



Lutheran  
Services  
in America

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July 9, 2019

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

**Re: Housing and Community Development Act of 1980: Verification of Eligible Status Proposed Rule [Docket No. FR-6124-P-01, RIN 2501-AD89]**

As President and CEO of Lutheran Services in America, I would like to thank you for the opportunity to comment on the “Housing and Community Development Act of 1980: Verification of Eligible Status Proposed Rule” [Docket No. FR-6124-P-01] published by the U.S. Department of Housing and Urban Development (HUD) on May 10, 2019. Lutheran Services in America is deeply concerned about negative consequences of the proposed rule and urges that it be withdrawn in its entirety.

Lutheran Services in America leads one of the largest health and human services networks in the U.S. with over \$22 billion in annual revenue, made up of over 300 Lutheran social ministry organizations that touch the lives of 1 in 50 Americans each year. Guided by God’s call to love and serve our neighbors, we empower our faith-based member organizations in their mission to lift up the nation’s most vulnerable people, providing services to seniors, children and people with disabilities, along with veterans, refugees and the homeless. Our members work in 1,400 communities throughout the country—in rural and urban areas—as shown on this map:

[http://bit.ly/LSA\\_member\\_map](http://bit.ly/LSA_member_map).

**The proposed rule would negatively impact tens of thousands of families in the United States.**

Lutheran Services in America is extremely concerned that the proposed rule would put tens of thousands of immigrant families at risk of homelessness, jeopardizing their

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safety and security. HUD's own regulatory analysis estimates that the proposed rule would impact nearly 25,000 households, putting 108,000 people, including 55,000 children at risk of losing their housing.<sup>1</sup> Families in these households would face an impossible choice, to divide their family, or to remain together and forego their housing assistance. Studies have shown that family separations can lead to trauma, stress, and attachment issues in children. Even a temporary separation can have negative impacts on the health, well-being, and long-term educational achievements of children.<sup>2</sup> At the same time, there is clear evidence that housing instability is linked with a multitude of poor mental and physical health outcomes.<sup>3</sup> In particular, research has shown that economic and housing instability can negatively impact children's emotional, physical and cognitive development, leading to poorer life outcomes as adults.<sup>4</sup> Children who live in unstable housing are more likely to struggle in school and have behavioral health issues.<sup>5</sup> Having access to safe, stable housing is critical to ensuring the health, well-being and stability of immigrants and their families.

**The new documentation requirements are burdensome and would likely cause many eligible individuals to lose housing assistance.**

Lutheran Services in America is concerned that the new documentation requirements in the proposed rule are burdensome and would cause many U.S. citizens and eligible seniors to lose their housing assistance. Currently, U.S. citizens and eligible elderly non-U.S. citizens who apply for housing assistance are required to submit a signed

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<sup>1</sup> U.S. Department of Housing and Urban Development, Regulatory Impact Analysis: Amendments to Further Implement Provisions of the Housing and Community Development Act of 1980 (April 15, 1990), <https://www.regulations.gov/document?D=HUD-2019-0044-0002>.

<sup>2</sup> Laura C. N. Wood, Impact of Punitive Immigration Policies, Parent-Child Separation and Child Detention on the Mental Health and Development of Children, 2 *BMJ PAEDIATRICS OPEN* (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6173255/>.

<sup>3</sup> See, e.g., Megan Sandel et al., Unstable Housing and Caregiver and Child Health in Renter Families, 141 *PEDIATRICS* 1 (2018), <http://pediatrics.aappublications.org/content/141/2/e20172199>; Alison Bovell & Megan Sandel, The Hidden Health Crisis of Eviction, *BOS. U. SCH. OF PUB. HEALTH* (2018), <http://www.bu.edu/sph/2018/10/05/the-hidden-health-crisis-of-eviction/>.

<sup>4</sup> Heather Sandstrom & Sandra Huerta, The Negative Effects of Instability on Child Development: A Research Synthesis (2013) (Urban Institute, Low Income Working Families Discussion Paper 3), <https://www.urban.org/sites/default/files/publication/32706/412899-The-Negative-Effects-of-Instability-on-Child-Development-A-Research-Synthesis.PDF>.

<sup>5</sup> See, e.g., How Housing Matters, Housing Instability Is Linked to Adverse Childhood Behavior (May 8, 2019), <https://howhousingmatters.org/articles/housing-instability-linked-adverse-childhood-behavior/>.

declaration, under penalty of perjury, attesting to their citizenship or immigration status. The proposed rule would require that those requesting assistance submit additional documentation to prove their citizenship or immigration status. Those who cannot produce the required documents would be at risk of losing their housing.

A significant share of individuals receiving rental assistance may not have ready access to documents needed to prove citizenship or immigration status.<sup>6</sup> Obtaining the necessary documents such as a birth certificate, photo identification, or passport can be expensive and time-consuming. Many people, particularly seniors and people with disabilities face additional transportation and access barriers to obtaining the necessary documentation.<sup>7</sup> This provision would threaten the housing stability of millions of people eligible for housing assistance.

### **The proposed rule would be harmful to the development of the direct care workforce.**

Direct support professionals provide critical support to seniors and people with disabilities, and the demand for these services is growing.<sup>8</sup> An estimated one million immigrants work in direct care, making up one-quarter of the direct care workforce.<sup>9</sup> Because many direct care workers earn low-wages, they may rely on public housing assistance.<sup>10</sup> This rule would likely exacerbate the existing shortage of direct care workers, making it more difficult for seniors and people with disabilities to receive quality services and supports.

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<sup>6</sup> See, e.g., *Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification*, Brennan Center for Justice (Nov. 2006),

[http://www.brennancenter.org/sites/default/files/legacy/d/download\\_file\\_39242.pdf](http://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf).

<sup>7</sup> Ina Jafe, *For Older Voters, Getting the Right ID Can Be Especially Tough*, NPR: ALL THINGS CONSIDERED (Sept. 7, 2018), <https://www.npr.org/2018/09/07/644648955/for-older-voters-getting-the-right-id-can-be-especially-tough>.

<sup>8</sup> PHI, *Direct Care Workforce Year in Review 2018*, 3 (2019) at <https://phinational.org/resource/the-direct-care-workforce-year-in-review-2018/>.

<sup>9</sup> Robert Espinoza, *Immigrants and the Direct Care Workforce* (2017) at <https://phinational.org/resource/immigrants-and-the-direct-care-workforce/>.

<sup>10</sup> PHI, *Direct Care Workforce Year in Review 2018*, 12 (2019) at <https://phinational.org/resource/the-direct-care-workforce-year-in-review-2018/>.



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Lutheran Services in America appreciates the opportunity to submit comments on this important issue. If you have any further questions or need assistance, please do not hesitate to contact me.

Respectfully,

Charlotte Haberaecker  
President and CEO