



United States
Conference of
Catholic Bishops



Catholic
Charities
USA®
Working to Reduce Poverty in America



Submitted Electronically

April 21, 2026

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

**Re: “Housing and Community Development Act of 1980: Verification of Eligible Status”
Notice of Proposed Rulemaking; Docket No. FR-6524-P-01, RIN 2501-AE16**

Dear Regulations Division:

The United States Conference of Catholic Bishops (“USCCB”), Catholic Charities USA (“CCUSA”), the Society of St. Vincent de Paul USA (“SVdP USA”), the Catholic Legal Immigration Network, Inc. (“CLINIC”), and the Catholic Health Association of the United States (“CHA”) appreciate the opportunity to provide public comment and share our grave concerns with the Department of Housing and Urban Development (“HUD”) regarding the above-referenced Notice of Proposed Rulemaking (“NPRM” or “proposed rule”) concerning eligibility for covered housing assistance programs, published in the Federal Register on February 20, 2026 (91 Fed. Reg. 8,151).¹

The USCCB is a nonprofit corporation whose members are the active Catholic bishops of the United States. These bishops’ dioceses sometimes help administer low-income housing and accordingly retain an interest in ensuring that Congress’s housing programs are managed responsibly so that diocesan charitable activities can meet vital housing needs. The USCCB also advocates according to and promotes the pastoral teachings of the U.S. Catholic bishops in diverse areas of the nation’s life. The USCCB’s Committee on Domestic Justice and Human Development assists the bishops in advancing the social mission of the Church, including policy analysis, education, and outreach in support of the Church’s anti-poverty efforts. Additionally, for decades, the USCCB’s Committee on Migration has supported efforts to serve unaccompanied noncitizen children, U.S. and foreign-born victims of human trafficking, refugees, and other vulnerable populations. The Catholic Church’s work in assisting immigrants and refugees stems from the belief that every person is created in God’s image and all possess an inherent human dignity.

CCUSA is a national membership organization representing 169 diocesan Catholic Charities member agencies. These member agencies operate more than 4,200 service locations

¹ Housing and Community Development Act of 1980: Verification of Eligible Status, 91 Fed. Reg. 8,151 (February 20, 2026).

across the 50 states, the District of Columbia, and five U.S. territories. Their diverse array of social services reached more than 16 million individuals in need last year. These services include partnering with government agencies to deliver key safety net and community support programs, such as those administered by HUD. In respect and recognition of the inherent dignity of all persons, CCUSA supports efforts to ensure decent housing, including emergency shelter for all, especially those who are the most vulnerable among us. In pursuit of this goal and in accordance with our faith, last year alone CCUSA member agencies provided housing services to over 900,000 people, including 38,000 permanent housing units and over 80,000 rental and mortgage payments to keep clients in their homes. These services range from counseling assistance to building and managing affordable housing projects. The Catholic Charities ministry has broad experience in addressing homelessness and providing housing stability for very low-income households.

The Society of St. Vincent de Paul established its presence in the United States in 1845. It is a nonprofit, national membership organization representing over 81,000 volunteer members throughout over 4,400 parish-based conferences. In the 2023-2024 fiscal year alone, these members mobilized \$1.7 billion in services to over 5 million people in need throughout the U.S. Services range from emergency rental and utility assistance, food assistance, charitable pharmacies, workforce development, re-entry programs, thrift stores, and disaster assistance. Aligned with the Holy See's declaration in the Charter of the Rights of the Family stating that, "The family has the right to decent housing,"² SVdP USA aims to prevent and address homelessness, coordinating various shelters and transitional housing programs, some of which are administered by HUD.

Embracing the gospel value of welcoming the stranger, CLINIC promotes the dignity and protects the rights of immigrants in partnership with a dedicated network of immigration legal services programs. CLINIC's national network primarily serves low-income immigrants and regularly advises and assists individuals in filing family-based immigration applications, naturalization applications, humanitarian forms of relief, and more. This network includes 380 programs operating in 48 states and the District of Columbia. CLINIC's work is guided by its Catholic identity, and Catholic social teaching demands special care and advocacy for the rights and dignity of the most vulnerable among us. Further, the sanctity of the family is an important element of Catholic social teaching and a high priority of the Catholic Church. Accordingly, CLINIC advocates for policies and procedures that promote and facilitate family unity of immigrant and mixed-status families.

CHA is the national leadership organization of the Catholic health ministry, consisting of more than 650 hospitals and 1,600 long-term care and other health facilities in all 50 states. CHA represents the largest group of not-for-profit providers of health care services in the nation. With 4.5 million admissions, including almost one million Medicaid admissions, 1 in 7 patients in the United States is cared for in a Catholic hospital each year. As a Catholic health ministry, our mission and our ethical standards in health care are rooted in and inseparable from the Catholic Church's teachings about the dignity of each and every human person, created in the image of God. With 40 percent of health outcomes linked to social and economic factors, the Catholic health

² *Charter of the Rights of the Family*, Holy See (October 22, 1983), available at https://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_19831022_family-rights_en.html.

ministry sees each day the impact lack of housing has on the health of individuals and communities.³

Our organizations have grave concerns regarding the proposed rule, which we believe is contrary to law and in tension with the dignity of the person, the sanctity of the family, and the common good that we are called to support. As an initial matter, the underlying statute unambiguously recognizes mixed-status households' eligibility to partake in HUD programs. The statute allows mixed-status families that include at least one citizen or qualified immigrant to apply for **prorated assistance** in these programs.⁴ Further, the proposed rule would have a myriad of deeply troubling public policy consequences. We fear and anticipate that the influx of increased need derived from the impact of this proposed rule would be devastating to the low-income populations we serve. The rule would also threaten mixed-status families' unity and well-being. For these reasons, we respectfully urge HUD to withdraw the proposed rule in its entirety and, instead, maintain its long-standing regulations for the affected programs.

I. The Proposed Rule Conflicts with the Underlying Statute

HUD's proposed rule revises eligibility standards and verification requirements in such a way that mixed-status families are effectively prohibited from participating in federally funded housing programs. This result violates the plain language and intent of Section 214 of the Housing and Community Development Act of 1980.

The Housing and Community Development Act of 1980 prohibits the Secretary of HUD from making financial assistance available to persons other than U.S. citizens or certain categories of eligible noncitizens in HUD's public and specified assisted housing programs.⁵ The Act enumerates certain eligible individuals for assistance and does not prohibit prorated assistance for eligible household individuals who are part of mixed-status families.⁶ Further, it states:

If the eligibility for financial assistance of at least one member of a family has been affirmatively established under the program of financial assistance and 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**, based on the number of individuals in the family for whom eligibility has been affirmatively established under the program of financial assistance and under this section, as compared with the total number of individuals who are members of the family.⁷

³ Bachrach, D., Pfister, H., Wallis, K., & Lipson, M, *Addressing patients' social needs: An emerging business case for provider investment* 9 (2014), available at <https://pdfs.semanticscholar.org/f564/d23c39841c171b09a258f1a527cb5d7f031a.pdf>

⁴ 42 U.S.C. § 1436a(b)(2).

⁵ HUD, Regulatory Impact Analysis, *Housing and Community Development Act of 1980: Verification of Eligibility Status*, Docket No. FR-6524-P-01, at 2 (September 30, 2025); see also Housing and Community Development Act of 1980, 42 U.S.C. § 1436a.

⁶ See Housing and Community Development Act of 1980, 42 U.S.C. § 1436a.

⁷ 42 U.S.C. § 1436a(b)(2) (emphasis added).

Consequently, the law explicitly permits financial assistance if **at least one family member has been affirmatively established as eligible and assistance is prorated based on the number of eligible individuals in the family.**⁸

To regulate otherwise not only upsets the plain language of Section 214, but it also runs counter to HUD’s longstanding interpretation of Section 214’s intent to protect mixed family households. For example, when HUD first proposed rules implementing Section 214 in 1994, it noted that Section 214 “is specific about the special assistance to be provided to certain families with members who have eligible status and those who have ineligible status.”⁹ And in responding to comments challenging its interpretation permitting mixed family households, HUD noted that the “‘preservation of family’ provisions flow directly from the statute” and Section 214 “provides for continued assistance and temporary deferral of termination of assistance for mixed families.”¹⁰ HUD’s apparent about-face after decades of interpreting the law consistent with the statute calls into question whether HUD is offering “a reasoned explanation” for its changed position, which should recognize that “longstanding policies may have ‘engendered serious reliance interests that must be taken into account.’” *See Encino Motorcars, LLC, v. Navarro*, 579 U.S. 211, 222 (2016) (citation omitted) (“it follows that an ‘unexplained inconsistency’ in agency policy is a reason for holding an interpretation to be an arbitrary and capricious change from agency practice”).

The law is unambiguous in acknowledging and permitting “mixed households,” where at least one household member is eligible to receive a prorated amount of assistance. The rent or benefit is simply adjusted based on the number of household members, the total household income, the number of eligible members of the household, and the type of rent subsidy.¹¹ This form of prorated assistance only benefits eligible recipients. In direct contrast to existing law, the proposed rule change would inhibit, as explained further below, eligible individuals and households from partaking in HUD programs.

II. The Proposed Rule Will Lead to Family Separation and Instability for Mixed-Status Families

HUD should withdraw its proposed rule due to the serious public policy concerns it presents. In addition to the deeply troubling implications discussed in Section III, *infra*, the rule would have a devastating impact on mixed-status families¹² by undermining their unity and stability.

According to HUD’s own analysis, an estimated 20,000 households currently receiving assistance are mixed-status and would be negatively impacted by this rule, despite the fact that the vast majority of these families’ members — an estimated 70 percent — are otherwise eligible for

⁸ *Id.*

⁹ 59 Fed. Reg. 43900, 43902 (Aug. 25, 1994).

¹⁰ 60 Fed. Reg. 14816, 14820-20 (Mar. 20, 1995).

¹¹ HUD, Regulatory Impact Analysis, *supra* note 3, at 8.

¹² These are families comprised of members with different immigration statuses (*i.e.*, both U.S. citizen and noncitizen members).

assistance.¹³ The proposed rule’s adverse impacts would be disproportionately felt by children in these mixed-status families,¹⁴ including an estimated 35,955 children who are U.S. citizens, lawful permanent residents, or otherwise eligible for assistance.¹⁵ Moreover, because Section 214 of the Act limits access to federally subsidized housing programs to U.S. citizens and a narrow list of noncitizens, there are a number of noncitizens with legal status who are ineligible for the program. This means that the proposed rule would have impacts beyond families with undocumented members. It would also affect families with noncitizen members not specifically listed by the Act, such as individuals with Deferred Action for Childhood Arrivals or U nonimmigrant status.

If implemented, the proposed rule would require these families to make a heartbreaking choice—endure family separation so that eligible members could continue to qualify for critical subsidized housing programs or stay together and forfeit any housing assistance. This is a choice no family should be forced to make.

Family separation is inhumane and contrary to human dignity. It also can cause irreparable harm to children, as separation often causes trauma and can lead to toxic stress. There has been extensive research exploring the short- and long-term effects of trauma and toxic stress on children, including analyses of the effects of Adverse Childhood Experiences (ACEs),¹⁶ such as family separation.¹⁷ Researchers have found that the impact of trauma can be compounded and that children can experience the effects of trauma long-term, across various domains in their lives (education, physical health, mental health, relationally, etc.).¹⁸ For instance, young children who experience toxic stress have higher rates of cardiovascular disease, cancer, and depression later in life.¹⁹ Families will be forced to separate if the rule is implemented — a fact that HUD itself acknowledges—and, as a result, will suffer these terrible consequences.²⁰

It is expected that many families will instead choose to forego federal housing assistance to stay together.²¹ The negative implications for these families will also be severe and long-lasting. Lack of critical subsidies will lead to housing instability for many families, which in turn can contribute to physical and mental health problems,²² food insecurity,²³ and educational

¹³ HUD Regulatory Impact Analysis, *supra* note 3, at 8.

¹⁴ *Id.* at 8 (noting that 65 percent of eligible individuals in mixed-status families are children).

¹⁵ 42 U.S.C. § 1436(a).

¹⁶ A set of traumatic experiences that a child is either exposed to or witnesses (e.g., abuse, neglect, household dysfunction, etc.).

¹⁷ Jordan P. Davis, Tara M. Dumas & Brent W. Roberts, *Adverse Childhood Experiences and Development in Emerging Adulthood*, 6 EMERGING ADULTHOOD 223, 223–234 (2017).

¹⁸ *Id.*; Sara B. Johnson, Anne W. Riley, Douglas A. Granger, & Jenna Riis, *The Science of Early Life Toxic Stress for Pediatric Practice and Advocacy*, 231 PEDIATRICS 319, 319–327 (2013).

¹⁹ Sara B. Johnson, *et al.*, *supra* note 15, at 319.

²⁰ HUD Impact Analysis, *supra* note 3, at 45 (“The other option for mixed families who want to stay and retain their housing assistance is for ineligible members to leave the unit.”).

²¹ *Id.* at 43 (“[W]e expect that a fear of the family being separated would prompt the departure of most mixed families.”).

²² Megan Sandel, et al., “Unstable Housing and Caregiver and Child Health in Renter Families,” 141 *Pediatrics* 1, 1–10 (2018).

²³ *Id.*

challenges.²⁴ For instance, researchers have found that “[c]hildren experiencing residential instability demonstrate worse academic and social outcomes than their residentially-stable peers, such as lower vocabulary skills, problem behaviors, grade retention, increased high school drop-out rates, and lower adult educational attainment.”²⁵

Consequently, mixed-status families would be faced with an impossible choice — the consequences of which will be acutely and disproportionately felt by their children, including thousands of U.S.-citizen children. In light of these impacts, the rule is ill-advised and untenable.

III. The Proposed Rule Will Have Additional Devastating Impacts on Vulnerable Individuals and the Agencies That Serve Them

As discussed below, our organizations maintain grave concerns about the proposed rule’s public policy ramifications and how they will affect vulnerable communities and the agencies that serve them. We believe the proposed rule conflicts with HUD’s own mission to promote fair and inclusive housing throughout the country. The proposed rule, as a matter of public policy, is likely to increase homelessness and costs. We also anticipate that the proposed rule’s public policy ramifications will negatively impact the services our Catholic housing programs provide. We fear that housing assistance programs throughout the country will face a decrease in the quality and quantity of assisted housing and that the proposed rule will result in additional unintended consequences for vulnerable populations.

A. The Proposed Rule Will Undermine HUD’s Stated Goal of Promoting Access to Quality Affordable Housing

HUD’s own Regulatory Impact Analysis provides self-recognized negative effects of the rule, including: 1) a reduction in the quantity of housing assistance and decrease in the quality of housing stock; 2) an increase in administrative costs; and 3) children and families in mixed status families losing their home and potentially becoming homeless.²⁶ These detrimental effects on housing programs run contrary to the purpose of enacted housing policies. In addition, the consequences of the proposed rule are unacceptable in how they endanger access to important programs for vulnerable communities, including low-income housing recipients and children in those families.

The proposed rule is also in direct conflict with HUD’s mission “to foster strong communities by supporting access to quality, affordable housing.”²⁷ As discussed below, this proposed rule would undermine families’ ability to access affordable housing and maintain their quality of life. As the principal federal agency responsible for programs to address housing needs,

²⁴ Heather Sandstorm & Sandra Huerta, Urban Institute, *The Negative Effects of Instability on Child Development*, 6 (2013), available at <https://www.urban.org/sites/default/files/publication/32706/412899-The-Negative-Effects-of-Instability-on-Child-Development-A-Research-Synthesis.PDF>.

²⁵ *Id.*

²⁶ HUD, *Regulatory Impact Analysis*, *supra* note 3, at 36, 21-27, 34.

²⁷ “HUD Delivers Mission-Minded Results in Trump Administration’s First 100 Days”, The Department of Housing and Urban Development (April 29, 2025), available at <https://www.hud.gov/news/hud-no-25-059>.

fair housing opportunities, and improvement and development of U.S. communities, we believe HUD has a responsibility to ensure everyone has access to “fair and equal” housing.

Explaining his belief in the need for this proposed change, Secretary Turner wrote, “The pain wasn’t felt by politicians and bureaucrats on Pennsylvania Avenue. It was felt by the millions of Americans on housing wait lists across the country.”²⁸ This demonstrates an understanding of the struggles of many to afford decent housing and the need for more housing assistance. Among income-eligible renter households, only 26 percent receive assistance, leaving the vast majority to struggle to make ends meet, risking housing instability and homelessness.²⁹ While we support the intent to reduce long waiting lists for housing assistance, we do not support reducing these waiting lists at the expense of mixed-status families. Ultimately, this approach will not give more people access to affordable housing and it will violate our moral obligation to care for poor and vulnerable people. More should be done to address the housing needs of everyone in this country, but it must not be done by forcing mixed-status families out of stable housing.

B. The Proposed Rule Will Increase Homelessness and Undermine Efforts to Address Housing Instability

As individuals and families are forced to forego the housing assistance they currently receive, they may not be able to find affordable housing on their own. Straining their budgets to pay rent each month will have consequences—housing instability and even homelessness. The mixed-status families affected by this rule disproportionately live in three of the six states with the highest numbers of people experiencing homelessness and where homelessness continues to increase: California, New York, and Texas.³⁰ These states are among the nation’s most populous and expensive states for housing.³¹ The homeless services are already strained in these states and their metro areas. An increase in new families and individuals needing support without providing additional resources for these services is unsustainable. The cost of addressing homelessness, especially for families, is high. An emergency shelter program costs about \$4,800 per month, per family. Meanwhile, programs which provide a permanent housing subsidy, such as Section 214 programs, cost about \$1,200 per month per family.³²

Providing emergency homeless services is an expensive way to address housing instability. It is also less effective than homelessness prevention efforts. While an effective approach to homelessness exists through the Housing First model, it is easier to make an impact on reducing

²⁸ Scott Turner, *Liberals Exploited Public Housing. That Must Stop.*, The Washington Post (Feb. 18, 2026), available at https://www.washingtonpost.com/business/2019/04/18/trump-proposal-would-evict-undocumented-immigrants-public-housing/?utm_term=.c6fd40565b83.

²⁹ Joint Center for Housing Studies of Harvard University, *The State of the Nation’s Housing 2015*, 39 (2015), available at https://www.jchs.harvard.edu/sites/default/files/reports/files/Harvard_JCHS_The_State_of_the_Nations_Housing_2015.pdf

³⁰ HUD, *The 2024 Annual Homelessness Assessment Report (AHAR) to Congress*, 76-69 (2024), available at http://www.jchs.harvard.edu/sites/default/files/Harvard_JCHS_State_of_the_Nations_Housing_2018.pdf.

³¹ Esther Colón-Bermúdez, et al., National Low Income Housing Coalition, *Out of Reach 2025*, 35-38 (2025), available at <https://nlihc.org/oor>.

³² Daniel Gubits, et al., U.S. Department of Housing and Urban Development Office of Policy Development and Research, *Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families*, xxxi (October 2016), available at https://www.huduser.gov/portal/family_options_study.html.

homelessness through prevention efforts.³³ Homelessness has a lasting impact and has the potential for a great number of negative consequences that must be prevented whenever possible.³⁴ Permanent housing subsidies are more impactful than other homelessness interventions for families.³⁵ It is both economically and morally worthwhile to prevent homelessness by investing in families through housing assistance. Allowing mixed-status families to remain in their homes with their housing assistance intact would go a long way to make the best use of HUD's limited resources and preserve homeless services for those for whom prevention is no longer an option.

C. The Proposed Rule Will Further Negatively Impact Catholic Programs Addressing Housing Insecurity

In Catholic programs, we anticipate and fear that not only our housing programs would be affected by the proposed rule, but also residual programs such as homelessness outreach, financial self-sufficiency, food and nutrition programs, among others. For example, Catholic Charities served 900,000 individuals in our housing programs, including permanent supportive housing and rapid re-housing and 16 million overall across all programs in 2024. Given Catholic Charities' holistic case management approach, most clients receive more than one service. We labor in the streets inviting and serving those who have been left out to know and experience the tremendous and abundant love of God. Catholic Charities works to prevent homelessness by providing financial assistance and long-term support and strives to resolve issues that may lead to homelessness. From quality project real estate development to conducting homeless outreach, Catholic Charities sees the emotional, physical, and financial toll being levied upon millions of families and individuals as a result of America's affordable housing crisis. Under the proposed rule, Catholic Charities and other housing providers would be required to terminate assistance for mixed-status families and potentially forced to push eligible residents, including children and seniors, out of the household. In addition, the loss of housing would create the need for services that might not have been necessary with stable housing. For example, the USCCB is composed of active bishops whose dioceses sometimes help administer charitable housing services that will now struggle to meet an increased demand for stable housing.

The Society of St. Vincent de Paul USA served over 5 million people in 2024, providing over \$78 million in rental assistance to prevent evictions, assisting people in securing permanent housing through our Motel to Home program, and housing thousands of men, women, and children every year in our shelters and transitional housing programs. A rule that would render mixed-status families ineligible for HUD-supported programs would have a direct and deeply concerning impact on the population served by SVdP, likely resulting in the displacement of vulnerable households, including U.S. citizen children and other eligible individuals within mixed-status families, increasing their risk of homelessness or forcing them into unsafe or unstable living

³³ Patrick J. Fowler, *et al.*, *Solving Homelessness from a Complex Systems Perspective: Insights for Prevention Responses*, 40 *Annual Review of Public Health* 465, 477 (2019), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6445694/pdf/nihms-1014367.pdf>.

³⁴ Martha R. Burt, *et al.*, U.S. Department of Housing and Urban Development Office of Policy Development and Research, *Strategies for Preventing Homelessness*, xi (May 2005), available at https://www.huduser.gov/Publications/pdf/Strategies_for_preventing_Homelessness.pdf.

³⁵ Daniel Gubits, *et al.*, *supra* note 28, at 31.

conditions. In communities where housing availability is already limited and housing costs are high, the consequences would be immediate and severe.

Operationally, this change would require us to make difficult decisions regarding service eligibility. Denying assistance to families in crisis who would otherwise qualify for our programs conflicts with SVdP's mission and core values which are rooted in our religious beliefs to serve those most in need with dignity and compassion. Additionally, the administrative burden associated with verifying and enforcing eligibility under such a rule would place further strain on already limited staff and resources. Consequently, there would be less staff capacity to focus on direct service delivery and could lead to delays or barriers in aiding those in urgent need. More broadly, excluding households that rely on these supports to maintain stability would undermine the effectiveness of HUD programs, creating a likely increase in demand on local emergency services, shelters, and nonprofit organizations, without corresponding resources to meet that need. When families lose HUD assistance, or are too afraid to interact with HUD-funded programs because of immigration-related rules, those same families often turn to organizations like SVdP for emergency shelter, food, and basic stability.

Furthermore, eliminating eligibility for mixed status families takes away the possibility that services could support families that are doing everything possible to follow our immigration laws. One particular SVdP program, for example, is serving a woman and her daughter who entered the country lawfully on a temporary basis. While in the United States, the woman fled her abusive husband and entered an SVdP transitional housing program (a Joint Transitional Housing/Permanent Housing-Rapid Re-housing program for people fleeing domestic violence). She was fleeing a potentially deadly situation with her young daughter, but her abuser had all of her documents locked away so she couldn't access them. However, through the SVdP transitional housing program and with a lot of hands-on help from her case manager, she was able to obtain full citizenship for herself and her daughter, moved on to permanent housing on campus. She now lives on her own with employment as an engaged member of society.

D. The Proposed Rule Will Cause the Quality and Quantity of Assisted Housing to Decrease

The proposed rule will have real economic costs, will not be cost effective, and will harm current and future low-income renters in need of assistance. In fact, transferring assistance from the current 20,000 mixed-status families to the same number of family members with only eligible members will cost HUD between \$311 million and \$385 million annually, according to its own estimates.³⁶ It is unlikely that HUD will receive additional allocations from Congress to cover this expense. As HUD's own analysis states: "Housing assistance is not an entitlement in the United States. It is unlikely that the rule would lead to an increased budget for HUD or a transfer from other government resources to the replacement households."³⁷ Therefore, the quantity of housing vouchers will be decreased and the quality of service at public housing complexes will be reduced to cover the increased cost of the proposed rule. Again, HUD's own analysis acknowledges this consequence of the proposed rule and the likely outcome.³⁸

³⁶ HUD, Regulatory Impact Analysis, *supra* note 3, at 19.

³⁷ *Id.* at 17.

³⁸ *Id.* at 17-18.

E. The Proposed Rule’s Documentation Requirements Will Have Unintended Consequences for Eligible Households

In addition to the negative effects of this rule outlined above, we foresee unintended consequences due to the new documentation requirements for seniors and U.S. citizens. If an individual is unable to produce the newly required documents, they will lose their housing assistance, which may result in eviction and homelessness. Over nine percent of U.S. citizens do not have documents readily available that can prove their citizenship.³⁹ This number is likely to be higher among those receiving housing assistance in Section 214 programs because low-income individuals are less likely to have documentation than those with higher incomes.⁴⁰ For some, the cost of obtaining documentation or prerequisite records is prohibitive. Others struggle to navigate administrative complexity. Limited office hours, long wait times, lack of reliable transportation, travel distances in rural areas, lack of Internet access, and digital illiteracy can all serve as additional barriers to obtaining documentation. The risk of an eligible U.S. citizen or senior not being able to produce the proper documentation and therefore not being able to maintain their housing assistance is higher for the most vulnerable. For example, if they already lack the necessary documentation, seniors and people with disabilities may not be able to obtain it because of decreased mobility. People who are homeless or formerly homeless may have lost important documents if they did not have a safe place to store their belongings while they experienced homelessness. The new documentation requirements add administrative barriers which could cause more eligible recipients of housing assistance to experience housing instability.

IV. Conclusion

The Catholic Church teaches that access to safe, decent, and affordable housing is a fundamental human right. “There must be made available to all men everything necessary for leading a life truly human, such as food, clothing, and shelter.”⁴¹ Housing is more than a market commodity, it is a basic social good.⁴² “This conviction is grounded in our view of the human person and the responsibility of society to protect the life and dignity of every human person by

³⁹ Kevin Morris and Cora Henry, Brennan Center for Justice, *Americans Don’t Have Documents Proving Their Citizenship Readily Available* (June 11, 2024), available at <https://www.brennancenter.org/our-work/analysis-opinion/millions-americans-dont-have-documents-proving-their-citizenship-readily>.

⁴⁰ See Jillian A. Rothschild, University of Maryland Center for Democracy and Civic Engagement, “Who Lacks ID in Georgia Today?: An Explanation of Voter ID Access, Barriers, and Knowledge” (September 2024), available at https://cdce.umd.edu/sites/cdce.umd.edu/files/Voter%20ID%20Report_Georgia.pdf?emci=1adc147f-5291-ef11-8474-000d3a98fa6b&emdi=27a47aa1-6891-ef11-8474-000d3a98fa6b&ceid=5226706 and Rothschild, University of Maryland Center for Democracy and Civic Engagement, “Who Lacks ID in Texas Today?: An Explanation of Voter ID Access, Barriers, and Knowledge” (September 2024), available at <https://cdce.umd.edu/sites/cdce.umd.edu/files/Voter%20ID%20Report%20Texas.pdf?emci=1adc147f-5291-ef11-8474-000d3a98fa6b&emdi=27a47aa1-6891-ef11-8474-000d3a98fa6b&ceid=5226706>.

⁴¹ Second Vatican Council, *Gaudium et Spes: Pastoral Constitution on the Church in the Modern World, Promulgated by Pope Paul VI, no. 26 (December 7, 1965)*.

⁴² *What Have You Done to Your Homeless Brother?: The Church and the Housing Problem*, Document of the Pontifical Commission “Justitia et Pax” on the Occasion of the International Year of Shelter for the Homeless, no. 2.3 (December 27, 1987).

providing the conditions where human life and human dignity are not undermined, but enhanced.”⁴³ Because housing is a basic right of the human person, the government has a positive and proactive role to play in its provision.⁴⁴ HUD must not neglect its responsibility to serve the poor and vulnerable and ensure that safe, decent, and affordable housing is available to mixed-status families.

Denying subsidies to eligible individuals because of their membership in a mixed-status family is morally wrong, concerning from a fiscal perspective, and is in conflict with the underlying law. The rule would have grave consequences for families, vulnerable communities, and the organizations that serve them. It will lead to family separation and create unnecessary housing instability amongst eligible applicants and their families – facts recognized by HUD’s own analysis. Given these consequences, we believe the proposed rule is unacceptable, and we urge HUD to withdraw it.

Respectfully submitted,



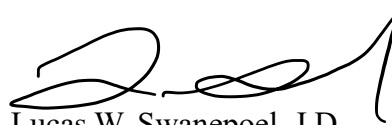
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⁴³ *Homelessness and Housing: A Human Tragedy, A Moral Challenge*, A Statement Issued by the Administrative Board of the United States Catholic Conference, no. 5 (March 24, 1988).

⁴⁴ *The Right to a Decent Home: A Pastoral Response to the Crisis in Housing*, A Statement of the Catholic Bishops of the United States, no. 57 (November 20, 1975).