



December 18, 2020

The Honorable Robert Menendez
United States Senate
528 Hart Senate Office Building
Washington, DC 20510

Dear Senator Menendez,

I am writing in regard to your June 8, 2020 request for my office to investigate changes made to the Federal Housing Administration's (FHA) policy on whether Deferred Action for Childhood Arrivals (DACA) recipients are eligible to receive FHA-insured mortgage loans. My staff recently communicated with your staff about our intention to initiate a review of FHA's implementation of its program requirements regarding non-resident single family borrowers.

The scope of our review will include analyzing the residency requirements outlined in HUD's FHA Single Family Housing Policy Handbook 4000.1, Section II.A.1.b(9)(c), which are applicable to DACA recipients and other non-residents.¹ Our review will determine how FHA has communicated its policy on residency requirements to mortgage lenders and servicers in its program, and whether FHA is following its policy consistently in its compliance reviews and enforcement functions.

Should you or your staff have any questions, please do not hesitate to contact our Director of Congressional Affairs, Kathleen Hatcher, at khatcher@hudoig.gov.

Sincerely,

Rae Oliver Davis
Inspector General

Cc:

The Honorable Sherrod Brown, United States Senate
The Honorable Juan Vargas, U.S. House of Representatives
The Honorable Pete Aguilar, U.S. House of Representatives
The Honorable Catherine Cortez Masto, United States Senate
The Honorable Cory A. Booker, United States Senate
The Honorable Mazie K. Hirono, United States Senate
The Honorable Kamala D. Harris, United States Senate

¹ See, US Customs and Immigration Form I-765, Categories, at <https://www.uscis.gov/working-in-the-united-states/information-for-employers-and-employees/employer-information/employment-authorizati>

The Honorable Chris Van Hollen, United States Senate
The Honorable Kirsten Gillibrand, United States Senate
The Honorable Bernard Sanders, United States Senate
The Honorable Jeffrey A. Merkley, United States Senate
The Honorable Elizabeth Warren, United States Senate
The Honorable Jacky Rosen, United States Senate
The Honorable Amy Klobuchar, United States Senate
The Honorable Jesús G. “Chuy” Garcia, U.S. House of Representatives
The Honorable Sylvia R. Garcia, U.S. House of Representatives
The Honorable Raúl M. Grijalva, U.S. House of Representatives
The Honorable Alexandria Ocasio-Cortez, U.S. House of Representatives
The Honorable Joaquín Castro, U.S. House of Representatives
The Honorable Adriano Espaillat, U.S. House of Representatives
The Honorable Bill Foster, U.S. House of Representatives
The Honorable Vicente Gonzalez, U.S. House of Representatives
The Honorable Julia Brownley, U.S. House of Representatives
The Honorable Gilbert R. Cisneros, Jr., U.S. House of Representatives
The Honorable Carolyn B. Maloney, U.S. House of Representatives
The Honorable Nydia M. Velázquez, U.S. House of Representatives
The Honorable Gregory Meeks, U.S. House of Representatives
The Honorable Grace F. Napolitano, U.S. House of Representatives
The Honorable Ed Perlmutter, U.S. House of Representatives
The Honorable Jim Costa, U.S. House of Representatives
The Honorable Nanette Diaz Barragán, U.S. House of Representatives
The Honorable Norma J. Torres, U.S. House of Representatives
The Honorable Albio Sires, U.S. House of Representatives
The Honorable Lucille Roybal-Allard, U.S. House of Representatives
The Honorable Jimmy Gomez, U.S. House of Representatives
The Honorable Ayanna Pressley, U.S. House of Representatives
The Honorable Darren Soto, U.S. House of Representatives
The Honorable Susan A. Davis, U.S. House of Representatives
The Honorable Linda T. Sánchez, U.S. House of Representatives
The Honorable José E. Serrano, U.S. House of Representatives
The Honorable Jim Himes, U.S. House of Representatives
The Honorable Barbara Lee, U.S. House of Representatives
The Honorable Adam Smith, U.S. House of Representatives
The Honorable Alma S. Adams, Ph.D., U.S. House of Representatives