



1350 I STREET NW
SUITE 700
WASHINGTON, DC 20005
202-588-5180
NWLC.ORG

April 21, 2026

Submitted via www.regulations.gov

Regulations Division, Office of General Counsel
Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, DC 20410-0500

Re: Comments in Response to Proposed Rule: Housing and Community Development Act of 1980, Verification of Eligible Status [HUD Docket No. FR-6524-P-01, RIN 2501-AE16]

Dear Sir/Madam:

The National Women's Law Center (the Center) strongly opposes the Department of Housing and Urban Development's (HUD) proposed rule requiring burdensome changes to "verification of eligible status" for everyone, including U.S. citizens, living in HUD-assisted housing.¹ The proposed changes would cause serious harm to low-income women and their families, forcing nearly 80,000 people—including close to 37,000 children—to either live apart from their family members or lose their housing assistance.² The Center urges HUD to withdraw this proposed rule in its entirety and keep its current, long-standing regulations in effect.

Since 1972, the Center has fought for gender justice—in the courts, in public policy, and in our society—working across the issues that are central to the lives of women and girls. The Center advocates for the improvement and enforcement of our nation's employment and civil rights laws, with a particular focus on the needs of LGBTQIA+ people, women of color, and women with low incomes and their families. On behalf of these communities, we advocate for increased access to housing, health care, early education, and other supports that help people meet their basic needs.

Women face persistent economic insecurity driven by employment discrimination, overrepresentation in low-wage occupations, limited access to affordable health care, and unequal burdens of unpaid caregiving—making stable housing assistance essential for women and their families. In 2024, women headed 74% of households served by HUD housing

¹ Housing and Community Development Act of 1980, Verification of Eligible Status, 91 Fed. Reg. 8151 (Feb. 20, 2026).

² Erik Gartland & Sonya Acosta, *Administration Plan Targeting Immigrants Would Take Away Rental Assistance, Create New Barriers*, CTR. ON BUDGET & POL'Y PRIORITIES (CBPP) (Dec. 12, 2025), <https://www.cbpp.org/research/housing/administration-plan-targeting-immigrants-would-take-away-rental-assistance-create>.

assistance programs.³ Women with children comprised 29% of those households—and it is women and children who will disproportionately be forced to face the impossible choice between eviction and separation under the proposed rule. The Center urges HUD to withdraw the proposed rule for the reasons summarized here and detailed in the comments that follow.

- **The proposed rule is indefensible on legal grounds.** It conflicts with the governing statute, which expressly authorizes prorated assistance for mixed-status families—and HUD’s inadequate justification for its proposed policy change also conflicts with its obligations under the Administrative Procedure Act.
- **The proposed rule will unfairly punish tens of thousands of women, children, and families, including many U.S citizens.** More than half (56%) of people in mixed-status families whose housing is threatened by the proposed rule are women and girls. The vast majority of the children in mixed-status families who face potential eviction are U.S. citizens. And the proposed rule does not merely target people in mixed-status households; it threatens housing stability for many more people who rely on HUD assistance by imposing burdensome new documentation requirements. Erecting these additional barriers to housing assistance will particularly harm vulnerable groups, including survivors of gender-based violence, LGBTQIA+ people, and seniors.
- **The proposed rule reduces resources for HUD to advance its mission—harming not only immigrant families, but all families who rely on HUD programs, as well as our broader economy.** The proposed rule rests on a false premise that immigrant families are driving the affordable housing crisis, when in fact implementing the rule would worsen that crisis for everyone. HUD’s own regulatory impact analysis acknowledges that the substantial costs associated with implementation would likely result in fewer families receiving assistance and a deterioration in the quality of housing support. By barring mixed-status families from HUD-assisted housing, the rule would increase costs, reduce available resources, and place more families at risk of eviction and homelessness.

We all recognize the ongoing nationwide housing crisis and share the concern that millions of U.S. households struggle to access affordable housing, but as HUD’s analysis shows, actively separating or evicting low-income women, children, and families will not fix this problem. The real issue is insufficient funding to ensure that every family, regardless of immigration status, can enjoy one of the most basic of human rights—a safe place to call home.

I. HUD’s proposed rule conflicts with its authorizing statute, the Housing and Community Development Act, and fails to meet the agency’s obligations under the Administrative Procedure Act.

For decades, the nation’s major rental assistance programs have helped “mixed-status” households—those with at least one member who isn’t eligible for assistance because of their immigration status—afford housing. Section 214 of the Housing and Community Development Act of 1980 governs eligibility restrictions based on immigration status for the majority of federal rental assistance programs, including Section 8 vouchers and HUD public housing. Ineligible immigration categories include people with Deferred Action for Childhood Arrivals (DACA),

³ *By the Numbers: Data on Key Programs for the Well-Being of Women, LGBTQI+ People, and Their Families*, NAT’L WOMEN’S LAW CTR. (NWLC) 6 (May 2025), <https://nwlc.org/wp-content/uploads/2025/05/BY-THE-NUMBERS-Data-on-Key-Programs-for-the-Well-Being-of-Women-LGBTQI-People-and-Their-Families-Update-July-2025.pdf>.

Temporary Protected Status (TPS), non-immigrant visas (e.g., tourists, students, temporary workers), and those who lack documentation.⁴

Currently, households receive rental assistance at amounts prorated based on eligible members. U.S. citizens applying for assistance must submit a signed declaration, under penalty of perjury, attesting to their citizenship. Congress struck this compromise to help families stay together while ensuring that ineligible individuals would not receive any housing assistance. Housing agencies and private landlords that administer rental assistance programs locally may, at their discretion, adopt a policy requiring applicants to submit verifying documents such as a birth certificate or passport.

Claims that undocumented individuals receive these subsidies are inaccurate under current rules. Because assistance is prorated to cover only eligible members, households with mixed immigration status must contribute a larger share of rent compared to fully eligible households. This additional rent paid helps housing providers support services that benefit all residents.

The proposed rule ignores federal law and tries to change this longstanding policy by denying most forms of HUD rental assistance to *eligible* individuals—including U.S. citizens and lawfully present immigrants—just because someone else in their family has not claimed to have citizenship or eligible immigration status. The proposed rule would also demand that all housing agencies and participating private landlords require every applicant to submit documentation, which could jeopardize rental assistance for hundreds of thousands of citizens caught up in the new red tape.⁵ In addition, the proposed rule would impose an expedited timeline for submitting evidence of citizenship and immigration status that would explicitly single out mixed-status families. While other HUD residents could wait until the next annual recertification to submit this evidence,⁶ members of mixed-status families would only have 90 days from the final rule's effective date.⁷

The proposed rule is in direct conflict with Section 214 and the congressional intent behind its amendments. Contrary to HUD's claims that its proposed changes "would bring HUD's Section 214 implementing regulations into greater alignment with the wording and purpose of Section 214,"⁸ the proposed rule is in fact wholly inconsistent with the purpose and text of this statute. While HUD insists that Section 214 prohibits the indefinite receipt of prorated assistance by mixed-status families, HUD does not provide statutory language containing such a directive—and Section 214 itself demonstrates that Congress intended to ensure that individuals with eligible immigration status could receive assistance while keeping mixed-status families together in the same home.

The plain language of 42 U.S.C. § 1436a(b)(2) states, "If the eligibility for financial assistance of *at least one member* of a family has been affirmatively established under this section, and *the ineligibility of one or more family members has not been affirmatively* established under this section, any financial assistance made available to that family by the applicable Secretary shall be prorated..." (emphasis added). Further, the statute explicitly permits housing authorities to choose not to affirmatively establish eligibility or lack thereof⁹—discretion that HUD attempts to remove through the new documentation requirements in its proposed rule. And contrary

⁴ See Abigail F. Kolker & Maggie McCarty, *Noncitizen Eligibility for Federal Housing Programs*, CONG. RES. SERV. (Jan. 23, 2023), <https://www.congress.gov/crs-product/R46462>.

⁵ See, e.g., Gartland & Acosta, *supra* note 2.

⁶ 91 Fed. Reg. at 8154, 8165 (proposed 24 CFR § 5.508(f)(2)(ii)).

⁷ 91 Fed. Reg. 8156-57, 8166 (proposed 24 CFR § 5.508(f)(2)(i)).

⁸ 91 Fed. Reg. 8153.

⁹ 42 U.S.C. § 1436a(i)(2)(A).

to HUD's suggestion in the NPRM, the statute contains no indication that HUD can place any time limit or restriction on that prorated assistance. Congress did not mince words: "shall be prorated" cannot reasonably be interpreted to mean "may be prorated for some period of time." Thus, the statute clearly provides that the presence of one eligible family member can trigger prorated housing assistance, as long as housing authorities exercise their discretion granted by the statute not to affirmatively establish the ineligibility of one or more family members.

Moreover, contrary to HUD's assertions, the legislative history does not support an alternative reading of the straightforward language of the statute. Section 214 was passed in 1980. In 1988, Congress amended the statute to include a provision providing temporarily grandfathered assistance so mixed-status families who had been receiving *full* subsidies prior to the statute's passage could avoid family breakup.⁹¹ In its proposal, HUD argues that the 1988 provision means that Congress only intended for prorated assistance to be provided to mixed-status families for a limited time. However, this argument falls flat because Congress did not provide for benefits to be prorated until it further amended this section in 1996.⁹² In fact, Congress has been consistent in expressing its intent to guarantee that scarce federal subsidies would be provided indefinitely to eligible immigrants and citizens while preserving the integrity of mixed-status families.

HUD's proposal not only contravenes the plain language and the legislative history of the Community Development Act; it also runs counter to the agency's obligations under the Administrative Procedure Act (APA).¹⁰ For more than three decades, HUD has consistently interpreted its authorizing statute to allow mixed-status families to live together. Now, with wholly inadequate explanation, HUD has proposed to dramatically depart from this longstanding interpretation. When an agency reverses a settled position, the APA requires that it provide good reasons for the new policy and account for whether the prior rule has engendered "serious reliance interests" among affected parties.¹¹ HUD does neither in this rulemaking, ignoring the significant reliance interests of mixed-status families who currently receive housing assistance, as well as those of the housing providers who serve them. HUD's desire to align with the president's political agenda is insufficient to justify the agency's policy reversal; political priorities cannot override statutory mandates. Because HUD's proposed rule fails to meet the requirements of the APA and is in direct conflict with the Section 214's directive to provide prorated assistance to mixed-status families, HUD should withdraw it.

II. The proposed rule will unfairly punish tens of thousands of women, children, and families, including many U.S citizens.

The proposed rule not only runs afoul of its statutory obligations; it will have a devastating impact on tens of thousands of individuals and families—especially families with children—who rely on public housing, Section 8 rental assistance, and other HUD programs to afford their homes. Under the proposed rule, nearly 80,000 people in mixed-status HUD-assisted households would have to separate or lose their rental assistance, including nearly 37,000 children; more than half of the people affected (56%) are women and girls, and most (86%) are

¹⁰ 5 U.S.C. §§ 551-559.

¹¹ See *FDA v. Wages & White Lion Invs., LLC*, 145 S. Ct. 898, 916 (2025) (naming the "change-in-position" doctrine): "[a]gencies are free to change their existing policies as long as they provide a reasoned explanation for the change," "display awareness that [they are] changing position," and consider "serious reliance interests." See also *Encino Motorcars, LLC v. Navarro*, 579 U. S. 211, 221–222 (2016) (quoting *FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009)).

Latine.¹² Over 95% of children in mixed-status families who are receiving HUD assistance are U.S. citizens.¹³ And by imposing burdensome new documentation requirements, the proposed rule threatens access to housing for millions more U.S. citizens who do not live in mixed-status families and currently receive HUD rental assistance—among whom 72% are people of color, 62% are women and girls, 36% are children, 24% have a disability, and 21% are older adults (aged 62 and older).¹⁴

A. The proposed rule’s documentation requirements threaten housing assistance for eligible recipients who face systemic barriers to accessing documentation.

The proposed rule is a direct attack on immigrants and citizens in mixed-status households, but the harm will extend far beyond this group of families if the rule is finalized. This is because the proposed rule creates red tape that threatens housing security for the people in roughly 5 million households currently receiving HUD assistance,¹⁵ as well as those seeking assistance in the future.

The proposed rule would require U.S. citizens to prove their citizenship to get housing assistance, adding extra barriers that will prevent many people from getting the support they need. The proposed changes would require all individuals in a household—including children—to have their information shared with the U.S. Department of Homeland Security (DHS) for eligibility verification through the unreliable Systematic Alien Verification for Entitlements (SAVE) program. The SAVE program does not maintain its own data but rather is a tool to query available records, and has had persistent errors resulting in U.S. citizens being denied their right to vote.¹⁶ The program has also run into legal and privacy concerns, and limitations in its use resulting in certain groups not being able to have their status immediately verified.

For individuals for whom the SAVE program cannot verify citizenship, a manual review of documents would be required, imposing burdens on both individuals and agencies. Research on voter registration indicates that nearly one in 10 U.S. citizens over 18 do not have readily accessible proof of citizenship, and at least 3.8 million U.S. citizens do not have these documents at all.¹⁷ Roughly 33% of married women lack documents that meet citizenship requirements with their current legal (married) name.¹⁸ In short, SAVE does not work, and relying on SAVE puts both immigrants and U.S. citizens at risk of losing their housing.

B. The rule will disproportionately harm individuals and families in vulnerable groups.

The proposed rule would bar children and other U.S. citizens who are eligible for housing subsidies from receiving them simply because they live with a family member with ineligible

¹² Gartland & Acosta, *supra* note 2.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ Erik Gartland et al., *Where Households Using Federal Rental Assistance Live*, CBPP (March 5, 2025), <https://www.cbpp.org/research/housing/where-households-using-federal-rental-assistance-live>.

¹⁶ Jen Fifield & Zach Despart, “Not Ready for Prime Time.” *A Federal Tool to Check Voter Citizenship Keeps Making Mistakes*, PROPUBLICA (Feb. 13, 2026), <https://www.propublica.org/article/save-voter-citizenship-tool-mistakes-confusion>.

¹⁷ Kevin Morris & Cora Henry, *Millions of Americans Don’t Have Documents Proving Their Citizenship Readily Available*, BRENNAN CTR. FOR JUSTICE (June 11, 2024), <https://www.brennancenter.org/our-work/analysis-opinion/millions-americans-dont-have-documents-proving-their-citizenship-readily>.

¹⁸ *The SAVE Act: How a Proof of Citizenship Requirement Would Impact Elections*, INST. RESPONSIVE GOVT. (Jan. 30, 2025), <https://responsivegov.org/research/the-save-act-how-a-proof-of-citizenship-requirement-would-impact-elections/>.

status. By doing so, the proposed rule increases their chances of housing instability and poverty, and the adverse effects these hardships have on their health and well-being.

The proposed rule will particularly harm children, immigrant women, women of color, survivors of domestic violence and sexual assault, women with disabilities, LGBTQIA+ people and their families, and seniors.

- **Children and young adults.** Access to safe, quality affordable housing provides the foundation to support healthy, productive lives for all children, from higher academic achievement and improved physical and mental health. Compared to peers with similar backgrounds, children in households receiving rental assistance miss fewer days of school, which leads to improved educational outcomes.¹⁹ In 2024, close to 150,000 children experienced homelessness on a single night, reflecting a 33% increase over 2023, the largest single-year increase of any group.²⁰ Youth of color and LGBTQIA+ youth face a particularly high risk of experiencing homelessness.²¹ Housing assistance is key to both confronting this homelessness crisis and improving the well-being of children around the country—but the proposed rule threatens to rip away this vital assistance from tens of thousands of children who depend on it.
- **Immigrant women.** Immigrant women are an essential part of our communities and the U.S. economy, making up 7.9% of the U.S. labor force, and a significantly higher share of the workforce in many vital occupations and industries like health care, domestic work, and agricultural packaging and processing.²² These occupations, however, often pay low wages; in 2023, the median annual income for immigrant women was just \$35,000.²³ Low incomes, high housing costs, and changing federal immigration policies place immigrant women at an elevated risk of experiencing homelessness. The proposed rule would exacerbate this vulnerability by threatening the stability that immigrant women rely on to remain employed and support their families.
- **Women of color.** Fair access to safe, accessible, and affordable housing in neighborhoods of their choice is vital to the wellbeing of women and girls. But women—and in particular women of color who face intersecting forms of discrimination—are significantly more likely than men to face housing instability due to both lower incomes and more challenges in securing an affordable and accessible place to live. Black women in the U.S. working full-time, year-round are typically paid 64 cents, and Latinas just 57 cents, for every dollar white, non-Hispanic men are paid.²⁴ Women of color already face discrimination in federal housing programs, employment, and education, making it difficult for them to rent or own housing.²⁵ The proposed rule would only

¹⁹ Andrew Fenelon et al., *The Benefits of Rental Assistance for Children's Health and School Attendance in the United States*, 58 DEMOGRAPHY 1171-1195 (2021), <https://doi.org/10.1215/00703370-9305166>.

²⁰ *Press Release: Child Homelessness Up 33%, New Figures Show*, FIRST FOCUS CAMPAIGN FOR CHILDREN (Jan. 24, 2025), <https://campaignforchildren.org/news/child-homelessness-up-33-new-figures-show/>.

²¹ *Brief: Preventing and Ending Youth Homelessness in America*, ANNIE E. CASEY FOUND. (March 8, 2023), <https://www.aecf.org/resources/preventing-and-ending-youth-homelessness-in-america>.

²² Ashir Coillberg, *Immigrant Women's Contributions to Our Economy*, NWLC (May 2025), <https://nwlc.org/wp-content/uploads/2025/05/Immigrant-Workers-FS-5.9.25v1.pdf>.

²³ *Id.*

²⁴ *NWLC Resources on Poverty, Income, and Health Insurance in 2024*, NWLC (Sept. 16, 2025), <https://nwlc.org/resource/nwlc-resources-on-poverty-income-and-health-insurance/>.

²⁵ See Sarah Hassmer, *The Legacy—and Present Reality—of Housing Discrimination Against Women and LGBTQIA+ People*, NWLC (Aug. 2025), <https://nwlc.org/wp-content/uploads/2024/04/The-Legacy%E2%80%94and-Present-Reality%E2%80%94of-Housing-Discrimination-Against-Women-and-LGBTQIA-People.pdf>.

entrench these disparities, given its disproportionate impact on women and people of color.

- **Domestic violence and sexual assault survivors.** Access to safe and affordable housing is essential to enable survivors of domestic violence and sexual assault to leave a violent situation. But survivors often face additional barriers to finding a safe place to live; for example, policies such as nuisance and “crime-free” ordinances can punish tenants who make emergency calls as a result of abuse, threatening their housing.²⁶ Survivors of domestic violence and sexual assault are disproportionately represented in the homeless population: 38% of all domestic violence victims become homeless at some point in their lifetime, and more than 90% of homeless women have experienced severe physical or sexual abuse at some point in their lives.²⁷ Domestic violence is also one of the leading causes of homelessness among children in the U.S.²⁸—meaning a proposed rule that threatens to take away housing assistance for survivors and their families also threatens to worsen this cycle of instability and trauma.
- **Women with disabilities.** People with disabilities, including people with intellectual and developmental disabilities, face significant barriers to safe, affordable housing due to widespread discrimination, limited accessible units, and high rates of poverty.²⁹ People with disabilities are among the nation’s poorest and many can’t afford the high cost of housing across the country. In 2024, one-quarter of disabled women ages 18 to 64 lived in poverty, compared to 12% percent of nondisabled women and 20% of disabled men.³⁰ The proposed rule would deepen this crisis by likely reducing access to housing assistance for people with disabilities, especially women, who are already among the most economically vulnerable.
- **LGBTQIA+ people.** LGBTQIA+ and gender-non-conforming people are more likely to experience housing instability, housing discrimination, and homelessness, especially among young people; LGBTQIA+ youth are 120% more likely to experience homelessness than non-LGBTQIA+ youth.³¹ Expanding—not restricting—housing assistance is critical to ensure that LGBTQIA+ people and their families have a roof over their heads.
- **Seniors.** Older adults represent a growing share of people experiencing homelessness; the number of older adults experiencing homelessness is projected to triple between 2017 and 2030.³² Individuals 55 and older are increasingly cost-burdened as rising costs of living exceed their incomes. Especially as recent cuts to SNAP and Medicaid fully

²⁶ See, e.g., *Nuisance and Crime-Free Ordinances Initiative*, NAT’L HOUSING LAW PROJECT (last accessed Apr. 18, 2026), <https://www.nhlp.org/initiatives/nuisance/>.

²⁷ Emily Arismendy, *Homelessness Among Abuse Survivors: A Deepening Crisis*, STOP ABUSE FOR EVERYONE (last accessed Apr. 14, 2026), <https://www.safeaustin.org/homelessness-among-abuse-survivors-a-deepening-crisis/>.

²⁸ *Id.*

²⁹ *Position Statements: Housing*, THE ARC (2017), <https://thearc.org/position-statements/housing/>.

³⁰ Sarah Javaid, *National Snapshot: Poverty Among Women and Families in 2024*, NWLC (2025), <https://nwlc.org/wp-content/uploads/2025/11/National-Snapshot-Poverty-Among-Women-Families-in-2024.pdf><https://nwlc.org/wp-content/uploads/2024/12/National-Snapshot-Poverty-Among-Women-Families-in-2023-FINAL.pdf>

³¹ *Homelessness Among the LGBTQ Community*, NAT’L COALITION FOR THE HOMELESS (June 2017), <https://nationalhomeless.org/lgbtq-homelessness/>.

³² See, e.g., Daniel Soucy, Andrew Hall & Joy Moses, *State of Homelessness: 2025 Edition*, NAT’L ALLIANCE END HOMELESSNESS (Sept. 4, 2025), <https://endhomelessness.org/state-of-homelessness/>.

phase in, older adults will need more help to stay housed and meet their basic needs—not less.

III. The proposed rule reduces resources for HUD to advance its mission—harming not only immigrant families, but all families who rely on HUD programs, as well as our broader economy.

HUD’s proposed rule targets immigrant families by prohibiting undocumented people—who get zero federal assistance—to live with documented family members in federal housing. Mixed-status families get less help—and pay more—when someone in the home is ineligible for assistance, which effectively helps to subsidize the federal housing system. Undocumented immigrants have never been eligible for rental assistance because the current proration policy ensures that they are excluded. Refusing to provide any help to the rest of the household rather than retaining the proration rule puts more U.S. citizens, eligible immigrants, and their families at risk of eviction, family separation, and potentially homelessness.³³

HUD’s own analysis shows that the proposed rule will cost the agency more money while helping fewer families. In 2019, when HUD proposed a similar rule—which the National Women’s Law Center also opposed³⁴—it admitted that HUD likely “would have to reduce the quantity and quality of assisted housing in response to higher costs” resulting from the proposed rule.³⁵ HUD ultimately withdrew the 2019 mixed-status rule; it should do the same here, because the rule the agency now proposes will lead to the same outcome.³⁶

Currently, because mixed-status families receive prorated rental assistance only for the eligible household members, they receive a smaller subsidy than other families and pay more in rent to cover the remaining household members. With that higher rental payment, public housing authorities (PHAs) and other HUD housing providers can help pay the costs of providing affordable housing for other families, many of which include citizens.

If mixed-status families are prohibited from living in HUD-subsidized housing, the fully-eligible families who replace them will require higher subsidies to cover each member of the household. Fully-eligible households tend to have lower incomes than mixed-status families—which also results in a higher subsidy, since rent in HUD-assisted housing is calculated at 30% of income. According to HUD’s calculations, while the average per-person subsidy for mixed-status families is \$2,700 annually, the average per-person subsidy for fully-eligible families is \$7,700 annually—a difference of \$5,000 per person, per year.³⁷

No matter which HUD program is in question, the consequence is the same: To accommodate the drop in revenue and the hike in expenses that will result if HUD’s proposal goes into effect, PHAs and project-based rental assistance (PBRA) owners will have to offer HUD residents less—fewer vouchers, fewer units with habitable conditions, fewer units altogether. HUD’s own

³³ Gartland & Acosta, *supra* note 2.

³⁴ *Comments in Response to Proposed Rulemaking: Housing and Community Development Act of 1980: Verification of Eligible Status*, NWLC (July 9, 2019), <https://nwlc.org/wp-content/uploads/2019/07/NWLC-Comment-on-HUD-NPRM-FR-6124-P-01-1.pdf>.

³⁵ HUD, *Regulatory Impact Analysis—Housing and Community Development Act of 1980: Verification of Eligible Status* 3 (Apr. 15, 2019), <https://www.regulations.gov/document/HUD-2019-0044-0002>.

³⁶ HUD, *Regulatory Impact Analysis—Housing and Community Development Act of 1980: Verification of Eligibility Status* 5 (Sept. 30, 2025), <https://www.regulations.gov/document/HUD-2026-0199-0006> (“Absent an increase in appropriations for all covered programs, fewer households would receive housing assistance”).

³⁷ *Id.* at 17.

regulatory impact analysis thus contradicts Secretary Turner’s suggestions that evicting mixed-status families will create more housing for Americans. The reality is that the proposed rule will ultimately mean less affordable housing for *everyone*, citizens and immigrants alike.³⁸

At a time when communities across the country need more help to secure safe and stable homes—not less—HUD’s focus should be placed on providing long-term, large-scale investments to end the affordable housing crisis, including expanding rental assistance, investing in affordable housing supply, providing emergency rental assistance, and other eviction prevention measures while strengthening renter protections.

* * *

For the reasons set forth above, if HUD’s proposed rule is finalized and implemented, it will harm nearly 80,000 people in over 20,000 mixed-status immigrant families who make vital contributions to the U.S. economy and our communities. The rule would also cause much broader harm to all current HUD assistance recipients and future applicants by subjecting them to onerous, error-prone documentation requirements—and by increasing costs for PHAs and PBRA owners, which will reduce the quality and supply of housing assistance, resulting in even longer waiting lists for eligible families. Women and girls, especially those with multiple marginalized identities, will be particularly harmed—and the impact will extend for decades, as family separation causes long-term harm to children’s learning, employment, and well-being, making it harder for them to stay in school or keep a job.

The Center urges HUD to immediately withdraw its current proposal and instead dedicate its efforts to advancing policies that strengthen—rather than undermine—the ability of all immigrants and U.S. citizens in immigrant families to support themselves and their families in the future. 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 live healthy and productive lives.

Thank you for the opportunity to submit comments on the proposed rulemaking. Please do not hesitate to contact Maribel Ramos (mramos@nwc.org) or Julie Vogtman (jvogtman@nwc.org) to provide further information.

Sincerely,



Maribel Ramos
Senior Director of Federal Government Relations



Julie Vogtman
Senior Director of Economic Justice

³⁸ *Id.* (“The immediate effect would be a reduction in the number of households and eligible persons assisted. The decline in the number of households occurs automatically because HUD will no longer pro-rate assistance and so cannot spread resources as thinly across families.”)