

# Federal Administrative Advocacy

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**N**ot all efforts to shape federal housing policy involve congressional advocacy. Once legislation is enacted by Congress, it must be implemented and enforced by the executive branch.

Opportunities for administrative advocacy generally fall into five categories:

- Providing commentary during the regulatory process.
- Calling for enforcement of existing laws.
- Influencing policy and program implementation.
- Advocating for or against executive orders.
- Litigating against federal agencies and officials.

Those activities are not considered lobbying by the IRS; therefore, 501(c)(3) organizations are free to engage in them without limit so long as the intent is not to influence legislation. For nonprofits interested in housing advocacy, engaging federal agencies through the regulatory process falls entirely outside definitions of lobbying.

Numerous federal agencies contribute to the development and implementation of our nation's housing policy. There are seven key divisions of the federal government that administer affordable housing programs and carry out a variety of functions, such as providing funding to incentivize affordable housing development, managing government sponsored enterprises (GSEs) that have an affordable housing directive, coordinating housing resources of multiple departments, or influencing the direction of affordable housing policy. It is important for advocates to weigh in with these agencies as they shape federal affordable housing priorities, determine the level of resources that are available to reach affordability objectives, and implement housing laws passed by Congress.

Many other parts of the executive branch are also involved in housing and related issues. Important targets for federal administrative advocacy include, but are not limited to:

- The White House.
- The Department of Housing and Urban Development (HUD).

- The Interagency Council on Homelessness (USICH).
- The Federal Housing Finance Agency (FHFA).
- The Department of Agriculture's Rural Housing Service (USDA RHS).
- The Department of Treasury.
- The Department of Veterans Affairs (VA).

## THE WHITE HOUSE

The White House develops and implements housing policy through a variety of means, and it has multiple councils and offices that touch upon the issue of affordable housing. President Barack Obama's Administration has focused on housing and urban policy to a greater extent than recent previous administrations. It is unclear to what extent the Trump administration will focus on housing policy.

The Domestic Policy Council (DPC) coordinates the domestic policymaking process of the White House, offers advice to the president, supervises the execution of domestic policy, and represents the president's priorities to Congress. The Office of Faith-Based and Neighborhood Partnerships (OFBNP) is part of the DPC and works to build bridges between the federal government and nonprofit organizations, both secular and faith-based, in order to better serve Americans in need. The Office of National AIDS Policy is also part of the DPC; it is tasked with coordinating the continuing efforts to reduce the number of HIV infections across the U.S., through a wide range of education initiatives, and by coordinating the care and treatment of people with HIV/AIDS. The Office of Social Innovation and Civic Participation, another part of the DPC, is focused on promoting service as a solution and a way to develop community leadership, increasing investment in innovative community solutions that demonstrate results, and developing new models of partnership.

The National Economic Council coordinates policy making for domestic and international economic issues, provides economic policy advice for the president, ensures that policy decisions and programs are consistent with the president's

economic goals, and monitors implementation of the president's economic policy agenda.

The Office of Public Engagement (OPE) and Intergovernmental Affairs creates and coordinates opportunities for direct dialogue between the administration and the public. This includes acting as a point of coordination for public speaking engagements for the administration and the departments of the Executive Office of the President. Federal agencies, including HUD and USDA, have liaisons that work with the White House OPE. The Office of Urban Affairs is part of the OPE; it provides leadership for and coordinates the development of the policy agenda for urban areas across executive departments and agencies.

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HUD is the federal government's primary affordable housing agency. The agency administers programs that provide rental and homeownership units that are affordable to low income, very low income, and extremely low income (ELI) households. HUD also manages grants for community development activities and plays a vital role in the administration's efforts to strengthen the housing market. HUD administers a variety of housing programs through the Offices of Public and Indian Housing (PIH), Community Planning and Development (CPD), Housing, Fair Housing and Equal Opportunity (FHFO), Healthy Homes and Lead Hazard Control, and through the Federal Housing Administration (FHA) and the Government National Mortgage Association (Ginnie Mae).

PIH, CPD, and the Office of Housing administer HUD's main rental assistance programs for ELI households. PIH administers funds to local public housing agencies (PHAs) to operate public housing units, administer Housing Choice Vouchers, and offer programs that support residents. CPD administers funding for the national Housing Trust Fund (HTF), the McKinney-Vento Continuum of Care Homeless Assistance Grants, the Housing Opportunities for Persons with AIDS (HOPWA) program, the HOME Investment Partnerships program, and the Community Development Block Grant (CDBG) program. The Office of Housing oversees a range of programs including Project-Based Section 8, special needs housing programs

such as Section 202 Housing for the Elderly and Section 811 Housing for People with Disabilities, and the Federal Housing Administration (FHA). FHA provides insurance for mortgage loans to increase private lending interest by reducing an institutions risk. FHA's Mutual Mortgage Insurance Fund provides profits, or receipts, that have been used to offset a portion of HUD's annual costs to operate its other programs.

## INTERAGENCY COUNCIL ON HOMELESSNESS

The Interagency Council on Homelessness (USICH) coordinates the homeless policies of 19 federal departments that administer programs or provide resources critical to solving the nation's homelessness crisis. The USICH comprises the secretaries and directors of these 19 federal agencies. The agencies that have the largest roles in providing these resources include HUD, the Department of Health and Human Services, the Department of Labor, and the VA. These agencies rotate responsibility for chairing the USICH. The USICH's main task is implementing *Opening Doors*, the federal 10-year plan to end homelessness, which was released in the spring of 2010. USICH also coordinates with state and local governments on developing and implementing their strategies to end homelessness.

## FEDERAL HOUSING FINANCE AGENCY

The Federal Housing Finance Agency (FHFA) was created in 2008 by the *Housing and Economic Recovery Act* (HERA) as the successor to the Federal Housing Finance Board. FHFA regulates the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac), which are both government sponsored enterprises (GSEs). It also regulates the Federal Home Loan Banks to ensure there is sufficient funding for housing finance and community investments.

The GSEs were taken into conservatorship by FHFA because of financial problems that stemmed from the country's housing crisis. Prior to being taken into conservatorship, the GSEs were to provide a percentage of their book of business to the HTF; these contributions were suspended in 2008. The GSEs were also to provide funding for the Capital Magnet Fund (CMF). On December 11, 2014,

FHFA Director Mel Watt lifted the suspension so that the GSEs must set aside funds for the NHTF and CMF. In 2016, the first HTF dollars were allocated to the states.

## DEPARTMENT OF AGRICULTURE RURAL HOUSING SERVICE

The Rural Housing Service (RHS) of the Department of Agriculture (USDA) administers programs that provide affordable rental and homeownership opportunities in rural areas of the country. Although HUD funding is used in rural areas, USDA's RD programs uniquely target the needs of rural communities and supplement HUD funding.

RHS affordable housing programs provide grants, loans, and direct funding for rental housing operations and development. Programs target low income families, seniors, and farm workers, providing a range of housing options. RD also provides programs to support energy efficiency, economic development, and infrastructure for rural areas.

## DEPARTMENT OF THE TREASURY

The Department of the Treasury administers several housing and community development programs including the Low Income Housing Tax Credit (LIHTC) program, the Making Home Affordable program, the Hardest Hit Fund, and Community Development Financial Institutions (CDFI). The CDFI administers the CMF and the New Market Tax Credit. Treasury has overseen funding for several recent disaster recovery efforts, including special allocations of LIHTCs and other incentives to spur redevelopment. Treasury also oversees Housing Bonds, which finance the development of rental and homeownership units. Treasury offers backing to HUD's FHA Mutual Mortgage Insurance Fund (MMIF). Treasury also played a key role in the nation's housing crisis recovery efforts by purchasing mortgage-backed and debt securities issued by Fannie Mae and Freddie Mac.

## DEPARTMENT OF VETERANS AFFAIRS

The Department of Veterans Affairs (VA) sets policy and administers a range of programs for veterans, including homeownership loans and a supportive housing initiative. The VA partners with HUD to provide the Veterans Affairs Supportive Housing (HUD-VASH) voucher program. HUD provides an allocation of Housing Choice Vouchers to certain

public housing agencies to make units affordable; the local VA offices select voucher recipients and provide supportive services to the individual or family prior to and during their housing tenure. The VA also works cooperatively with the Interagency Council on Homelessness, which helped coordinate resources for veterans through *Opening Doors*, its plan to end homelessness.

## CONTACT FEDERAL AGENCIES

Contact information for the agencies mentioned above, as well as additional key federal agencies and offices, can be found below and online.

- White House, 202-456-1414, [www.whitehouse.gov](http://www.whitehouse.gov)
- Office of Management and Budget, 202-395-3080, [www.whitehouse.gov/OMB](http://www.whitehouse.gov/OMB)
- HUD, 202-708-1112, [www.hud.gov](http://www.hud.gov)
- HUD USER, 202-708-1112, [www.huduser.org](http://www.huduser.org). (HUD USER contains valuable statistics for those interested in financing, developing, or managing affordable housing, including HUD-mandated rent and income levels for assisted housing programs and Fair Market Rents.)
- Department of Agriculture, Rural Development Housing and Community Facilities Programs, 202-699-1533, [www.rurdev.usda.gov](http://www.rurdev.usda.gov)
- Federal Housing Finance Agency, 202-414-3800, [www.fhfa.gov](http://www.fhfa.gov)
- Department of Health and Human Services, Office of Community Services, 202-690-7000, [www.acf.hhs.gov/programs/ocs](http://www.acf.hhs.gov/programs/ocs)
- Department of Justice, 202-514-2000, [www.usdoj.gov](http://www.usdoj.gov)
- Department of Transportation, 202-366-4000, [www.dot.gov](http://www.dot.gov)
- Department of Treasury, Community Development Financial Institutions Fund, 202-622-6355, [www.tres.gov/cdfi](http://www.tres.gov/cdfi)
- Department of Veterans Affairs, <http://www.va.gov/>
- FEMA, 202-646-2500, [www.fema.gov](http://www.fema.gov)
- Environmental Protection Agency, 202-272-0167, [www.epa.gov](http://www.epa.gov)
- Small Business Administration, 202-205-8885, [www.sba.gov](http://www.sba.gov)