



FIRST FOCUS

MAKING CHILDREN & FAMILIES THE PRIORITY

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Professor Philip Alston
Special Rapporteur
Office of the High Commission for Human Rights
Palais des Nations
CH-1211 Geneva 10
Switzerland

Re: Visit to the United States (4-15 December 2017)

October 4, 2017

Dear Professor Alston:

On behalf of First Focus, a bipartisan children's advocacy organization dedicated to making children and families a priority in federal budget decisions, we welcome the opportunity to provide input on issues relating to child poverty and children's rights in the United States.

Defining Poverty and Extreme Poverty

The United States Census Bureau defines poverty by using a set of money income thresholds that vary by family, size, and composition. If a family's income is lower than the threshold set annually then they are deemed to be living in poverty. In 2016, the poverty threshold for a family of four was \$24,339. There is also a Supplemental Poverty Measure that takes into account the government programs designed to assist low-income families and individuals who are not included in the official poverty measure. These programs include refundable tax credits, Supplemental Nutrition Assistance Program (SNAP), Social Security, Housing subsidies, Temporary Assistance for Needy Families (TANF), The National School Lunch Program (NSLP), Supplementary Nutrition Program for Women, Infants and Children (WIC), Supplemental Security Income (SSI), and the Low Income Heating Assistance Program. Extreme poverty is measured by individuals living below 50% of the poverty line, which would be just over \$12,000 a year for a family of four.

Children disproportionately experience poverty in the U.S. compared to other age groups. The most recent census data shows that 18 percent of children -13.3 million – were living in poverty in 2016. This is 1.3 million less children were living in poverty in 2016 – but U.S. child poverty rate still remains stubbornly high, and children continue to disproportionately experience poverty in the U.S. Notably, there are 6 million children living in extreme poverty- in households with an annual income of just over \$12,000. The reality is that kids make up 23 percent of the U.S. population, but account for 33 percent of the population living in poverty.

Profound racial disparities also exist. Children of color suffer from even higher rates of poverty, with black and Hispanic children experiencing poverty rates nearly three times that of white children. Therefore, it is critically important that efforts to reduce child poverty in this country also confront, reduce and seek to eliminate racial disparities. This will require some attention to how policies impact the one in four children in this country that live in immigrant households.

Poverty is a particularly serious problem for children, who suffer negative effects for the rest of their lives after living in poverty for even a short time. Adverse Childhood Experiences (ACEs) is a study and a tool that can be used to measure adverse childhood experiences that can include physical, emotional, or sexual abuse, parental divorce or the incarceration of a parent or guardian.ⁱ

Negative ACEs can have a tremendous impact on a child's overall health and well-being and have been linked to future risky health behaviors, disparately poor outcomes in education and employment, chronic health conditions, and even early death. Young children in poverty face multiple barriers and when this is compounded by a lack of access to opportunity and disinvestment in communities early in life, it sets a foundation for disparately poor outcomes throughout their lives.

The U.S. spends much less of its GDP on benefits for families – less than one percent - compared to other middle- and high-income countries. In comparison to 21 other countries, the U.S. ranks second-to-last in its spending on families.ⁱⁱ Each year, First Focus publishes an analysis on federal spending on children in the federal budget and in 2016, we found that the federal government spent less than eight percent of federal spending on kids, despite the fact children make up 25 percent of the nation's population.ⁱⁱⁱ

Currently, there are effective anti-poverty programs operating in the U.S. that provide critical assistance to families struggling to make ends meet. The Supplemental Nutrition Assistance Program (SNAP) lifts five million children out of poverty annually^{iv}, while in 2015 the Earned Income Tax Credit (EITC) and the Child Tax Credit (CTC) together also lifted five million children out of poverty.^v

Yet the persistently high level of child poverty in the U.S. indicates that we are not doing enough to ensure that every child has a fair shot at succeeding, and there is no long-term national strategy to address child poverty and the negative outcomes associated with it.

Child Rights in the United States

The U.S. is the only country in the world that had not ratified the Convention on the Rights of the Child (CRC) and does not currently have a comprehensive federal framework that protects the rights of American children. As a result, there are numerous instances that would be deemed human rights violations if the U.S. was a party to the CRC. The CRC recognizes, among others, a child's right to have an adequate standard of living for healthy development, the right to primary and preventative healthcare, the right to be free from abuse, neglect, maltreatment, exploitation, and to be free of discrimination. These are just a few indicators that the U.S. has

failed to prioritize in its federal policy decisions. In 2015, it was estimated that 1,670 children died due to abuse and neglect, 18 percent of children lived in households that were food-insecure and, one-third of children live in households with a high housing cost burden, meaning more than 30% of monthly income is spent on housing.

The lack of a federal framework to protect the rights of children means that there is great disparity in the resources available to low-income children in the United States. States prioritize children in different ways and the child poverty rate, access to education, health care coverage etc. vary dramatically based on where a child lives. In the courts, it is also more difficult for children's advocates to have a cause of action to ensure children are provided with basic human rights such as housing, access to a safe environment, food security, and the right to remain with their family whenever possible, unless a state law already promotes such a right.

First Focus Policy Recommendations

Building on the success of the UK's Child Poverty Target, the U.S. should establish such a goal and take the steps necessary to cut child poverty in our country. A national target provides a tool for advocates, the media, and the public to hold the government accountable to implement policies that reduce child poverty.

There is already national legislation in both the House and Senate to establish a national child poverty target in the U.S.^{vi} In addition, several states have established child poverty targets, including Vermont^{vii} and Connecticut.^{viii} In California, currently there is momentum around state legislation that would not only set a target to reduce child poverty, but would hold the state legislature accountable to implementing comprehensive framework of research-backed solutions to reach this target.^{ix}

Increasing Family Income

Research^x shows that money matters for child development and academic achievement, yet just under 25 percent of all poor families that are eligible for cash assistance receive it.^{xi} A 2012 study shows that an additional \$1,000 of annual income can raise children's test scores by 6 percent in the short term.^{xii} Studies out of North Carolina found that children in American Indian families who received additional income through casino profits experienced improved educational and mental health outcomes.^{xiii}

The Temporary Assistance for Needy Families (TANF) program is the only federal program that provides cash assistance to low-income families. Yet most TANF funds no longer actually go towards cash assistance. In fact, states overwhelmingly use TANF funds for a number of other important priorities other than its original intent: reducing child poverty and getting families back to work.

In 1996, TANF could provide assistance to 68 percent of families in poverty; however now that number has dropped to just 23 percent.^{xiv} Due to its nature as a fixed block grant to the states, it is not responsive to increased need during economic downturns and has not kept pace with

inflation, so for the few families that still receive cash assistance, the monthly amount is not enough to lift children out of poverty.

The funding formula by which federal TANF dollars are distributed to states can also be viewed as exacerbating inequality and large differences in outcomes on measures of child well-being based on geography.^{xv,xvi}

In addition, the U.S. should establish a universal child allowance, which research shows would have the biggest impact in reducing child poverty in the U.S.^{xvii} All other Anglo-American countries (Canada, UK, Ireland, Australia) provide some form of universal child or family benefit,^{xviii} and all have lower child poverty rates than the U.S.^{xix}

Addressing Racial Disparities

In addition to increasing family income, in order to make any real headway in reducing child poverty we also need to address the large disparities in poverty rates for children of color.

We have tragically high rates of poverty among Native Americans and Hispanics that must be addressed. Fortunately, there is a new Alyce Spotted Bear and Walter Soboleff Commission on Native Children that will focus on the unique needs of Native American children.^{xx} As for Hispanic children, special attention must also be made to address their needs, including an understanding of how specific policy solutions may or may not negatively impact children living in immigrant households.

Compounding high rates of poverty among black children is the growing trend in communities of concentrated poverty.^{xxi} Black children tend to live in communities of concentrated poverty, defined at neighborhoods or tracts where 40 percent or more of its residents fall below the federal poverty level.

Being poor and living among other poor residents in neighborhoods of concentrated disadvantage compounds the problems of poverty and often results in poor physical and mental health, high levels of stress, inadequate housing, low academic achievement from school systems lacking resources and qualified educators and administrators, food insecurity, significantly higher rates of crime and violence and fewer employment and economic opportunities handed down to future generations.^{xxii}

Investing in Education

Therefore, we need community-based policies to address concentrated poverty, such as increases and greater equity to per-pupil education spending investments. Research shows that increases in per-pupil spending, including increases mandated by school finance reforms, lead to significant increases in the likelihood of high school graduation and educational attainment for poor children, which in turn leads to reductions in the achievement and wealth gap between affluent and poor families. Moreover, the educational gains resulting from increased per-pupil go above and beyond benefits of other social programs aimed at reducing poverty.^{xxiii}

Quality public education has long served as a pathway for millions of children of color to achieve economic and social mobility. However, educational funding for schools with large

populations of students of color is often significantly less than more affluent communities, resulting in large differences in per-pupil spending across wealthy and poorer school districts and white and minority students. That must change, as all children deserve an equal opportunity to a full potential. We need to target funds to public schools in areas of concentrated poverty through Title I, Part A program grants to ensure that struggling schools and schools serving students who need more support receive the resources necessary to help students succeed.

Affordable Housing

The nation must also make increased investments in affordable housing and address specific barriers to assistance for children and families. Due to the recession and our long history of housing discrimination, many low-income families and families of color lack access to affordable, adequate and stable housing, which is necessary for children to grow and thrive.

Housing continues to be one of the biggest expenses for families and the lack of affordable and adequate housing in many communities is one of the largest barriers to financial stability for families with children. The high rate of evictions for families with children also results in high rates of mobility and unstable living environments that result in negative consequences for their education, physical health, mental health, and interpersonal relationships. Racial bias has also created barriers for families of color to access adequate housing in many communities.

For low-income families and families of color to access housing, we need reforms that increase the supply of affordable housing, including changes to the tax code that promote homeownership and support renters. In addition, we need further investment in civil legal services for families facing eviction and other housing disputes.^{xxiv} Finally, we need policies to ensure communities take steps to identify racial bias in their housing patterns and create plans to reduce barriers to affordable and adequate housing.

As noted above, for immigrant children and families, currently many anti-poverty programs limit access based on immigration status. Even in situations where children and families are eligible for these programs, they may hold back from accessing these critical benefits out of concern that receiving them could affect their naturalization process or even get them deported. We need protections that ensure that regardless of where a child was born, they get equal access to healthcare, education, proper nutrition and the support they need to have a fair chance to succeed.

Locations Experiencing High Levels of Child Poverty

Holistically, child poverty rates are highest in the southern states in the United States. The 10 states with the highest rates of poverty are: Mississippi (30%), New Mexico (30%), Louisiana (29%), Kentucky (25%), Alabama (25%), West Virginia (24%), Arizona, (24%) Arkansas (23%), South Carolina (23%), and Tennessee (23%).^{xxv} However, because of cost of living disparities, it is worthwhile to also look into the cities with the highest rates of child poverty to learn about the challenges faced by families living in urban settings. The following cities have the highest rates of child poverty: Detroit, MI (58.6%), Cleveland, OH (54.4%), Buffalo, NY (50.6%), Fresno, CA (47.9%), Cincinnati, OH (46.3%), Memphis, TN (45.7%), Newark, NJ (44.5%),

Miami, FL (43.9%), St. Louis, MO (43%), Milwaukee, WI (43%). Visiting these locations may be helpful in understanding the root causes of child poverty in the United States.

Individuals and Organizations to Meet

First Focus, Bruce Lesley and Cara Baldari

[Child Poverty Action Group](#): Save the Children, Unidos US, the Century Foundation, Shriver Center, MomsRising, American Federation of Teachers, National Center for Children in Poverty, National Prevention Science Coalition to Improve Lives, Center for Native American Youth, InclusionUS, PICO National Network, Child Welfare League of America, Prosperity Now, Partnership for America's Children, National Latino Children's Institute

National Academies of Sciences, Engineering, and Medicine, Committee on Building an Agenda to Reduce the Number of Children in Poverty by Half in 10 Years

http://sites.nationalacademies.org/dbasse/bcyf/reducing_child_poverty/index.htm

Thank you for the opportunity to provide input on child poverty and issues of human rights in the United States. Should you have any questions about this letter, please contact Rricha Mathur at rricham@firstfocus.org.

Sincerely,



Bruce Lesley
President

ⁱ "Adverse Childhood Experiences," Centers for Disease Control and Prevention, 2016, available at:

<https://www.cdc.gov/violenceprevention/acestudy/>.

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ⁱⁱⁱ First Focus, Children's Budget 2016, July 7, 2016, available at: <https://firstfocus.org/resources/report/childrens-budget-2016/>

^{iv} Keith-Jennings, Brynne, "SNAP Lifts Millions of Kids out of Poverty Annually," The Center on Budget and Policy Priorities, October 5, 2016, available at: <http://www.cbpp.org/blog/snap-lifts-millions-of-kids-out-of-poverty>.

^v Center on Budget and Policy Priorities, "Policy Basics, The Earned Income Tax Credit and Child Tax Credit," October 2016, available at <http://www.cbpp.org/research/federal-tax/policy-basics-the-earned-income-tax-credit>.

^{vi} First Focus Campaign for Children, "Child Poverty Reduction Act of 2015," November 4, 2015, available at:

<https://campaignforchildren.org/resources/fact-sheet/child-poverty-reduction-act-of-2015-2/>

^{vii} Vermont General Assembly, Vermont Child Poverty Council, last visited June 13, 2017, available at:

<http://legislature.vermont.gov/committee/document/2018/45/Date>.

^{viii} State of Connecticut Office of Policy and Management, "Child Poverty and Prevention Council," last visited June 13, 2017, available at: http://www.ct.gov/opm/cwp/view.asp?a=2997&Q=383356&opmNav_GID=1809

^{ix} California Legislature "Bill Text AB-1520, Lifting Children and Families out of Poverty Task Force" last visited Tuesday, June 13, 2017, available at: http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1520

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^{*}Center for Budget and Policy Priorities, Chart Book: TANF at 20, Updated August 2016, available at:

<http://www.cbpp.org/research/family-income-support/chart-book-tanf-at-20>

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- ^{xv} Isaacs, Julia and Edelstein, Sara, *Unequal Playing Field? State Differences in Spending on Children* 2013, Urban Institute, April 25, 2017, available at: <http://www.urban.org/research/publication/unequal-playing-field>.
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- ^{xvii} **Garfinkel, Irwin, Harris, David, Waldfogel, Jane and Wimer, Christopher, Doing More for our Children: Modeling a Universal Child Allowance or More Generous Child Tax Credit, the Century Foundation, March 16, 2016, available at: <https://tcf.org/content/report/doing-more-for-our-children/#easy-footnote-bottom-29>.**
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- ^{xix} Organisation for Economic Co-operation and Development (OECD) Social Policy Division - Directorate of Employment, Labour and Social Affairs, Family Database, "Chart CO2.2.A. Child income poverty rates, 2013 or nearest available year," updated August 25, 2016, available at: http://www.oecd.org/els/soc/CO_2_2_Child_Poverty.pdf.
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