February 28, 2012

The Honorable Spencer Bachus  The Honorable Barney Frank
Chair                              Ranking Member
Committee on Financial Services    Committee on Financial Services
U.S. House of Representatives      U.S. House of Representatives
Washington DC 20515               Washington DC 20515

Dear Chair Bachus and Ranking Member Frank:

We understand that the Committee on Financial Services will soon consider H.R. 32, the Homeless Children and Youth Act of 2011. I write on behalf of the American Bar Association and its nearly 400,000 members nationwide to express our strong support for H.R. 32 and to urge its prompt approval by the Committee.

H.R. 32 amends the Department of Housing and Urban Development definition of ‘homelessness’ to include children, youth, and their families who are verified as homeless by federal program personnel from four federal programs: school district homeless liaisons designated under the education subtitle of the McKinney-Vento Act; Head Start programs; Runaway and Homeless Youth Act programs; and Early Intervention programs under the Individuals with Disabilities Education Act, Part C. The Subcommittee on Housing and Community Opportunity approved H.R. 32 by voice vote on February 6, 2012.

For many years, the ABA has supported federal legislation to better ensure that children, youth, and families considered homeless by these important HHS and Education programs are also defined as homeless by HUD, thereby enabling them more quickly to access permanent affordable housing. We were pleased to work with you on the HEARTH Act of 2009, which made significant but incomplete strides in this regard. We now believe that H.R. 32 is the appropriate next step.

Federal data from the 2009-2010 school year indicate that 72% of the 939,903 identified and enrolled children and youth receiving assistance from school district homeless liaisons were living in doubled-up situations. Another 5% lived in motels. Without H.R. 32, many of these vulnerable American children and youth – and their families – will be able to access support from only a small portion of homelessness prevention dollars, leaving 97% of federal homeless assistance funds out of their reach.

The Homeless Children and Youth Act creates a streamlined, simple, and efficient referral process for homeless children and youth to access HUD homeless services,
modeled in part on successfully implemented provisions of the Child Nutrition Act and the College Cost Reduction and Access Act.

The Homeless Children and Youth Act provides communities with the flexibility to serve and house families, children, and youth who are extremely vulnerable and in need of assistance. People in local communities are the best equipped to assess specific homeless situations to know which homeless families and youth are most in need of housing and services. Service providers make these determinations on a daily basis and should be permitted to assess the full range of homeless situations.

Despite the success these programs represent, expanded eligibility and an unfortunate rise in the number of Americans falling into poverty will result in increased competition for available resources. We urge the Committee’s support of this legislation to ensure that this invaluable federal commitment to getting Americans off the streets and back to their communities remains firm. We recognize that these are extraordinary economic times with difficult funding decisions to come. It is precisely for that reason that we are grateful for your historical support and urge your continued work toward ensuring that resources for HUD affordable housing and homeless assistance programs are commensurate with the need.

For these reasons, we urge the Committee to approve H.R. 32 so that it may soon be considered by the full House of Representatives.

Sincerely,

Thomas M. Susman

cc: Members of the Committee