

# IN JUST TIMES

a publication of the

NATIONAL LAW CENTER  
ON HOMELESSNESS & POVERTY



*Changing Laws, Changing Lives*

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Dear Friends,

As the rights of immigrants and refugees are threatened, a number of [cities, counties, and some states](#) have come forward to defend them and their right to stay in the U.S. As an advocate for human rights—who also happens to be a daughter of immigrants—I fully support this. As an advocate for people experiencing homelessness, I wish these local governments would take a more inclusive view.



Maria Foscarinis  
Executive Director

In Seattle, for example, the Mayor has vowed to fight any efforts by the federal government to cut city funding because it has chosen to be a “sanctuary.” But while the city is rightly taking a stand to protect its immigrant and refugee populations, it is at the same time fining and arresting its homeless residents for living outside—when they have no indoor alternatives.

Rising housing costs in that city and in communities across the country are displacing many poor residents—and some are ending up on the streets or in other public places, sometimes finding community, safety and support in encampments. Typically, even emergency shelter is not available. But instead of working to meet the need for housing, many cities are [making it a crime](#) to live in public—effectively punishing homeless people for their status.

Some homeless people may also be [immigrants or refugees](#) from other countries, in the U.S. because they are fleeing hardship or violence elsewhere or because they are simply trying for a chance at a better life. But many are simply survivors of our own, American form of hardship that [does not allow everyone the opportunity](#) even to survive.

Punishing people for their status—whether immigration or housing status or both—is simply wrong. To be true sanctuaries, these cities must include everyone. [Housing, not handcuffs, is the solution.](#)

To learn more, [join the campaign](#) for Housing Not Handcuffs.

## The Congressional Review Act & The Risk of Repeal



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Federal regulation is an important part of ensuring that federal laws are effectively implemented.

As a national organization using the power of the law to prevent and end homelessness, we know the importance of federal regulations and are very concerned about efforts by the Trump

Administration and by some on the Hill to repeal or restrict them. Federal agencies, like the U.S. Department of Justice (DOJ), the U.S. Department of Education (DOE), and the U.S. Department of Housing and Urban Development (HUD) issue rules and regulations designed to combat homelessness and to assist those who have experienced it. But recent and future rules are at risk.

The President issued two executive orders on regulations. The first temporarily postpones any new or pending regulations from taking effect so that the new administration has the opportunity to review and decide whether to revise or rescind them. The second requires the removal of two old regulations before a new one is imposed. These put in jeopardy important regulations that are still needed like the U.S. Department of Agriculture and the Internal Revenue Service regulations [implementing the housing protections](#) of the 2013 Violence Against Women Act and [regulations to implement the FAST Act](#), which improves Title V.

In addition, the President's allies on Capitol Hill have been aggressively and quickly working to repeal existing regulations under the Congressional Review Act (CRA), which allows Congress to repeal regulations issued in the last 60 legislative days, endangering rules that were published during or after June 2016. These include new HUD regulations implementing the housing protections of the 2013 Violence Against Women Act and protecting homeless shelter access for transgender people, amongst others.

A large number of rules have been identified as being at risk of repeal under the CRA. They include the DOE's regulation on accountability measures and state plans under the Every Student Succeeds Act of 2015. On February 7, 2017, a resolution of disapproval was passed in the U.S. House of Representatives to repeal this important regulation that holds school districts and child welfare agencies accountable for measuring educational outcomes and meeting the educational needs of students in foster care and those experiencing homelessness. The regulation was to take effect on January 30, 2017 but now runs the risk of disappearing. Without this rule, states may not have to collect and share important data on how homeless and other vulnerable students are doing, thereby lessening accountability for school districts to effectively improve the educational outcomes of our most vulnerable children. Children in foster care may not be granted their right to transportation for school stability.

Furthermore, the House started its new session with the passage of Regulations from the Executive in Need of Scrutiny (REINS) Act. This bill would require Congress to approve within 70 days any federal agency rule or regulation that would impose compliance costs of more than \$100 million per year. Failure to approve would result to the rule being null and void. If turned into law, the REINS Act would stymie the regulatory process and make it even harder for the federal government to address homelessness.

The Law Center will advocate vigorously to fight these changes and their impact, working with local, state, federal, and national partners and other key stakeholders in pursuit of our mission to end and prevent homelessness. We will work constructively with those who share our goals and values. And we will do everything possible to fight discrimination, hate and violence.

## Free Webinar on Renter's Rights



Photo Credit: [Pixabay](#)

Please join the Law Center for a [free webinar](#) on innovative and important renters' rights laws, including "just cause" eviction and rent stabilization laws; learn how they can reduce homelessness and government waste. Our panel of speakers includes Elisha Harig-Blaine of the National League of Cities, Daniel Saver with Community Legal Services in East Palo Alto, and John Pollock with the National Coalition for a Civil Right to Counsel. The webinar will be held on March 1st at 2:00 p.m. ET/11:00 a.m. PT.

## Join Our LEAP Program Today!



LEAP (Lawyers' Executive Advisory Partners) is a national legal community philanthropic effort to help homeless and poor Americans achieve self-sufficiency. LEAP members provide financial support and pro bono legal services to help the Law Center prevent and end homelessness. For more information on our LEAP program, please click [here](#).

LEAP members include many of the nation's top firms:

**Akin, Gump, Strauss, Hauer & Feld LLP**  
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**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](http://www.nlchp.org)