



On May 10, 2019, the Department of Housing and Urban Development (HUD) proposed a rule change to bar any households that have undocumented family members from receiving federal housing funds if the leaseholder is undocumented.

Under the current regulatory scheme, U.S. Citizens who are in need of housing assistance are entitled to qualify for and receive federal assistance. The current regulatory scheme considers the reality that many “mixed status” families live in the US, where one or more members of the household are US Citizens and one or more members of the household are undocumented. Instead of completely barring a household from receiving federal assistance if the leaseholder is undocumented, the current statutory scheme pro-rates the amount of federal assistance issued to a mixed status family based on the percentage of US Citizen family members to undocumented family members. This long-standing approach already excludes undocumented family members in mixed status families from receiving federal assistance.

The Administration’s proposed rule claims to fix something that is not broken. Adding a requirement that a household will only qualify if the leaseholder is a US Citizen will exclude tens of thousands of poor US Citizen children who do not have adult family members who have legal status. This sends a clear message that these children are afforded less rights than other children by the sole virtue of the national origin and immigration status of their parents and adult relatives.

HUD’s own impact analysis has found that at least 55,000 impoverished children who are US Citizens or Permanent Residents could lose their housing. The impact analysis also concludes that few benefits for this rule change exist for other low-income families waiting for housing assistance and the rule will likely lead to greater family separation and homelessness for mixed status families.

The Colorado Immigrant Rights Coalition condemns this decision that will harm thousands of families both in our state and in the country.

HUD’s proposal is another anti-immigration tactic used to make the lives of immigrant families difficult. Trump’s bigotry will target 108,000 families, of those, 55,000 are children. No child should be punished for poverty or a family member’s immigration status. In order to keep housing aid, the undocumented member living in the home must leave the household. The Trump administration continues to prove that they will stop at nothing to separate immigrant families and continue the legacy of racial and economic injustice in this country.

-The Colorado Immigrant Rights Coalition