



**DATE: November 28, 2014**

**NCDAA Winter Conference – Washington, DC – January 21-23, 2015**

**National Community Development Week – April 6-11, 2015**

**NCDAA Annual Conference – Arlington, TX – June 23-25, 2015**

### **FEATURED ARTICLES**

- \* **Appropriations Update**
- \* **CDBG Coalition Sends H. Res. 668 Support Letter**
- \* **114<sup>th</sup> House Cardinals Announced**
- \* **Census Bureau Webinar on the American Community Survey Scheduled for December 1**
- \* **HUD NEWS – HUD Releases Notice on Use of CDBG Funds for Code Enforcement Activities; HUD Launches Financial Management Curriculum for CPD Grantees; HUD Releases Section 811 and Section 202 Rule; HEROS FAQs Available on the HUD Exchange**
- \* **NCDAA NEWS - NCDAA and NACCED Submit Joint Comment Letter on Fair Housing Notice; NCDAA Welcomes New Additions to the NCDAA Subcommittees; Time to Start Planning for the 2015 National Community Development Week; Training and Technology Survey/Request for Section 108 Projects; NCDAA Announces the 2015 Audrey Nelson Awards Competition; Save the Dates for the 2015 NCDAA Winter and Annual Conferences**

### **Appropriations Update**

Congress returns to Washington on December 1 and will have just 10 days to reach agreement on FY15 spending before the existing Continuing Resolution (CR) runs out.

Sources close to the House Appropriations Committee indicate appropriators are close to

agreement on a funding mechanism for FY15. According to Jennifer Hing, a spokesperson for the House Appropriations Committee, “Negotiations with the Senate continue, and the committee has made significant progress on a full year, 12-bill omnibus. We expect to have the bill read for the floor the week of December 8. Congress wants to avoid a government shutdown.

The measure is being dubbed a “CRomnibus” and will include two parts: an omnibus that will fund all 12 spending bills through September 2015 and a short-term CR that will fund immigration enforcement partially through 2015. The short-term funding for immigration enforcement is intended to appease those Republicans who are livid with President Obama for issuing an executive order that ends deportation for millions of undocumented immigrants. The CR will give the GOP time to consider legislation to address the executive order, which conservatives deem unconstitutional.

### **CDBG Coalition Sends H. Res. 668 Support Letter**

On November 19, the CDBG Coalition sent a letter to House leadership and members of the House Financial Services Committee to ask for their support in moving H. Res. 668 (supporting the 40<sup>th</sup> anniversary of CDBG), to the House floor under suspension of the rules before this session of Congress ends. The resolution was on target to be moved to the House floor in September, but Congress left town early to focus on the mid-term elections, leaving little time now for this and other resolutions and legislation to be voted on before this session of Congress ends. A copy of the letter is attached.

### **114<sup>th</sup> House Cardinals Announced**

Last week, the House Republican Steering Committee approved the following appropriations subcommittee chairs (or “Cardinals”). Rep. Hal Rogers (R-KY) will retain the post of chair of the House Appropriations Committee. Rep. Mario Diaz-Balart (R-FL) will take over the chairmanship of the Transportation-HUD Subcommittee from Rep. Tom Latham (R-IA) who is retiring. While Rep. Diaz-Balart is a friend of CDBG, he and the other appropriations cardinals will have to operate under strict budget caps imposed by the House Budget Committee that will force cuts to many programs.

Subcommittee on Agriculture and Rural Development – Chairman Robert Aderholt (R-AL)

Subcommittee on Commerce, Justice, and Science – Chairman John Culberson (R-TX)

Subcommittee on Defense – Chairman Rodney Frelinghuysen (R-NJ)

Subcommittee on Energy and Water Development – Chairman Mike Simpson (R-ID)

Subcommittee on Financial Services – Chairman Ander Crenshaw (R-FL)

Subcommittee on Homeland Security – Chairman John Carter (R-TX)

Subcommittee on the Interior, Environment – Chairman Ken Calvert (R-CA)  
Subcommittee on Labor, Health and Human Services, Education – Chairman Tom Cole (R-OK)  
Subcommittee on Legislative Branch – Chairman Tom Graves (R-GA)  
Subcommittee on Military Construction, Veterans Affairs – Chairman Charles Dent (R-PA)  
Subcommittee on State, Foreign Operations – Chairwoman Kay Granger (R-TX)  
Subcommittee on Transportation, Housing and Urban Development – Chairman Mario Diaz-Balart (R-FL)

On the minority side, Nita Lowey (D-NY) will retain her position as ranking member of the Committee. Democrats will finalize the Appropriations Committee ranking member positions in January.

### **Census Bureau Webinar on the American Community Survey Scheduled for December 1**

The U.S. Census Bureau will host a webinar to discuss the upcoming release of the latest American Community Survey statistics covering communities of all sizes. The release includes detailed data for the five-year period between 2009-2013. The webinar will provide guidance on using and comparing the statistics, describe new and modified data tables, and demonstrate how to access block-group-level data in American FactFinder – available in American FactFinder for the first time with this release.

The webinar will be held on December 1, 2014 at 1 pm EST. The webinar will be conducted via conference call and online presentation. To access the webinar, call 1-888-324-3810. The participant pass code is ACS 5 YEAR. The online presentation can be accessed at <https://censusevent.webex.com/censusevent/onstage/g.php?d=741680743&t=a>

The Census Bureau advises that participants log in early as some setup is required.

## **HUD NEWS**

### **HUD Releases Notice on Use of CDBG Funds for Code Enforcement Activities**

HUD has issued a notice, CPD-14-016, on the use of CDBG funds for code enforcement activities. The notice covers the following topics: HUD's definition of code enforcement, purpose of code enforcement, eligible code enforcement costs, ineligible code enforcement costs, national objectives for code enforcement, fair housing and civil rights considerations, revenue from code enforcement inspections and enforcement of codes, 2012 statutory provision on code enforcement, and recordkeeping requirements. To view the notice go to

<http://portal.hud.gov/hudportal/documents/huddoc?id=14-16cpdn.pdf>

## **HUD Launches Financial Management Curriculum for CPD Grantees**

HUD's Office of Community Planning and Development recently launched a three-tiered, online curriculum on financial management. The curriculum includes an introductory video, a presentation on the core concepts of good financial management, and a self-paced module that provides more detail on core financial management topics such as audits, budgeting, federal cost principles, fund accounting, internal controls, reporting, and procurement. A quiz is offered at the end of the training curriculum.

To access the financial management curriculum go to

<https://www.hudexchange.info/training-events/financial-management-curriculum/>

## **HUD Releases Section 811 and Section 202 Rule; Comments Due by December 8**

On October 9, 2014, HUD released a proposed rule outlining several changes to the Section 811 Supportive Housing Program for Persons with Disabilities and the Section 202 Supportive Housing Program for the Elderly. Major changes include the following:

1. Provides funding to state housing finance agencies for rental assistance to extremely low income non-elderly adults with disabilities.
2. Implements an enhanced project rental assistance contract (ePRAC) that would allow operating subsidies to pay debt service under certain circumstances.
3. Allows for a set-aside of a certain number of units in projects for elderly persons with functional limitations.
4. Implements a new form of rental assistance called the Senior Preservation Rental Assistance Contracts (SPRACs) to be used in the refinancing of Section 202 projects where no debt service savings are anticipated and where unassisted residents would otherwise face rent increases.
5. Provides grants for applicants that do not have sufficient capital to prepare a housing site to compete for funding.

The proposed rule is available at the following link:

<http://www.gpo.gov/fdsys/pkg/FR-2014-10-07/pdf/2014-23276.pdf>

Comments are due to HUD by December 8.

## **HEROS FAQs Available on the HUD Exchange**

HUD has posted a series of Frequently Asked Questions (FAQs) on the HUD Environmental Review Online System (HEROS) to the HUD Exchange. The FAQs are available at <https://www.hudexchange.info/heros/faqs>.

To post a question go to <https://www.hudexchange.info/get-assistance/my-question/>. On step 2 of the question submission process, select “Environmental Review and HEROS” under “my question is related to.”

## **NCDA NEWS**

### **NCDA and NACCED Submit Joint Comment Letter on Fair Housing Notice**

Over the past six weeks, NCDA and NACCED have worked together to craft a response to HUD’s Affirmatively Furthering Fair Housing Assessment Tool Notice (FR 5173-N-02), issued on September 26. The NCDA/NACCED letter is endorsed by the U.S. Conference of Mayors. NCDA would like to thank those members who participated in the working group and/or provided separate comments.

The Notice will have a profound impact on local communities administering CDBG, HOME, ESG, and HOPWA; as well as their PHA partners. The Notice will require a separate citizen participation process and data collection effort from that of the Consolidated Plan which will result in additional staff time and cost for local communities. The following provides a synopsis of the NCDA/NACCED letter.

1. We ask HUD to table both the Affirmatively Furthering Fair Housing Final Rule (expected to be issued in the next couple of months) and the Affirmatively Furthering Fair Housing Assessment Tool Notice until the U.S. Supreme Court has ruled on the legality of HUD’s disparate impact regulations (issued in February 2013). The disparate impact regulations form the basis for much of the rule and the notice. The U.S. Supreme Court is expected to hear the case *Texas Department of Housing and Community Affairs v. Inclusive Communities Project, Inc.* early next year.
2. We strongly recommend that the Assessment of Fair Housing (AFH) Tool be a component of the Consolidated Plan rather than a free-standing pre-requisite for submitting the Consolidated Plan.
3. We ask HUD to change the CDBG program statute to allow fair housing to be a direct eligible activity rather than funded through the 20% planning and administration cap. Since a statutory change will take time to implement, we ask HUD to provide grants to

CDBG entitlement communities in the FY16 HUD budget to help pay for the costs of developing the initial AFH Tool.

4. We ask HUD to scale back the fair housing data and analysis process for smaller entitlements.
5. We advise HUD that grantees will need time to review and test the HUD-provided data elements.
6. We ask HUD to provide program participants with guidance on how the AFH Tool will be reviewed and assessed; a checklist for grantees to follow would be useful.
7. We recommend that the AFH Tool be approved by the Office of CPD within HUD headquarters since there is no consistency among field offices.

To read the full comments, please see the attached letter. NCDAs and NACCEDs also developed and sent a one-page template letter for member communities to use in submitting comments directly to HUD.

### **NCDAs Welcomes New Additions to the NCDAs Subcommittees**

NCDAs would like to welcome the following new additions to its policy and programmatic subcommittees. We are still seeking more members to the Economic Development Subcommittee, Membership Subcommittee, Technology Subcommittee, and Planning and Professional Development Subcommittee. Please contact Vicki Watson at [vicki@ncdaonline.org](mailto:vicki@ncdaonline.org) if you are interested in serving on one of these subcommittees.

#### ***New Committee Members***

##### Community Development

Cathy Keeton (Moss Point, MS)  
Anne Marie Belrose (Boston, MA)  
Bethany Rosa (Malden, MA)  
Michael Hursh (Auburn, WA)

##### Housing

LaParry Howell (Tuscaloosa, AL)  
Marc Horne (Worcester, MA)

##### Technology

Erin Cahill (Worcester, MA)  
Alan Inacio (Somerville, MA)

##### Planning and Professional Development

Caroline Neilsen (La Crosse, WI)

Andrew Taylor (Worcester, MA)

Membership

Jacob LaRow (La Crosse, WI)

**Time to Start Planning for the 2015 National Community Development Week**

The 2015 National Community Development (CD) Week will be celebrated **April 6-11, 2015**. NCDCA has developed guidance and sample documents to help you plan and implement your National CD Week activities. The guidance is attached.

This year marks the 29th anniversary of the National Community Development Week campaign. National Community Development Week provides an ideal opportunity to educate members of Congress and your community on CDBG and HOME and the importance of both programs on the lives of low- and moderate-income citizens. Please join us in the 2015 National CD Week campaign. NCDCA is, once again, proud to lead the National Community Development Week campaign.

**NCDCA Training and Technology Survey; Request for Section 108 Projects**

In an effort to better meet the training and technology needs of its members, NCDCA has developed a short survey to gain feedback from members on the types of training needed by grantees, the use of webinars to deliver training, and the use and improvement of the NCDCA website. In addition, NCDCA has developed a short outline to collect Section 108 loan project information from members to assist in NCDCA's advocacy of the program. The survey and Section 108 project outline is available at the following link:

<https://www.surveymonkey.com/s/QVKZP8K>

We urge all members to respond to the survey.

**NCDCA Announces the 2015 Audrey Nelson Awards Competition; Applications Due by December 5**

NCDCA is accepting nominations from member communities for the 2015 Audrey Nelson Community Development Achievement Awards. The deadline for submitting applications is December 5, 2014. The application is available on NCDCA's website at <http://www.ncdcaonline.org>. The award recognizes exemplary uses of CDBG and HOME funds in low- and moderate-income neighborhoods. Projects funded between FY08 and FY13 are eligible to be nominated for the award. Award recipients will be recognized during the 2015 Winter Conference in Washington,

DC. You must be an NCDA member in order to apply for the award. We encourage you to apply; it is a relatively easy way to recognize your program and department. Please send your completed applications to [vicki@ncdaonline.org](mailto:vicki@ncdaonline.org).

**Hold the Dates: NCDA Winter and Annual Conferences**

The NCDA Winter Conference will be held at the Washington Marriott Georgetown on January 21-23, 2015 in Washington, DC. An updated draft agenda is attached. To register for the conference go to [http://ncdaonline.org/events/Winter15\\_Regform.asp](http://ncdaonline.org/events/Winter15_Regform.asp).

The 2015 Annual Conference will be held in Arlington, TX at the Arlington Hilton on June 23-25, 2015.

We invite you all to attend!