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July 8, 2019

The Honorable Ben Carson  
Secretary  
U.S. Department of Housing and Urban Development  
451 7<sup>th</sup> Street S.W.  
Washington, DC 20410-0001

Dear Secretary Carson:

I write to demand that the Department of Housing and Urban Development (HUD) withdraw its proposed rule regarding Section 214 of the Housing and Community Development Act of 1980 (Section 214). The Administration's approach to this proposed rulemaking runs counter to the goals of providing housing assistance to the most vulnerable Americans. In fact, this proposed rule could lead to family separations and exacerbate homelessness in Los Angeles and the greater region.

Under the proposed rule, every member of a household receiving housing assistance would need to be a U.S. citizen or fall under an eligible category of noncitizen in the United States.<sup>1</sup> Under the current rule, housing benefits are prorated so that only those family members who are lawfully present and eligible for those benefits actually receive them.<sup>2</sup> This proposed rule could put U.S. citizen children at risk of homelessness if their parents are undocumented or ineligible noncitizens. The proposal could also result in family separation if eligible family members in mixed status households want to continue receiving benefits.

The Housing Authority of the City of Los Angeles (HACLA) is one of the nation's largest public housing authorities, and provides the largest supply of quality, affordable housing to residents of the City of Los Angeles. As such, HACLA would be uniquely affected by this rulemaking, and has already begun to investigate the impact that the HUD proposed rule would have on the City of Los Angeles, as well as other communities in Los Angeles County.

An estimated 22% of all HACLA-assisted households, and 31% of the total population in HACLA's public housing programs, will be negatively impacted by the proposed rule. Further, with nearly one in three public housing residents impacted by the rule, the economic consequences for HACLA will be immense. Including public housing and Section 8 housing,

<sup>1</sup> 42 U.S.C. 1436a(a)

<sup>2</sup> 24 CFR Sec. 5.520, 42 U.S.C. 1436a(c)(1)(A)

this rule could displace 2,587 households, totaling an estimated 11,600 individuals.<sup>3</sup> This could have devastating effects on many Los Angeles communities. Removing this population from the HACLA housing system without a plan to relocate them could heighten the Los Angeles region's existing homelessness crisis.

The collateral damage of this policy on U.S. citizen children is unconscionable. Your own Department's analysis of the proposed rule offers that there are "less costly alternatives that would achieve a similar objective to this proposed rule."<sup>4</sup> I disagree with the spirit of the proposed rule. Not only would this proposal significantly increase costs under an Administration that has continually proposed cuts to housing programs, but it is also an indication that your approach lacks the fundamental compassion that our government should employ when making decisions of this magnitude.

I demand you withdraw this proposed rule. This policy proposal threatens to increase costs, decrease HUD's ability to maximize the families it serves with quality homes, force U.S. citizen children into homelessness, and separate families.

Sincerely,



NANETTE DIAZ BARRAGÁN  
Member of Congress

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<sup>3</sup> HACLA Data, Provided on May 8, 2019

<sup>4</sup> Regulatory Impact Analysis, Housing Community Development Act of 1980: Verification of Eligible Status, Proposed Rule Docket No. FR-6124-P-01, retrieved at <https://www.regulations.gov/document?D=HUD-2019-0044-0002>