FR-6124-P-01).

The Proposed Rule published by the U.S. Department of Housing and Urban Development (HUD) changes, without a legitimate basis, regulations regarding the provision of housing assistance to United States citizens and certain categories of eligible noncitizens. Specifically, under the Proposed Rule, prorated assistance to mixed families – those containing one or more household member without eligible immigration status – would no longer be available indefinitely. Families applying to or currently in covered housing programs, including Public Housing and Section 8, would be required to document and verify the immigration status of every household member. Subsequent to that verification, households containing family members without eligible status would be required to move out, or the entire household's assistance would be terminated, with limited exceptions.

Safe, affordable housing is human right that must be respected. We urge the rule to be withdrawn in its entirety, and that HUD's longstanding regulations remain in effect.

HUD's own economic analysis shows that the proposed rule will not only fail to achieve its stated goals of addressing the subsidized housing waitlist crisis, but will in fact exacerbate this very issue. The Regulatory Impact Analysis released by HUD makes it clear that the proposed rule will not further HUD's mission to "create strong, sustainable, inclusive communities and quality affordable homes for all." In fact, the proposed rule will do the exact opposite, reducing the quantity of affordable homes on the market.

If this rule is implemented, it would force mixed status families to make an impossible decision—either break up to allow eligible family members to continue receiving assistance or forgo the subsidies so that the families can stay together. Family separations undermine family stability, and lead to toxic stress, trauma, and attachment issues in children. The devastation of these potential consequences would stretch far beyond mixed-status families as HUD would have to pay more to fund the transition while less people have access to much-needed housing services.

HUD's own analysis shows that more than 55,000 children, who are U.S. citizens or who are otherwise eligible to receive housing benefits, could face eviction under the proposed rule.

Immigrants are essential contributors to American communities and to the American economy. Targeting immigrant communities in this way is a radical change to our immigration system, which will put many families at risk. Government resources are being used to increasingly tear individuals from communities.

Currently, more than 27 million foreign-born workers in the U.S. labor market comprise about 17% of the total U.S. workforce. Immigrants are more concentrated in labor markets that literally feed and house America—immigrants make up 28% of construction trade workers and upwards of 70% of agricultural workers. Immigrants are an essential part of our health care system, comprising nearly one in five of all health care workers and nearly one in four health care workers in the long-term care sector. Nearly one worker in three at home health agencies is an immigrant. As the elderly population in the United States continues to grow, immigrant health care workers are essential to providing needed care.

In-depth statistical analysis shows that low-income immigrants and their families make important contributions to the entire U.S. economy, and that overall, immigration into the United States is a long-term fiscal net positive. The proposed rule will cut into these economic gains by increasing housing instability—essential immigrant workers, particularly those in areas with high rents, rely on stable housing in order to maintain their employment, contribute to local economies, and help their communities thrive. The proposed rule does not adequately consider these issues, and HUD should study the extended impact the rule will have on the U.S. economy before publishing its final rule.

For all the reasons stated above, ICCR strongly opposes the proposed rule change. Limiting housing options, evicting needy families, and obfuscating eligibility will have immeasurable costs on children, families and our government. Policies that protect immigrant families' access to affordable housing benefit not only the children of New York, but our country as a whole. CCC urges HUD to withdraw the proposed rule.

Housing is a human right and more affordable housing needs to be created to ensure our families can thrive in our country. We appeal to the U.S. Department of Housing and Urban Development to withdraw this proposed rule and ensure that families and children can stay together.

Respectfully submitted,

Josh Zinner, CEO
Interfaith Center on Corporate Responsibility