



July 9, 2019

Submitted via www.regulations.gov

Office of General Counsel, Rules Docket Clerk
Department of Housing and Urban Development
451 7th Street SW, Room 10276
Washington, DC 20410-0500

Re: HUD Docket No. FR-6124-P-01, RIN 2501-AD89 Comments in Response to Proposed Rulemaking:
Housing and Community Development Act of 1980: Verification of Eligible Status

Dear Sir/Madam:

I am writing on behalf of Children's Institute in response to the Department of Housing and Urban Development's (HUD) proposed rule to express our strong opposition to the changes regarding "verification of eligible status," published in the Federal Register on May 10, 2019 (RIN 2501-AD89; HUD Docket No. FR-6124-P-01). This rule will have a devastating impact on children residing in our most under-resourced and marginalized communities in Los Angeles. We urge the rule to be withdrawn in its entirety, and that HUD's long-standing regulations remain in effect.

Founded in 1906, Children's Institute (CII) is the largest agency of its kind working to transform the lives of children exposed to adversity and poverty in Los Angeles. By providing trauma-informed, evidence-based services including early education, behavioral health and family strengthening programs, Children's Institute reaches 26,000 children and families annually in communities where support is needed most. Through a comprehensive network of programs and services across 34 locations, Children's Institute advances a vision for Los Angeles where children are healthy, families are thriving, and communities are empowered.

However, this proposed rule creates an unnecessary barrier to the well-being of families, particularly children. At Children's Institute, over 90% of children and families are under the age of 24. In Los Angeles, over 137,000 people live in public housing or participate in rental assistance programs managed by the Housing Authority of the City of Los Angeles (HACLA). Of those residents, nearly one-third of people served by HACLA are under the age of 18.¹ Having safe and stable housing is crucial to a

¹ Housing Authority of the City of Los Angeles. (2019) *Build HOPE*. Retrieved from <http://online.fliphtml5.com/ctqqu/bgly/#p=305>.

²HEATHER SANDSTROM & SANDRA HUERTA, THE NEGATIVE EFFECTS OF INSTABILITY ON CHILD DEVELOPMENT: A RESEARCH SYNTHESIS (2013), <https://www.urban.org/sites/default/files/publication/32706/412899-The-Negative-Effects-of-Instability-on-Child-Development-A-Research-Synthesis.PDF>.

³See Mai Abdul Rahman, The Demographic Profile of Black Homeless High School Students Residing in the District of Columbia Shelters and the Factors that Influence their Education 55 (Mar. 2014) (Ph.D. dissertation, Howard University), available at <http://gradworks.umi.com/3639463.pdf> (citations omitted).

person's good health, sustaining employment, and overall self-sufficiency. However, we know that these effects are particularly prominent in children, nearly all of whom are U.S. citizens, in mixed status families. Research has shown that economic and housing instability impedes children's cognitive development, leading to poorer life outcomes as adults.² Housing instability is directly correlated to decreases in student retention rates and contributes to homeless students' high suspension rates, school turnover, truancy, and expulsions, limiting students' opportunity to obtain the education they need to succeed later in life.³ Conversely, we know housing assistance improves child health—children of families receiving housing assistance had a 35 percent higher chance of being labeled a “well child,” a 28 percent lower risk of being seriously underweight and a 19 percent lower risk of food insecurity.⁴ Access to affordable housing provides stability for families and frees up income for other necessities.

As an organization serving many immigrant families, Children's Institute disputes HUD's contention that the proposed rule is a means of addressing the waitlist crisis faced by a majority of Public Housing Authorities nationwide.⁵ We are concerned that millions of U.S. households struggle to find affordable housing in the ongoing nationwide housing crisis, but targeting immigrant families will not fix this problem. Among the 2,000 children and families enrolled in Children's Institute's Early Head Start and Head Start, 60 percent of families live in extreme poverty with incomes at or well below the Federal Poverty Level. Additionally, HUD's own analysis of the proposed rule concludes that fewer, not more, families are likely to receive assistance as a result of the rule.⁶ HUD's proposed rule is likely to incite fear among low-income and immigrant families we serve Children's Institute.

This rule removes housing assistance from thousands of children and families, ignoring research from leading experts regarding what is best for their well-being. Evicting families or forcing them to separate will not only harm children's health today, but well into the future. We need policies that expand, not reduce, access to stable homes for families with children in order to ensure all children have opportunities to be healthy and reach their highest potential. The real issue is the lack of sufficient funding to ensure that every family, regardless of immigration status, has access to one of the most basic of human rights—a safe place to call home. The rule would force mixed status families to make an impossible decision: either break up, to allow eligible family members to continue receiving assistance, or forego the subsidies so they can stay together.

Family separations undermine family stability, and lead to toxic stress, trauma, and attachment issues in children. Even a temporary separation has an enormous negative impact on the health and educational attainment of these children later in life, and many parents struggle to restore the parent-

⁴ Elizabeth March, “Rx for Hunger: Affordable Housing,” *Children's Health-Watch; Medical-Legal Partnership*, December 2009, http://www.vtaffordablehousing.org/documents/resources/435_RxforhungerNEW12_09.pdf.

⁵ Tracy Jan, *Trump Proposal Would Evict Undocumented Immigrants from Public Housing*, WASH. POST (Apr. 18, 2019), https://www.washingtonpost.com/business/2019/04/18/trump-proposal-would-evict-undocumented-immigrants-public-housing/?utm_term=.c6fd40565b83.

⁶ HUD, Regulatory Impact Analysis, *Amendments to Further Implement Provisions of the Housing and Community Development Act of 1980*, Docket No. FR-6124-P-01 (Apr. 15, 2019).

child bond a separation.⁷ The proposed rule will further increase housing insecurity and child homelessness, with detrimental effects to child well-being and our economy. Homelessness, even for a brief time, is extremely detrimental to a child's healthy development. The younger and longer a child experiences homelessness, the greater the cumulative toll of negative health outcomes.⁸ Homelessness is also associated with an 87 percent greater likelihood of a child or youth dropping out of school.⁹

Since 70 percent of mixed status families currently receiving HUD assistance are composed of eligible children and at least one ineligible parent, it is likely that these families will forgo the subsidies to avoid separation. In fact, HUD anticipates this, noting in their regulatory impact analysis that "HUD expects that fear of the family being separated would lead to prompt evacuation by most mixed households, whether that fear is justified."¹⁰ Therefore, this rule would effectively evict as many as 108,000 individuals in mixed status families (in which nearly 3 out of 4 are eligible for assistance) from public housing, Section 8, and other programs covered by the proposed rule.¹¹ According to members of the Los Angeles Congressional delegation, an estimated 22 percent of all HACA-assisted households and 31 percent of the total population in HACA's public housing programs will be negatively impacted. Specifically, this proposed rule could displace 2,587 households totaling 11,600 individuals in Los Angeles.¹²

Research shows that housing stability and rental assistance for households with children results in significant positive effects for future child outcomes and family economic security. Housing assistance lifts about a million children out of poverty each year,¹³ and can improve a child's chances for long-term economic mobility. One study finds that children in households receiving Housing Choice vouchers have higher adult earnings and a lower chance of incarceration.¹⁴ Research confirms that this proposed rule is ineffective policy. If finalized, it will be detrimental to the health, well-being, and cognitive development of children. Furthermore, by creating barriers to access the most basic human right of a safe place to live, this rule continues to destabilize our most vulnerable families and communities.

⁷ Laura C. N. Wood, *Impact of Punitive Immigration Policies, Parent-Child Separation and Child Detention on the Mental Health and Development of Children*, 2 *BMJ PAEDIATRICS OPEN* (2018), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6173255/>.

⁸ Megan Sandel, Richard Sheward, and Lisa Sturtevant, *Compounding Stress: The Timing and Duration Effects of Homelessness on Children's Health, Insights from Housing Policy Research* (Washington, DC: Center for Housing Policy; Boston: Children's HealthWatch, 2015), <https://www.issuelab.org/resources/21731/21731.pdf>.

⁹ Erin S. Ingram, John M. Bridgeland, Bruce Reed, and Matthew Atwell, *Hidden in Plain Sight: Homeless Students in America's Public Schools* (Washington, DC: Civic Enterprises and Hart Research Associates, 2016), <http://www.americaspromise.org/report/hidden-plainsight>.

¹⁰ HUD, *Regulatory Impact Analysis, Amendments to Further Implement Provisions of the Housing and Community Development Act of 1980*, Docket No. FR-6124-P-01, at 7 (Apr. 15, 2019).

¹¹ *Id.* at 8.

¹² Barragán, Nanette Diaz, Letter to Secretary Ben Carson. Retrieved from <https://barragan.house.gov/wp-content/uploads/2019/05/Carson-Letter.pdf>.

¹³ Liana Fox, "The Supplemental Poverty Measure: 2017," September 2018, <https://www.census.gov/library/publications/2018/demo/p60-265.html>.

¹⁴ Andersson, Fredrik and Haltiwanger, John C, et. al. "Childhood Housing and Adult Earnings: A Between-Siblings Analysis of Housing Vouchers and Public Housing." National Bureau of Economic Research, Working Paper No. 22721, September 2018, <http://www.nber.org/papers/w22721>.

We urge HUD to immediately withdraw its current proposal, and dedicate its efforts to advancing policies that strengthen the ability of immigrant communities to support themselves and their families in the future. Thank you for the opportunity to submit comments on the proposed rulemaking. Please do not hesitate to contact Terry Kim at tkim@childrensinstitute.org to provide further information.

Sincerely,



Martine Singer
President & CEO
Children's Institute



Terry Kim
Director of Government Relations & Advocacy
Children's Institute