

October 15, 2019

The Honorable Maxine Waters
Chairwoman
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Patrick McHenry
Ranking Member
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Re: ABA Support for H.R. 2001, the Homeless Children and Youth Act of 2019

Dear Chair Waters and Ranking Member McHenry,

On behalf of the American Bar Association (ABA), which is the largest voluntary association of attorneys and legal professionals in the world, I write to express our strong support for the Homeless Children and Youth Act of 2019 (HCYA), H.R. 2001. This bipartisan legislation would make it easier for local communities to help break the cycle of homelessness for children and youth by amending the McKinney-Vento Homeless Assistance Act to ensure that the U.S. Department of Housing and Urban Development (HUD) definition of “homeless” would include those persons who have already been verified as homeless under another federal assistance program.

Children and youth facing homelessness today stay wherever they can, either with their parents or unaccompanied. Sometimes that means young people move among strangers’ homes for short periods of time or families deplete their resources by living in a motel. Such living situations are temporary and unstable, and often unsafe. Accordingly, most federal assistance programs consider persons in such transient situations as qualifying for assistance. HUD does not. Under HUD’s narrow definition of “homeless,” these children, youth, and their parents would have to sleep in certain types of shelters or else be sleeping in a “public or private place not meant for human habitation” to become eligible for housing assistance. But many communities do not have family or youth shelters, the shelters may be full, or the shelter policies exclude them. In those situations, parents or youth needing assistance from HUD would have to first move into unsheltered situations solely to satisfy that technical definition. Changing this HUD definition to align it with other federal definitions requires legislative action, such as that proposed by the HCYA.

Opponents of HCYA claim that expanded eligibility for HUD programs would result in increased competition for available resources. However, eligibility for HUD programs is not a guarantee of assistance; it just allows community caseworkers to assess one’s housing needs along with other required services to produce the best possible outcomes in cases involving vulnerable children and youth. We know you agree: Competition for program resources is not created by young people in crisis. Rather, it is the product of an inability or unwillingness to fund the program to meet actual demand, which Congress cannot determine so long as some of the most vulnerable Americans are excluded. The children and youth that HUD policy ignores today become the chronically homeless adults of tomorrow.

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We urge your Committee to support H.R. 2001. We recognize that these are difficult economic times, but it is precisely for that reason that the HCYA is needed now as much as ever. Thank you for considering these views. If you have any questions about them, please contact Kenneth Goldsmith in the ABA Governmental Affairs Office, (202) 662-1789 or kenneth.Goldsmith@americanbar.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy", with a large loop at the start and a long horizontal stroke extending to the right.

Judy Perry Martinez
President, American Bar Association

cc: Members of the House Financial Services Committee