



# NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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November 5, 2008

President-Elect Barack Obama  
Presidential Transition Team  
5<sup>th</sup> and D St. NW  
Washington, DC 20270

Dear President-Elect Obama,

Congratulations on your election as President of the United States. As you prepare your agenda, I write to urge you to address the growing crisis of homelessness in the United States.

As many as 3.5 million Americans are homeless each year, including 1.35 million children. These numbers are likely to grow over the next year, as the foreclosure crisis is already causing increasing numbers of individuals and families to become homeless. Your strong leadership is needed to end the crisis.

Solutions to homelessness exist, and they are centered on affordable housing, supportive services for those who need them, and adequate incomes. These solutions recognize that homelessness is more than just a charitable concern, but an issue of basic human rights, as recognized by U.S. experts and international law and policy. The National Law Center on Homelessness & Poverty calls on you and your new Administration to take the following steps to ensure the human right to housing for all.

1. **Commit to end homelessness now.** Convene a White House summit at which a federal interagency plan to end homelessness, with concrete goals and timelines, is presented.
2. **Increase access to housing for homeless people.**
  - Ask Congress to increase funding for housing vouchers for people who are homeless or at risk of homelessness, and increase funding for supportive housing for homeless persons who need it.
  - Ask Congress to prevent extremely low-income households from becoming homeless through eviction or foreclosure
  - Protect and expand the housing rights of victims of domestic violence
  - Increase housing for homeless veterans by asking Congress to introduce and enact the Homes for Heroes Act, which you introduced in the 110<sup>th</sup> Congress.
3. **Protect homeless children's access to education.**

Ask Congress to increase federal funding each year during your Administration to support access to school for children and youth experiencing homelessness

**4. Ensure access to health services for homeless persons and those at risk.**

- Ensure your health care plan takes the necessary steps to guarantee access to health services for homeless persons and persons at risk of homelessness

**5. Increase access to income and services.**

- Ensure that homeless persons entitled to federal disability benefits promptly receive them by addressing barriers that prevent or delay access
- Ask Congress to enact a living wage sufficient to allow individuals working full-time to afford safe and decent housing
- Ensure access to safe and nutritious food for homeless persons

**6. Prevent discrimination against homeless persons.**

- Support and advance homeless persons' civil rights to vote, frequent public places, utilize public facilities, and enjoy equal protection of the law

I am attaching a document that provides more detailed information regarding each of these requests. Implementing them would help ensure all Americans have a place to call home. I look forward to working with you and stand ready to assist you in your efforts on behalf of the poorest Americans. Please do not hesitate to contact me.

Sincerely,

Maria Foscarinis  
Executive Director



## National Law Center on Homelessness &amp; Poverty

## Recommendations for President-Elect Obama

**1. Commit to end homelessness—now.**

**Background:** Public opinion polls consistently show that the American people favor government action to end homelessness, and would pay higher taxes to fund it.<sup>1</sup> Further, President Bush made a commitment, albeit limited, to end some forms of homelessness, but put the burden on state and local governments to fund it. Coordinated federal action, funding and leadership is essential to end homelessness.

**Recommendation:** Convene a White House summit on addressing homelessness at which a federal interagency plan to end homelessness—with concrete goals and timelines—is presented.

**2. Increase access to housing.**

Increase the number of affordable housing units, maintain low-income persons in existing housing, and promote the equal enjoyment of the right to housing.

**Background:** Federal investment in affordable housing has declined over the past two decades. In the private market, “gentrification” has replaced inexpensive housing with luxury residential or commercial property, without provision for those displaced. Currently, in no U.S. county can a minimum wage worker afford a one-bedroom apartment, according to federal affordability guidelines.<sup>2</sup> In many cities, waiting lists for public housing and housing vouchers are years long. Foreclosures are exacerbating the problem – according to the most recent data, one in every 171 U.S. households received a foreclosure filing in the second quarter of 2008.<sup>3</sup>

Providing housing subsidies has been shown to be an effective means to stabilize and keep housing for both homeless families and individuals.<sup>4</sup>

**Recommendations:**

- Ask Congress to increase access to housing by:
  - Expanding the Housing Choice Voucher Program to provide 150,000 new vouchers for homeless persons and those at risk of homelessness
  - Expanding the McKinney-Vento Homeless Assistance Act housing programs by creating and sustaining 90,000 additional units of permanent, supportive housing
  - Expanding the McKinney-Vento Homeless Assistance Act by doubling funding for transitional housing for homeless families
  
- Ask Congress to prevent extremely low-income households and youth from becoming homeless by:

<sup>1</sup> Fannie Mae, “Homelessness in America Americans’ Perceptions, Attitudes and Knowledge,” (November 2007). Available at [http://www.fanniemae.com/media/pdf/GP\\_Citiesfinal.pdf](http://www.fanniemae.com/media/pdf/GP_Citiesfinal.pdf)

<sup>2</sup> National Low-Income Housing Coalition, *Out of Reach*. Washington, DC, 2007.

<sup>3</sup> Realty Trac, “Foreclosures up by 14% in the Second Quarter” (July 25, 2008). Available at <http://www.realtytrac.com/ContentManagement/pressrelease.aspx?ChannelID=9&ItemID=4891&acct=64847>.

<sup>4</sup> Khadduri, J., Homelessness Research Institute, “Housing Vouchers are Critical for Ending Family Homelessness” (January 29, 2008) Washington, DC.



- Providing \$300 million to the Federal Emergency Management Agency (FEMA) for the Emergency Food and Shelter Program eviction or foreclosure and, where necessary, provide relocation assistance
- Ensuring representation of low-income households facing eviction or foreclosure by doubling funding for the Legal Services Corporation
- Doubling funding for the Transitional Living Program (administered by the U.S. Department of Health and Human Services) for youth aging out of foster care
- Protect and expand the housing rights of victims of domestic violence by:
  - Promulgating regulations implementing the Violence Against Women Act amendments protecting victims in public and assisted housing from denial of housing and eviction due to domestic violence
  - Asking Congress to fully fund housing programs authorized by the Violence Against Women Act by increasing appropriations to \$380 million and by fully funding Family Violence and Prevention Services Act programs.
- Increase housing for homeless veterans by asking Congress to:
  - Introduce and enact the Homes for Heroes Act, which you introduced in the 110<sup>th</sup> Congress as S. 1084
  - Provide sufficient appropriations to fund 40,000 new HUD-Veterans Affairs Supportive Housing units
- Fully implement and adhere to international human rights standards, including The Covenant to Eliminate Racial Discrimination, which has been ratified by the U.S., by:
  - Supporting programs to overcome racial discrimination in housing, including construction of public housing outside of segregated areas, promoting mobility for Section 8 vouchers, preventing steering and predatory lending, and requiring local planning for affordable housing
  - Revising FEMA guidelines for disaster-relief to adhere to the UN Guiding Principles on Internally Displaced Persons to guarantee the right to return and public participation in redevelopment

### 3. Protect homeless children's right to education.

**Background:** Approximately 1.35 million children are homeless over the course of a year. School provides an important source of stability in the lives of homeless children. The McKinney-Vento Homeless Assistance Act Education for Homeless Children and Youth Program has made a significant difference in the percentage of homeless children and youth who are attending school on a regular basis, but could have a greater impact with increased resources and monitoring.

#### **Recommendations:**

- Asking Congress to increase federal funding each year during your Administration to support the identification, enrollment, attendance, and educational success of children and youth experiencing homelessness
- Promulgating regulations implementing Head Start amendments promoting homeless children's access to Head Start services (HHS)

### 4. Ensure access to health services for homeless persons and those at risk.

**Background:** Homeless people suffer from multiple health problems at a rate far higher than the general U.S. population, yet more than half of all homeless persons lack medical



insurance, including Medicaid. Persons who are homeless have shorter life spans than housed persons, are three or four times more likely to die prematurely due at least in part to untreated medical problems, and remain in the hospital longer for similar ailments than housed persons.

#### **Recommendations:**

- Ensure your health care plan takes the necessary steps to guarantee access to health services for homeless persons and persons at risk of homelessness
- Before April 1, 2009, withdraw the new Medicaid regulations [cf. Public Law 110–252 - June 30, 2008, Section 701] which curtail coverage of services that address the health needs of homeless and disabled people, including services for residents of permanent supportive housing

#### **5. Increase access to income and services.**

Improve access to public assistance programs that provide income, food, or services to allow homeless persons to obtain and maintain housing.

**Background:** Approximately 44% of the adult homeless population has performed some type of work for pay in any given month, yet most do not make enough to afford housing. Many more homeless persons may be unable to work due to disabling conditions – some 31% of homeless adults experience mental illness, addiction or both in a year; and approximately 45% suffer from chronic health conditions, such as asthma, diabetes, cancer, or lost limbs. Yet while many are eligible for disability benefits under the Supplemental Security Income (SSI) or Social Security Disability Income (SSDI) programs, only 11% receive SSI and only 8% receive SSDI benefits.

Homeless persons also lack access to nutritious food: A 1998 federal survey found that on average, 40% of homeless families went one or more days a month without food because they couldn't afford to eat.<sup>5</sup> Additionally, homeless persons have rates of nutritional disorders at least three times higher than the U.S. population at large.<sup>6</sup> Federal programs such as the Child and Adult Care Food Program (CACFP) can provide important resources to help shelters, domestic violence programs, and transitional housing programs feed homeless families. But according to the U.S. Department of Agriculture, only 388 homeless programs in the entire country participated in CACFP in 2007. A recent survey by the National Law Center revealed that many homeless programs that are likely eligible for the program do not participate because they are unaware of it or are unsure of the program requirements.

#### **Recommendations:**

- Ensure that homeless persons entitled to Supplemental Security Income/Social Security Disability Insurance (SSI/SSDI) benefits promptly receive them by addressing barriers that prevent or delay access, and provide funding for the SSI/SSDI Outreach Access and

<sup>5</sup> U.S. Interagency Council on Homelessness, *Homelessness: Programs and People they Serve - National Survey of Homeless Assistance Providers and Clients, 1998. ICH NSHAPC Report, 1998.*

<sup>6</sup> Wright, James D. *Address Unknown: The Homeless in America.* Aldine de Gruyter, New York, New York, 1989.



Recovery (SOAR) Program to train caseworkers in all 50 states to help homeless persons with disabilities obtain SSI or SSDI benefits

- Encourage state Temporary Assistance to Needy Families programs to connect recipients to housing or to ensure benefit levels are sufficient to afford housing
- Ask Congress to enact a living wage sufficient to allow individuals working full-time to afford safe and decent housing
- Increase participation of homeless shelters, transitional housing programs, and domestic violence shelters in the Child and Adult Food Care Program by providing increased outreach and technical assistance to such programs and ensure school wellness plans take into consideration the special needs of homeless children

**6. Discrimination against homeless persons must be prevented.**

**Background:** People who are homeless face many challenges when trying to exercise their basic civil rights. Homeless persons seeking to vote or register to vote may face obstacles because of their inability to prove residency or because they lack the necessary identification documents such as a photo ID. The lack of ID also may cause them to be denied access to government buildings, such as Social Security offices, even when the purpose of their visit is to obtain replacement identification documents.

City ordinances frequently criminalize activities such as sleeping, camping, or sitting in public places, even when a person has nowhere else to go. Such ordinances and policies may exacerbate and prolong homelessness for those who are arrested or cited for engaging in necessary, life-sustaining activities in public spaces. Additionally, a growing number of cities have enacted ordinances that seek to discourage nonprofits and individuals from providing food to homeless persons. Such measures are punitive and do nothing to address the underlying causes of homelessness. Moreover, they are not cost-effective, as they may result in increased incarceration or police expenses as the measures are enforced against homeless persons.

**Recommendation:**

- Public systems including education, child welfare, criminal justice, health care and others must not deny services on the basis of one's housing status. Homeless persons' civil rights to vote, to frequent public places, to utilize public facilities, and to enjoy equal protection of the law must be supported and advanced.