



July 9, 2019

Submitted via www.regulations.gov

Office of General Counsel, Rules Docket Clerk
Department of Housing and Urban Development
451 Seventh 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

To Whom it May Concern:

The National Head Start Association is pleased to offer comments on the Department of Housing and Urban Development's proposed rule published in the Federal Register on May 10, 2019 (RIN 2501-AD89; HUD Docket No. FR-6124-P-01) regarding the implementation of Section 214 of the Housing and Community Development Act of 1980. We are deeply concerned about the impact of the proposed rule on young children and write to express our opposition to the changes. Housing is a basic need of safe and healthy child development and we fear that the rule as proposed would unnecessarily hurt the development of thousands of American children and their families. We urge the proposed rule to be withdrawn in its entirety, and that HUD's long-standing regulations remain in effect.

The National Head Start Association (NHSA) is the voice for more than one million children and their families in Head Start and Early Head Start programs¹ each year across the United States. Recognizing the devastating impact poverty can have on the future success of young children and their families, Head Start represents a longstanding national commitment to provide early learning opportunities for vulnerable children and comprehensive supports to help their families achieve long-term stability and success. NHSA believes that every child, regardless of circumstances at birth, has the ability to succeed in life if given the opportunity that Head Start offers to children and their families.

The proposed rule places tens of thousands of immigrant families at risk of homelessness, jeopardizing their family and housing stability, both of which are critical to getting children and families on a pathway to self-sufficiency and better life outcomes.

Stable housing is essential for the success of children and the proposed rule will hurt the number of children accessing critical services.

Consistent and reliably safe housing is a critical component in a child's life. Research conducted by the Washington University in St. Louis illustrates that children's development (physical, emotional, and cognitive) is directly impacted by their housing status.² Section 8 Housing Assistance under the Housing Choice Voucher Program, Section 8 Project-Based Rental

¹ Early Head Start and Head Start are collectively referred to as Head Start in this document

² Marcal, K., & Fowler, P. J. (2015, September). *Housing and child well-being* (CSD Research Brief No. 15-40). St. Louis, MO: Washington University, Center for Social Development.



NATIONAL HEAD START ASSOCIATION

Assistance (including Moderate Rehabilitation), and Subsidized Public Housing all enable low-income families to provide that critical support to their children. Such support allows for children to be safe and unencumbered by the stress and instability caused by unreliable housing. Research has shown that economic and housing instability impedes children's cognitive development, leading to poorer life outcomes as adults.³ 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.⁴

As 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,⁵ the proposed rule stands to hurt thousands of children and families both in the short- and long-term.

The proposed rule will force families to choose between housing and family stability.

The proposed rule threatens to undermine the well-being of low-income U.S. citizens, immigrants, and their families. 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 forgo the subsidies so that the families can stay together. Family separations undermine family stability, and lead to toxic stress, trauma, and attachment issues in children. From Head Start's 54 year history, research and practice have demonstrated that family stability is an essential element of children having an opportunity to succeed. Even a temporary separation has an enormous negative impact on the health and educational attainment of these children later in life.

Since 70% of mixed status families currently receiving HUD assistance are composed of eligible children and at least one ineligible parent, HUD expects that these families will forgo the subsidies to avoid separation, 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."⁶ 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.⁷ These mass evictions and departures from housing assistance will cause increased rates of homelessness and unstable housing among an already vulnerable population.⁸

³ See Heather Sandstrom and Sandra Huerta, *The Negative Effects of Instability on Child Development: A Research Synthesis*, The Urban Institute (September 2013) available at <https://www.urban.org/sites/default/files/publication/32706/412899-The-Negative-Effects-of-Instability-on-Child-Development-A-Research-Synthesis.PDF>.

⁴ See 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>.

⁵ 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).

⁶ *Id.* at 5.

⁷ *Id.* at 5.

⁸ Pratt Ctr. For Cmty. Dev., *Confronting the Housing Squeeze: Challenges Facing Immigrant Tenants, and What New York Can Do* (2018), <https://prattcenter.net/research/confronting-housing-squeeze-challenges-facing-immigrant-tenants-and-what-new-york-can-do>.



NATIONAL HEAD START ASSOCIATION

On behalf of the National Head Start Association and the nationwide Head Start community, thank you for your time and your consideration. While we applaud HUD for attempting to tackle the waitlist crisis faced by a majority of Public Housing Authorities nationwide, NHSA is concerned that the proposed approach could deeply hurt low-income children and their families. We urge you to withdraw and reconsider the proposed rule.

Sincerely,

A handwritten signature in black ink that reads "Yasmina Vinci". The signature is written in a cursive style with a large, flowing 'Y' and 'V'.

Yasmina Vinci
Executive Director