

housing without being too cost burdened to meet other basic needs such as food and transportation.³

Moreover, if finalized, the rule would significantly change HUD's existing regulations and also impose new documentation requirements by further restricting eligibility for federal housing assistance based on immigration status for populations who are already vulnerable to housing displacement. Key vulnerable populations include children, seniors with fixed incomes, communities of color, survivors of gender-based violence and gender non

that 55,000 children will be displaced and at-risk of homelessness as a result of implementation of this rule. The U.S. Department of Education identified 1.3 million homeless children in the 2016-2017, which is a 70%

only harm children's health today, but well into the future. We need policies that expand, not reduce, access to stable homes for families with children in order to ensure all children have opportunities to be healthy and reach their highest potential.

The proposed rule will disproportionately impact already vulnerable populations and communities burdened by health and economic disparities.

Older Adults and seniors

Federal housing assistance programs provide vital support to 1.9 million older adults who would otherwise be unable to afford the cost of shelter.³² Seniors with fixed incomes are especially at risk of serious harm if they live in mixed status families and lose rental assistance because they have such limited resources to spend on other basic needs, including food, medicine, transportation and clothing.³³ The more income people put towards housing, the less likely they are to spend on food and their health, thus increasing the likelihood that they will become malnourished and decreasing their chances at leading a healthy life.³⁴ The aging population is at special risk because they are more likely to have health needs that may be costlier; this will force them to choose between adequate housing and their health.³⁵ The proposed rule would also make it impossible for many intergenerational families to live together and share resources that enable them to succeed. It ignores the critical roles many grandparents play in caring for their grandchildren and other family members, as well as the role adult children play in caring for their aging parents and relatives.

Furthermore, the proposed rule adds new documentation requirements that will be particularly burdensome on older adults.³⁶ The proposed rule will require all U.S. citizens to provide proof of citizenship, and will also require noncitizens 62 years old or over to provide additional documentation of their immigration status. Older individuals face many challenges in getting this kind of documentation, including difficulties getting to government offices to replace lost records, coming up with the funds to replace these records and some may have never been issued these documents in the first place.³⁷ Historically, documentation requirements have proven to be costly practices with no improvements to the integrity of the program or practice being addressed.³⁸ In this case, the proposed documentation requirement is a deliberate act to exclude specific populations from receiving public housing assistance. This proposed change to section 214 would be exclusive not only to ineligible immigrants, but would also put all families with one or more immigrants at risk of facing the excruciating choice of splitting up or risking homelessness. If finalized, the rule would also implicate over 50,000 United States citizen children who are entitled to assistance and benefits.

³² <https://apps.cbpp.org/4-3-19hous/PDF/4-3-19hous-factsheet-us.pdf>

³³ See Justice in Aging, Supporting Older Americans' Basic Needs: Health Care, Income, Housing and Food (Apr. 2018), available at www.justiceinaging.org/wp-content/uploads/2018/04/Supporting-OlderAmericans%E2%80%99-Basic-Needs_Health-Care-Income-Housing-and-Food.pdf

³⁴ Taylor, Lauren. Housing and Health: An Overview of the Literature. 2018. Health Affairs.

³⁵ <https://publichealthonline.gwu.edu/cost-of-aging-healthcare/>

³⁶ 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).

³⁷ Ina Jafe, *For Older Voters, Getting the Right ID Can Be Especially Tough*, NPR: ALL THINGS CONSIDERED (Sept. 7, 2018),

Communities of color

Asian American Pacific Islanders. The Asian American Pacific Islander (AAPI) community is the fastest growing racial group in the United States. Further, AAPIs are one of the fastest growing poverty populations with more than half of all poor AAPIs living in only 10 Metropolitan Statistical Areas (MSAs)³⁹, the majority of which are concentrated in the most expensive markets. Analysis of US Census 2016 ACS data shows that the majority of all AAPIs in poverty live in zip codes with housing costs above the national median. This is true for both for rental housing (64% of AAPIs in poverty live in zip codes where the median rent for rental housing in the zip code is higher than the US national median rent), and for homeownership (65% of AAPIs in poverty live in zip codes where the median home value is more expensive than the US national median home value).⁴⁰ In short, impoverished AAPIs are already at significant risk of displacement, especially recently emigrated AAPIs who have limited proficiency with English. In fact, poor AAPIs are at twice the risk of displacement relative to the general US poverty population.⁴¹ Further compounding this issue is the fact that many AAPI families live in multigenerational households that include a mix of immigrants and US citizens.

The impact of HUD's proposed rule, if implemented, would be devastating: the presence of a single ineligible member of a household could lead to disqualification of the entire household, including citizens, children, and the elderly who are eligible for public housing and Section 8 programs. In 2018, over a quarter of a million AAPIs received HUD subsidized housing assistance.⁴² Further, nearly 10% of AAPI households live in multi-generational homes,⁴³ a figure that is likely much lower than the actual proportion reported anecdotally from the field, which is closer to 20%.

Furthermore, some groups of AAPI children are already at high risk for dropping out of school. Southeast Asian Americans have the lowest high school graduation and bachelor degree rates of any other racial category.⁴⁴ The proposed rule would increase housing instability and risk of dropout, further exacerbating health and economic disparities among AAPI communities. The effects of this rule, if finalized, would be devastating to the AAPI community.

Latinx. The proposal to take away critical public or other subsidized housing support from families of mixed immigration status would harm our nation's Latinx community and future. Today, the U.S. Latinx population stands at more than 55 million, comprising 18% of the total U.S. population, and approximately one in five Latinx are non-citizens.⁴⁵ By 2050, it is projected that nearly one-third of the U.S. workforce will be Latinx.⁴⁶ Among Latinx children, who account for a quarter of all U.S. children, the majority (52%) have at least one immigrant

³⁹ US Census, 1-Year American Community Survey, 2011-2017

⁴⁰ US Census, 5-Year American Community Survey, 2016

⁴¹ National CAPACD analysis of US Census data (5-Year ACS, 2016)

⁴² US Department of Housing and Urban Development, *Picture of Subsidized Households*, 2018

⁴³ US Census, 2010 Decennial Census, SF2

⁴⁴ aapidata.com/blog/se-aa-achievement-gaps/

⁴⁵ U.S. Census Bureau, American FactFinder: Selected Population Profile in the United States: 2017 American Community Survey 1-Year Estimates.

⁴⁶ J. S. Passel & D. Cohn, "U.S. Population Projections: 2005-2050," Pew Research Center (February 2008) <https://www.pewhispanic.org/2008/02/11/us-population-projections-2005-2050/>.

parent,⁴⁷ and more than half of children of immigrants are Latinx.⁴⁸ Despite hard work and many contributions by the Latinx community to the economy, they continue to face prejudice and discrimination throughout the United States, and many continue to struggle to meet basic needs, including finding a home they can afford. This is not surprising, as there is not a single part of the country where a minimum wage worker working full-time year-round can afford a two-bedroom rental home. In 2017, 4.4 million (55%) Latinx who rented their home were cost-burdened – meaning they devoted 30% or more of their income towards rent.⁴⁹ For example, in the Washington, D.C. Metro area, 57.7% of Hispanic renters are cost-burdened households meaning more than 30% of their income goes towards rent; 30.4%

forced to break up to receive housing assistance, to forego the assistance

their basic well-being. As a result, ready access to safe, affordable housing is critical to their ability to flee abusive homes. For some, their basic survival hangs in the balance. If the proposed rule goes into effect, ineligible survivors and their eligible children who are trying to escape violent homes will be trapped in a false “choice”—

homeless youth population. They also are more likely to be the victim of sexual or violent crimes and abuse and are more likely to have major depressive episodes, PTSD and attempt suicide.^{72,73,74} LGBTQ housing stability and health outcomes are lower than that of the national average; they are also more likely to be on public housing assistance. The proposed rule would prove a major threat to the well-being of this community.

Conclusion

The U.S. has an affordable housing crisis. Currently, only one in five eligible households actually receives housing assistance.⁷⁵ We know that affordable, safe and stable housing is a major determinant of health, educational and economic outcomes across the lifespan. This proposed rule would further exacerbate the housing crisis by increasing housing instability among immigrant families, posing a significant public health challenge. 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.

Sincerely,



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⁷² Abramovich A, Shelton J. Where Am I Going to Go? Intersectional Approaches to Ending LGBTQ2S Youth Homelessness in Canada & the U.S. Toronto, Ontario, Canada: Canadian Observatory on Homelessness Press; 2017.

⁷³ Crossley S. Come out come out wherever you are: a content analysis of homeless transgender youth in social service literature. *McNair Scholars Online J.* 2015;9:1.

⁷⁴ Keuroghlian AS, Shtasel D, Bassuk EL. Out on the street: a public health and policy agenda for lesbian, gay, bisexual, and transgender youth who are homeless. *Am J Orthopsychiatry.* 2014;84:66–72.

⁷⁵ Urban Institute, The Case for More, Not Less: Shortfalls in Federal Housing Assistance and Gaps in Evidence for Proposed Policy Changes. (2018). https://www.urban.org/research/publication/case-more-not-less-shortfalls-federal-housing-assistance-and-gaps-evidence-proposed-policy-changes/view/full_report.