

1 [Opposing United States Housing & Urban Development Rule Prohibiting Mixed Status
2 Families from Receiving Federal Housing Assistance]

3 **Resolution opposing the United States Department of Housing and Urban Development**
4 **proposed rule requiring verification of immigration status and disqualifying prohibiting**
5 **mixed immigration-status families from receiving federal housing assistance.**

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7 WHEREAS, Section 214 of the Housing and Community Development Act of 1980, as
8 amended, prohibits the U.S. Department of Housing and Urban Development (HUD) from
9 making housing assistance available to persons other than United States citizens or certain
10 categories of eligible noncitizens in programs covered by Section 214; HUD programs
11 covered by Section 214 include public housing and Section 8 rent subsidies; and

12 WHEREAS, Currently, HUD allows families of mixed eligibility status to live together in
13 subsidized housing and prorates the housing subsidy to exclude the ineligible person from the
14 assistance and requires that individuals claiming eligible status and applying to receive
15 housing assistance provide documentation of their eligible immigration status; and

16 WHEREAS, On May 10, 2019, HUD published FR-6124-P-01, a proposed new rule to
17 implement Section 214, on file with the Clerk of the Board of Supervisors in File No. 190773,
18 which is hereby declared to be part of this Resolution as if set forth fully herein, which would
19 require the verification of the eligible immigration status of all recipients of assistance under
20 the age of 62 through Department of Homeland Security’s Systematic Alien Verification for
21 Entitlements (SAVE); and

22 WHEREAS, The proposed rule specifies that families that include members who are
23 determined to be ineligible will be evicted from subsidized housing no later than 18 months
24 from verification, including eligible children in mixed-status families whose assistance has
25 been prorated; and

1 WHEREAS, The proposed new rule could affect 164 families in San Francisco,
2 comprising 680 people, including 333 children, causing them to lose their current homes and
3 likely become homeless; and

4 WHEREAS, The proposed rule would impose onerous new reporting obligations by
5 requiring U.S. citizens, who currently must provide only a signed declaration of citizenship, to
6 submit documentation of their citizenship status; and

7 WHEREAS, The proposed rule continues the Trump administration’s heinous attacks
8 on immigrants; and

9 WHEREAS, The proposed new rule would divert scarce city housing resources to
10 screening and evicting, rather than housing; and

11 WHEREAS, San Francisco supports positive, inclusive efforts at the local, state, and
12 federal level to ensure that everyone has access to safe and affordable housing; now,
13 therefore, be it

14 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
15 opposes the proposed rule and cruel attack on children and families and denounces the
16 targeted scapegoating of immigrants; and, be it

17 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
18 to transmit copies of this Resolution to Office of the General Counsel, Rules Docket Clerk,
19 Department of Housing and Urban Development, 451 Seventh Street SW, Room 10276,
20 Washington, DC 20410-0001 through the Federal e-Rulemaking Portal at may submit
21 comments electronically through the Federal eRulemaking Portal at
22 <http://www.regulations.gov>, referencing docket number FR-6124-P-01 Housing and
23 Community Development Act of 1980: Verification of Eligible Status; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
2 to transmit copies of this Resolution to our Congressional representatives – Speaker of the
3 House Nancy Pelosi, Senator Kamala Harris, and Senator Dianne Feinstein.

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