

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<http://oversight.house.gov>

MEMORANDUM

January 30, 2020

To: Members of the Subcommittees on Government Operations, Civil Rights and Civil Liberties, Economic and Consumer Policy, and Environment

Fr: Committee Staff

Re: Series of Hearings on Administration Actions that Threaten the Welfare of Children

On February 5 and 6, the Committee will be conducting an in-depth, two-day series of hearings held by four of its subcommittees to examine the negative effects of regulations proposed by the Trump Administration relating to children. This unique and extensive series of hearings will assess the detrimental impact of the Administration's actions on child poverty, housing, hunger, and health.

I. POVERTY

On **February 5, 2020, at 10:00 a.m., in room 2154 of the Rayburn House Office Building**, the Subcommittee on Government Operations will convene a hearing on "A Threat to America's Children? The Trump Administration's Proposed Changes to the Poverty Line Calculation." The purpose of the hearing is to examine the negative effect on children if the Official Poverty Measure (OPM) is calculated with a lower inflation rate and how the current OPM inadequately addresses the needs of families with low incomes.

The Census Bureau updates the poverty threshold annually for price changes using the CPI as the inflation rate indicator. The Department of Health and Human Services then updates poverty guidelines, which federal agencies use to determine eligibility for parts of Medicaid, the Children's Health Insurance Program, the Supplemental Nutrition Assistance Program, Head Start, and other federal programs essential to children's health and wellbeing.¹

On May 7, 2019, the Office of Management and Budget (OMB) requested public comments on the Census Bureau's estimation of the OPM, including on alternative measures of

¹ Department of Health and Human Services, *Frequently Asked Questions Related to the Poverty Guidelines and Poverty* (online at <https://aspe.hhs.gov/frequently-asked-questions-related-poverty-guidelines-and-poverty#developed>) (accessed Jan. 14, 2020).

inflation that could be used to calculate the poverty line in lieu of the Consumer Price Index (CPI).² The Trump Administration’s proposal to use an inflation measure other than the CPI could lower income-eligibility cutoffs for families that rely on these critical federal support programs, ultimately reducing or eliminating essential services for millions of individuals, including hundreds of thousands of children.³

Witnesses:

Rep. Alexandria Ocasio-Cortez (D-NY)

Sister Simone Campbell

Executive Director, Network Lobby

Mr. Indi Dutta Gupta

Co-Executive Director, Center on Poverty, Georgetown Law

Ms. Amy Jo Hutchinson

Organizer, Healthy Kids and Families Coalition, West Virginia

II. HOUSING

On **February 5, 2020, at 2:00 p.m., in room 2154 of the Rayburn House Office Building**, the Subcommittee on Civil Rights and Civil Liberties will convene a hearing on “A Threat to America’s Children: The Trump Administration’s Proposal to Gut Fair Housing Accountability.” The purpose of this hearing is to examine how children could be harmed by the Trump Administration’s proposed rule to weaken the enforcement of the Fair Housing Act.

The Fair Housing Act, enacted in 1968 as Title VIII of the Civil Rights Act, prohibits housing discrimination on the basis of race or color, religion, sex, national origin, familial status, or disability.⁴ The Affirmatively Furthering Fair Housing provision of the Fair Housing Act requires entities receiving grants from the Department of Housing and Urban Development (HUD) to “affirmatively further” equal housing opportunity for all.⁵

² Office of Management and Budget, *Request for Comment on the Consumer Inflation Measures Produced by Federal Statistical Agencies* (May 7, 2019) (online at www.federalregister.gov/documents/2019/05/07/2019-09106/request-for-comment-on-the-consumer-inflation-measures-produced-by-federal-statistical-agencies).

³ *Administration’s Poverty Line Proposal Would Cut Health, Food Assistance for Millions Over Time*, Center on Budget and Policy Priorities (June 18, 2019) (online at www.cbpp.org/research/poverty-and-inequality/administrations-poverty-line-proposal-would-cut-health-food).

⁴ Pub. L. 90-284.

⁵ 42 U.S.C. §3608(d), (e)(5); Congressional Research Service, *The Fair Housing Act: HUD Oversight, Programs, and Activities* (Jun. 15, 2018) (online at www.crs.gov/Reports/R44557?source=search&guid=14b1fc75651c4b229a2ae19d7deab953&index=0#_Toc516818472).

On January 7, 2020, HUD announced a proposal to redefine the Affirmatively Furthering Fair Housing provision to reduce the rigor and accountability of HUD’s fair housing oversight.⁶ The proposed rule “reflects an ideology that ignores structural discrimination and its human cost, as well as our government’s statutory responsibility to address the ongoing legacies of intentional segregation.”⁷

Witnesses:

Ms. Ateira Griffin

Chief Executive Officer and Founder, BOND, Inc - Building our Nation’s Daughters

Ms. Ellen Lee

Director of Community and Economic Development, City of New Orleans

Dr. Megan Sandel

Principal Investigator, Children’s Healthwatch, MD at Boston Medical Center

Mr. Jorge Andres Soto

Director of Public Policy, National Fair Housing Alliance

III. HUNGER

On **February 6, 2020, at 10:00 a.m., in room 2154 of the Rayburn House Office Building**, the Subcommittee on Economic and Consumer Policy will convene a hearing on “A Threat to America’s Children: The Trump Administration’s Proposed Changes to Broad Based Categorical Eligibility for the Supplemental Nutrition Assistance Program.” The purpose of this hearing is to examine how a proposal by the Trump Administration would aggravate food insecurity among children both at home and at school.

SNAP is the nation’s largest food assistance program, providing nutrition benefits to 42 million people with low incomes. More than 68% of SNAP participants reside in families with children.⁸ According to the pediatric research center Children’s HealthWatch, childhood food insecurity is associated with poor child health, increased risk for delayed development, and decreased intellectual and emotional readiness to start school.⁹

⁶ Department of Housing and Urban Development, *HUD Issues Improved Fair Housing Rule* (Jan. 7, 2020) (online at www.hud.gov/press/press_releases_media_advisories/HUD_No_20_002).

⁷ Poverty and Race Research Action Council, *PRRAC Denounces the Department of Housing and Urban Development’s Effort to Ignore Its Civil Rights Obligation Under the Law* (Jan. 7, 2020) (online at www.prrac.org/press-release-prrac-denounces-huds-effort-to-ignore-its-civil-rights-obligation-under-the-law/).

⁸ *A Closer Look at Who Benefits from SNAP: State-by-State Fact Sheets*, Center on Budget and Policy Priorities (Dec. 3, 2018) (online at www.cbpp.org/research/food-assistance/a-closer-look-at-who-benefits-from-snap-state-by-state-fact-sheets#Alabama).

⁹ *Feeding Our Human Capital: Food Insecurity and Tomorrow’s Workforce*, Children’s HealthWatch (online at www.childrenshealthwatch.org/wp-content/uploads/FeedingHumanCapital_report.pdf).

On July 24, 2019, the Trump Administration proposed a rule to limit authorities available to states to expand eligibility for SNAP. According to an analysis from the Department of Agriculture, 684,000 households with children would lose SNAP eligibility if Broad Based Categorical Eligibility is eliminated. The analysis also found that nearly a million children would likely lose direct enrollment in programs that provide no-cost school meals.¹⁰

Witnesses:

Ms. Lisa Davis

Senior Vice President, No Kid Hungry Campaign, Share our Strength

Mr. Zach Pethan

Principal, Jefferson Elementary, Sheboygan Area School District

Ms. Diane Sullivan

Advocate, Witnesses to Hunger

Ms. Tega Toney

Teacher, Oak Hill High School, Fayette County Schools

IV. HEALTH

On **February 6, 2020, at 2:00 p.m., in room 2154 of the Rayburn House Office Building**, the Subcommittee on Environment will convene a hearing on “A Threat to America’s Children: The Trump Administration’s Proposal to Undermine Protections from Mercury Air Toxics Standards.” The purpose of this hearing is to examine the effectiveness of the current Mercury and Air Toxics Standards (MATS) rule in protecting children’s health and how children would be harmed by the Administration’s effort to undermine the MATS rule.

The MATS rule, finalized in 2012, restricts the amount of mercury and other toxic emissions that can be released by coal- and oil-fired power plants. A significant indirect health benefit of the MATS rule is that it reduces the amount of fine particulate matter pollution in the atmosphere, including methylmercury exposure.¹¹

Despite the proven health benefits of the MATS rule, in 2018 the Environmental Protection Agency (EPA) announced that it would be revising the Supplemental Cost Finding for

¹⁰ Department of Agriculture, *Proposed Rule: Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (RIN 0584-AE62)—Potential impacts on Participants in the National School Lunch Program and School Breakfast Program* (Oct. 15, 2019) (online at www.regulations.gov/document?D=FNS-2018-0037-16046)

¹¹ See, e.g., Environmental Protection Agency, *Healthier Americans* (Dec. 7, 2016) (online at www.epa.gov/mats/healthier-americans); see also Alessandra Antunes dos Santos et al., *Methylmercury and Brain Development: A review of Recent Literature*, *Journal of Trace Elements in Medicine and Biology* (Dec. 2016) (online at www.ncbi.nlm.nih.gov/pmc/articles/PMC5011031/).

the MATS rule, which included a determination that the significant health benefits and lives saved from reduced emissions of fine particulate matter should not be counted.¹²

Witnesses:

Dr. Laura Anderko

Director, Mid-Atlantic Center for Children's Health and the Environment, Georgetown University

Reverend Mitch Hescox

President and Chief Executive Officer, Evangelical Environmental Health Network

Ms. Heather McTeer Toney

National Field Director, Mom's Clean Air Force

Staff contacts: Ashley Abraham, Alison Arnold, Chloe Brown, Michael Castagnola, James Davis, Wendy Ginsberg, Britteny Jenkins, Carter-William Palek, Candyce Phoenix, and Richard Trumka at (202) 225-5051.

¹² Environmental Protection Agency, *Mercury and Air Toxics Standard: Proposed Revised Supplemental Finding and Results of the Residual Risk and Technology Review* (online at www.epa.gov/sites/production/files/2018-12/documents/fact_sheet_mats_proposal_12_2018final.pdf) (accessed on Jan. 28, 2020); *Former EPA Advisers Say Agency's Mercury Proposal is Flawed*, Roll Call (Dec. 5, 2019) (online at www.rollcall.com/news/policy/former-epa-advisers-say-agencys-mercury-proposal-flawed). See also Federal Register, *National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units-Reconsideration of Supplemental Finding and Residual Risk and Technology Review* (Feb. 7, 2019) (online at www.federalregister.gov/documents/2019/02/07/2019-00936/national-emission-standards-for-hazardous-air-pollutants-coal--and-oil-fired-electric-utility-steam) (publishing a notice to the Federal Register).