

September 14, 2009

NCH Public Policy Recommendations **HUD McKinney-Vento Reauthorization**

RECOMMENDATIONS

Implement the newly reauthorized HUD McKinney-Vento (HMV) programs in a manner that allow all homeless people to be eligible for HMV housing and services and that ensures maximum flexibility to communities in their use of federal funds.

U.S. Representatives and Senators – Contact HUD and express concern about the eligibility of all people experiencing homelessness for HMV housing and services and encourage HUD to allow communities the maximum flexibility in the use of federal funds.

ISSUE STATUS

On April 2, 2009, identical HUD McKinney-Vento reauthorization bills were reintroduced in both the House and the Senate. The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, H.R. 1877, was introduced in the House by Representative Gwen Moore (D-WI). In the Senate, a companion bill was introduced by Senator Jack Reed (D-WI). The bills are nearly identical to the House-passed legislation from the 110th Congress.

The HEARTH Act was enacted on May 20, 2009 as part of the Helping Families Save Their Homes Act. While the reauthorization of the HUD McKinney-Vento Act is an important step, the HEARTH Act was enacted without addressing some of the flaws in the current reauthorized bill identified by the National Coalition for the Homeless.

Currently, HUD is developing regulations to implement the HEARTH Act. A Notice of Proposed Rulemaking (NPR) is expected in early 2010.

WHY THIS MATTERS

- HUD McKinney-Vento programs, first established in 1987, have saved lives and helped hundreds of thousands of Americans to regain stability and return to permanent housing.
- The HEARTH Act contains provisions that adversely affect homeless persons' access to housing and services and fail to assure the privacy of their personal identifying information. The bills also limit community flexibility in the use of HMV funds.
- Among the concerns that NCH has with the HEARTH Act are:
 - *Ineligible People* – The definition of “homeless individual” for purposes of eligibility for HUD programs (and other programs that use HUD’s definition) fails to include some living situations understood to be homeless, meaning that people in those situations will, with rare exception, remain ineligible for HUD-funded homeless assistance.
 - *Weakens Community Decision-Making* – The law fails to assign a role to homeless people or service providers as formal decision-makers in a geographic area’s collaborative application for funding.
 - *Restrictions on Eligible Activities* – The law would put into the force of law restrictions on a community’s use of funds that exist now only as administrative practice ... and adds some new

restrictions. This will further reduce geographic areas' flexibility to respond to homelessness the way it makes most sense.

- *Privacy Concerns* – The law authorizes a data collection and reporting system on clients of HMV-funded projects, but do not ensure client privacy and safety of their data.

BACKGROUND

The Stewart B. McKinney Homeless Assistance Act, enacted in 1987, was the first—and remains the only—major federal statutory response to homelessness. The Act originally consisted of fifteen programs providing a range of supports to homeless people, including emergency shelter, transitional housing, permanent housing, job training, primary health care, and education. The Act has since been renamed the “McKinney-Vento Homeless Assistance Act.”

Title IV of the McKinney-Vento Act authorizes emergency shelter, transitional housing, permanent housing, and supportive services programs and assigns those to the U.S. Department of Housing and Urban Development (HUD). Title IV established a set of competitive grant programs to which public agencies and nonprofit organizations were directly eligible. However in 1995, HUD redesigned the Title IV programs into a “Continuum of Care” process whereby appropriated funds were made available on a competitive basis to geographic areas, with responsibility granted to the geographic area to recommend the array of housing and service projects to be funded.

HUD McKinney-Vento programs make funds available to service providers in urban, suburban, and rural communities across the nation. In FY 2009, Congress appropriated over \$1.67 billion for HMV programs. Studies have suggested that HUD McKinney-Vento programs have helped hundreds of thousands of Americans to regain stability.

For further information on the public policy recommendations of the National Coalition for the Homeless, contact the NCH public policy staff at info@nationalhomeless.org or 202.462.4822, or visit www.nationalhomeless.org.