



MEMO OF MEMBERS

The Weekly Newsletter of the National Low Income Housing Coalition

Register NOW for NLIHC's 2013 Annual Housing Policy Conference; Join Us for a Special Screening of *The Pruitt-Igoe Myth* and Opening Keynote Address Featuring Melissa Harris-Perry

Registration is now open for United for Action: NLIHC 2013 Housing Policy Conference and Lobby Day, which will take place Sunday, March 17 through Wednesday, March 20 at the Omni Shoreham Hotel in Washington, D.C. Early registration closes on Thursday, January 24 so don't delay!

The presidential election and the ongoing debate over debt and the deficit mean 2013 will bring extraordinary challenges – and opportunities – for housing advocates. This is a crucial time for you to take action. Unite with advocates, providers, residents and policy professionals from across the country at our annual housing policy conference to work together to push for funding for the National Housing Trust Fund and solve the housing problems of the lowest income Americans.

Be sure to arrive in time for our special screening of *The Pruitt-Igoe Myth* on Sunday evening, March 17. The critically acclaimed film tells the story of the transformation of the American city in the decades after World War II, through the lens of the infamous Pruitt-Igoe housing development and the St. Louis residents who called it home. Director Chad Freidrichs will join us for a post-viewing discussion.

Kicking off the first full day of our conference on Monday, March 18 will be author, professor and MSNBC host Melissa Harris-Perry, who will deliver the opening plenary address. In her most recent book, *Sister Citizen: Shame, Stereotypes, and Black Women in America*, Dr. Harris-Perry combines social science research with insightful cultural commentary to explore the social narratives that define and constrain African-American women. Join us for a special morning with one of the nation's most provocative speakers on issues of gender, race and politics.

To register, go to www.nlihc.org/conference. The site includes detailed information that can help you plan your participation. Or, to download a registration form, go to <http://bit.ly/WrHPhK> (PDF). NLIHC members receive additional discounts on conference registration.

Watch your email boxes for our updates on workshops, speakers and exciting events.

NATIONAL HOUSING TRUST FUND

Work to Fund the NHTF Begins Anew in 113th Congress

Significant funding for the National Housing Trust Fund (NHTF), enough to end homelessness in the United States at the very least, is the National Low Income Housing Coalition's single most important policy objective for the 113th Congress. NLIHC is dedicating new resources to achieving this goal. The objective of the NHTF Campaign remains the expansion of affordable housing options for extremely low income households by 3.5 million units over ten years. The NHTF Campaign will pursue every possible dedicated revenue source, but will focus major attention on two funding avenues.

The first is funding the NHTF with savings achieved from modifications to the mortgage interest deduction. NLIHC proposes to lower the cap to \$500,000 on the size of mortgages for which interest can be deducted and convert the deduction to a non-refundable tax credit. At a 20% credit, the number of homeowners who would receive a tax benefit would increase by 18 million, 92% of whom have incomes of \$100,000 or less. These changes would produce between \$20 and \$30 billion a year that could be directed to the NHTF.

Representative Keith Ellison (D-MN) introduced H.R. 6677, the Common Sense Housing Investment Act, on December 18, shortly before the end of the 112th Congress (see *Memo*, 1/2). The legislation would convert the mortgage interest deduction to a flat-rate 20% tax credit, cap the maximum mortgage to receive a tax break at \$500,000 and direct the majority of the savings gained from these modifications to the NHTF. The campaign will work with Mr. Ellison on the reintroduction of his bill as soon as possible.

NLIHC has garnered over 700 organizational endorsements of its proposal to fund the NHTF with savings achieved from housing tax reform. These endorsements come from all 50 states, the District of Columbia and Puerto Rico. NLIHC continues to urge organizations to sign on in support of this proposal.

The second funding source remains contributions from the government sponsored enterprises (GSEs), Fannie Mae and Freddie Mac. The NHTF is statutorily tied to the GSEs, as they were designated as its initial source of funding. The GSEs have never made a contribution to the NHTF, however, as they were placed into conservatorship shortly after the NHTF was authorized and all payments were temporarily suspended.

While comprehensive GSE reform legislation was not enacted in the 112th Congress, the Senate held several hearings on the topic, and the House Financial Services Subcommittee on Insurance, Housing, and Community Opportunity advanced a package of bills that would begin to dismantle the GSEs. Included in this package was H.R. 2441, legislation sponsored by Representative Ed Royce (R-CA) to eliminate the NHTF. The measure was voted out of the subcommittee on July 6, 2011, by a vote of 18-14 (see *Memo*, 7/15/11). The bill was not considered by the full Committee on Financial Services, and as such ultimately failed with the end of the 112th Congress.

The Obama Administration released a white paper in February 2011 that reflected the Administration's position that the federal government should play a more limited role in the general mortgage market, but continue to have a duty to help lower income households. In particular, the paper highlights the importance of rental housing and the need to expand its supply for the lowest income households.

The Administration proposes a dedicated revenue source to pay for several programs that the market would not provide on its own. It uses the NHTF as an example of the kind of program that could be funded through this dedicated revenue source. Numerous Administration officials have affirmed this position in the ensuing months. The estimated annual amount to the NHTF is between \$1 billion and \$5 billion.

Democrats in the Congress support providing funding for the NHTF in the final reform package. Some Republicans want to do away with a federal role in housing finance altogether, while others recognize that for the mortgage market to work, there must be some sort of federal guarantee. Therefore, a compromise will have to be reached between Democrats and Republicans who favor reform, not elimination, of the GSEs. The NHTF Campaign will work to make sure that funding for the NHTF is part of that compromise.

Another effort to fund the NHTF did not move forward in the 112th Congress. Companion bills offered by Senator Jack Reed (D-RI) and Representative Elijah Cummings (D-MD), S. 489 and H.R. 1477, "The Preserving Homes and Communities Act of 2011," would provide \$1 billion for the NHTF from the profits made on the sale of "warrants." Senator Reed requested warrants be included in the Emergency Economic Stability Act of 2008, which established the Troubled Asset Relief Program (TARP). In exchange for federal TARP funds that kept banks from failing, banks gave the Treasury warrants. A warrant is the right to purchase one share of stock at a specified price. The sale of these warrants had yielded over \$9 billion by the fall of 2012. As of October 2012, 18 Senate and 50 House Democrats had cosponsored the bills. However, no Republicans ever co-sponsored and the bills were never taken up.

Finally, President Barack Obama included \$1 billion for the NHTF in both budgets he proposed to the 112th Congress, as he did in the 111th Congress. Each was proposed as part of HUD's budget, but on the mandatory side, requiring an offset. No offsets were identified by the Administration and the provisions were never taken up.

Learn more about NLIHC's housing tax reform proposal at www.housingtaxreform.org.

To see the list of endorsing organizations, go to <http://bit.ly/UIc9Fv>.

To add your organization to the list of endorsers, go to <http://bit.ly/R4CZW0>.

FEDERAL BUDGET

Lawmakers Face Complicated Fiscal Decisions in 113th Congress

As the 112th Congress wrapped up, President Obama signed H.R. 8, The American Taxpayer Relief Act of 2012, into law on January 3. The 113th Congress and the Administration now face the major fiscal issues the 112th Congress did not resolve and that need immediate attention. In the next three months, lawmakers must address the debt ceiling in February, alternatives to sequestration, now scheduled to begin March 1, and finalize FY13 appropriations before the expiration of the continuing resolution (CR) on March 27 (see *Memo*, 1/2). Major tax reform is also on the agenda for the new Congress.

The release of the President's FY14 budget, statutorily required by the first Monday in February of each year, could now be delayed. The Office of Management and Budget (OMB) initiated this delay in part because Congress had not yet addressed these broad financial issues, including FY13 funding. Final FY13 funding levels are necessary for OMB to establish the President's budget request to Congress, and H.R. 8 changes the spending cap for FY14.

The federal government has already reached the congressionally authorized limit on borrowing, known as the "debt ceiling." Treasury Secretary Tim Geithner is now employing a variety of techniques to stretch the time before the United States defaults on its debt until February, when Congress must act. The debt ceiling problem is shaping up to be a repeat of the disastrous debt ceiling debate in the summer of 2011 that led to the Budget Control Act of 2011 and the sequester. Republicans are threatening to demand spending cuts equal to the amount that the debt ceiling is raised.

H.R. 8 also delayed action on sequestration for two months, preventing across-the-board cuts to all discretionary programs, including most federal housing programs. These cuts will automatically go into effect unless Congress finds a solution or votes to delay it further. Given that H.R. 8 raised taxes on some upper income households, some Republicans are now demanding spending cuts only without the addition of any other revenues. Unless changed, the sequester is set to make cuts that will achieve a \$1.2 trillion reduction in the deficit over a 10-year period.

The third major budget business for the Congress is to finish its FY13 appropriations bills.

H.R. 8 establishes a new FY13 spending cap that may force appropriators to revise the subcommittee bills that had already been informally negotiated in the 112th Congress. It is not yet clear whether appropriators will try to move an omnibus bill in the 113th Congress or pass another CR to keep the government funded through the remaining six months of the year.

Before the House and Senate Committees on Appropriations allocated funds for each of the 12 appropriations subcommittees, advocates urged committee members to significantly increase the Transportation, Housing and Urban Development, and Related Agencies (THUD) FY13 allocation, which was cut disproportionately in FY12. The House and Senate appropriations subcommittees on THUD and Agriculture, Rural Development, and Food and Drug Administration and Related Agencies then crafted FY13 bills according to the respective allocations, known as the 302(b) allocations.

Between April and June, the House and Senate took their final actions on the THUD and Agriculture bills for the year. The Senate Committee on Appropriations marked up its FY13 THUD spending bill, S. 2322, in April, and the full house passed its THUD bill, H.R. 5972, in June. The Senate Committee on Appropriations also passed its FY13 Agriculture spending bill, S. 2375, in April; the House Committee on Appropriations passed its Agriculture bill, H.R. 5973, in June (see *Memo*, 9/14). Appropriations Committee members reportedly began reconciling the differences between the House and Senate bills in the fall. However, Congress took no further action on individual bills. Instead, in September, Congress passed a continuing resolution (CR) funding the government at FY12 levels through March 27, 2013.

The start of the 112th Congress was as tumultuous as its conclusion. Lawmakers began the 112th Congress in 2011 already behind on their FY11 budget and appropriations work. Members of Congress could not agree on funding levels until mid-April 2011, after passing a series of continuing resolutions to keep the government funded seven months into the fiscal year. H.R. 1473, the Department of Defense and Full-Year Continuing Appropriations Act, 2011, appropriated FY11 funds for the Transportation, Housing and Urban Development and Related Agencies (THUD) programs and the Agriculture, Rural Development, and Food and Drug Administration, and Related Agencies programs.

FY12 funding decisions proved easier for Congress and it passed the two affordable housing spending bills, the THUD bill and the Agriculture bill, in a minibus appropriations bill, H.R. 2112. However, funds for the HOME Investment Partnerships program were cut deeply in FY12, following a series of articles in the *Washington Post* claiming the HOME program was poorly administered by HUD and that funds were mismanaged by grant recipients. In addition to cutting the program in order to achieve cost savings in the HUD appropriations bill, Congress included language in HUD's FY12 appropriations bill requiring additional oversight for the HOME program.

During the development of the FY12 appropriations bills, Congress began grappling with long-term strategies to address the nation's deficit. Congress passed the Budget Control Act (BCA), S. 365, in 2011, which established a first round of deficit reduction measures, including mandating discretionary spending caps for ten years. The BCA handed over responsibility for identifying the second round of deficit reduction measures to a "Super Committee" of legislators from both sides of the aisle in both chambers. It also included a provision that required automatic spending cuts to discretionary programs, known as sequestration, to take effect in January 2013 if the Super Committee did not agree to a second deficit reduction plan. Consistent with the lack of consensus demonstrated in fiscal negotiations earlier in the 112th Congress, the Super Committee failed to reach agreement, setting the stage for the "fiscal cliff."

Lawmakers plan to work on comprehensive tax reform in the 113th Congress. At the end of the 112th Congress, Members of the House and Senate committees with jurisdiction over tax issues began preliminary discussions of tax reform, but it is not clear when the 113th Congress will begin this work. Tax reform is central to the Administration's and many Democrats' argument that additional revenues are needed to address sequestration. However, sequestration will need to be addressed long before legislation as complicated as an overhaul of the tax code can be developed, much less acted on.

NLIHC will continue to monitor the ins and outs of these major implications for federal housing and other programs that provide assistance to low income people and notify advocates of need for action.

MORE CONGRESS

112th Congress in Review

The 112th Congress of the United States officially adjourned on January 3. It has been widely criticized as unproductive, passing fewer than 250 laws, a record low in modern times. In addition to the reports above on the National Housing Trust Fund and the FY13 budget, here is a review of significant bills related to NLIHC's policy agenda introduced in the 112th Congress and their outcomes. Very little was accomplished.

Renters in Foreclosure

Congress failed to act on H.R. 3619, the Permanently Protecting Tenants at Foreclosure Act. The legislation, introduced by Representative Keith Ellison (D-MN), would have made the provisions of the 2009 Protecting Tenants in Foreclosure Act (PTFA) permanent. PTFA provides most renters in foreclosure a right to at least 90 days' notice before being required to move. PTFA is now slated to sunset at the end of 2014. H.R. 3619 also would have added a private right of action for tenants who are adversely affected by foreclosure. The bill had 26 Democratic co-sponsors. Mr. Ellison is expected to reintroduce his bill in the 113th Congress. Further,

Senator Richard Blumenthal (D-CT) will introduce companion legislation in the Senate early in the new Congress.

Voucher Reform

The 112th Congress included much work but no final product on legislation known, at various points, as the Section 8 Voucher Reform Act (SEVRA) and the Affordable Housing and Self-Sufficiency Improvement Act (AHSSIA). Legislation was never formally introduced in the House during the 112th Congress, but draft legislation was circulated, a version of which passed the House Financial Services Subcommittee on Insurance, Housing and Community Opportunity.

The draft bill that passed out of subcommittee would have required the HUD Secretary to increase monthly minimum rents to \$69.45 for all public housing, voucher and project-based Section 8 households, and give the Secretary the authority to increase the minimum rent for inflation in the future. Today, public housing agencies (PHAs) can set minimum rents of up to \$50 a month for public housing residents and voucher holders. All project-based Section 8 residents have \$25 minimum rents.

The bill would have also streamlined rent-setting process for both public housing agencies and private owners, updated inspection protocols for potential apartments to be rented with rental assistance vouchers and stabilized annual voucher renewal funding protocols.

The bill would have also allowed unlimited expansion of the Moving to Work (MTW) program, which gives participating PHAs the ability to divorce rents from incomes and charge rents that are unaffordable to residents, serve higher income residents even as the lowest income households have the greatest need, merge voucher and public housing accounts, eliminate portability rights and gives other freedoms from basic programmatic mainstays and protections. The major stumbling block in advancing the legislation was expansion of MTW. Although a stakeholder group, including NLIHC, developed an agreement on whether and how to expand MTW, the bill remained stalled in the House.

The Senate held a hearing on housing reform legislation but never circulated a draft bill or introduced formal legislation. At a December hearing, Senate Banking, Housing and Urban Affairs Subcommittee on Housing and Community Opportunity Chair Robert Menendez (D-NJ) said that he looked forward to prioritizing housing reform legislation in the 113th Congress.

Rental Assistance Demonstration

The 112th Congress authorized a Rental Assistance Demonstration (RAD), allowing HUD to operate a demonstration to preserve public housing units by approving the conversion of their public housing subsidies to project-based Section 8 rental assistance contracts or to project-based vouchers.

HUD began working on rental assistance reform proposals in 2009, and the passage of RAD in the 112th Congress was the culmination

of its various proposals, originally called Transforming Rental Assistance. After a lukewarm initial reception from Congress, HUD persevered and worked with Representative Keith Ellison (D-MN) to introduce a version of RAD in late 2010, the Rental Housing Revitalization Act, which included many improvements from the perspective of housing advocates.

Unlike earlier proposals, the RAD program approved by the 112th Congress provides no funding for the conversion of subsidy streams but does allow up to 60,000 public housing, Rent Supplement (Rent Supp), Rental Assistance Program (RAP) and Moderate Rehabilitation (Mod Rehab) units into the RAD demonstration and gives HUD the authority to convert their current assistance streams to project-based Section 8 contracts or project-based vouchers by September 30, 2015.

The final legislation included provisions in the areas of resident rights and protections, public ownership and long-term contract renewals, which were all key to NLIHC's support for the demonstration.

Low Income Housing Tax Credits and Other Tax Expenditures

The American Taxpayer Reform Act of 2012 includes a provision to allow the 9% minimum value for Low Income Housing Tax Credits for projects that are allocated tax credits during 2013. This was a key policy goal of the ACTION Campaign, coordinated by Enterprise Community Partners, the National Council of State Housing Agencies and others to promote and improve the Low Income Housing Tax Credit. If the law was not changed, only projects actually placed into service in 2013 would have benefitted from this provision, which was established in the Housing and Economic Recovery Act of 2008.

The ACTION Campaign will continue to seek legislation to make the 9% minimum credit floor permanent, and to add a similar floor for the 4% credit. Bipartisan legislation to do so was introduced in the House by Representatives Pat Tiberi (R-OH) and Richard Neal (D-MA) and in the Senate by Senators Maria Cantwell (D-WA) and Olympia Snowe (R-ME). All but Senator Snowe are members of the 113th Congress.

The act also extended the use of Low Income Housing Tax Credits near certain military bases by changing policy so that a service member's basic housing allowance is not considered income for purposes of calculating whether the service member is income eligible for LIHTC housing. This provision was extended until December 31, 2013.

In addition, the act extends New Markets Tax Credits (NMTCs) until the end of 2013 and extends until 2018 the time period for reallocating NMTC allocations that were not used.

Stafford Act Reform Legislation

Lawmakers failed to act on S. 1630, the Disaster Recovery Act of 2011, before the end of the 112th Congress. The legislation, sponsored by Senator Mary Landrieu (D-LA) and co-sponsored by Senator Thad Cochran (R-MS), was endorsed by NLIHC and by many

members of the Stafford Act Reform Group (formerly known as the Katrina Housing Group).

H.R. 1630 included several provisions advocated by NLIHC based on lessons learned after Hurricanes Katrina and Rita. These include:

- Defining when a disaster is considered catastrophic and setting up mechanisms to ensure an appropriate federal role after a disaster.
- Improving the existing case management system for disaster victims by requiring that FEMA, HHS and HUD develop a single, comprehensive case management system and within one year develop regulations to ensure that every survivor has a single point of contact for case management services.
- Requiring all federal agencies that provide housing assistance to define the roles and responsibilities of each agency in the provision of disaster housing assistance.
- Simplifying current law to ensure that damaged rental properties could be quickly repaired and reoccupied instead of allowing money to be wasted on temporary housing units.
- Allowing for assistance to be provided to more than one household associated with the same pre-disaster address, if the household had to separate for reasons related to the disaster.

There was some hope that the Senate would take up S. 1630 after Super Storm Sandy hit the Northeast, but it did not progress. The Stafford Act Reform Group will encourage the bill's sponsors to reintroduce it in the new Congress.

Choice Neighborhoods Initiative

Legislation to formally authorize the Choice Neighborhoods Initiative (CNI), HUD's successor program to HOPE VI, was not enacted in the 112th Congress. Bills were introduced in the Senate and House to formally enact CNI, which HUD first proposed in its FY10 budget request to Congress. Senator Robert Menendez (D-NJ) and Representative Maxine Waters (D-CA) introduced the Senate and House bills, respectively.

Without authorizing legislation, the CNI program is currently operating largely by broad policies passed as part of FY10, FY11 and FY12 HUD appropriations bills and HUD's own vision of how to implement the particulars of the program, as stated in the annual Notices of Funding Availability for the program (see article elsewhere in *Memo*). If enacted, legislation could set permanent policies around entities eligible to receive CNI funding, contents of applications and approval protocols, public housing resident rights regarding returning to transformed housing and participation in decision-making and one-for-one replacement, as well as other areas of interest to public housing agencies and residents.

Key Congressional supporters of CNI remain in office. Senator Menendez returns in the 113th Congress as Chair of the Senate Banking, Housing and Urban Affairs Subcommittee on Housing,

Transportation and Community Development. Ms. Waters ascends in the 113th Congress to Ranking Member of the House Committee on Financial Services.

Violence Against Women Act Reauthorization

Congress failed to reauthorize the Violence Against Women Act (VAWA) by the end of the 112th Congress. The House and Senate developed different versions of reauthorizing legislation, H.R. 4970 and S. 1925, respectively. Both pieces of legislation would have increased access to emergency and affordable housing for victims of domestic violence, dating violence, sexual assault and stalking, although the Senate provisions were more expansive. The legislation ultimately failed due to differences between the two chambers about whether VAWA protections should be expanded to:

- Allow for tribal authorities to prosecute domestic violence cases that occur on tribal land.
- Include assurances that lesbian, gay, bisexual and transgendered victims of domestic violence are covered by VAWA protections.
- Include protections for immigrant victims of domestic violence.

There is considerable interest in Congress and among advocates to advance the legislation in the 113th Congress, although it remains unclear whether a consensus can be reached on the areas of disagreement listed above. The housing provisions of the bill were not the subject of the controversy.

H.R. 32, the Homeless Children and Youth Act of 2011

On the second day of the 112th Congress, Representative Judy Biggert (R-IL), Chair of the House Financial Services Subcommittee on Insurance, Housing and Community Opportunity, introduced H.R. 32 to expand the definition of homelessness. The bill would have amended the definition under the McKinney-Vento Homeless Assistance Act to include children and youth who have been verified as homeless. The measure was approved at the subcommittee level but did not advance further. Chair Biggert lost her bid for reelection and the future of the measure in the 113th Congress remains unclear.

Legislation to Assist Formerly Homeless Students

Senator Al Franken (D-MN) and Representative Jim McDermott (D-WA) introduced legislation in the 112th Congress, S. 3494 and H.R. 3076, respectively, to make formerly homeless full-time students eligible for Low Income Housing Tax Credit- (LIHTC-) financed housing. Currently, students are not allowed to be the leaseholder of an LIHTC-financed housing unit. The rationale behind the prohibition is to ensure that tax credits are not used to finance the development of university dormitories. However, there are exceptions to this prohibition, including for youth aging out of foster care and for individuals enrolled in job training programs. NLIHC endorsed both bills. Neither the House nor Senate acted on the legislation.

Federal Surplus Property

Proposals to reform the federal surplus property disposition process for the benefit of federal deficit reduction gained significant traction in the 112th Congress. Housing advocates, led by the National Law Center on Homelessness and Poverty, worked to ensure that homeless service providers' right of first refusal to these properties as provided under Title V of the McKinney-Vento Homeless Assistance Act was retained in any proposal that would alter the disposition process.

Several proposals were considered and advanced in the 112th Congress, including:

- The Federal Real Property Asset Management Reform Act of 2012 (S. 2178), which was approved by the Senate Committee on Homeland Security and Government Affairs.
- The Excess Federal Building and Property Disposal Act of 2012 (H.R. 665), which passed the House of Representatives unanimously.
- The Federal Real Property Disposal Enhancement Act of 2011 (H.R. 1205).
- The Civilian Property Realignment Act (H.R. 1734).

However, none of these measures were enacted prior to the end of the 112th Congress. While the measures would limit the access of homeless service providers to some of the properties, the language included in H.R. 665 was the least harmful. It is expected that this issue will continue to be prominent in the new 113th Congress.

Inclusive Home Design Act

Representative Jan Schakowsky (D-IL) reintroduced the Inclusive Home Design Act (H.R. 5781 in the 112th Congress). NLIHC, along with 10 members of the Consortium for Citizens with Disabilities (CCD) Housing Taskforce, endorsed the legislation, which would have required newly constructed single-family houses and townhouses built with federal assistance to include a minimum standard of visitability.

Visitability is a design concept in which homes are constructed in a way that makes them accessible to people with disabilities. The bill would require visitability design features in certain federally assisted housing, including doorways that are wide enough for a wheelchair on the main level and at least one wheelchair-accessible bathroom in every home.

The measure did not advance in the House of Representatives and must be reintroduced in the new 113th Congress.

Family Self-Sufficiency Act

Legislation was introduced in the House and Senate during the 112th Congress to improve the Family Self-Sufficiency (FSS) program. Representative Judy Biggert (R-IL), Chair of the House Financial Services Subcommittee on Insurance, Housing and Community Opportunity, introduced the Family Self-Sufficiency

Act of 2011 (H.R. 34).

Among other provisions, the bill would have put into statute the existing method of funding HUD's FSS program through administrative fees for Housing Choice Vouchers. It would have provided one FSS coordinator for public housing agencies (PHAs) with more than 25 FSS participants, a second for those with more than 75 voucher participants and a third for those with more than 125 participants. Further, the bill would have required HUD to establish and implement FSS performance measures, collect FSS program data, evaluate the program's effectiveness and report to Congress on its findings. It would have allowed the HUD Secretary to incentivize innovative or successful FSS programs, as well. The FSS program allows PHAs to develop local strategies to help voucher families obtain employment that will lead to economic independence and self-sufficiency. It is voluntary for families.

Senator Jack Reed (D-RI) introduced similar legislation (S.3513 in the 112th Congress). Neither measure was acted on in the 112th Congress, and Chair Biggert lost her bid for reelection to the 113th Congress.

Small PHAs

Senator Mike Johanns (R-NE) introduced the Small Public Housing Agency Opportunity Act of 2012 (S. 3538 in the 112th Congress). The legislation would have allowed for greater flexibility and enacted many changes in oversight requirements for small public housing agencies (PHAs), defined by the bill as PHAs that administer a combined total of 550 or fewer public housing units and Housing Choice Vouchers (see *Memo*, 9/21/12).

NLIHC has various concerns about the measure, including its proposed rent reform demonstration that does not include sufficient protections for tenants or evaluation components; the ability for every small PHA to increase the percent of vouchers it may project-base from 20% to 50%; weakening of Section 3 requirements for small PHAs; authorization for small PHAs for comingle all of their public housing and voucher funding; decrease in reporting requirements by small PHAs to HUD and conversion of small PHAs' public housing subsidy to project-based contracts or project-based vouchers without any of the myriad protections included in the 112th Congress's Rental Assistance Demonstration (see related section previously in this article). The legislation did not advance in the 112th Congress.

Veterans Housing Bills

There was considerable legislative activity in the 112th Congress related to the housing needs of low income veterans. Listed below are the measures that gained the most traction.

- Senator Jack Reed (D-RI) introduced the Housing Assistance for Veterans (HAVEN) Act of 2012 (S. 3614 in the 112th Congress). The legislation would have established a pilot program to authorize the Secretary of Housing and Urban Development to make grants to nonprofit organizations to rehabilitate and modify homes of

low income veterans and veterans with disabilities. The measure would have authorized \$4 million in annual appropriations for FY13 to FY17 to carry out the activities provided for in the bill. The measure was companion legislation to H.R. 6381, introduced by Representative Al Green (D-TX). H.R. 6381 passed the House as part of H.R. 6361, the Vulnerable Veterans Housing Reform Act. However, the Senate did not act on the measures before the end of the 112th Congress and as such, the proposal ultimately failed.

- Senator Dean Heller (R-NV) introduced the Women's Homeless Veterans Act (S. 3308 in the 112th Congress). The legislation would have required that at least 15% of the funds in the Department of Veterans Affairs (VA) Grant and Per Diem (GPD) program be allocated to veterans who are experiencing homelessness and have special needs. This allocation would have included services provided to female veterans. S. 3308 would have also authorized the use of GPD payments for the dependents of currently homeless veterans who are receiving assistance through the GPD program. Hearings on the measure were held by the Senate Committee on Veterans Affairs, but no further action was taken.

- Senator Mark Begich (D-AK) and Representative Janice Hahn (D-CA) introduced legislation to update the definition of homeless veteran to ensure that veterans fleeing domestic violence or another life-threatening condition be eligible for assistance under the McKinney-Vento Homeless Assistance Act. The 2009 Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act updated the definition of homelessness to cover individuals fleeing domestic violence. However, the definition of homeless veteran was not updated to reflect this change. While committee hearings were held on the Senate measure, no further action was taken and the measures (H.R. 4287 and S. 3049 in the 112th Congress) died with the end of the 112th Congress.

- Senator Patty Murray (D-WA) introduced the Homeless Veterans Assistance Act of 2012 (S. 3309 in the 112th Congress). Committee hearings were held on the measure but no further action was taken before the end of the 112th Congress. The legislation would have, among other provisions, authorized the use of VA Grant and Per Diem (GPD) program dollars for the care of dependents of a currently homeless veteran who also is receiving assistance through the GPD program. The measure would have expanded the VA's authority to provide dental care to veterans experiencing homelessness, and would have authorized grants for the operational expenses of centers providing direct services to homeless veterans. The legislation would have extended the authorizations of several programs and authorities including the Homeless Veterans Reintegration Programs (HVRP) and the Advisory Committee on Homeless Veterans.

- Legislation was introduced in the House and Senate to reauthorize the Grant Program for Homeless Veterans with Special Needs and HVRP. The measure would have also required the Secretary of Veterans' Affairs, within one year of the bill's enactment, to submit a plan to Congress on how to end homelessness among veterans. The

House measure (H.R. 2559 in the 112th Congress) was introduced by Representative Ted Deutch (D-FL), and the Senate measure (S. 1148 in the 112th Congress) was introduced by Senator Patty Murray (D-WA). Hearings were held on the Senate bill, but both bills ultimately died with the end of the Congress.

- Senator Richard Blumenthal (D-CT) introduced the Honoring All Veterans Act of 2011 (S. 1060 in the 112th Congress). Among other provisions, S. 1060 would have reformed the per diem program for homeless veterans to account for rising service costs. The measure would also permanently extend foreclosure protections for military families. A committee hearing was held on the bill but no further action was taken before the close of the Congress.

- Senator Jack Reed (D-RI) reintroduced the Zero Tolerance for Veteran Homelessness Act of 2012 (S. 3349 in the 112th Congress). The bill would have required the VA, within one year of the bill's enactment, to complete a study on its GPD program, develop improved procedures for fiscal control and fund accounting for GPD grants and develop an improved system for the reimbursement of GPD grant recipients. The bill would have allowed mixed financing to be used to build, remodel or acquire properties to be used for housing for veterans experiencing homelessness. The measure would create the position of Special Assistant for Veterans Affairs within the HUD Secretary's office, and would also require the VA to develop a comprehensive plan to end homelessness among veterans within one year of the bill's enactment. No action was taken on the bill and it died at the end of the 112th Congress.

Leadership and Committee Assignments for the 113th Congress

The 113th Congress convened on January 3. Republicans retain control of the House of Representatives by a majority of 234 to 201, a smaller margin than in the 112th Congress. Representative John Boehner (R-OH) was reelected Speaker of the House. Representatives Eric Cantor (R-VA) and Nancy Pelosi (D-CA) will continue to serve as Majority and Minority Leader, respectively.

Democrats continue to be the majority in the Senate, with 53 Democrats and 2 Independents who will caucus with the Democrats. This is still short of the 60 votes needed to withstand a Republican filibuster. However, the Senate is expected to consider possible changes to the filibuster process early in the new Congress. Senator Harry Reid (D-NV) will again serve as Majority Leader with Senator Mitch McConnell (R-KY) continuing as Minority Leader.

While House and Senate committee assignments have not been fully finalized, some posts have already been announced.

The House Committee on Financial Services, formerly chaired by Representative Spencer Bachus (R-AL), is now chaired by Representative Jeb Hensarling (R-TX). Representative Maxine

Waters (D-CA) is now Ranking Member of the full committee, a position held by former Representative Barney Frank (D-MA) in the 112th Congress. Representative Gary Miller (R-CA) will serve as Committee Vice Chair, and Representative Lynn Westmoreland (R-GA) holds the new position of Committee Whip. Representative Randy Neugebauer (R-TX) is now Chair of the Subcommittee on Insurance, Housing and Community Opportunity, a position held in the 112th Congress by former Representative Judy Biggert (R-IL).

New Republicans to the Committee on Financial Services are Representatives Garland Barr (R-KY), Tom Cotton (R-AR), Randy Hultgren (R-IL), Mick Mulvaney (R-SC), Robert Pittenger (R-NC), Dennis Ross (R-FL), Marlin Stutzman (R-IN) and Ann Wagner (R-MO).

The House Committee on Appropriations will continue to be chaired by Representative Harold Rogers (R-KY). Representative Nita Lowey (D-NY) is now Ranking Member, a position held in the 112th Congress by former Representative Norm Dicks (D-WA). Representative Tom Latham (R-IA) will continue to serve as Chair of the Subcommittee on Transportation, Housing and Urban Development.

Republicans new to the House Committee on Appropriations are Representatives Jaime Herrera Beutler (R-WA), Chuck Fleischmann (R-TN), Jeff Fortenberry (R-NE), David Joyce (R-OH), Tom Rooney (R-FL) and David Valadao (R-CA).

The House Committee on Ways and Means will continue to be chaired by Representative Dave Camp (R-MI), and Representative Sander Levin (D-MI) will continue to serve as Ranking Member. Republicans new to the committee are Representatives Tim Griffin (R-AR), Mike Kelly (R-PA) and Todd Young (R-IN).

Senate Democrats announced committee leadership positions and membership prior to the adjournment of the 112th Congress (see *Memo*, 12/14/12). These positions were finalized when the 113th Congress convened on January 3, with the notable change of Senator Barbara Mikulski (R-MD) now serving as Chair of the Senate Committee on Appropriations, after the death of former Chair Daniel Inouye (D-HI). Also on January 3, Senate Republicans formally announced Republican committee assignments.

Senator Thad Cochran (R-MS) will continue as Ranking Member of the Senate Committee on Appropriations. Republicans newly assigned to the committee are Senators Mike Johanns (R-NE) and John Boozman (R-AR), joining new Democratic members Senators Tom Udall (D-NM), Jeanne Shaheen (D-NH) and Jeff Merkley (D-OR).

It is expected that Senator Mike Crapo (R-ID) will take over the position of Ranking Member of the Senate Committee on Banking, Housing and Urban Affairs from Senator Richard Shelby (R-AL), who has reached the end of his term as Ranking Member. However, this shift had not been finalized as of this writing. Republicans newly assigned to the Committee on Banking, Housing and Urban Affairs are Senators Tom Coburn (R-OK) and Dean Heller (R-NV).

As previously reported, Senator Tim Johnson (D-SD) will continue to chair the Banking Committee. New Democratic members are Senators Joe Manchin (D-WV), Elizabeth Warren (D-MA) and Heidi Heitkamp (D-ND).

The Senate Committee on Finance will continue to be chaired by Senator Max Baucus (D-MT), and Senator Orrin Hatch (R-UT) retains his role as Ranking Member. Republicans newly assigned to the committee are Senators Johnny Isakson (R-GA), Rob Portman (R-OH) and Patrick Toomey (R-PA). Democrats newly assigned to the committee are Senators Sherrod Brown (D-OH) and Michael Bennet (D-CO).

Full information on Senate Committee assignments will be available at <http://1.usa.gov/XrTlzW>.

Full information on House Committee assignments will be available at <http://1.usa.gov/XrTovD>.

DISASTER HOUSING

113th Congress Begins to Address Super Storm Sandy Needs

The 112th Congress adjourned without enacting supplemental appropriations to address needs related to damage caused by Super Storm Sandy. The Senate passed a supplemental appropriations bill on December 28, 2012 matching the Administration's request (see *Memo*, 1/2). However, despite earlier promises to do so, House Republican leadership declined to bring the measure to a vote in the House before the end of the 112th Congress, causing considerable outrage among both Republican and Democratic lawmakers representing impacted states. In response, House leadership agreed to consider relief legislation in the first days of the new 113th Congress.

On January 4, Congress approved a portion of the Sandy relief package, H.R. 41, allowing for an additional \$9.7 billion in borrowing authority for the National Flood Insurance Program. The House approved the measure by a vote of 354 to 67; it then passed the Senate by a voice vote. The President is expected to sign it into law.

House Speaker John Boehner (R-OH) has also indicated that the House will vote on the full Sandy supplemental on January 15. The Senate supplemental appropriations bill is being scrutinized by House members to determine if it includes non-Sandy relief. Whatever the House produces will have to be introduced and approved by the new Senate.

The text of H.R. 41 is available at <http://1.usa.gov/WrX6iE>.

HUD

HUD Announces Regulatory Plan for FY13

The Office of Information and Regulatory Affairs (OIRA) at the Office of Management and Budget (OMB) announced the Unified Agenda and Regulatory Plan for Fall 2012 on December 21, 2012. This is effectively HUD's FY13 Regulatory Plan, and contains a list of 42 regulatory actions, 26 in the final stage and 16 in the proposed stage. Many are regulations that NLIHC and others have been urging HUD to move.

Notable final regulations and anticipated timing for action include:

- National Housing Trust Fund (see related article): May 2013
- Implementation of the Fair Housing Act – Disparate Impact: February 2013
- HOME Investment Partnerships: March 2013
- Homeless Emergency Assistance and Rapid Transition to Housing: Continuum of Care Program: June 2013
- Homeless Emergency Assistance and Rapid Transition to Housing: Emergency Solutions Grants: June 2013
- Public Housing and Section 8 Programs Housing Choice Voucher Portability Revised Rule: June 2013
- Capital Fund Program (public housing): February 2013
- Supportive Housing for the Elderly and Persons With Disabilities: May 2013

Notable proposed regulations and anticipated timing for action include:

- Affirmatively Furthering Fair Housing (see related article): April 2013
- Economic Opportunities for Low and Very Low Income Persons (Section 3): August 2013
- Standards Governing Harassment Under the Fair Housing Act: September 2013
- Demolition and/or Disposition of Public Housing Program: June 2013
- The Housing and Economic Recovery Act of 2008 (HERA) Implementing and Conforming Rule for HERA and Related Regulatory Changes to the Section 8 Tenant-Based Voucher and Section 8 Project-Based Voucher: March 2013
- Revisions to the Consortia of Public Housing Agencies: May 2013
- Tenant-Based Rental Assistance: Improving Performance Through a Strengthened Section 8 Management Assessment Program: June 2013

- Housing Counseling: New Certification Requirements: May 2013
- Supportive Housing for Persons With Disabilities Implementing New Project Rental Assistance Authority: June 2013

HUD's Regulatory Plan for 2013, including brief descriptions of each regulatory action, is at <http://1.usa.gov/WrMi3W>.

HUD to Make Affirmatively Furthering Fair Housing Proposed Regulation its Top Priority Regulatory Action for FY13

A new approach to affirmatively furthering fair housing (AFFH) is the sole priority HUD discusses in its Statement of Regulatory Priorities for FY13. Changes to AFFH have long been sought by civil rights and tenant advocates in the hopes that HUD will be more assertive in advancing housing choice for low income people.

Title VIII of the Civil Rights Act of 1968 (the Fair Housing Act) requires HUD to administer its programs in a way that affirmatively furthers fair housing. The laws that establish the Community Development Block Grant (CDBG) program, the Comprehensive Housing Affordability Strategy (CHAS) and the Public Housing Authority Plan (PHA Plan) each require jurisdictions to certify in writing that they are affirmatively furthering fair housing.

The Statement of Regulatory Priorities is quoted extensively here to ensure clarity about HUD's proposed regulatory change.

"To better fulfill the statutory obligation to affirmatively further fair housing, HUD proposes to replace the existing requirement to undertake an analysis of impediments with a fair housing assessment and planning process that will aid HUD program participants in improving access to opportunity and advancing the ability for all families to make true housing choices.

"To facilitate this new approach, HUD will provide states, local governments, insular areas, and public housing agencies (PHAs), as well as the communities they serve, with data.... From these data, program participants will evaluate their present environment to assess fair housing issues, identify the primary determinants that account for those issues, and set forth fair housing priorities and goals.

"The benefit of this approach is that these priorities and goals will then better inform program participants' strategies and actions by improving the integration of the assessment of fair housing through enhanced coordination with current planning exercises.

"Key changes include:

- (1) A new fair housing assessment and planning tool, referred to as an assessment of fair housing, which will replace the current analysis of impediments;

(2) The provision of nationally uniform data that will be the predicate for and help frame program participants' assessment activities;

(3) Meaningful and focused direction regarding the purpose of the assessment of fair housing and the standards by which it will be evaluated;

(4) A more direct link between the assessment of fair housing and subsequent program participant planning products – the Consolidated Plan and the Public Housing Agency (PHA) Plan – that ties fair housing planning into the priority setting, commitment of resources, and specification of activities to be undertaken; and,

(5) A new HUD review procedure based on clear standards that facilitates the provision of technical assistance and reinforces the value and importance of fair housing planning activities.

“The proposed rule does not mandate specific outcomes for the planning process. Instead, recognizing the importance of local decision-making, the rule proposes to establish basic parameters and help guide public sector housing and community development planning and investment decisions to fulfill their obligation to affirmatively further fair housing.”

HUD anticipates the proposed rule will be published in April.

HUD's Statement of Regulatory Priorities is at <http://1.usa.gov/WrJ5kW>.

HUD Announces Preliminary RAD Sites, Second-Round CNI Sites, Four More MTW Sites

HUD made a number of announcements in December regarding developments of interest to assisted residents and tenants, and to other housing advocates.

Rental Assistance Demonstration

On December 20, 2012 HUD announced the first 112 public housing agency (PHA) developments awarded preliminary approval to convert a public housing development to project-based rental assistance through the Rental Assistance Demonstration (RAD) (see *Memo*, 7/27/12). The awards entail only 12,940 units in those 112 developments; the statute allows for up to 60,000 units. Other PHAs and developments will be added as more applications are submitted and accepted on a first-come, first-serve basis. The announcement also included RAD approvals for eight Rent Supplement (Rent Supp), Rental Assistance Program (RAP), or Moderate Rehabilitation (Mod Rehab) developments involving 965 units. HUD intends to provide more information about each award later this month.

The preliminary announcement provided the selected PHAs with a commitment to enter into a Housing Assistance Payments Contract

(CHAP). Much more needs to be done by the PHA before there is a final approval by HUD. For example, the PHA must go through the formal PHA Plan process within two months because the RAD conversion will be a significant amendment to the PHA Plan. In addition, the PHA must have at least one meeting with residents of the development before HUD will finalize a conversion contract. The PHA must submit a financing plan within 180 days, and if HUD approves it, the PHA has 320 days to secure a firm financial commitment from a lender.

The RAD award summary page is at <http://1.usa.gov/WrR8y9>. The RAD webpage is at <http://1.usa.gov/WrRfd5>.

Choice Neighborhoods Initiative (CNI)

On December 13, 2012, HUD announced four FY12 Choice Neighborhoods Initiative (CNI) implementation grant awards. A total of \$30 million was awarded to projects in Cincinnati, San Antonio and Tampa; a \$20 million grant was awarded to a Seattle project that also received an FY10/11 \$10 million implementation grant.

CNI is HUD's successor to the HOPE VI program. CNI implementation grants are intended primarily to help transform severely distressed public housing or HUD-assisted private housing developments through rehabilitation, demolition and new construction. Applicants must prepare a comprehensive plan to address other aspects of neighborhood distress such as violent crime, failing schools and capital disinvestment. Funds can be used for supportive services and for improvements to the surrounding community, such as developing community facilities, and addressing vacant, blighted properties.

Unlike HOPE VI, CNI projects must replace assisted units on a one-for-one basis, although HUD may make exceptions. Advocates at FY10/FY11 sites think that one-for-one replacement will be achieved.

A HUD CNI media release is at <http://1.usa.gov/WrTn4v>. Project summaries are at <http://1.usa.gov/WrTqxs>. The CNI webpage is at <http://1.usa.gov/WrTw8g>.

Moving to Work

On December 18, 2012, HUD announced that four additional PHAs have been selected to participate in the Moving to Work demonstration (MTW): Columbus, GA; Fairfax VA; Holyoke, MA and Reno, NV. These four new MTW agencies join 35 existing MTW PHAs.

PHAs selected for the MTW demonstration can receive waivers from most of the existing statutes and regulations governing the public housing and Section 8 voucher programs, and can combine public housing capital and operating funds with voucher funds. MTW PHAs can change rent rules and income targeting requirements, impose work requirements and time limits and change how they use project-based vouchers, among many other functions.

NLIHC and others contend that in the absence of evaluation of the MTW demonstration, there is no evidence that the program

is helping or harming extremely low income people in the public housing and housing voucher programs. However, in early 2012 NLIHC and several other groups, including the Council of Large Public Housing Agencies (CLPHA), the National Association of Housing and Redevelopment Officials (NAHRO) and the Center on Budget and Policy Priorities (CBPP) developed a stakeholder agreement on MTW expansion in an attempt to advance voucher reform legislation (see article elsewhere in *Memo*). The stakeholder agreement allows limited MTW expansion but also includes significant protections related to residents, use of rental assistance resources and evaluation.

HUD's MTW media release, including brief descriptions of the four demonstrations is at <http://1.usa.gov/WrVS6X>. The MTW homepage is at <http://1.usa.gov/WrW0TY>.

HUD Takes Action Against Bank of America in First Enforcement of New LGBT Regulation

HUD's Office of Fair Housing and Equal Opportunity (FHEO) published a final rule on February 3, 2012 implementing HUD's Equal Access regulations to ensure that its core programs are open to all, regardless of sexual orientation, gender identity, or marital status (see *Memo*, 2/3/12). On January 2, HUD announced the first enforcement action taken against a lender involving this rule.

The equal access rule explicitly states that eligibility determinations for HUD-insured or HUD-assisted housing must be made without regard to actual or perceived sexual orientation, gender identity or marital status. This prohibition applies to lenders in an FHA mortgage insurance program, owners or administrators of HUD-assisted or HUD-insured housing and any other recipient or sub-recipient of HUD funds.

A lesbian couple was denied an FHA-insured loan at a Bank of America location in Indialantic, FL based on their marital status or sexual orientation. Because one partner was not employed, her mother was a co-applicant on the loan. The bank assured the couple that they were likely to receive a mortgage. However, one day before loan closing, the bank denied the mortgage because it did not consider the loan applicant and co-applicant directly related because the applicant and her partner were not married.

A settlement agreement between HUD and the bank calls for the bank to:

- Notify its mortgage originators, processors and underwriters of the settlement, including a link to the equal access regulations.
- Remind applicable employees that they are prohibited from discriminating against applicants of FHA-insured loans on the basis of sexual orientation, gender identity or marital status.

- Update its existing fair lending training program to include information on the equal access regulations.

HUD General Counsel Helen Kanovsky said, "This agreement demonstrates that HUD will vigorously enforce its *Equal Access* rule and pursue lenders that discriminate on the basis of sexual orientation, gender identity or marital status. By the same token, BOA should be commended for stepping up and taking immediate corrective action after HUD notified BOA of the violation."

John Trasviña, FHEO Assistant Secretary, added, "Members of the housing industry should take note of this settlement agreement. HUD will enforce its regulations to make sure its programs are truly open to all qualified families."

A HUD media release and settlement agreement are at <http://1.usa.gov/WrLrAn>.

The Equal Access rule is at <http://1.usa.gov/WrLtrT>.

HOME and LIHTC Guidebook from HUD

HUD's Office of Community Planning and Development (CPD) issued *HOME and the Low-Income Housing Tax Credit Guidebook*. The 161-page publication provides technical guidance on how to assess projects intending to use both the HOME program and Low Income Housing Tax Credit (LIHTC). The document provides a useful glossary, and overviews of both HOME and LIHTC, before delving into technical considerations such as reviewing financial feasibility, construction standards, income targeting, rents and ensuring long-term compliance with income eligibility and rent affordability.

The guidebook is available at <http://bit.ly/WrM5ha>.

FROM THE FIELD

Texas Advocates Partner to Ensure Proper Targeting of Disaster Relief Funds

Four years after Hurricanes Ike and Dolly inflicted destruction along the Texas coast, state and local advocates continue their work to ensure that residents in affected communities have the resources needed to recover. The Texas Low Income Housing Information Service (TXLIHIS), an NLIHC state coalition partner, has partnered with the Texas Organizing Project (TOP) in their latest "Save our Neighborhoods" campaign.

TXLIHIS has played an instrumental role in disaster recovery advocacy since the hurricanes hit in 2008. For example, it teamed with Texas Appleseed in filing an administrative complaint against the state of Texas, which planned to distribute \$3 billion in relief funds based on weather patterns, not documented need in hardest

hit areas (see *Memo*, 5/28/10). A conciliation agreement ultimately provided guiding principles for the funds' allocation and use. Since that time, TXLIHIS has teamed with local grassroots organizations to make residents within affected neighborhoods aware that these funds must be used for disaster recovery in their areas.

TXLIHS has worked very closely with TOP, a Houston-based community organizing group, since the 2010 initial allocation of funds to help disaster victims navigate the application process. The two organizations partnered again in 2011 and 2012 for Save Our Neighborhoods, which TOP organized to urge Houston's housing department to use disaster funds for recovery in low and moderate income neighborhoods, not for other projects. Because the funds were administered through the Community Development Block Grant (CDBG) program, advocates were concerned that these resources could be used carelessly and in an untargeted manner.

A core element of the Save Our Neighborhoods campaign has been providing residents with training in policy processes and successful advocacy tools and strategies. TXLIHIS believed this approach would be more effective than if it took the lead in the effort. At the same time, the organization used its connections with federal officials to ensure that residents' voices were heard.

In May 2012, TXLIHIS took advantage of the direct access to HUD it gained during the conciliation agreement process, organizing several opportunities for TOP residents to meet directly with then-Assistant Secretary Mercedes Marquez. Residents expressed their concerns about the City of Houston's longstanding issue with CDBG administration and its potential to impede proper administration of disaster funds. These concerns included slow application processes, overall lack of communication, funding developers for poor repair of homes, and noncompliance with Section 3 requirements. After hearing from residents, Assistant Secretary Marquez extended an opportunity for the city's housing department to receive national technical assistance to effectively address these issues.

In addition, TOP forged an agreement with Mayor Annise Parker to target \$151 million of Round 2 disaster funds—56% of the total—to low and moderate income single family home repair once the funds are released this year. TXLIHIS met extensively with community members to assess existing neighborhood conditions and designed a process to help stakeholders identify where to target the funds. Community leaders submitted their recommendations for several affected areas, which the city is reviewing.

“Because the city of Houston and Texas Organizing Project have been working together in this effort, Texas Low Income Housing Information Service remains hopeful that the historical walls that traditionally separate fair housing from community development will begin to crumble,” said Chrishelle Palay, TXLIHIS policy analyst.

For more information, contact Chrishelle Palay at chrishelle@texashousing.org.

RESOURCES

Number of Homeless Veterans Falls Due to Increase in Supply of HUD-VASH Vouchers

A new report to Congress from the U.S. Interagency Council on Homelessness (USICH) finds that the number of veterans experiencing homelessness fell by 12% between January 2010 and January 2011, based on data from HUD's 2011 *Annual Homeless Assessment Report*. Nonetheless, the latest Point-In-Time (PIT) count found 67,495 homeless veterans in January 2011. The annual PIT count is part of the ongoing federal plan to end homelessness among veterans by 2015. According to USICH, the reduction in homeless veterans between 2010 and 2011 is largely attributable to the effectiveness of homeless assistance programs, notably the HUD-Veterans Affairs Supportive Housing (VASH) voucher program.

The HUD-VASH program combines housing rental assistance vouchers from HUD with case management from the Department of Veterans Affairs (VA) targeting homeless veterans. The number of HUD-VASH vouchers expanded from 10,150 in FY08 to 48,400 in FY12. According to the USICH report, the expansion of this program has contributed to the reduction of veteran homelessness nationwide. The report also identifies several challenges facing the HUD-VASH program, including administrative capacity and costs, in addition to the difficulty of locating affordable, quality housing for veterans in rural areas.

While a large proportion (68%) of homeless veterans live in urban areas, rural veterans tend to be older and face greater housing and health challenges. On average, veterans in rural areas must travel 24 miles to access VA medical facilities. The report identifies improving access to both housing and related services for veterans in rural and tribal communities as a priority.

In order to improve access to housing and services available to homeless veterans, USICH recommends allocating additional HUD-VASH vouchers in FY13. In addition, USICH recommends more collaboration between HUD, the USDA and the Bureau of Indian Affairs (BIA) in order to address the housing needs of homeless veterans in rural and tribal communities. Lastly, USICH recommends funding additional resources to cover moving expenses for veterans using HUD-VASH vouchers, because security deposits remain a barrier to housing stability.

Report to Congress on Homeless Veterans is available at <http://1.usa.gov/WsfpEh>.

American Housing Survey Data Now Available on American FactFinder

New data released by the U.S. Census Bureau and the U.S. Department of Housing and Urban Development demonstrate that 20% of recent movers identify “convenience to job” as the single most important factor in their neighborhood choice in 2011. The new data also find that 4% of homes face problems with mold. The survey data are from the American Housing Survey, released in October 2011 (see *Memo*, 10/19/12). The survey data are now available for the first time on the web-based American FactFinder tool.

American FactFinder includes 52 tables from the 2011 American Housing Survey, covering a broad range of housing topics at the national level only. The topics covered include housing problems, vacancy rates, data related to housing moves, health hazards, neighborhood satisfaction, housing costs, household income characteristics and accessibility for persons with disabilities. Data on health, safety and accessibility are new to the survey for 2011.

The new data from the American Housing Survey can be accessed on the American FactFinder at <http://1.usa.gov/TeivA1>.

NLIHC NEWS

Nominate Now for NLIHC’s Annual Organizing Awards

Do not miss your opportunity to recognize state and local contributions to affordable housing advocacy. Nominate an organization today for NLIHC’s fourth annual State and Local Organizing Award and second annual Resident Organizing Award. Both awards will be presented at United for Action: NLIHC 2013 Housing Policy Conference on March 17-20, 2013.

Nominations for both awards are due by 5pm Eastern Time on Friday, January 25.

State and Local Organizing Award

The State and Local Organizing Award recognizes outstanding achievement during 2012 in organizing activity at the state or local level that furthers NLIHC’s mission: achieving socially just public policy that assures people with the lowest incomes in the United States have affordable and decent homes.

To learn more about nomination criteria, go to <http://bit.ly/WrJnZa>.

Nominated organizations must be NLIHC members to be eligible. Organizations may self-nominate.

Resident Organizing Award

The Resident Organizing Award recognizes outstanding achievement during 2012 in resident organizing activity at the state or local level that furthers NLIHC’s mission.

For more on nomination criteria, go to <http://bit.ly/WrJsMt>.

As with the State and Local Organizing Award, nominated organizations must be NLIHC members to be eligible; they may self-nominate. In addition, candidates for the Resident Organizing Award must be tenant-governed organizations, such as a resident council or tenant association.

A selection committee composed of NLIHC board members and previous awardees will determine the honorees. Two representatives of each honored organization will receive complimentary conference registration, hotel accommodations and transportation to Washington, D.C. to accept the awards.

Please email your nomination to outreach@nlihc.org. Please indicate the award for which you are nominating in the subject line.

The email should contain the following information:

- Name and contact information of the nominated organization.
- Name and contact information of the nominator (if different).
- Description of the organization’s achievement in the area of state and local organizing or resident organizing in 2012, and ways that achievement has assisted in furthering NLIHC’s mission (1,000 word maximum).
- Supporting materials that describe the activity or impact, such as press clips or campaign materials (optional).

NLIHC board members and award committee members may not nominate an organization with which they are employed or affiliated.

For more information, contact outreach@nlihc.org.

FACT OF THE WEEK

Renters in Poverty More Likely to Face Select Physical Housing Problems

	Renter Occupied Units Below Poverty	Renter Occupied Units All Renters
Signs of Mice in 12 months	12%	10%
Open Cracks or Holes (interior)	9%	7%
Signs of Cockroaches	23%	18%
Uncomfortably Cold for 24 hours	12%	10%

Source: American Housing Survey. (2011). <http://factfinder2.census.gov>

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ABOUT NLIHC

The National Low Income Housing Coalition is dedicated solely to achieving equitable federal policy that assures affordable, accessible, and healthy homes for the people with the lowest incomes in the United States.

Established in 1974 by Cushing N. Dolbeare, NLIHC educates, organizes, and advocates to ensure decent, affordable housing within healthy neighborhoods for everyone.

TELL YOUR FRIENDS!

NLIHC membership is the best way to stay informed about affordable housing issues, keep in touch with advocates around the country, and support NLIHC's work.

NLIHC membership information is available at www.nlihc.org/join. You can also e-mail us at outreach@nlihc.org or call 202-662-1530 to request membership materials to distribute at meetings and conferences.



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Check out NLIHC's blog, *On the Home Front*, at www.nlihc.wordpress.com!