

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

16-Apr-1996 12:27pm

TO: Molly Brostrom

FROM: Diana M. Fortuna
Domestic Policy Council

CC: Jeremy D. Benami

SUBJECT: FYI; Do you know if HUD has a position on this?

EXECUTIVE OFFICE OF THE PRESIDENT

15-Apr-1996 08:42pm

TO: justice
FROM: owner-justice

SUBJECT: Housing Progress. Appropriations?

Justice For All

jfa@mailbot.com

*HUD's position on
approps?*

To Disability Rights Activists
From Bill Henning, CORD, Massachusetts
Peg Franzen, VCIL, Vermont
Becca Vaughn, NACDRH
Fred Fay, Justice For All
Date April 15, 1996
Re Need to Secure Appropriation of Section 8
Funding to Compensate for Housing Lost by
Designation of Elderly-Only Projects

As predicted in our March 20 alert, S.1494 has been signed by President Clinton. While the extender legislation makes it easier for Public Housing Authorities to designate housing as elderly-only, it provides authorization for Section 8 rental assistance for persons with disabilities to compensate for housing lost by designation.

where?

Congratulations to the New York Independent Living Centers who have pushed for Congressman Rick Lazio's support for the Section 8. And a thank you to Congressmen Barney Frank (D-MA) and Patrick Kennedy (D-RI) for their letter to Congressman Jerry Lewis (R, CA), Chair of the Appropriations Subcommittee for VA, HUD, etc requesting his support for FY97 Section 8 funds.

We need to continue to work to ensure Rep. Lewis and other Congressmen come through with an appropriation for the Section 8 program. HUD's recent publication "Worst Case Housing Needs" illustrates the current housing crisis facing people with disabilities nationally. Without Section 8 appropriations, this horrible situation will get even worse.

Action Needed

(1) Write, Call and Meet with your Congressmen and Senators. Ask him or her to support \$50 million in Section 8 funds for people with disabilities to replace housing lost under other components of the Bill. Without community-based housing options, people with disabilities are stuck in expensive institutions or become homeless and are not provided with an opportunity to

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fully participate in society.

(2) If your Congress-person or Senator is on the Appropriations Committee, calling, writing or meeting is especially important. Will they sponsor the \$50 million? A list of those on the Appropriations Committees is attached.

Affordable housing is a key to independent living.
Thanks for your efforts. We can be contacted at:

Bill Henning, Cape Organization for the Rights of the Disabled (CORD)
v/tty (508) 775-8300
Peg Franzen, Vermont Center for Independent Living (VCIL)
v/tty 1-800-639-1522
Becca Vaughn, National Action Coalition for Disability Rights in Housing
v/tty (913) 233-4572
Lisa Sloane, E-mail adaptive@interramp.com

APPROPRIATIONS COMMITTEES

House Republicans

Bob Livingston, LA
Joe McDade, PA
John Myers, IN
Bill Young, FL
Ralph Regula, OH
Jerry Lewis, CA
John Porter, IL
Harold Rogers, KY
Joe Skeen, NM
Frank Wolf, VA
Tom DeLay, TX
Jim Kolbe, AZ
Barbara Vucanovich, NV
Jim Lightfoot, IA
Ron Packard, CA
Sonny Callahan, AL
James Walsh, NY
Charles Taylor, NC
David Hobson, OH
Ernest Istook, OK
Henry Bonilla, TX
Joe Knollenberg, MI
Dan Miller, FL
Jay Dickey, AR
Jack Kingston, GA
Frank Riggs, CA
Rodney Frelinghuysen, NJ
Roger Wicker, MS
Michael Forbes, NY
George Nethercutt, WA
Jim Bunn, OR
Mark Neumann, WI

Senate Republicans

Mark Hatfield, OR
Ted Stevens, AK

Democrats

David Obey, WI
Sidney Yates, IL
Louis Stokes, OH
Tom Bevill, AL
John Murtha, PA
Charles Wilson, TX
Norman Dicks, WA
Martin Sabo, MN
Julian Dixon, CA
Vic Fazio, CA
Bill Hefner, NC
Steny Hoyer, MD
Richard Durbin, IL
Ronald Coleman, TX
Alan Mollohan, WV
Jim Chapman, TX
Marcy Kaptur, OH
David Skaggs, CO
Nancy Pelosi, CA
Peter Visclosky, IN
Thomas Foglietta, PA
Esteban Torres, CA
Nita Lowey, NY
Ray Thornton, AR

Democrats

Robert Byrd, WV
Daniel Inouye, HI

Thad Cochran, MS
Arlen Spector, PA
Pete Domenici, NM
Phil Gramm, TX
Christopher Bond, MO
Slade Gorton, WA
Mitch McConnell, KY
Connie Mack, FL
Conrad Burns, MT
Richard Shelby, AL
Judd Gregg, NH
Robert F. Bennett, UT

Ernest Hollings, SC
J. Bennett Johnston, LA
Patrick Leahy, VT
Dale Bumpers, AR
Frank Lautenberg, NJ
Tom Harkin, IA
Barbara Mikulski, MD
Harry Reid, NV
Robert Kerrey, NE
Herb Kohl, WI
Patty Murray, WA

Background on S.1494

In 1992, the Congress passed legislation limiting access by people with disabilities to Public Housing, Section 8 Housing and other federally-funded affordable housing programs. Over the past few weeks, the House and Senate have passed legislation which potentially further limits access by people with disabilities to community based affordable housing but also potentially provides alternative housing opportunities.

Designated Housing and Allocation Plans.

Provisions in the legislation make modifications to the "allocation planning" process. Since 1992, federal regulations allow any PHA which wants to designate housing as elderly-only to write up an allocation plan which describes which buildings will be designated elderly-only and how the housing needs of people with disabilities will be met. The designation of elderly-only housing can result in the loss of significant numbers of units for people with disabilities.

This legislation makes changes to the allocation planning process. First, under current regulations, the PHA is required to consult with consumers and disability organizations about the allocation plan and to hold public hearings. The legislation removes most of the public consultation process, making it more difficult to work with PHAs to develop plans which meet the needs of people with disabilities as well as elders. In addition, the legislation waters down HUD's right to review and disapprove of plans which are not reasonable or balanced.

Note: You may want to write to your local Public Housing Authority to let them know that you want to be contacted if they put an allocation plan together.

Substance Abuse Provisions.

The legislation includes language which allows Housing Authorities and privately assisted developments to prohibit the admission of (a) individuals who currently illegally use controlled substances, and (b) whose history of illegal use of a controlled substance or use of alcohol, or current use of alcohol provides reasonable cause for the agency to believe that the occupancy by such individual may interfere with the with the health, safety or right to peaceful enjoyment of the premises by other residents.

While there are certainly problematic aspects of this language, it is significantly less discriminatory than prior amendments (notably those advanced by Congressman Blute of Massachusetts). In addition, in the current political climate, it was believed to be impossible to get this language taken out.

Section 8 Funds to Make Up for Units Lost By People with Disabilities. The good news in the legislation that passed is that the House and Senate have recognized that people with disabilities will be losing housing under this legislation and that alternative housing opportunities needed to be provided.

Specifically, the legislation authorizes the appropriation of "such sums" of Section 8 funding that may be necessary to make up for units lost by designating housing as elderly-only. The legislation provides authorization, not actual funds or appropriations. The disability community will have to work hard to get an appropriation of Section 8 funds passed.

Section 8 funding appears to be an appropriate vehicle for replacement housing. The Section 8 program allows people with disabilities the maximum choice in where to live, whether to live with anyone else and to move as necessary. //

Lisa Sloane
Adaptive Environments Center
E-mail: adaptive@interramp.com

Fred Fay
Justice-For-All Moderator
jfa@mailbot.com



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
THE SECRETARY
WASHINGTON, D.C. 20410-0001

MEMORANDUM

FOR: Honorable William J. Clinton

FROM: Henry G. Cisneros *Henry Cisneros*

DATE: March 18, 1996

SUBJ: Administration Support for Habitat for Humanity and Non-Profits Legislation

Last week, Congress passed a housing legislation -- the Housing Opportunity Program Extension Act of 1995 (Extender Bill) -- that would fund Habitat for Humanity (Habitat), Cities in Schools, and other non-profits committed to housing and community development. In the past, you have expressed great interest in Habitat's mission. Given that interest, I believe the passage of the Extender Bill presents a good opportunity for you to demonstrate the Administration's support for the impressive work performed by nonprofits and community-based organizations to better this country.

The Administration has long been working with Congress to help **Habitat for Humanity International** secure funds to acquire land and cover the costs of infrastructure development. The Extender Bill provides \$25 million to Habitat and \$15 million for other self-help housing providers for this purpose so they can continue their successful mission of building affordable, single-family homes for low-income families.

Habitat is also one of the leading partners of the National Homeownership Strategy committed to raising the nation's homeownership rate to an all-time high by the year 2000. The funds provided by the Extender Bill will enable Habitat to build approximately 2,500 new affordable homes, making homeownership a reality for more families who would not otherwise qualify to own homes in the conventional market.

The Bill also provides \$10 million for the **National Community Development Initiative (NCDI)**, an effort between HUD and ten foundations and corporations to provide capacity-building for nearly 200 community development corporations (CDCs) committed to turning around America's poorest neighborhoods. To date, nearly 3,000 units of affordable housing have been built, and another 5,000 units are in various stages of construction.

In addition, the Extender Bill provides \$10 million for **Cities in Schools** to partner with local communities -- from inner cities to rural townships -- to help at-risk youth stay in school and connect them to a brighter future.

I am working with the White House to possibly arrange a signing ceremony for the Extender Bill to enable the Administration to salute the nonprofit movement for its role in helping to meet the nation's goals and priorities.

February 26, 1996

**S. 1494 Housing Opportunity Program Extension Act of 1995
Section by Section Analysis
of House Amendment In The Nature Of A Substitute to S. 1494
(House Suspension - February 27, 1996)**

Sec. 1 Title: Housing Opportunity Program Extension Act of 1995

Sec. 2 Multifamily Housing Assistance

(a) Provides discretionary authority to the HUD Secretary to renew, for one year, expiring Sec. 8 moderate rehabilitation project-based rental assistance contracts.

(b) Provides discretionary authority to the HUD Secretary to operate the preservation program as passed the House in title II of H.R. 2099 (VA/HUD Appropriations Conference Bill) on December 7, 1995.

Sec. 3 Community Development Block Grant Eligible Activities

(a) Amends Sec. 907(b)(2) of the Cranston-Gonzalez National Affordable Housing Act by extending as an eligible activity, homeownership programs under CDBG.

(b) Replace Section 108 Loan Guarantee Aggregate Limit. In addition to the annual loan limitations for the section 108 loan guarantee program set forth in Appropriations Acts, current law places an aggregate limit on the cumulative amount of outstanding loans extended under the section 108 program. This limit is \$3.5 billion. The Department will soon hit this limitation. Hence, this provision would increase the aggregate loan limit to \$4.5 billion. This provision does not alter the annual loan limitations set forth in Appropriations Acts.

Sec. 4 Extension of Rural Housing Programs

Authorizes a rural rental multifamily housing direct loan program (Sec. 515 of the Housing Act of 1949) and extends set-asides within the Sec. 515 program for nonprofit sponsors and underserved areas; this program's previously appropriated funds, provided through the enacted Agriculture Appropriations Act of FY 96, are contingent on authorization.

Sec. 5 Loan Guarantees for Multifamily Rental Housing in Rural Areas

Authorizes a rural rental multifamily housing loan guarantee program, as contained in H.R. 1691, which the House passed on October 30, 1995; this program's previously appropriated funds, provided through the enacted Agriculture Appropriations Act of FY 96, are contingent on authorization.

Sec. 6 Extension of FHA Mortgage Insurance Program for Home Equity Conversion Mortgages

Authorizes and extends the HECM program through September 30, 2000, as passed by the House through H.R. 117 on October 24, 1995; increases the mortgage insurance authority to a maximum of 50,000 units; and, extends eligibility to 1-4 family owner-occupied units.

Sec. 7 GNMA Guarantees of Mortgage-Backed Securities

Amends Sec. 306(g)(2) of the National Housing Act by providing an authorization of commitment authority to the Government National Mortgage Association (GNMA) at \$110 billion for FY 96.

Sec. 8 Extension of Multifamily Housing Finance Programs

Amends Sec. 542(b)(5) of the Housing and Community Development Act of 1992 by extending the FHA multifamily mortgage insurance risk-sharing demonstration through FY 96 and provides authority to insure, under the demonstration, up to 7,500 units. Additionally, Sec. 542(c)(4) of HCDA of 1992 is amended by providing authority to the Housing Finance Agencies to enter FHA risk-sharing agreements up to 12,000 units.

Sec. 9 Safety and Security in Public and Assisted Housing

Amends Sec. 6 of the U.S. Housing Act of 1937 to require housing authorities to provide occupancy standards and an expedited grievance procedure for the eviction of tenants, in public housing and other assisted projects, who have a pattern of drug or alcohol abuse.

Sec. 10 Public Housing Designated for Elderly and Disabled Families

Amends Sec. 7 of the U.S. Housing Act of 1937 to streamline procedures for public housing authorities to designate public housing facilities as "elderly only", "disabled only," or "elderly and disabled families only." Additionally, this provision provides authority to evict residents in these designated facilities whose pattern of drug and alcohol abuse would jeopardize the safety and security of the elderly and disabled residents. Authorizes such sums as may be appropriated for FY 96 for public housing agencies to implement plans approved by the Secretary for designated housing.

Sec. 11 Assistance For Habitat For Humanity and Other Self-Help Housing Providers

Incorporates H.R. 1691, Sec. 2, which passed the House on October 30, 1995, by providing for a self-help housing program for HUD to provide grants to capable non-profit organizations, including Habitat-for-Humanity. Grant funds must be used for the payment of land and infrastructure costs of single family structures built entirely with donations and contributions of products, volunteer labor and the prospective borrower's sweat equity.

Sec. 12 Funding for Self-Help Housing Assistance, National Cities In Schools Community Development Program, and Capacity Building Through National Community Development Initiative.

Provides authority to use \$60 million in appropriation amounts from previous fiscal years to fund (1) self help housing (Sec. 9) at \$40 million (Habitat-for-Humanity at \$25 million and other Self-Help Housing Groups at \$15 million), 2) National Cities In Schools Communities at \$10 million, and 3) Capacity Building through the National Community Development Initiative (Sec. 4 of the HUD Demonstration Act of 1993) at \$10 million.

Sec. 13 Applicability

Construes effectiveness as of October 1, 1995 and makes Sections 9 and 10 of this Act self-executing.