

April 16, 2026

Scott Turner
Secretary, U.S. Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

RE: Docket No. FR-6520-P-01

Dear Secretary Turner,

This comment responds to the Department's Notice of Proposed Rulemaking, "Establishing Flexibility for Implementation of Work Requirements and Term Limits."

The proposed rule takes an important step by adding work requirement options to government means-tested housing programs. By doing so, it introduces a crucial anti-poverty and upward mobility component that is lacking in most federal means-tested welfare programs.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) is a model for how work requirements can reduce dependence on government, promote work, and reduce poverty.¹ This rule continues in the spirit of the 1996 reform by giving Public Housing Administrators and Owners authority to implement work requirements in federal housing programs.

Another goal of the 1996 welfare reform was to strengthen marriage and increase family stability.² Along with work, marriage is vital to reducing poverty, particularly child poverty. Government programs should not penalize marriage, but unfortunately the U.S. welfare system is rife with marriage penalties.

This comment focuses on preventing marriage penalties from the proposed rule. It also focuses on protecting married parents in households with a full-time worker from being compelled to put children into non-parental care.

¹ Robert Rector, "Marriage, Abortion, and Welfare," The Heritage Foundation, Special Report No. 271, May 2023, https://www.heritage.org/sites/default/files/2023-05/SR271_0.pdf; Scott Winship, "Poverty After Welfare Reform," The Manhattan Institute, August 2016, <https://media4.manhattan-institute.org/sites/default/files/R-SW-0816.pdf>.

² Robert Rector, "Marriage, Abortion, and Welfare."

The proposed rule (Section III, Part C), says that PHAs and Owners are allowed to require families with two work-eligible adults to work up to 80 hours per week, with no individual being required to work more than 40 hours per week.

Allowing PHAs and Owners to require both partners in a married couple to work full time though creates two problems: 1) the potential for a marriage penalty, and 2) situations where parents are required to place children in non-parental care.

First, allowing PHAs and owners to require both spouses to work creates an incentive for an unmarried couple to remain unwed, as marrying could subject them to higher work hours. An unwed romantic partner living in the house can remain off official records, while a spouse cannot. Married couples could thus be subjected to higher work requirements than unwed couples.

While recipients of public housing benefits are not allowed to have people living with them unofficially (such as a live-in romantic partner), unless household composition is monitored proactively, live-in partners can hide from authorities more easily than a spouse.¹

Marriage is the foundation of strong families and provides many benefits, including protection against poverty and increased likelihood of upward mobility. Children raised in married-parent homes have better outcomes academically, socially, economically, and health-wise.² Marriage penalties should be avoided.

Second, requiring both married parents to work would likely compel some families to put children in non-parental childcare. Requiring a family to have at least full-time work between the spouses is important to promoting social mobility. But requiring both parents to engage in full-time paid labor undermines the important role parents play in children's development. Non-parental childcare is associated with poorer child outcomes in some cases, such as increased aggression and impulsivity.³

The proposed rule should be changed so that PHAs and Owners are not allowed to require both spouses in a married couple to work more than 40 hours per week between the two of them. This protects against marriage penalties and prevents parents from being compelled to put their children in non-parental care.

Rachel Sheffield
Research Fellow, Center for Health and Welfare Policy
The Heritage Foundation

¹ See for example Sherri Lawson Clark, Linda M. Burton, and Chenoa A Flippen, “Housing Dependence and Intimate Relationships in the Lives of Low-Income Puerto Rican Mothers”, *Journal of Family Issues*, Vol. 32, No. 3 (2011), pp. 369–393.

² W. Bradford Wilcox, *Get Married: Why Americans Must Defy the Elites, Forge Strong Families, and Save Civilization* (New York: Broadside Books, 2024); Melissa S. Kearney, *The Two-Parent Privilege: How Americans Stopped Getting Married and Started Falling Behind* (Chicago: University of Chicago Press, 2023); Melissa S. Kearney, *The Two-Parent Privilege: How Americans Stopped Getting Married and Started Falling Behind* (Chicago: The University of Chicago Press, 2023).

³ Michael E. Lamb, “Effects of Nonparental Child Care on Child Development: An Update,” *Canadian Journal of Psychiatry* 41, no. 6 (August 1996): 357–64, <https://doi.org/10.1177/070674379604100603> (accessed March 25, 2026); “Does Amount of Time Spent in Child Care Predict Socioemotional Adjustment during the Transition to Kindergarten?,” *Child Development* 74, no. 4 (July–August 2003): 976–1005, <https://pubmed.ncbi.nlm.nih.gov/12938694/> (accessed March 25, 2026); Jay Belsky et al., NICHD Early Child Care Research Network, “Are There Long-Term Effects of Early Child Care?,” *Child Development* 78, no. 2 (March–April 2007): 467–80, <https://pubmed.ncbi.nlm.nih.gov/17381797/> (accessed March 25, 2026); Deborah Lowe Vandell et al., NICHD Early Child Care Research Network, “Do Effects of Early Child Care Extend to Age 15 Years? Results from the NICHD Study of Early Child Care and Youth Development,” *Child Development* 81, no. 3 (May–June 2010): 737–56, <https://pmc.ncbi.nlm.nih.gov/articles/PMC2938040/> (accessed March 25, 2026); K. Burdenski et al., “Non-parental Childcare During Early Childhood and Problem Behaviours in Middle Childhood: The Mediating Role of Sleep,” *Journal of Epidemiology and Community Health* (2024), <https://pmc.ncbi.nlm.nih.gov/articles/PMC12971796/> (accessed March 25, 2026); Jenet Erickson and Jay Belsky, “Another Perspective on the Latest Research on Early Child Care,” *Institute for Family Studies*, September 27, 2023, <https://ifstudies.org/blog/another-perspective-on-the-latest-research-on-early-child-care> (accessed March 25, 2026).