NATIONAL CAPACD

April 21, 2026

*Submitted via regulations.gov*

Secretary Scott Turner
U.S. Department of Housing and Urban Development
451 Seventh St, SW
Washington, DC 20410

Re: **Housing and Community Development Act of 1980: Verification of Eligible Status; Docket No. FR-6524-P-01; RIN 2501-AE16 (24 CFR Part 5, February 20, 2026)**

National Coalition for Asian Pacific American Community Development (National CAPACD) **writes to comment in opposition on behalf of its signed coalition members and partners** below to the U.S. Department of Housing and Urban Development's proposed rule prohibiting financial assistance to "persons other than U.S. citizens, or certain categories of eligible noncitizens in HUD's public and specified assisted housing programs" under Section 214 of the Housing and Community Development Act of 1980. Places, neighborhoods, and communities are more whole, safer, and stronger when everyone is housed, and National CAPACD supports keeping families of mixed status together.

National CAPACD is a coalition of community-based organizations (CBOs), an intermediary, and the nation's leading organization in advancing community development and advocating against gentrification and displacement of Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) communities. We represent and support more than 160 CBOs in driving their local strategies in housing and economic opportunity, and back their efforts by advancing progressive national policies.

The current mixed status rule subsidizes household members with legal status by prorating benefits, while allowing other family members to reside in the home, reflecting a humane approach that secures the economic and social benefits that come from maintaining stable family units. The new proposed rule would evict or break apart families that are already residing together and prevent low-income families from accessing subsidized housing if even one member of their family unit is

without legal status. The proposed rule also indirectly enforces immigration policy through housing, which is a basic human right and need that should not be jeopardized. The people who could end up evicted or unhoused include low-income seniors who rely on other family members for economic security, as well as dependent children.

AAs and NHPIs Live in High-Cost MSAs

HUD's proposed rule is concerning due to its disproportionate impact on low-income immigrant families living in the most high-cost Metropolitan Statistical Areas (MSAs) and multigenerational households. For many years, families with mixed immigration statuses were allowed under federal law to receive HUD housing and funding, including popular programs like the Housing Choice Voucher Program (Section 8) and public housing, which help low-income families find stable housing by subsidizing a portion of their rent payments.

Households in high-cost areas could be significantly harmed. In National CAPACD's Our Neighborhoods policy brief series[1] titled *We Need Sustainable Solutions for Safe and Affordable Housing*, we analyzed the 2021 American Community Survey (ACS) and found that approximately 54% of Asian Americans reside in fifteen MSAs with a median monthly rent cost above the US median.[2] The policy brief also states that Asian American households and Native Hawaiians living in urban Honolulu are in the least affordable MSAs due to gentrification of the neighborhoods that they have long called home. Unaffordable housing costs for Asian Americans and Native Hawaiians mean that families in Section 8 or public housing are most at risk of becoming unhoused long-term or permanently if they are evicted as a result of HUD's proposed rule.[3]

The fifteen MSAs that National CAPACD highlighted from the 2021 ACS show that *New York-Newark-Jersey City, NY-NJ-PA* had the highest median rent cost and *Los Angeles-Long Beach-Anaheim, CA* came in second. The MSAs of *San Jose-Sunnyvale-Santa Clara, CA* and *Washington-Arlington-Alexandria, DC-VA-MD-WV* follow closely, and other MSAs in WA, CA, HI, MA, CT, and CO also had above US average median

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[1] https://www.nationalcapacd.org/national-capacd-releases-policy-briefs-on-issues-impacting-asian-american-renters/

[2] https://www.nationalcapacd.org/wp-content/uploads/2024/07/We-Need-Sustainable-Solutions-for-Safe-and-Affordable-Housing-1.pdf

[3] https://www.nationalcapacd.org/wp-content/uploads/2024/07/We-Need-Sustainable-Solutions-for-Safe-and-Affordable-Housing-1.pdf

rent costs.[4] In comparison, the top metro areas of residence for the Asian American population from the 2021-2023 ACS are *New York-Newark-Jersey City, NY-NJ-PA*; *Los Angeles-Long Beach-Anaheim, CA*; *San Francisco-Oakland-Hayward,* CA; *San Jose-Sunnyvale-Santa Clara, CA*; and *Washington-Arlington-Alexandria, DC-VA-MD-WV*.[5] Each of these top metro areas in which Asian Americans reside overlap with the MSAs with the highest median cost of rent.

In the *We Need Sustainable Solutions for Safe and Affordable Housing* policy brief, National CAPACD also found that families and individuals living in these high-cost MSAs face limited choices between homelessness and subpar housing conditions, while having to split scarce resources amongst household members in order to survive. Despite concerns about habitability, remaining housed is better than eviction. Families still may not have access to better housing options, especially in these high-cost MSAs. As mentioned earlier, HUD's proposed new rule will target vulnerable populations, including children, seniors, veterans, and individuals with disabilities—and separate them from their families.

AA and NHPI Multigenerational Households

Many Asian American, Native Hawaiian, and Pacific Islander families live in multigenerational households as well, although this is not completely unique to AAs and NHPIs.[6] In our report titled *Foundations for the Future*, Native Hawaiian community members expressed the importance of valuing family relationships and perspectives of elders, and that multigenerational living functions as a cultural practice and/or economic strategy to protect against financial insecurity.[7] These values are highly regarded by AA and NHPI communities in our coalition, and we emphasize that immigrants and young adults experience lower poverty rates when they live in multigenerational households. AAs and NHPIs are more likely than any other ethnic group to live in multigenerational households, with Hawai'i having the largest percentage of multigenerational households in the US.[8]

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[4] https://www.nationalcapacd.org/wp-content/uploads/2024/07/We-Need-Sustainable-Solutions-for-Safe-and-Affordable-Housing-1.pdf

[5] https://www.pewresearch.org/chart/top-10-metro-areas-of-residence-for-the-asian-population-2023/

[6] https://www.nationalcapacd.org/wp-content/uploads/2024/07/We-Need-Sustainable-Solutions-for-Safe-and-Affordable-Housing-1.pdf

[7] https://www.nationalcapacd.org/wp-content/uploads/2017/10/Foundations-for-the-Future-Report.pdf

[8] https://www.nationalcapacd.org/wp-content/uploads/2017/10/Foundations-for-the-Future-Report.pdf

Multigenerational poverty will also be exacerbated by evictions and homelessness. HUD's proposed new rule will force mixed status families that depend on each other for survival, to make a somber choice: stay together but lose their housing or break apart to let some family members stay housed, while others are forced out.

The proposal will also increase evictions at a time when the country is facing a significant affordable housing shortage, which will create greater economic and social instability for more households, particularly the lowest-income families that are most vulnerable to residential and economic shocks.

Closing

Places, neighborhoods, and communities are more whole, safer, and stronger when everyone is housed. On behalf of the undersigned organizations, we urge your consideration of the far-reaching and negative impacts of the HUD proposed rule and National CAPACD's comments, and ask you to rescind HUD's mixed status proposed rule.

Sincerely,



Anju Chopra
Director of Policy

**Undersigned Organizations (41)**:
AAPI New Jersey
ASIA PACIFIC CULTURAL CENTER
Asian Arts Initiative
Asian Community Development Corporation
Asian Law Alliance
Asian Pacific Americans in Higher Education (APAHE)
ASIAN, Inc.
Association of Chinese Americans
Beverly-Vermont Community Land Trust
Cambodian American Community Council of WA
CASL

Center for Pan Asian Community Services
Chhaya Community Development Corp.
Chinatown Community Development Center
Chinese Community Center
Chinese Culture Center of San Francisco
Chinese for Affirmative Action
Chinese-American Planning Council (CPC)
Coalition for a Better Chinese American Community
Empowering Pacific Islander Communities (EPIC)
FAJ Action Fund
Fresno Interdenominational Refugee Ministries (FIRM)
Friends of Little Saigon
HANA Center
InterIm CDA
Korean Resource Center
Laotian American National Alliance
Little Manila Rising
Little Tokyo Community Council
MALO- Motivating Action Leadership Opportunity
MidTown Cleveland Inc.
Midwest Asian Health Association
National Asian Pacific American Women's Forum
OCA Central Virginia Chapter
SCIDpda
Song Community Development Corporation
South Asian Network
Southeast Asian Community Alliance
Southern California Pacific Islander Community Response Team (SoCal PICRT)
Thai Community Development Center (Thai CDC)
Xilin Association