

IN JUST TIMES

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NATIONAL LAW CENTER
ON HOMELESSNESS & POVERTY



Changing Laws, Changing Lives

December 2016

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Dear Friends,

Last month's election stunned many of us. But it also deepened our resolve to advocate and stand with those who are most vulnerable.

We are gearing up our advocacy to protect the gains we have made over the past few years and to fight any efforts to undermine them, joining with other organizations to strengthen our collective voices.

We are also making our recommendations for the new Administration, with a goal of trying to identify allies and areas of common ground on which to move forward proactively. Our recommendations are outlined [here](#). Feel free to share and use them in your own advocacy.



Maria Foscarinis
Executive Director

We have cause for concern about the new Administration, including about Ben Carson, the nominee for HUD Secretary. I summarize some of these in a recent piece on my [Huffington Post blog](#), and in an [interview on NPR](#).

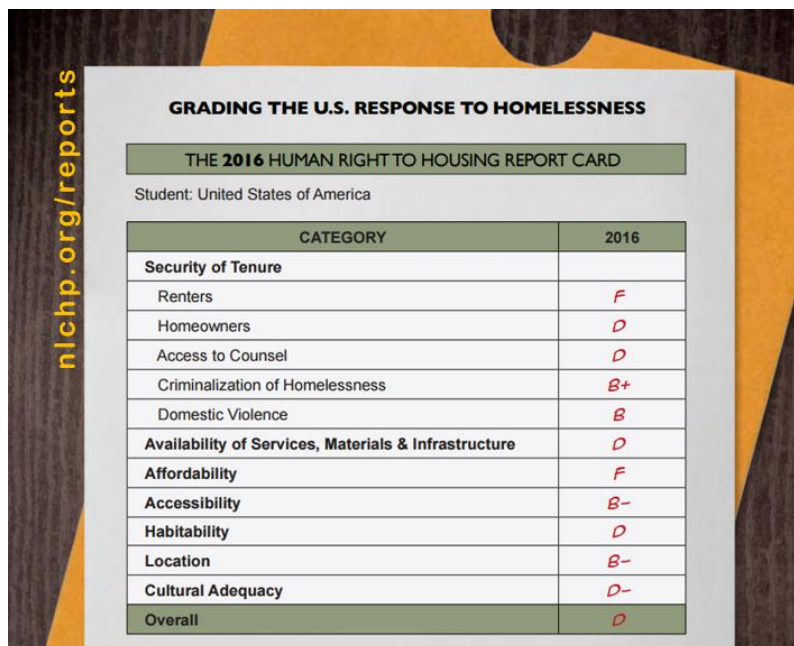
Also disturbing are some of the voices outside government, such as the self-styled monitors of the “liberal media” that [critiqued the NPR story](#)—and me personally—highlighting concerns about Ben Carson. It is essential that we continue to speak out—and act—strongly despite any efforts to target us for doing so.

We must, because homelessness remains an urgent national crisis. Last month, HUD released its latest “point-in-time” count of homeless Americans, showing small overall decreases compared to last year. But as [we’ve noted repeatedly](#), these [numbers are flawed](#), and leave out many people. As the US Interagency Council on Homelessness also notes, other indicators such as the annualized numbers of homeless school children—which shows an [8% increase over one year](#)—paint a more sobering picture.

Already, only one in four of those poor enough to qualify for federal housing assistance receive it, due to draconian [cuts to HUD](#) over decades. Funding must be increased, not slashed further.

Please stand with us as we prepare for the work ahead. Thank you for your support.

The Law Center Acknowledges Human Rights Day by Releasing Our "Human Right to Housing Report Card"



GRADING THE U.S. RESPONSE TO HOMELESSNESS	
THE 2016 HUMAN RIGHT TO HOUSING REPORT CARD	
Student: United States of America	
CATEGORY	2016
Security of Tenure	
Renters	F
Homeowners	D
Access to Counsel	D
Criminalization of Homelessness	B+
Domestic Violence	B
Availability of Services, Materials & Infrastructure	
Affordability	F
Accessibility	B-
Habitability	D
Location	B-
Cultural Adequacy	D-
Overall	D

Photo Credit: The Law Center

Every year, the Law Center marks [Human Rights Day](#) (December 10) by publishing [Grading the U.S. Response to Homelessness](#), its annual Human Right to Housing Report Card,

measuring federal progress in its response to homelessness against international standards and putting forth its top ten recommendations for meeting these standards in the future.

This year, the report card praises some federal efforts, but condemns its ongoing failure to stem the tide of homelessness by ensuring adequate, affordable housing is available to all, resulting in an overall grade of “D.”

The Law Center’s report highlights several actions by the White House and the U.S. Departments of Housing & Urban Development (HUD), Justice, and Education against the criminalization of homelessness, as well as HUD’s steps toward increasing housing access for victims of domestic violence, racial minorities, transgender individuals, and persons with criminal records.

But Congress’ and the Administration’s persistent failure to address the housing affordability crisis, which sees 1 in 4 renters paying more than 50% of their income on housing, offsets many of these gains.

“The Obama Administration has taken some major steps toward making sure homeless people are not punished for simply trying to survive,” explained Eric Tars, Senior Attorney at the Law Center and primary author of the report. “We hope the Trump Administration and the incoming Congress follow our recommendations to ensure everyone can enjoy the basic human dignity that comes with a safe, adequate place to live.”

U.S. Department of Education Releases Final ESSA Regulations

On November 28, 2016, the U.S. Department of Education published the [final rules](#) to implement the accountability standards, data reporting, and state plan provisions of the Every Student Succeeds Act of 2015 (“ESSA”). The rules clarify the responsibilities of state and local educational agencies in meeting the unique educational needs of students experiencing homelessness and students in the foster care system, ensuring educational continuity and stability at a time when they may be experiencing great instability in their lives. The final regulations must be read in conjunction with the Department’s recently released [guidance](#) to ensure effective implementation of the Education for Homeless Children and Youth Program under the McKinney-Vento Homeless Assistance Act as amended by ESSA.

A Major Bipartisan Victory

The Law Center had a [major victory](#) this month that will create housing for people experiencing homelessness by using surplus federal property. The Law Center worked with pro-bono partner Covington & Burling and a bipartisan coalition in Congress on the Federal Assets Sale and Transfer Act of 2016 (FAST Act), which reforms how the federal government disposes of its property, including property for homeless services under Title V. Passed by the U.S. House of Representatives earlier this year, the FAST Act was passed by the U.S. Senate

on December 10, 2016 and signed into law by President Obama that same day.

Since 1987 when Maria Foscarinis helped to draft it, Title V of the McKinney-Vento Homeless Assistance Act has provided state agencies, local governments, and non-profits with a right of first refusal to obtain free unused federal property to provide homeless services. To date, over 500 buildings and nearly 900 acres of land have been transferred to homeless service organizations in over 30 states to provide meals, emergency shelter, medical care, food banks, job training programs, and other services to over 2 million people each year.

Even this success represents a small fraction of the Title V program's potential. The FAST Act improves transparency into the federal government's real property holdings streamlines the application process, and grants applicants more flexibility. Perhaps most critically, the legislation makes explicit that property transferred under the Title V program can be used to provide permanent housing to homeless people, with or without supportive services.

Join Our Community!



Amarion, son of this year's Personal Achievement Honoree, with autographed items from Washington Wizards' John Wall.

Photo Credit: Digital Memoirs Productions LLC

A month has passed since the election – and we know that our work now is even more important than ever. Today, we invite you to join our community at an even deeper level to make strides towards ending homelessness and poverty. There are many ways to help the Law Center, including financially:

- As a [monthly donor](#), you become a reliable partner and a critical part of our community. Your donation helps to create constructive, big picture solutions to end and prevent homelessness.

- When you make a [one-time donation](#), your contribution helps us continue our critical work to defend the rights of people experiencing homelessness. You help families like Angela Spencer, and her nine-year-old son, Amarion (pictured above) who became homeless when Angela was furloughed from her full-time job and lost her home to foreclosure. To learn more about the Spencer family, please [click here](#).
- Corporate legal departments and law firms can contribute to the Law Center by joining our [LEAP Program](#). LEAP members receive priority selection of pro bono work — including cutting edge, precedent-setting projects addressing systemic injustices and helping to prevent and end homelessness.
- This holiday season you can help the Law Center while shopping at [smile.amazon.com](#), where you shop with a cause! When you shop with AmazonSmile, the AmazonSmile Foundation will donate 0.5% of the purchase price to a nonprofit of your choice.

Please join us as we stand with those who are most at risk and work to ensure that all voices are heard. Your generous support of the Law Center is truly appreciated!

Changing Laws. Changing Lives.

The National Law Center on Homelessness & Poverty (the Law Center) is the only national organization dedicated solely to using the power of the law to end and prevent homelessness.

With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.

www.nlchp.org