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Department of Housing and Urban Development
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April 21, 2026

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

To whom it may concern,

By notice issued on February 20, 2026, the Department of Housing and Urban Development ("the Department", "HUD") has published a proposed rule modifying housing benefit eligibility for households whose members hold varying citizenship status, as well as complicating the process by which individuals demonstrate benefit eligibility ("the Rule.") **Hispanic Federation (HF)** respectfully submits the following comment in response to HUD request for comment on the proposed rulemaking, HUD Docket No. FR-6524-P-01, RIN 2501-AE16. Ultimately, Hispanic Federation urges the Department withdraw the Rule as likely discriminatory via disparate impact, and out of concerns over incomplete or inadequate regulatory impact analysis (RIA), the proposed implementation of more onerous verification of eligibility, and statutory alignment.

1. **Hispanic Federation Interest in Rule**

Hispanic Federation is a nonprofit membership and advocacy organization with a network of over 840 organizations across the country. HF is committed to empowering and advancing the Hispanic community, with a focus on low-income, marginalized, and immigrant Latines. With programs in 43 states, Puerto Rico, the U.S. Virgin Islands and the District of Columbia, HF's focus areas include immigration, economic empowerment, civic engagement, disaster relief, philanthropy, education, health, and the environment. HF also maintains ongoing immigration advocacy and welcome campaigns and meets the organizational development needs of its member agencies through grant-making and capacity-building assistance.

Per HUD's invitation to interested parties to submit relevant written data, views, or arguments on the proposed rule, we address here the Rule's likely harmful effects on housing access among multiple communities, including those with protected status against disparate impact discrimination and the likely disruptive overreach in the proposed standards to assess benefit eligibility. Legislative history and intent, discriminatory impact, and counterproductive effects of the Rule all support HF's perspective that the Rule must be withdrawn.

2. The Status of Housing Access among Latino Communities

Housing access is a pressing problem for all Americans, but Latino communities in particular. In general, Latinos are less likely to own their homes than their peers, with the Latino homeownership rate roughly 15pp lower than the national average according to data from the St. Louis Fed.[1] Latinos are almost 50 percent more likely to embrace multigenerational living, which contribute to increased strength of familial connections[2] and can boost health outcomes among participants.[3] However, the U.S. housing stock is largely not designed to facilitate multigenerational living,[4] which can lead to exacerbated maintenance requirements and infrastructural challenges.. Latinos are more likely to live in older, less-effectively maintained dwellings, that are themselves more likely to be termed legally "inadequate." Simultaneously, Latino families are more likely to live in less desirable neighborhoods, and in buildings with more people living in the dwelling than the population at large.[5] Each of these concerns adds up to lower home values, increased health challenges, and decreased standard of living.

These concerns are only magnified in rural spaces. The housing crisis is hitting rural America with disheartening ferocity, as aging infrastructure combines with decreasing local jobs and an influx of home-based workers all taxing the capacity of rural municipalities.[6] Data assembled by rural housing coalitions present a worrying case: rural housing is more likely to be severely inadequate, plurally-occupied, and rent or mortgage burdened than suburban and urban counterparts.[7] These challenges emerge as Latinos step in to fill massive labor gaps in rural America, creating a uniquely rural component to Latino housing challenges.[8]

Such obstacles are in keeping with elevated poverty and decreased home occupancy durations among Latinos than their peers.[9] These inequities will only increase with rising housing costs. Reduced access to quality, affordable housing is troubling in its own right in terms of daily standard of living. Moreover,

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[1] https://fred.stlouisfed.org/graph/?g=wZHP (Accessed 5/2/25)
[2] Jennifer Reid Keene and Christie D. Batson, "Under One Roof: A Review of Research on Intergenerational Coresidence and Multigenerational Households in the United States," *Sociology Compass*, 4/8, 2010.
[3] Emre Sari, "Multigenerational Health Perspectives: The Role of Grandparents' Influence in Grandchildren's Wellbeing," *International Journal of Public Health*, Vol. 68, 2023.
[4] Stephanie H. Shin, "Planning for a Multi-Generational Future: Policies, Regulations, and Designs for Multi-generational Housing in the United States," Master's Thesis: Massachusetts Institute of Technology (Boston: Mass), 2010.
[5] For instance, Katrin B. Anacker, *Housing in the United* States, (Routledge: New York), 2024; Friedman and Fussell.
[6] https://ruralhome.org/rural-america-is-losing-its-affordable-rental-housing/ (Accessed 5/2/25); https://www.nbcnews.com/politics/economics/affordable-housing-shortage-reshaping-parts-rural-america-rcna181700 (Accessed 5/2/25).
[7] https://ruralhousingcoalition.org/overcoming-barriers-to-affordable-rural-housing/ (Accessed 5/2/25);
[8] https://www.ers.usda.gov/webdocs/publications/44570/29568_eib8full.pdf?v Archived: Wayback Machine, https://web.archive.org/web/20240104064742/https://www.ers.usda.gov/webdocs/publications/44570/29568_eib8full.pdf?v (Accessed 1/4/24.)
[9] Friedman and Fussell, 12.

these housing shortfalls enable dire long-term ramifications. Poor domicile conditions contribute to worsened health outcomes, reduced disaster preparedness, and Latinos' general lack of financial capital.[10] As climate change and disasters further tax home maintenance infrastructure (and therefore pocketbooks), the fiscal and housing burden on the Latino community will only increase, perpetuating housing injustice, unless robust, proactive measures are implemented.

These trends have perpetuated for decades. A 1999 review of housing challenges facing the Latino community concluded that working Latino families confront "several problems in obtaining 'safe, sanitary, and decent' housing" with those problems having only been exacerbated in the years leading up to that review.[11] Across the United States, rates of housing cost burden (defined as a household spending 30% or more of monthly income on housing costs) are high, and on the rise.[12] Even against a backdrop of a universal crisis in housing affordability, Latinos have been harder hit than other groups. During the Great Recession, Latinos were affected by the highest rate of home foreclosure in the country,[13] sending more Latino families away from homeownership to the pernicious rental market. Furthermore, research affirms that Latino households face greater rates of housing insecurity and cost burden than non-Hispanic White households, even when factoring in socioeconomic capacity and education.[14] Consequently, it is no leap of the imagination to conceive that an expansion of avenues for intentional or disparate discriminatory housing policies could prove devastating to working American families in general and Latino households in particular.

3. **Legislative History, Intent, and Impact of Mixed-Status Rule**

The Fair Housing Act of 1968 as amended in 1988 is a hard-won prize of the American civil rights movement, and has enjoyed repeated bipartisan investment in its terms as Americans of all political stripes have come to recognize that the prosperity of our nation as a whole depends on the nondiscriminatory housing of its people.[15] Enacted after the assassination of Martin Luther King Jr., fresh off the coattails of his Chicago Freedom Movement which urged the adoption of Open or Fair Housing

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[10] Joshua H. West et a., "Does Proximity to Retailers influence Alcohol and Tobacco Use Among Latino Adolescents?" *Journal of Immigrant Minority Health*, 2010; Abdulrahman Jbaily et a., "Air pollution exposure disparities across US population and income groups," *Nature,* Vol. 601, 2022. Arthur Acolin, Desen Lin, and Susan M. Wachter, "Endowments and Minority Homeownership," *Cityscape*, Vol. 21, No. 1, 2019.

[11] Raul Yzaguirre, Laura Arce, and Charles Kamasaki, "The Fair Housing Act: A Latino Perspective," *Cityscape*, vol. 4, No. 3, 1999.

[12] Aarti C. Bhat, Andrew Fenelon, and David M. Almeida, "Housing Insecurity Pathways to Physiological and Epigenetic Manifestation of Health Among Aging Adults: A Conceptual Model," *Frontiers in Public Health*, 2025.

[13] Jacob S. Rugh, "Double Jeopardy: why Latinos Were Hit Hardest by the US Foreclosure Crisis," *Social Forces*, Issue 93, No 3. 2015.

[14] Claudia Aiken, Vincent Reina, and Dennis P. Culhane, "Understanding Low-Income Hispanic Housing Challenges and the Use of Housing and Homelessness Assistance," *Cityscape*, Vol. 23, No. 2. 2021.

[15] For instance, Jorge Andres Soto and Deidre Swesnik, "The Promise of the Fair Housing Act and the Role of Fair Housing Organizations," *Publications of the American Constitution Society for Law and Policy*, 2012, 8; as well as Charles S. Bullock III and Charles M Lamb, "Race, Fair Housing Enforcement, and the Fair Housing Assistance Program," *Rutgers Race & the Law Review*, 25, no. 2, 2025. 236.

policies nationwide, the Fair Housing Act provided a blueprint by which the nation's housing stock could exit the rigors of *de jure* and *de facto* segregation in both South and North.[16]

The Fair Housing Act as drafted and amended has proven effective at eliminating the worst versions of housing segregation, including not only racially restrictive covenants and egregious marketing and real estate showing practices, but also wider spread challenges to fair housing, many stemming from what Orlando Patterson referred to as "Acts of History,"[17] including redlining, necessitated the legislation cast a wider net, including through disparate impact considerations. Nondiscriminatory access to housing, irrespective of national origin, was a core component of the response to redlining policies during the era of Jim Crow, and in the Act's maintenance in the years and decades following the Supreme Court's rulings in *Shelley v. Cramer* and *Jones v. Mayer*, ruling racially-restrictive covenants and racially-discriminatory leasing practices unconstitutional, respectively. In support of the goals of nondiscriminatory access to housing, the federal government has implemented programs designed to facilitate the entry of lower-income households into the housing market, including public housing funding, section 8 housing vouchers, and project-based housing. The resultant capacious understanding of disparate impact in housing access has undergirded housing legislation and regulatory enforcement, including the statutes whose implementation the Rule seeks to modify.

Recent research has evidenced that violations of housing protections continue to be reported to HUD and FHAPs under FHA terms, and indeed, that these reports are becoming more important as obviously discriminatory housing practices have given way to more insidious approaches.[18] Furthermore, despite assertions that Fair Housing Act violations are on the decline, quantitative research demonstrates that not only cases but judgments in favor of plaintiffs have held relatively steady throughout the life of the Act, with some fluctuation according to national circumstances and occasional amendments to the Act and its enforcement mechanisms.[19] One need not strain to conceive conditions in which the implementation of the Rule would facilitate or exacerbate disparate impact discrimination along protected characteristics including family status, race-ethnicity, and national origin.[20] Even well-intentioned Public Housing Authorities seeking to implement the documentary verification of eligibility requirements under the Rule may ultimately commit FHA violations under its terms as they juggle various forms of documentation, with eligible noncitizen immigrants likely to face greater hurdles to demonstrating their eligibility than either naturalized or birth citizens. The Fair Housing Act and its amendments were expressly designed to prevent such plausible discrimination, and the Rule would exacerbate rather than mitigate these risks.

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[16] Charles L. Nier III, "Perpetuation of Segregation: Toward a New Historical and Legal Interpretation of Redlining Under the Fair Housing Act," *John Marshall Law Review*, 32, no. 3 (Spring: 1996), 617-666.
[17] Nier, 664.
[18] Vincent Reina and Claudia Aiken, "Fair Housing: Asian and Latino/a Experiences, Perceptions, and Strategies," Russell Sage Foundation Journal of the Social Sciences, 72(2), 201-223. 217. See also Bullock (2025), 226
[19] Charles S. Bullock III, Charles M. Lamb, and Erik M. Wilk, "Race, Ethnicity, and Fair Housing Enforcement: A Regional Analysis," *Brigham Young University Journal of Public Law,* No. 187, (2023).
[20] The Disparate Impact doctrine was, of course, upheld by the Supreme Court in *Texas Department of Housing and Community Affairs v The Inclusive Communities Project.*

An impetus toward securing housing access also motivated Congress's passage of the Housing and Community Development Act of 1980, including Section 214. The legislation was part of a broader Congressional trend of seeking ways to revamp federal housing assistance policy away from project-based assistance toward public-private partnerships aligned with market conditions, including the expanded role of Public Housing Authorities (PHA's).[21] That legislation recognized many emerging shifts in housing need, including the increasing energy demands (and associated costs of American households), the widening suburbanization of metropolitan areas, and the need for stable, long-term support for housing programs without the necessity of frequent reauthorizations. Likewise, it built upon Congress's widening concern for the potential gamut of discriminatory housing by seeking to redress potential inadequacies in funding for the elderly and those with disabilities. Notably, it held one of the earliest statutory recognitions of the need to address questions of access to housing aid as a function of citizenship in restricting aid to noncitizen immigrant students. The legislation was clear that otherwise, access to housing assistance could not be restricted, a plausible reflection of fears that the expansion of housing assistance to public-private partnerships could reignite genres of discrimination that the Fair Housing Act had aimed to restrict.[22] Consequently, the Act's 1986 amendments under the Immigration Reform and Control Act of 1986[23] authorized a signed declaration to serve as statutorily sufficient vouching of citizenship, teeing up the 1988 amendments' outlining of processes by which noncitizens could demonstrate eligible immigration status, while also clarifying a direct public interest in, and subsequent pathway for, "avoid[ing] the division of a family."[24] In turn, Sec. 572 of 1996's Illegal Immigration Reform and Immigration Responsibility Act implemented the extant statute directing mixed-status family proration ordering that:

> 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 Secretary of Housing and Urban Development 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.[25]

In parallel, legislation expanded categories of eligibility consideration to rural housing programs and broadened the suite of immigrants under direct administrative consideration of these programs. This legislative history clarifies that Congress has, at multiple junctures, had the opportunity to exclude mixed status families from receiving housing assistance. However, doing so would plausibly intrude upon the civil rights and housing protections upon which these programs were built, not least of these being protections based on family composition.[26] Instead, Congress judiciously charted out protections based on

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[21] Congressional Research Service, *Introduction to Public Housing*, CRS Product R41654, Feb. 2014.
[22] See, Robert G. Schwemm, "Discriminatory Effect and the Fair Housing Act," *Notre Dame Law Review*, Vol. 54, Iss. 2, 1978, who notes that "Most of the hearings and debates on Title VIII related to private housing discrimination, and the substantive provisions of the law do not distinguish between public and private defendants," 212.
[23] P.L. 99-603
[24] P.L. 100-242
[25] Sec 572, https://www.govinfo.gov/content/pkg/PLAW-104publ208/pdf/PLAW-104publ208.pdf.
[26] https://www.justice.gov/crt/fair-housing-act-1

family status, seeking to preserve access to aid for as many households as possible, concluding in the determination that "financial assistance… shall be prorated," outlining a process that has stood in the intervening years. The Department's attempt to procedurally override this protocol is not only a violation of the plain-language reading of the requirement that aid to mixed status families "shall be prorated" but also a misreading of the underlying legislative history. As such, the Rule should be rejected.

4. **Objections to Impact Analysis**

The Department's own impact analysis undermines any sensible basis for the Rule. At present, Department assesses that there are 79,300 individuals who resided mixed use households supported by HUD-backed programs.[27] Of these, 37,000 are U.S. citizen or otherwise eligible children. The Department imagines two plausible outcomes for these households, anticipating that some will choose to divide their households between those who are able to provide documentary evidence of citizenship to verify benefits eligible and retain access to HUD-supported housing and those who do not, and that others will remain a unified household, with all departing HUD-supported housing. It is demonstrably unlikely that significant numbers of households will choose separation, particularly given the number of households for which eligibility is divided between generations; in point of order, parents are reticent to be separated from their children, irrespective of benefit eligibility.[28] Furthermore, any intentional policy of family separation would have wide-ranging ramifications, from public health consequences to economic deprivation.[29]

In turn, it is likely that enactment of the Rule will lead to the eviction of approximately 25,000 households from HUD-supported housing.[30] The Department ultimately anticipates that these mixed status households will ultimately be replaced by a proportionately lower number of both households and individuals served, in consequence of the relatively lower financial support provided to mixed-status households by virtue of stipend proration. With funding static, HUD will be able to support fewer households at the $7,700 stipend per annum provided to fully-eligible households relative to the average $2,700 stipend provided to partially-eligible households.[31] In conjunction with the recently submitted Presidential budget request, which included a request for annual HUD funding 13 percent lower than FY26 appropriations, it is clear that the Department anticipates serving fewer households and individuals in consequence of the Rule.[32] By supporting a lower number of households and individuals in accessing

[27] Regulatory Impact Analysis, 17.
[28] As evidenced by the bevy of research expenditures on family unification, custody disputes, and multigenerational housing. See also, Michael Sullivan, "Defending Family Unity as an Immigration Policy Priority," *Visual Research and Social Justice*, Vol. 11, No. 2 (2017).
[29] E.g. Alexander Miller et al., "Understanding the Mental Health Consequences of Family Separation for Refugees: Implications for Policy and Practice," *Am J Orthopsychiatry*. 2018 ; 88(1): 26–37; Joanna Dreby, "U.S. immigration policy and family separation: The consequences for children's well-being," *Social Science & Medicine*, Vol. 132: 2015, 245-251; Eva-Lisa Palmtag, "Like ripples on a pond: The long-term consequences of parental separation and conflicts in childhood on adult children's self-rated health," *SSM Population Health*, Vol. 18: 2022.
[30] In keeping with median household size, in conjunction with RIA, 17.
[31] Regulatory Impact Analysis: Housing and Community Development Act of 1980, at 19 (Sept. 30, 2025).
[32] https://shelterforce.org/2026/04/17/breaking-down-the-numbers-the-2027-white-house-budget-proposal-explained/

housing, the Rule would, almost definitionally, increase the number of unhoused and rent-burdened households.

Rates of homelessness and rent-burden are directly correlated with decreased economic activity,[33] lowered educational attainment,[34] public health outcomes,[35] and increased rates of intimate partner violence,[36] across entire communities.[37] Each of these would bear financial consequences for small entities, which HUD has not factored into its Regulatory Impact Analysis. These effects will only be magnified by virtue of their geographic concentration; as the Department notes, the vast majority of affected households are located in Texas, California, and New York, raising the likelihood that local economic impacts will prove salient and meaningfully deleterious for neighboring small entities. As such, the Rule should be withdrawn until such an analysis is duly conducted.

Moreover, these negative consequences will be disproportionately borne by Latino and Asian households and their communities. Asian households would be four-times more exposed to the negative impacts of the Rule than Non-Hispanic Whites; Latino households however would face a staggering 38 times greater exposure to the impacts of the Rule than would non-Hispanic White households.[38] This astonishing disproportionality raises clear concerns of disproportionate impact. That the Rule would reduce absolutely the number of both households and citizens supported under affected programs while simultaneously producing such disproportionate effects is prima facie evidence for discriminatory impact and even intent. Furthermore, implementation of the Rule would almost certainly result in disproportionate exposure to natural disasters in violation of FEMA's disparate impact standard.[39] Latinos are already disproportionately vulnerable to natural disasters as a result of both geographic vulnerability[40] and built-environment factors.[41] Research has demonstrated that substandard (or nonexistent) housing

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[33] E.g. Caroline Julia von Wurden, "The Impact of Homelessness on Economic Competitiveness," *American Security Project*, 2018. https://www.americansecurityproject.org/impact-homelessness-economic-competitiveness/

[34] John W. Fantuzzo et al., "The Unique and Combined Effects of Homelessness and School Mobility on the Educational Outcomes of Young Children," *Educational Researcher*, Vol. 41, No. 9: 2012, 393-402.

[35] E.g. findings from special issue of the *International Journal of Environmental Research and Health* on "Homelessness and Public Health: A Focus on Strategies and Solutions," Vol. 18, No. 21: 2021.

[36] Anita S. Hargrave et al., "The Impact of Intimate Partner Violence on Homelessness and Returns to Housing: A Qualitative Analysis From the California Statewide Study of People Experiencing Homelessness," *Journal of Interpersonal Violence*, Vol. 4: 2024, 1248-1270.

[37] Again, von Wurden, "The Impact of Homelessness," is instructive.

[38] https://www.cbpp.org/research/housing/administration-plan-targeting-immigrants-would-take-away-rental-assistance-create#_edn10

[39] FEMA has assessed under self-review that the administration is subject to disparate impact standards under 44 CFR Subpart A. https://www.usccr.gov/files/2022-09/2022-statutory-report-fema.pdf, 35, which also highlights holding precedent Franks v. Ross, 293 F.Supp.2d 599 (E.D.N.C.,2003).

[40] Environmental Protection Agency, *Climate Change and Social Vulnerability in the United States: A Focus on Six Impacts*, U.S. Environmental Protection Agency, EPA 430-R-21-003. 78-80. www.epa.gov/cira/social-vulnerability-report

[41] Melinda L. Lewis et al., "Stay or Go! Challenges for Hispanic Families Preceding Hurricanes: Lessons Learned," Journal of Family Strengths, Vol. 19: Issue 1, Article 3. 2019; Samantha Friedman et al., "Hispanic Disaster Preparedness in the United States, 2017: Examining the Association with Residential Characteristics," *Cityscape*, Vol. 23, Issue 3. 2021. 205-239.

increases the risks of natural disasters. That the Rule would disproportionately expose Latino households to augmented risk of already natural disasters would therefore position the Department to violate FEMA's disparate impact protections. For all of these reasons, the Rule must be withdrawn.

5. **Implementation Challenges in Verification of Citizenship**

The method proposed by the Rule to verify citizenship status to demonstrate eligibility for housing assistance would prove more disruptive to eligible households than the Department presents. Research suggests that only 66% of adult women "have a document with their current legal name proving citizenship" with a further ~22m people lacking ready access to the requisite documentation required to verify citizenship and subsequent eligibility, and another almost 4 million lacking them entirely owing to lack of possession.[42] That tens of millions of married women across the country could lose eligibility for housing benefits simply because of unnecessarily skeptical eligibility verification should give anyone pause. Furthermore, taking the requisite steps to address these concerns would be costly for affected populations. The required documentation alone can routinely cost above $100, as the Department notes in its impact analysis.[43] These costs would compound with both physical and bureaucratic logistical burdens, which are particularly acute for prospective rural and women voters.[44] Many of these fiscal, temporal, and administrative costs which the Department frames as nominal will in fact be prohibitive for the millions of households seeking to respond to new requirements. The Department fails to adequately analyze the number of households which may be forced to abandon HUD-supported housing, despite eligibility, by virtue of the Rule's verification requirements.

Latino households face disproportionate barriers to possessing documentary proof of citizenship. For example, after recent hurricanes, households across the Southeast, including Florida[45] and North Carolina,[46] suffered the loss of critical documents including birth certificates, to say nothing of lost housing and livelihoods. These hurricanes proved particularly devastating to Latinos, who face greater vulnerability to natural disasters than their peers.[47] Addressing these documentary shortfalls has proven challenging, with many households hindered from accessing disaster relief benefits through no fault of their own. It is not just hurricanes which pose these threats either, but natural disasters writ large,

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[42] https://www.snopes.com/news/2025/02/13/save-act-women-voting/

[43] A first-time passport book, for instance, costs $130, with book and card totaling $160, to say nothing of the fees associated for obtaining, copying, or notarizing the documents necessary to obtain the passport. https://travel.state.gov/content/travel/en/passports/how-apply/fees.html (Accessed 3/31/26.)

[44] https://www.murkowski.senate.gov/press/release/murkowski-speaks-out-against-save-america-act-on-senate-floor (Accessed 3/31/26.)

[45] https://www.commoncause.org/florida/resources/voting-after-a-hurricane/ (Accessed 3/31/26); https://www.splcenter.org/presscenter/florida-hb-991-proof-citizenship-law/ (Accessed 3/31/26.)

[46] https://wlos.com/newsletter-daily/ask-13-i-lost-all-of-my-important-documents-to-helene-how-do-i-get-them-all-back-disaster-recovery-drivers-license-passport-social-security (Accessed 3/31/26); https://www.ncsbe.gov/news/press-releases/2024/10/07/bipartisan-state-board-unanimously-approves-measures-help-wnc-voters (Accessed 3/31/26.)

[47] Melinda L. Lewis et al., "Stay or Go! Challenges for Hispanic Families Preceding Hurricanes: Lessons Learned," Journal of Family Strengths, Vol. 19: Issue 1, Article 3. 2019; Samantha Friedman et al., "Hispanic Disaster Preparedness in the United States, 2017: Examining the Association with Residential Characteristics," *Cityscape*, Vol. 23, Issue 3. 2021. 205-239.

including the persistent and possibly widening threat from tornadoes throughout the Midwest.[48] Likewise, the fiscal burdens associated with documentary verification of citizenship under the Rule would prove particularly onerous to Latino households.[49] As the Hispanic community, and Latinas in particular, face economic obstacles that contribute to disproportionate economic challenges, the burden of these fees would fall upon Latinos to a greater extent than other demographic groups, contributing to further disparate impact.

Furthermore, rural communities nationwide would face steeper challenges in meeting the documentary requirements put forward by the Rule than their suburban or urban peers, regardless of racial or ethnic demographic. Rural communities across the U.S. struggle in the face of deepening legal deserts, which extend from public notarial services to disconnections from major bureaucratic hubs.[50] Consequently, rural Americans are more reliant upon digital services for administrative compliance and benefits management. Rural Americans face decreased access to the legal services required not only to verify identity but also to have identities converted into acceptable forms of verification, ensuring that the Rule would risk housing access across rural America.

6. Hispanic Federation Serving Relevant Initiatives

Hispanic Federation and its network have been serving mixed-status families and Latino communities for decades through programs coordinating legal aid, representation, and culturally and linguistically competent support upon arrival. As an umbrella organization, Hispanic Federation and our network have a proven track record of designing and launching national, state-wide, and locally focused housing and immigration initiatives, including direct legal, case management, and navigation services to vulnerable migrants and asylum seekers. Programs include:

- *Florida's HELLO Program:* Through Florida's HELLO (Help, Education, Legal Assistance, Listening, Outreach) program, HF conducts monthly workshops with the Orlando Center For Justice to provide immigrant community members, including newly arrived migrants, with culturally and linguistically competent information about the immigration system in America. This includes free legal guidance with trained lawyers and staff to help participants navigate this immigration system.
- *Financial Education:* Informed financial management is a key skill for pursuing and maintaining stable housing security. Hispanic Federation's Economic Empowerment team remains committed to directly providing Hispanic individual families with essential tools for wealth building through our ongoing financial education programming throughout New York City and State on themes such as credit building, budgeting, savings, and affordable banking.

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[48] https://www.farmprogress.com/farm-life/after-the-tornado-what-to-do-about-insurance-documents-taxes (Accessed 3/31/26); https://www.weather.gov/lmk/niu_tornado_frequency_study (Accessed 3/31/26.)
[49] https://www.newsweek.com/save-act-warning-poll-tax-2041208 (Accessed 10/9/25.)
[50] https://www.urban.org/sites/default/files/2023-05/The%20Geography%20of%20Notaries%20Public.pdf (Accessed 10/9/25); https://southernagtoday.org/2024/02/23/confronting-legal-deserts-in-rural-america/ (Accessed 10/9/25.)

- *Rental Assistance and Shelter Programming:* In partnership with the United Way of New York City's (UWNYC) Emergency Food & Shelter Programs (EFSP), Hispanic Federation provides crucial homelessness prevention resources in the form of rental assistance, allowing New Yorkers to become current on their rental arrears and ultimately keep their homes.

7. **Conclusion**

By Department's own admission, the Rule would reduce availability of affordable, HUD-supported housing on the scale of thousands. Bereft of any further extenuating circumstances, that determination would serve as suitable basis for rejection of the Rule. However, the Department explicitly designed the Rule to limit housing availability for mixed-status households, raising clear questions about statutory and constitutional protections based on protected classes, including race-ethnicity, national origin, and family status. Furthermore, aggressive eligibility verification requirements proposed by the Department would further inhibit housing access to millions of Americans who may otherwise not have fallen under the Rule's remit. These proposed changes fly in the face of our nation's Fair Housing legacy, statutes, and precedent. For all of these reasons among others listed above, Hispanic Federation urges the Department to withdraw the Rule.

Sincerely,

Julietta Lopez
Vice President for Federal Advocacy and Network Mobilization
Hispanic Federation

cc. The Honorable Scott Turner, Secretary, Department of Housing and Urban Development
Andrew D. Hughes, Deputy Secretary, Department of Housing and Urban Development
David Woll, General Counsel, U.S. Department of Housing and Urban Development
The Honorable Mike Johnson, Speaker of the United States House of Representatives, U.S. House of Representatives
The Honorable Hakeem Jeffries, Minority Leader, U.S. House of Representatives
The Honorable John Thune, Majority Leader, United States Senate
The Honorable Charles Schumer, Minority Leader, United States Senate
The Honorable Cindy Hyde-Smith, Chair, THUD Subcommittee, Committee on Appropriations, United States Senate
The Honorable Kirsten Gillibrand, Ranking Member, THUD Subcommittee, Committee on Appropriations, United States Senate
The Honorable Richard Durbin, United States Senate
The Honorable Chris Murphy, United States Senate
The Honorable Mike Flood, Chairman, Subcommittee on Housing and Insurance, Committee on Financial Services, U.S. House of Representatives

The Honorable Monica De La Cruz, Vice Chairwoman, Subcommittee on Housing and Insurance, Committee on Financial Services, U.S. House of Representatives
The Honorable Maria Elvira Salazar, U.S. House of Representatives
The Honorable Andrew Garbarino, U.S. House of Representatives
The Honorable Mike Lawler, U.S. House of Representatives
The Honorable Emanuel Cleaver II, Ranking Member, Subcommittee on Housing and Insurance, Committee on Financial Services, U.S. House of Representatives
The Honorable Nydia M. Velazquez, U.S. House of Representatives
The Honorable Ritchie Torres, U.S. House of Representatives
The Honorable Rashida Tlaib, U.S. House of Representatives