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

Office of General Counsel, Rules Docket Clerk  
Department of Housing and Urban Development  
451 7<sup>th</sup> 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 or Madam:

I am writing on behalf of Jewish Family & Children's Service (JF&CS) to offer our comment in opposition to the proposed rule of the Department of Housing and Urban Development (HUD) concerning verification of eligible status for federal housing assistance programs, Docket No. FR-6124-P-01. If the proposed rule is finalized, it will put the stability and well-being of many of the families we serve at risk. I therefore urge you to rescind the proposed rule.

For more than 150 years, JF&CS has been helping individuals and families build a strong foundation for well-being across the lifespan. Through an integrated portfolio of more than 40 programs reaching communities throughout Eastern and Central Massachusetts, JF&CS focuses on meeting the needs of new parents and their children, older adults and family caregivers, children and adults with disabilities, and people experiencing poverty, hunger, or domestic abuse.

JF&CS believes that the proposed rule, which would prohibit "mixed-status" families from living in federally subsidized housing, could harm thousands of families with children across the nation. Mixed-status families include members who are eligible for housing assistance and members who

are ineligible based on their immigration status. Ineligible members are not necessarily undocumented; they may have a legal immigration status but still are ineligible for a housing subsidy.

Under the current rule, mixed-status families may reside in federally subsidized housing, but the ineligible members of the household do not receive any subsidy for their pro-rata portion of the rent. Under the proposed rule, these mixed-status families would be banned from federally funded housing unless the ineligible family member moves out. In effect, the proposed rule would require families to choose between staying housed and staying together. This is a terrible choice that no parent should be forced to make.

HUD believes that many of these families will choose family stability over housing stability. In its regulatory impact analysis, HUD notes that it “expects that fear of the family being separated would lead to prompt evacuation by most mixed households, whether [or not] that fear is justified.”<sup>1</sup> HUD’s own analysis shows that approximately 25,000 households nationwide, many of which include children, will be forced to leave their housing or break up their family.<sup>2</sup> These mass evacuations will increase rates of homelessness among an already vulnerable population, with lasting harm to the children.

The impact of the proposed rule would be keenly felt in Greater Boston, where housing costs are extremely high and where many families struggle to support their children on a minimum-wage salary. The proposed rule would be devastating to mixed-status families who are barely making ends meet, even with housing assistance. Without a housing subsidy, these families would need to make the difficult choice between paying for market-rate housing and paying for groceries, clothing, diapers, and other essentials. The alternative would be to keep their housing subsidy, but break up the family, subjecting the children to lasting trauma. We fear that this proposed rule will harm thousands of children who will either lose their housing or be separated from a parent.

In the JF&CS Center for Early Relationship Support<sup>®</sup>, our staff have worked with many mixed-status families who have benefitted from federally funded public housing or a Section 8 voucher. For these families, subsidized housing is often a stepping stone to long-term family stability and well-being. One family’s story is typical of so many we could cite. The mother, a U.S. citizen, was the breadwinner.

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<sup>1</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, at 7 (Apr. 15, 2019).

<sup>2</sup> *Id.* at 8.

The father was in the process of applying for a green card and therefore unable to take a paid job. When the mother gave birth prematurely and had to take leave from work to recover her health and care for her special-needs infant, their subsidized housing was a lifeline. Although they still had to pay the pro-rata portion of rent for the ineligible husband, they were able to do so with the assistance we were able to provide. When we closed their case, the health of both the mother and baby had improved, and the mother was preparing to return to work at a higher paying job. Without the housing subsidy, this family likely would have ended up in a homeless shelter. Under the best of circumstances, life in a shelter can be challenging for a family with young children. One can only imagine how difficult it would have been to bring a fragile infant “home” to a shelter following discharge from the Neonatal Intensive Care Unit.

JF&CS believes that the proposed rule presents a substantial risk to families across the nation, and in particular to the families we serve here in Massachusetts, where market-rate housing is out of reach for many working families. In the interest of the health and well-being of all, we strongly urge HUD to withdraw this proposed rule.

Respectfully submitted,

A handwritten signature in black ink that reads "Carl J. Zack". The signature is written in a cursive, flowing style.

Carl J. Zack  
Interim Chief Executive Officer  
Jewish Family & Children's Service