



Re: Request for Comments – Housing and Community Development Act of 1980: Verification of Eligible Status, Docket No. FR-6124-P-0

Office of the General Counsel, Rules Docket Clerk
Department of Housing and Urban Development
451 Seventh Street SW, Room 10276
Washington, DC 20410-0001

To the General Counsel,

On May 10, 2019, the [Federal Register](#) published a rule to make two significant changes to HUD's regulations implementing section 214 of the Housing and Community Development Act of 1980, which prohibits the Secretary of HUD from making financial assistance available to those other than U.S. citizens or certain categories of eligible noncitizens in HUD's public and specified assisted housing programs. This rule would also disqualify families from living in public housing or receiving Section 8 housing vouchers if they have an undocumented person living with them.

As it currently stands, HUD does not allow federal housing subsidies for undocumented immigrants. HUD's proposed rule would, however, force families of mixed immigration status to break up, forego assistance, or face termination from the program. According to your own analysis, more than 100,000 people receiving benefits are in a household with at least one undocumented immigrant.

In a recent statement by Secretary Ben Carson responding to concerns about this rule change, he said, "We are putting America's most vulnerable first," but thousands of legal residents and citizens, including 55,000 children who are in the country legally, could be displaced because of this new rule. ***They are our most vulnerable Americans.***

We at All Chicago, strongly oppose this amendment. We strive to unite our community and resources to provide solutions that ensure and sustain the stability of home. As the collaborative applicant for Chicago's Continuum of Care (CoC), we provide ongoing support with an independent staff dedicated to the CoC's collaborative planning and alignment efforts in providing housing and services to people experiencing homelessness. CoC members, including service providers, families, people with the lived experience of homelessness, and advocates of homelessness, also oppose this rule. In fact, 100 members of our community shared their comments on HUD's new proposed rule. Below are select examples:

- **Nonie Brennan, Former CEO of All Chicago:** HUD has been leading the way in working collaboratively and reducing the number of people experiencing homelessness in the USA. Disqualifying families with undocumented family members from housing would result in significantly increasing the number of people experiencing homelessness in the USA. Let's continue to work together to solve problems not create a catastrophic crisis!
- **Natalie Hill and Gloria Robinson, North Side Housing and Supportive Services:** This needless rule is harmful to families and would result in an increase in homelessness. We need to focus



instead on eradicating homelessness. Infants and young children may experience negative developmental effects. Older children and teenagers may experience some problems in their social, emotional and educational functioning when family members are physically and emotionally unsafe.

- **Anna Stunkel, Breakthrough:** As a staff member of a homeless service agency, I would see the impact of the legislation first-hand. As we (nationwide) work to end homelessness, this rule would only increase the number of homeless families/individuals we see each year, making our goal of ending homelessness immensely further from reach. I cannot understand why the Department of Housing would supporting any ruling that would cause homelessness and make housing stability harder to achieve. Let's put our efforts into increasing housing stock and stability across our nation.
- **Abbie Beato, Franciscan Outreach:** There is no reason, besides wonton cruelty, to further destabilize families living precariously on a low income and Section 8 voucher. Even if you are only going by cost, this can only end up costing society more as it will require more services to meet needs that people don't have when they're housed, which are less effective and costlier.
- **Katharine Wilson, Deborah's Place:** It is indefensible to push individuals or families into homelessness regardless of their immigration status. This is a human rights issue. The United States was founded as a beacon of hope to the world and cannot be allowed to settle complex issues with overly simplified punitive solutions that are cruel and inhumane.
- **Sydney Grant, AIDS Foundation of Chicago:** This could result in evictions and ultimately, hundreds of thousands of homeless families. As a social worker who works with the homeless population, this would be absolutely devastating for so many men, women and children in this country. Please consider the drastic impact this rule has on individuals and families and do not pass this rule into effect.
- **Doug Nichols, All Chicago:** Whatever a presidential administration's position towards undocumented people, HUD's foremost commitment should be to support and expand access to housing for people in the United States. By enacting this rule, HUD will violate this commitment. HUD will deny access to housing, oppose people's housing needs, and actively make people homeless. A house divided will not stand. I ask HUD to guard its own core principle - to help people be housed - by not enacting this rule. In the short term this might mean that HUD opposes the policy preferences of its administration, and even the instincts of HUD's own leadership, but in the long term it will protect its core principle and the vital role it plays in our government and society. I sincerely hope that the leadership of HUD stands up for the long-term integrity of the agency and asks that the presidential administration find another avenue to achieve its policy goals related to undocumented people.
- **Sheila Shankar, Apna Ghar, Inc.:** Securing stable and affordable housing is essential for survivors of domestic violence leaving abusive situations. This cuts across race, class, gender, sexual orientation, ability, and immigration status. Affordable, safe housing must be treated as a human right.
- **Allie Roberts, Primo Center for Women and Children:** I am strongly opposed to this proposed rule because keeping families together is vital for the welfare of individuals and children. The trauma that is already experienced and accumulated by immigrant families is inhumane and a



detriment to their survival. By expanding policies that harm immigrant families, future generations are impacted. Housing is in a state of crisis in the United States, and we need to be doing everything we possibly can to increase the access immigrants have to affordable housing, regardless of their individual documentation status.

- **David Dempsey, Catholic Charities of the Archdiocese of Chicago:** This legislation and this current administration is putting our most vulnerable families at risk of homelessness. We need to do everything possible to ensure that families remain intact, in order to be as healthy and productive as possible. This is a simple justice issue.
- **Evan Cauble-Johnson, Inspiration Corporation:** The purpose of supportive housing is to stabilize families and communities, because greater stability benefits all of us. It helps us save on costs on emergency services, it helps reduce crime, and prevents vulnerable people from becoming victims. This new legislative change would undermine that basic principle by taking punitive measures against families of mixed immigration status. It will make our communities poorer, more vulnerable, and less safe. I am strongly opposed.
- **Sam Russo, St Francis House of Hospitality:** This is the sort of half-baked legislation that does absolutely nothing to benefit people, cities, or our country. It is only divisive, insidious, and intolerant of the complicated situations in which people find themselves. While HUD is probably trying to justify this rule by stating the money they would save, they are utterly blind to the hidden costs (both human AND financial) that this would have - including inundating homeless shelters, hospital emergency rooms, and other places not meant for human habitation. It is irrational, inhuman, and utterly indefensible.
- **Adaline LaLuz, Salvation Army/ Shield of Hope:** I strongly oppose this amendment since we are talking about thousands of families that could be separated as an end result of this heartless proposed legislative change. Why cause more pain than what has already been inflicted upon this population? We have to think of the children that are in these communities and how much damage it would cause them if we allowed this amendment to pass.
- **Irma Franco, Holston:** This will put a lot of hard-working families on the street. Homelessness is already a big problem. Don't make thing worse for the innocent children and parents. There are so many vacant lots and abandoned properties throughout the city. Give people better opportunities to purchase homes and properties at a low price instead of just having the properties just sit instead of a family enjoying it. This is inhumane what you plan on doing to so many families.
- **Devin Hanley, Chicago House and Social Service Agency:** Families deserve to stay together, not live in fear of being split up or without a home.
- **Matthew Lucas, A Safe Haven Foundation:** I stand against this rule change to exclude families from living in public housing or receiving Section 8 housing vouchers if they have an undocumented person living with them. This rule change is discriminatory in nature as it will affect immigrant families. The vast majority of those affected will be Latinx families. It will cause families to choose between staying together and becoming homeless or splitting up and leaving undocumented members unsheltered. This rule would force landlords to act as quasi-INS agents policing their tenants and demanding to see proof of their residency and citizenship statuses.



This rule change would result in hundreds of thousands, if not millions, of families becoming homeless. As a member of Chicago's Continuum of Care, I oppose this rule change.

- **Colleen Mahoney, North Side Housing and Supportive Services:** As a case manager for a permanent supportive housing program, I know what a vital lifeline housing assistance is for so many. This change will result in a loss of housing assistance and likely homelessness for hundreds of thousands of families, destabilizing entire communities, and changing the trajectories of children's lives. Do not make this change.

Although HUD believes the proposed rule change to **24 CFR Part 5 – Housing and Community Development Act of 1980: Verification of Eligible Status** would bring its regulations into greater alignment with the wording and purpose of Section 214, it would put our city's most vulnerable families at risk of losing each other, their stability and their homes. We cannot allow this to happen. Since 2015, we have decreased homelessness in Chicago by 20%. If this regulation were to be approved, homelessness would increase.

We ask that you reconsider this rule and reflect on the negative impact it would have on our most vulnerable families our society as a whole.

Thank you,

All Chicago
651 W Washington Blvd. Suite 504
Chicago, IL 60661