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Demographic Data Highlight Potential Harm of New Trump Proposal to Restrict Housing Assistance

By Alicia Mazzara

A rule proposed by the Trump Administration would bar families from receiving most forms of rental assistance¹ from the Department of Housing and Urban Development (HUD) if at least one person in the household isn't eligible for assistance because of their immigration status. This is a significant change from current policy, which allows the eligible individuals in such "mixed-status" families to receive assistance while excluding the ineligible individual by proportionally reducing the assistance the household receives. Under the proposal, mixed-status households would have to choose between receiving rental assistance and splitting up their family. Over 100,000 people could lose assistance due to this provision, HUD's own estimates show.²

The proposed rule also includes a second provision that would require citizens and older immigrants who are eligible for assistance to meet new documentation requirements proving their citizenship or immigration status. Those who cannot meet the new requirements would lose their rental assistance. Currently, U.S. citizens and elderly non-citizens applying for assistance are required to submit a signed declaration, under penalty of perjury, attesting to their citizenship or immigration status. Housing agencies and private landlords that administer rental assistance programs locally may, at their discretion, adopt a policy requiring applicants to submit verifying documents. (It is unclear how many families are currently subject to these policies.) The new proposal, by contrast, would require all housing agencies and participating private landlords to require every applicant to submit documentation, such as a birth certificate or passport, even though both survey research and

¹ Nearly 90 percent of all households receiving HUD rental assistance would be subject to this proposal. The proposal covers the three largest HUD programs: Housing Choice Vouchers, Public Housing, and Section 8 Project-Based Rental assistance. It also covers several smaller programs administered by HUD: Section 8 Moderate Rehabilitation, Rent Supplement housing, Section 236 housing, Section 235 Homeownership housing, Section 23 Leased Housing Assistance Program, and Housing Development Grants.

² 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, 2019, <https://nlihc.org/sites/default/files/2019-05/Noncitizen-RIA-Final-April-15-2019.pdf>.

experience in other programs shows such documents can be very difficult for many low-income people to provide in short order.³

The proposal could therefore jeopardize rental assistance for hundreds of thousands of people. It would disproportionately affect women, children, and people of color, groups that are less likely to have proof of citizenship due to their gender or race.⁴ Most of the people who would face these new documentation requirements and would be at risk of losing assistance are U.S. citizens who may not have ready access to a birth certificate or passport.⁵

Because most assisted families have extremely low incomes, those losing aid would struggle to find and maintain housing in the private market, increasing their risk of homelessness. Even if they subsequently provided documents verifying their eligibility, households that lost assistance due to the documentation requirements would be unlikely to regain it due to funding shortages and long waiting lists for entry into these programs.⁶ (Those who lost assistance because of the new rule barring mixed-status households would have no way to reapply for rental assistance, unless the ineligible individual subsequently left the household.)

Rental assistance programs largely serve families with extremely low incomes, mostly families with children, seniors, and people with disabilities, as the data in this report show. The tables below provide national demographic data on those subject to the rule's new documentation requirements, those the rule would newly bar from rental assistance due to the prohibition on households that include an ineligible individual, and the number of households and individuals that would be subject to the proposal in each state.

Tens of Thousands of Eligible People in Mixed-Status Families at Risk of Losing Assistance

³ Brennan Center for Justice, "Citizens Without Proof: A Survey of Americans' Possession of Documentary Proof of Citizenship and Photo Identification," NYU School of Law, November 2006, https://www.brennancenter.org/sites/default/files/legacy/d/download_file_39242.pdf; Robert Greenstein, Leighton Ku, and Stacy Dean, "Survey Indicates House Bill Could Deny Voting Rights to Millions of U.S. Citizens," Center on Budget and Policy Priorities, September 22, 2006, <https://www.cbpp.org/research/survey-indicates-house-bill-could-deny-voting-rights-to-millions-of-us-citizens>; Donna Cohen Ross, "New Medicaid Citizenship Documentation Requirement Is Taking a Toll: States Report Enrollment Is Down and Administrative Costs Are Up," Center on Budget and Policy Priorities, March 13, 2007, <https://www.cbpp.org/research/new-medicaid-citizenship-documentation-requirement-is-taking-a-toll-states-report>; Government Accountability Office, "States Reported That Citizenship Documentation Resulted in Enrollment Declines for Eligible Citizens and Posed Administrative Burdens," GAO-07-889, June 2007, <https://www.gao.gov/products/GAO-07-889>.

⁴ Brennan Center for Justice; Greenstein, Ku, and Dean.

⁵ Cohen Ross; Government Accountability Office.

⁶ Center on Budget and Policy Priorities, "Three Out of Four Low-Income At-Risk Renters Do Not Receive Federal Rental Assistance," August 2017, <https://www.cbpp.org/three-out-of-four-low-income-at-risk-renters-do-not-receive-federal-rental-assistance>; Alicia Mazzara, "Housing Vouchers Work: Huge Demand, Insufficient Funding for Housing Vouchers Means Long Waits," Center on Budget and Policy Priorities, April 19, 2017, <https://www.cbpp.org/blog/housing-vouchers-work-huge-demand-insufficient-funding-for-housing-vouchers-means-long-waits>.

The proposed rule would also take rental assistance away from U.S. citizens and eligible immigrants if they live in a “mixed-status” family, meaning they share a home with an immigrant family member who’s ineligible due to their immigration status.⁷ Under longstanding policy, when families include an immigrant whose status doesn’t qualify the individual for assistance, the rental assistance is carefully prorated, ensuring that ineligible family members don’t receive it. This proposal would end that sensible policy. It would force people living in these families to choose between splitting up their families and losing the assistance that helps them keep a roof over their heads.

The rule would disproportionately harm families with children and Latinx people, who make up about 85 percent of people living in mixed-status families in the three largest rental assistance programs: Housing Choice Vouchers, Public Housing, and Section 8 Project-Based Rental Assistance (see Table 1). Among the 109,500 people in 25,000 households that would be affected by the rule:

- 95 percent are people of color, including 85 percent who are Latinx;
- 56 percent are female; and
- 53 percent are children.⁸

The typical mixed-status household that would lose assistance (or be forced to separate the ineligible family member from the family) under the proposed rule is a working family of four with two school-aged children and two adults. Usually, three of the four family members are U.S. citizens eligible for rental assistance and the household is receiving three-quarters of the rental assistance it would receive if all individuals were eligible. These families typically earn only about \$13,000 a year, likely working at low-wage jobs with unreliable hours.⁹ Nearly three-quarters of mixed-status families live in three states — California, Texas, and New York (see Table 3).

⁷ Anna Bailey, “Trump Proposal Would Force 25,000 Families to Split Up or Lose Rental Assistance,” Center on Budget and Policy Priorities, June 27, 2019, <https://www.cbpp.org/blog/trump-proposal-would-force-25000-families-to-split-up-or-lose-rental-assistance>.

⁸ We present data based on the categories HUD uses when collecting demographic information from people receiving rental assistance. We recognize that in some instances, particularly when it comes to gender and race/ethnicity, the categories on standardized government forms may not reflect or adequately capture how individuals would identify themselves.

⁹ CBPP analysis of 2017 HUD administrative data.

TABLE 1

People in "Mixed-Status"* HUD Households Who Would Have to Separate or Lose Their Rental Assistance Under Proposed Rule

	Total	Citizens	Eligible non-citizens	Ineligible non-citizens
Total People	109,500	73,000	4,000	32,300
Female	61,400	37,300	2,200	21,800
Older adults (age 62+)	2,100	800	600	800
Adults (age 18-61)	49,100	16,200	3,000	29,900
Children (age 0-17)	58,200	56,000	400	1,600
With a disability (all ages)	5,200	4,300	500	400
Race/Ethnicity				
Asian	1,200	700	100	400
Black	8,000	5,300	500	2,200
Latinx, any race	93,500	62,400	3,000	28,100
Multiracial	200	200	Under 50	100
Native American	100	100	Under 50	Under 50
Pacific Islander	500	400	Under 50	100
Some other race	100	100	Under 50	Under 50
White	4,900	3,400	200	1,200
Missing	900	700	Under 50	200

* "Mixed-status" = a family that shares a home with an immigrant relative who is ineligible for rental assistance due to their immigration status

Note: This table covers people receiving federal rental assistance from Public Housing, Section 8 Project-Based Rental Assistance, Section 8 Moderate Rehabilitation, Rent Supp/RAP, or the Housing Choice Voucher Program. Data were not available for a handful of smaller HUD programs covered by the proposal (Section 236 housing, Section 235 Homeownership housing, Section 23 Leased Housing Assistance Program, and Housing Development Grants). All numbers have been rounded. Values less than 50 are suppressed. Citizen and non-citizen columns may not sum to the total column due to rounding or missing citizenship data.

Source: CBPP analysis of 2017 HUD administrative data

Unnecessary Documentation Requirements Would Harm Many U.S. Citizens

The proposed rule imposes new documentation requirements on U.S. citizens and eligible older immigrants who receive or seek assistance from one of the three largest HUD rental assistance programs — Housing Choice Vouchers, Public Housing, and Section 8 Project-Based Rental Assistance.¹⁰ However, most people receiving federal rental assistance are less likely than others to have proof of citizenship readily available, or to have other identification that states often require in order to issue a new (or a copy of a) birth certificate.¹¹

¹⁰ Douglas Rice, "Trump Proposal Would Jeopardize Rental Aid for Many U.S. Citizens," Center on Budget and Policy Priorities, June 18, 2019, <https://www.cbpp.org/blog/trump-proposal-would-jeopardize-rental-aid-for-many-us-citizens>.

¹¹ Brennan Center; Greenstein, Ku, and Dean; National Law Center on Homelessness & Poverty, "Photo Identification Barriers Faced by Homeless Persons: The Impact of September 11," April 2004, https://nlchp.org/wp-content/uploads/2018/10/ID_Barriers.pdf.

Obtaining documents such as a birth certificate can be costly and time consuming, partly because it often requires other documents that an individual may also lack, such as a government-issued photo ID, or because the individuals may need to contact another state to get a birth certificate and some states take a number of weeks to provide them.¹² Citizens with low incomes are more likely than others to lack both proof of citizenship or other forms of identification. Twelve percent of U.S. citizens with incomes below \$25,000 lack proof of citizenship, and adults earning under \$35,000 are twice as likely as others to lack a government-issued photo ID, research indicates. People of color and women are also less likely to have identifying documents. For example, one-quarter of Black citizens lack a government-issued photo ID, and about half of women citizens lack a birth certificate with their current legal name. Many people who have experienced homelessness also lack a photo ID due to the difficulty of maintaining important documents while homeless.¹³

Table 2 details who would be at most risk of losing assistance under the rule. Among the 9 million citizens currently receiving HUD rental assistance who would fall under the proposed rule:

- 72 percent are people of color;
- 62 percent are female;
- 39 percent are children;
- 22 percent have a disability; and
- 17 percent are seniors.

The proposal would make it more difficult for U.S. citizens and eligible older immigrants seeking federal rental assistance and would create additional documentation burdens for those currently enrolled in the affected programs. The box below summarizes the differences between current law and the Administration’s proposed documentation requirements for families applying for any of the three largest rental assistance programs — Housing Choice Vouchers, Public Housing, or Section 8 Project-Based Rental Assistance.

¹² Brennan Center; Greenstein, Ku, and Dean; Center on Budget and Policy Priorities, “The New Medicaid Citizenship Documentation Requirement: An Overview,” April 20, 2006, <https://www.cbpp.org/research/the-new-medicaid-citizenship-documentation-requirement>.

¹³ Brennan Center; Greenstein, Ku, and Dean; National Law Center on Homelessness & Poverty.

Proposed Rule Would Make It More Difficult to Apply for Rental Assistance

Current Law

- Citizens and elderly non-citizens must submit a signed declaration, under penalty of perjury, attesting their citizenship status
- Elderly non-citizens required to submit documents verifying their age
- State and local housing agencies and landlords that rent units to assisted families may request additional documents verifying citizenship

Proposed Requirements

Additions in blue

- Citizens and elderly non-citizens must submit a signed declaration, under penalty of perjury, attesting their citizenship status
- Elderly non-citizens required to submit documents verifying their age
- Citizens must submit a birth certificate, passport, or other document verifying their citizenship
- Elderly non-citizens must submit one from a list of immigration documents

Although people served by HUD rental assistance are more likely than average households to face significant barriers in securing the documents needed to prove their citizenship in a timely manner, it is unclear exactly how many would need to produce additional documents under this proposal. Currently, housing authorities administering public housing or the Housing Choice Voucher program and local landlords renting to families assisted through Section 8 Project-Based Rental Assistance may request additional documents to verify eligibility for housing assistance (for instance to verify a person's age or familial relationship). Certain documents submitted for this purpose, such as a birth certificate, would also satisfy the proposed citizenship verification requirement. Given the differences in program administration and requirements across the thousands of housing agencies and private owners that administer rental assistance in local communities, it seems likely that tens or even hundreds of thousands of assisted people would need to provide additional paperwork to verify their citizenship or immigration status.

TABLE 2

People in HUD Households Subject to Proposed Documentation Requirements

	Total	Citizens	Eligible non-citizens	Ineligible non-citizens
Total People	9,467,600	9,058,100	377,100	32,300
Female	5,918,600	5,657,800	239,100	21,800
Older adults (age 62+)	1,642,200	1,521,200	120,200	120,200
Adults (age 18-61)	4,212,900	3,978,000	205,000	205,000
Children (age 0-17)	3,612,500	3,558,800	52,000	52,000
With a disability (all ages)	2,041,800	1,974,700	66,700	66,700
Race/Ethnicity				
Asian	263,400	201,600	61,300	400
Black	4,455,500	4,359,200	94,200	2,200
Latinx, any race	1,860,600	1,696,600	135,900	28,100
Multiracial	106,400	104,600	1,700	Under 50
Native American	63,400	61,800	1,500	Under 50

Pacific Islander	55,800	46,600	9,100	100
Some other race	26,400	21,200	5,200	Under 50
White	2,525,300	2,460,100	64,000	1,200
Missing	110,800	106,300	4,300	200

Note: This table covers people receiving federal rental assistance from Public Housing, Section 8 Project-Based Rental Assistance, Section 8 Moderate Rehabilitation, or the Housing Choice Voucher Program. Data were not available for a handful of smaller HUD programs covered by the proposal (Rent Supplement housing, Section 236 housing, Section 235 Homeownership housing, Section 23 Leased Housing Assistance Program, and Housing Development Grants). All numbers have been rounded. Values less than 50 are suppressed. Citizen and non-citizen columns may not sum to the total column due to rounding or missing citizenship data.

Source: CBPP analysis of 2017 HUD administrative data

TABLE 3

Trump Proposal Would Jeopardize Rental Assistance for Families in Every State

State	Households						Individuals			
	Total Households	With a citizen	With a non-citizen	“Mixed-Status”**	With an eligible non-citizen	With an eligible non-citizen age 62+	Total individuals	Citizens	Non-citizens	Eligible non-citizens age 62+
Alabama	81,590	81,490	250	*	*	50	181,000	180,410	280	60
Alaska	7,270	7,060	550	30	530	140	16,170	15,150	990	150
Arizona	36,900	34,720	5,110	770	4,420	1,590	87,970	79,180	8,300	1,830
Arkansas	43,370	43,200	440	70	370	90	87,030	86,130	520	100
California	436,340	412,260	63,390	9,320	55,580	26,130	936,830	846,670	85,920	30,240
Colorado	54,550	53,000	3,630	500	3,170	1,180	112,120	106,030	5,930	1,390
Connecticut	74,070	72,360	3,680	180	3,540	1,440	151,100	145,740	5,150	1,640
Delaware	11,330	11,220	160	*	*	50	24,560	24,200	240	50
District of Columbia	27,810	27,190	990	*	*	380	58,700	57,140	1,290	420
Florida	177,240	170,100	13,220	280	12,990	6,680	404,560	386,150	16,860	7,470
Georgia	121,790	121,290	1,240	100	1,150	430	284,950	282,970	1,590	500
Hawaii	17,990	17,130	2,830	30	2,820	950	46,760	41,200	5,450	1,090
Idaho	10,980	10,600	730	60	680	140	22,330	20,610	1,670	170
Illinois	200,700	197,280	5,630	140	5,500	3,040	406,870	398,500	7,760	3,640
Indiana	78,410	78,040	780	30	740	220	156,940	155,650	1,090	260
Iowa	34,720	34,200	1,430	60	1,380	220	63,710	60,620	3,020	240
Kansas	29,770	29,490	560	70	500	150	52,770	51,490	1,160	170
Kentucky	74,450	73,840	1,270	50	1,230	220	151,660	148,570	2,710	260
Louisiana	81,760	81,530	570	*	*	70	189,520	188,410	630	70
Maine	24,060	23,250	1,420	20	1,410	290	44,830	41,090	3,540	340
Maryland	86,250	84,650	3,220	80	3,160	1,360	183,120	178,290	4,450	1,620
Massachusetts	177,900	167,690	20,430	640	19,900	8,470	344,840	314,500	29,200	10,080
Michigan	131,020	129,060	3,100	40	3,070	1,590	250,280	244,610	4,970	1,940
Minnesota	81,780	76,460	10,910	90	10,840	3,020	170,800	150,760	19,760	3,290

Mississippi	51,190	51,110	300	*	*	50	124,840	124,120	370	50
Missouri	79,930	79,090	1,730	70	1,670	390	163,150	159,490	3,110	470
Montana	11,750	11,710	80	*	*	30	22,030	21,910	100	40
Nebraska	24,210	23,460	1,650	90	1,570	200	48,920	44,950	3,810	220
Nevada	22,140	21,550	1,310	230	1,100	510	51,400	49,630	1,700	570
New Hampshire	19,510	19,150	800	20	780	220	33,940	32,370	1,530	260
New Jersey	150,490	146,010	8,220	150	8,090	4,230	299,540	288,020	10,740	4,980
New Mexico	21,160	20,460	1,680	420	1,300	520	45,650	43,310	2,260	580
New York	534,830	510,860	59,370	3,160	56,740	21,370	1,142,530	1,053,730	80,120	24,050
North Carolina	112,130	111,680	1,460	390	1,090	310	248,430	245,700	2,190	350
North Dakota	10,430	10,080	740	*	*	100	18,950	17,170	1,760	120
Ohio	204,740	202,820	3,720	50	3,680	960	414,550	407,800	6,070	1,080
Oklahoma	46,670	46,370	730	270	480	140	94,860	93,670	1,010	160
Oregon	48,330	46,900	3,720	800	3,010	1,110	96,570	89,890	6,550	1,400
Pennsylvania	193,840	191,380	4,540	90	4,470	1,980	376,590	368,980	7,170	2,430
Rhode Island	34,020	32,290	3,290	130	3,180	1,200	59,420	54,850	4,350	1,340
South Carolina	57,130	57,010	300	*	*	70	130,540	130,010	360	80
South Dakota	11,630	11,500	280	*	*	50	21,540	21,000	520	60
Tennessee	96,200	95,300	1,620	90	1,540	310	201,220	198,060	2,610	330
Texas	245,910	238,460	21,140	5,770	15,850	6,650	586,600	556,330	29,200	7,440
Utah	17,140	16,410	1,630	170	1,470	420	35,550	32,200	3,320	480
Vermont	11,590	11,290	610	*	*	150	20,870	19,340	1,500	170
Virginia	93,240	91,230	4,510	110	4,430	1,630	208,090	200,810	6,870	1,910
Washington	82,990	78,980	8,290	760	7,600	3,050	170,350	154,920	14,780	3,750
West Virginia	30,860	30,790	120	*	*	30	57,350	57,080	160	30
Wisconsin	67,750	67,110	1,200	60	1,140	440	119,520	117,300	2,010	500
Wyoming	5,360	5,350	30	*	*	*	9,190	9,140	30	*
Guam	3,180	3,000	1,480	*	*	170	13,220	10,390	2,830	200
Mariana Islands	410	400	170	*	*	20	1,900	1,640	250	20
Puerto Rico	98,640	98,440	520	*	*	110	231,070	230,300	640	120
Virgin Islands	5,050	4,800	560	20	540	170	12,350	11,590	750	180

Total	4,494,480	4,372,100	281,300	25,490	259,180	104,490	9,490,120	9,049,770	411,140	120,400
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** "Mixed-status" = a family that shares a home with an immigrant relative who is ineligible for rental assistance due to their immigration status.

* Values less than 11 or values that could be used to derive a value less than 11 are suppressed to meet HUD's privacy guidelines.

Note: This table covers people receiving federal rental assistance from Public Housing, Section 8 Project-Based Rental Assistance, Section 8 Moderate Rehabilitation, or the Housing Choice Voucher Program. Data were not available for a handful of smaller HUD programs covered by the proposal (Rental Supplement, Section 236 housing, Section 235 Homeownership housing, Section 23 Leased Housing Assistance Program, and Housing Development Grants). All numbers have been rounded. Citizen and non-citizen columns may not sum to the total column due to rounding or missing citizenship data.

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