

**FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ASSISTANCE PROGRAM
2009 Summary Statement and Initiatives
(Dollars in Thousands)**

FAIR HOUSING ASSISTANCE PROGRAM	<u>Enacted/ Request</u>	<u>Carryover</u>	<u>Supplemental/ Rescission</u>	<u>Total Resources</u>	<u>Obligations</u>	<u>Outlays</u>
2007 Appropriation	\$26,000	\$4,552 ^a	-\$260	\$30,292	\$26,293	\$26,630
2008 Appropriation/Request	25,620	3,637 ^b	...	29,257	29,257	26,631
2009 Request	<u>25,000</u>	<u>...</u>	<u>...</u>	<u>25,000</u>	<u>25,000</u>	<u>28,154</u>
Program Improvements/Offsets	-620	-3,637	...	-4,257	-4,257	+1,523

a/ Amount includes \$32 thousand in recaptured funds.

b/ Amount does not include \$362 thousand in expired funds.

Summary Statement

The fiscal year 2009 budget request for the Fair Housing Assistance Program (FHAP) is \$25.0 million; a \$620,000 thousand decrease under the fiscal year 2008 enacted level. This decrease represents reduced funding requested for administrative costs, technical assistance, capacity building, and training, while increasing funding requested for case processing.

The FHAP funding request recognizes the priority of fighting housing discrimination in an effective and efficient manner. The budget also reflects activities addressing predatory lending and assisting in the recovery efforts in disaster-impacted areas, such as communities in the Gulf Coast region that were impacted by Hurricanes Katrina, Rita, and Wilma. These are key elements of HUD's efforts to expand homeownership opportunities and access to housing free from discrimination.

FHAP funding is particularly focused on case processing, and this request includes a \$2.57 million increase for case processing that both recognizes recent increases in the number of cases, as well as the Department's short-term and long-term commitment to increase the number of open FHAP fair housing complaints closed or charged within 100 days. Vigorous case processing also dovetails with HUD's leadership efforts to identify housing discrimination and to fully inform the public of its fair housing rights and responsibilities. The efficiency of the case processing will be improved by continued training opportunities provided through the National Fair Housing Training Academy, as well as through continued capacity building funding.

This budget will support the enforcement, education, outreach, and administrative activities of 111 FHAP agencies, including two new agencies projected to be added in fiscal year 2009. The activities of these agencies further the Department's goal of ensuring equal opportunity in housing, contribute to increasing the overall national homeownership rate, and support the President's goal of increasing minority homeownership by 5.5 million by the end of the decade.

Periodically, HUD has conducted National studies to evaluate trends in different categories of discrimination. The fiscal year 2000 study reflected progress in reducing discrimination, but at the same time it reported significant continuing discrimination (see fuller discussion on page 5). FHEO is requesting \$6.0 million in funding, under the companion Fair Housing Initiatives Program (FHIP), to fund the first year of a 2-year follow-up study to HDS 2000. The HDS 2010 study would replicate HDS 2000 focusing on African Americans, Hispanics, and Asian and Pacific Islander renters and homebuyers.

Fair Housing Assistance Program

The FHAP budget is determined by the number of agencies in the Fair Housing Assistance program, the number of complaints investigated by FHAP agencies, capacity building, training, and administrative support needs of those agencies. FHAP funds will be allocated to program components as follows:

- Case Processing -- \$19.95 million (\$2.57 million increase);
- Capacity Building -- \$480,000 (\$480,000 decrease);
- National Fair Housing Training Academy (NFHTA)-- \$2 million (no change);
- Training -- \$1.47 million (\$1.47 million decrease);
- Administrative Costs -- \$1.10 million (\$900,000 decrease); and
- Technical Assistance -- \$0 (\$340,000 decrease).

In the past 5 fiscal years, HUD has sponsored a number of studies that revealed that discrimination is common in the residential sales and rental mortgage markets. Unfortunately, only a small percentage (5 percent) of those who believe that they have experienced discrimination report it. This is due, in part, to a lack of public awareness of the Federal, state, and local resources that are available to help. To address these findings, HUD initiated a major national advertising campaign in 2004 to educate the public on the rights provided under the Fair Housing Act and on how to report discrimination. This campaign coupled with the education and outreach efforts of HUD, FHAP agencies, and Fair Housing Initiative Program (FHIP) recipients, contributed to an increased number of cases being investigated by FHAP agencies. In fiscal year 2008, HUD estimates that FHAP agencies will investigate 7,520 complaints. The Department projects that this number will increase in fiscal year 2009 to reach 7,970 complaints. FHEO also projects the certification of two new FHAP agencies as substantially equivalent.

In order to meet the projected levels of case processing, all state and local fair housing professionals must become even more adept at investigating cases. To assist in this, in August 2004, HUD opened the National Fair Housing Training Academy to provide advanced and comprehensive instruction to fair housing investigators on topics such as case management, document preparation, and conciliation. HUD requires that fair housing investigators satisfactorily complete 200 hours of advanced training in theory and techniques. This requirement applies to the 500 full-time investigators working in FHAP agencies. FHEO provided full certification to 114 fair housing professionals in fiscal year 2007 to ensure consistent, efficient, and effective investigation, and expects to provide certification to an additional 100 in each of fiscal years 2008 and 2009. As it seeks to improve efficiency in case processing, FHEO is also using the findings of outside performance assessments to guide improvements in areas such as measuring program outcomes, data collection, and management of human capital.

Research Supporting FHAP Activities

Lack of Awareness of Fair Housing Laws. The HUD study, "How Much Do We Know?" (April 2002), examined public awareness of the Fair Housing Act's prohibitions against housing discrimination. The study indicated that, while fair housing education and enforcement have greatly increased awareness, many Americans still did not recognize unlawful discrimination when it occurred. For example, 46 percent of people surveyed did not know that it is illegal for a real estate agent to limit a home search to certain neighborhoods based on the race of the home seeker. HUD's update of this study conducted in 2005 and titled "Do We Know More Now?" finds that awareness of the Fair Housing Act remains substantially the same, with modest increases in knowledge in some areas, and slight decreases in knowledge in others.

Fair Housing Assistance Program

Under-reporting of Housing Discrimination. "How Much Do We Know?" also found that many persons who felt they had experienced discrimination did not report it. According to the study, only 5 percent of the people who believed they experienced housing discrimination contacted a government agency, a fair housing organization, or a lawyer. As a result of these findings, the report advocated actions be taken "to raise the level of public knowledge about the complaint and enforcement process, and to encourage greater trust in the efficacy of the system." HUD's 2005 follow-up study found that the public's inclination to report discrimination remains at the same level. This demonstrates the challenge of changing behavior around this issue, and the continuing need for education and outreach activities over a longer timeframe.

Continued Evidence of Discrimination. In fiscal year 2003, HUD released the results of the first three phases of its Housing Discrimination Study 2000 (HDS 2000). The research showed that while housing discrimination has declined in the past 10 years, it continues to affect the lives of millions of people who live in this country. Together with other studies, "HDS 2000" also demonstrates that without proper testing and enforcement, a large percentage of housing discrimination can easily go undetected. Notably, "HDS 2000" Phase II represented the first nationwide study examining discrimination experienced by Asians and Pacific Islanders when looking for housing.

Sales and Rental Discrimination Against African-Americans, Hispanics, Asians, Pacific Islanders, and Native Americans

	Percent of Treatment that was Consistently White-Favored in 1989		Percent of Treatment that was Consistently White-Favored in 2000	
	Sales	Rental	Sales	Rental
African-American	29.0%	26.4%	17.0%	21.6%
Hispanic	26.8%	24.2%	19.7%	25.7%
Asian/Pacific Islander	<i>Not Studied</i>	<i>Not Studied</i>	20.4%	21.5%
Native American (outside reservations)	<i>Not Studied</i>	<i>Not Studied</i>	<i>Not Studied</i>	28.5%

In June 2005, HUD published the fourth and final installment of "HDS 2000," which examined discrimination against persons with disabilities in their search for housing. Among its findings were that hearing-impaired persons are discriminated against approximately 50 percent of the time when using a telephone-operator relay to search for rentals. In addition, it found that mobility-impaired persons using wheelchairs face discrimination about one-third of the time when they visited rental properties.

In addition to estimating the level of housing discrimination, these studies demonstrate how difficult it is for the average person to detect housing discrimination. When testing for discrimination, each tester inquires about the same advertised housing unit and independently records their experiences. Disparities in treatment between testers of different races are often only revealed when analysts compare the results of the tests. For example, when inquiring about an advertised housing unit, a tester may be told that a unit is no longer available to rent or may be shown only one available unit. This would be considered less favorable treatment if another tester, differing only in race, inquires about the same unit within a short period of time and is told that the unit is available or shown multiple available units.

Program Background

Since 1980, the Department has provided financial assistance under the FHAP to state and local agencies administering substantially equivalent fair housing laws and ordinances. In fiscal year 2009, these funds are projected to be distributed across the country to 73 local agencies, and 40 States, including the District of Columbia.

Fair Housing Assistance Program

Each FHAP agency must execute a written agreement with HUD and administer a substantially equivalent fair housing law, according to the implementing regulation for the FHAP, 24 CFR Part 115. Agencies that participate in the FHAP must also: (1) conform to reporting and record-keeping requirements; (2) agree to on-site technical assistance and guidance and implementation of corrective action; (3) adhere to policies and procedures provided by the Department; (4) not unilaterally reduce the level of financial resources currently committed to complaint processing; (5) spend at least 20 percent of its total annual budget on fair housing activities; and (6) participate in HUD-sponsored or HUD-approved training.

For more than 30 years, the Fair Housing Act has prohibited discrimination in housing transactions. However, studies show that high levels of race and national origin discrimination continue in the rental and sales markets nationwide. Home mortgage disclosure data indicates lenders still reject blacks and other minority applicants at a rate almost twice that of whites and show lending patterns that may indicate the targeting of minority communities for high cost or predatory loans. Studies also show that builders continue to construct housing that is inaccessible to persons with disabilities. Finally, in certain parts of the United States, discrimination limits the housing choices of families with children.

Legislative Authority. The Fair Housing Act, 42 U.S.C. sec. 3601 et seq., prohibits discrimination in the sale or rental of housing; in residential real estate related transactions; in the making and targeting of loans; and in other housing-related activities. Section 810(f) of the Fair Housing Act requires the Secretary to refer complaints filed under that law to the FHAP agency whenever a complainant alleges a discriminatory housing practice within the jurisdiction of the State or local agency that has been certified as providing rights, remedies, and procedures, and available of judicial review which are substantially equivalent to those required by the Fair Housing Act. Section 816 of the Fair Housing Act provides that the Secretary may assist State and local agencies in administering a fair housing law by providing them with financial assistance. Sections 808(e)(3) and (5) requires the Secretary of HUD to cooperate with and render TA to Federal, State, local and other public or private agencies, organizations, and institutions that are formulating or carrying on programs to prevent or eliminate discriminatory housing practices and to administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of the Fair Housing Act.

Recent Program Accomplishments.

- HUD certified one new FHAP agency in fiscal year 2007.
- In fiscal year 2007, 796 fair housing professionals attended training on housing discrimination investigative techniques at the National Fair Housing Training Academy.

Fair Housing Assistance Program

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING ASSISTANCE PROGRAM
 Summary of Resources by Program
 (Dollars in Thousands)

<u>Budget Activity</u>	<u>2007 Budget Authority</u>	<u>2006 Carryover Into 2007</u>	<u>2007 Total Resources</u>	<u>2007 Obligations</u>	<u>2008 Budget Authority/ Request</u>	<u>2007 Carryover Into 2008</u>	<u>2008 Total Resources</u>	<u>2009 Request</u>
Fair Housing Assistance Program	\$25,740	\$4,552	\$30,292	\$26,293	\$25,620	\$3,637	\$29,257	\$25,000
Total	25,740	4,552	30,292	26,293	25,620	3,637	29,257	25,000

<u>FTE</u>	<u>2007 Actual</u>	<u>2008 Estimate</u>	<u>2009 Estimate</u>
Headquarters	2	6	8
Field	20	19	19
Total	22	25	27

Fair Housing Assistance Program

FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ASSISTANCE PROGRAM
Program Offsets
(Dollars in Thousands)

Fair Housing Assistance Program	<u>Amount</u>
2007 Appropriation	\$25,740
2008 Appropriation/Request	25,620
2009 Request	<u>25,000</u>
Program Improvements/Offsets	-620

Proposed Actions

The fiscal year 2009 FHAP budget requests \$25.0 million, a \$620,000 thousand decrease from the fiscal year 2008 funding level. Compared to the fiscal year 2008 funding, this budget provides a \$2.57 million increase for case processing, a \$900,000 decrease for Administrative Costs, no change for the National Fair Housing Training Academy, a \$1.47 million decrease in Training Funds, a \$340,000 decrease for Technical Assistance, and a decrease of \$480,000 in Capacity Building.

The following provides background on the individual programs activities and explains the adjustment in funding levels.

Case Processing--\$19.95 million (\$2.57 million increase)

Case Processing dollars are used to reimburse FHAP agencies for thorough and timely investigation of fair housing complaints. Without this funding, FHAP agencies would not be able to investigate and resolve complaints of housing discrimination, lending discrimination, or predatory lending.

Allocation. All case processing funds are used to reimburse FHAP agencies for their investigations. HUD estimates that in fiscal year 2009, 7,970 complaints will be fully investigated by FHAP agencies throughout the country.

FHEO estimates that in fiscal year 2009, \$1.51 million of the \$2.57 million in additional funding will be used to increase the standard reimbursement rate from \$2,400 per investigation to \$2,600 per investigation. This increase is necessary due to the inflationary rise in costs associated with investigating a complaint, e.g. legal fees, staffing, salaries, travel, etc. The additional \$200 per investigation represents an increase of 8 percent over the current rate. However, since the last increase was in fiscal year 2005, this increase roughly equates to 2 percent per year over the 4-year period.

HUD assesses the timeliness, complexity, and work involved in each complaint to determine proper payment. In fiscal year 2009, the amount for reimbursement can vary between \$0 and \$2,600, with the possibility of an additional \$500 for cases that are resource intensive or that reach the adjudication phase.

Based on past performance and the FHAP efficiency goals, FHEO estimates that 70 percent of the cases will qualify for the standard reimbursement amount of \$2,600, for a total of approximately \$14.504 million. FHEO anticipates that 10 percent of the cases will qualify for 90 percent of the reimbursement amount, for a total of approximately \$1.865 million; 5 percent of the cases will qualify for 80 percent of the reimbursement amount, for a total of approximately \$828,776; 5 percent of the cases will qualify for 75 percent of the reimbursement, for a total of approximately \$776,978; and 2 percent of the complaints will not qualify for reimbursement. In

Fair Housing Assistance Program

addition, FHEO estimates that 8 percent of the cases will qualify for reimbursement in the amount of \$3,100 because of the complexity of the case, for a total of approximately \$1.976 million. In total, FHAP agencies will be reimbursed \$19.951 million for investigating, resolving, and litigating fair housing cases.

Explanation of Increase. HUD increased its request for case processing funds by \$2.57 million. HUD has forecast that the number of cases investigated by FHAP agencies in fiscal year 2009 will increase by 6 percent. The additional funds will be used to reimburse agencies in the FHAP for investigating those cases and with higher reimbursements due to 4 years of inflation.

Capacity Building Funding--\$480,000 (\$480,000 decrease)

Agencies that are new to FHAP may find that case processing funds are insufficient to cover all of the start-up costs of operating a new Fair Housing Enforcement Agency. Those agencies can opt to receive funds for Capacity Building for up to 3 years from its initial application. In addition to case work, these funds are used to develop and enhance complaint processing, train staff, and design protocols for implementing the jurisdiction's fair housing ordinance.

Allocation. In fiscal year 2009, approximately 4 agencies will qualify for this funding. This budget requests that the amount for Capacity Building be \$120,000 per agency, for a total of \$480,000.

Explanation of Decrease. Under HUD's new FHAP regulation, in fiscal year 2009, new agencies will be able to receive Case Processing, Administrative, and Training funds instead of receiving funds for Capacity Building. While the number of new agencies will increase in fiscal year 2009, FHEO expects that because of their caseload, many new agencies will find it financially beneficial to opt to receive case processing funds rather than Capacity Building. For this reason, FHEO projects that the number of agencies in Capacity Building will decrease from 8 agencies in fiscal year 2008 to 4 agencies in fiscal year 2009. Each agency will receive approximately \$120,000 in Capacity Building funds.

National Fair Housing Training Academy (NFHTA)--\$2.000 million (no change)

All state and local fair housing professionals must become even more efficient and adept at processing cases. To ensure this, HUD requires fair housing investigators to satisfactorily complete 200 hours of advanced training in theory and techniques of fair housing investigations. The NFHTA courses cover such topics as case management, civil rights laws, legal updates, testing, compliance monitoring, investigation, and conciliation. The requirements apply to all full-time investigators in FHAP agencies.

In the fiscal year 2008 budget, HUD was granted the legislative authority to collect and retain fees from training participants to help offset the cost of the training, expand participation, develop additional curricula, and maintain a state-of-the-art training facility. The collection of fees may generate income sufficient to reduce reliance on appropriated funds. HUD is re-proposing this legislative authority in the fiscal year 2009 budget. FHEO is currently developing a long-term plan for self-sufficiency for the NFHTA and continuing to explore the advantages and disadvantages of different funding instrumentalities.

Allocation. In fiscal year 2007, a total of 250 participants attended training at the Academy. Currently, there are approximately 100 participants who have completed week 4 and are awaiting the week 5 training curriculum. FHEO anticipates that this group will be certified by the end of fiscal year 2008. Additionally, based upon the training number for fiscal years 2006 and 2007, we anticipate training a minimum of 350 FHAP participants in fiscal year 2008 and approximately 450 in fiscal year 2009.

The Academy is currently being managed and operated by the USDA Graduate School (GS) through a contract vehicle. FHEO works in tandem with the GS to further develop new initiatives and consistently enhance the skills of investigators nationwide. The NFHTA currently provides 5 weeks of basic training and 2 weeks of advanced training to FHAP agency investigators; however, in fiscal year 2009, the Academy will continue to increase its enrollment efforts; establish a curriculum certification body; develop advanced curricula in the areas of lending, accessibility; teach leadership skills for FHAP Executive Directors; and conduct testing. Through the Academy Administrator, the NFHTA will also seek to implement on-line and distance learning courses which will further enhance the Academy's ability to provide wide-spread, quality higher learning opportunities. This funding will be used to develop additional curricula and to develop and manage the Learning Management System (customized software that tracks student registrations and progress).

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Training--\$1.47 million (\$1.47 million decrease)

Agencies that have participated in FHAP for more than 3 years are eligible for training funds for HUD-sponsored or HUD-approved training. These funds can be used to attend the National Fair Housing Training Academy. FHAP agencies will be encouraged to send a representative to attend training on predatory lending and lending discrimination. Funds are set aside for FHAP agencies to conduct education and outreach to the public about housing discrimination, lending discrimination, and predatory lending.

Allocation. During fiscal year 2009, an estimated 40 state agencies, including the District of Columbia, will receive approximately \$17,000 each for training; and an estimated 69 local agencies will receive approximately \$10,000 each for training. Due to the fact that there will not be a policy conference in fiscal year 2009, FHEO has increased the amount of training funds for each agency by \$2,000.

Each of FHEO's 10 regional offices will receive approximately \$10,000 to supplement the training needs of FHAP agencies on the regional level. These funds are used by the regional offices to offset expenses to conduct quarterly conference calls to all the agencies, TEAPOTS training, or for administrative costs related to providing consistent training of agencies, and for Fair Housing Month training activities as they relate to all the agencies.

Explanation of decrease. No Policy Conference funds are being requested for fiscal year 2009.

Administrative Costs--\$1.10 million (\$900,000 decrease)

Administrative Costs are allocated to agencies based on the amount of funding received in the prior fiscal year. Consistent with 24 CFR 115.304, agencies that acceptably process 100 or more cases in fiscal year 2008 are entitled to 10 percent of their FHAP case processing amount for administrative costs, contingent on fiscal year appropriations. If the agency processes fewer than 100 cases, then it will receive a flat rate for administrative costs, contingent on fiscal year appropriations. Administrative costs are directed to activities designed to create, modify, or improve local, regional, or national information systems concerning fair housing matters (including the purchase or upgrade of computer systems).

Allocation. FHEO estimates that 21 agencies will process more than 100 cases in fiscal year 2009 making those agencies potentially eligible for 10 percent of their fiscal year 2008 funding. FHEO estimates that it will use \$1 million for agencies that acceptably process more than 100 cases. FHEO estimates that it will use the remaining \$100,000 on agencies that process fewer than 100 cases

Explanation of decrease. Due to budget constraints, funds were shifted from Administrative Costs to Case Processing to compensate for the increase in the case processing reimbursement rate. Under current projections, agencies that acceptably process 100 or more cases in fiscal year 2009 will likely not be able to obtain the full 10 percent of their FHAP case processing amount for fiscal year 2008. In this situation, the Department will provide approximately 5 percent of the case processing amount for fiscal year 2008 to agencies that acceptably process 100 or more cases in fiscal year 2009.

Technical Assistance--\$0 (\$340,000 decrease)

Technical Assistance funds are used by FHAP agencies to address critical areas in combating housing discrimination. These funds allow FHAP agencies to assist the Department with its priorities of combating lending discrimination and assisting in the recovery efforts in disaster-impacted areas, such as communities in the Gulf Coast region that were impacted by Hurricane Katrina.

Explanation of Decrease. FHEO is not requesting funding for technical assistance in fiscal year 2009. FHEO will not be undertaking any new special initiatives with the FHAP for fiscal year 2009, which would require the use of technical assistance funds. As a result, funds are being shifted to cover the increase needed for case processing. The FHAP Agencies will focus on investigating cases.

**FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ASSISTANCE PROGRAM
Performance Measurement Table**

Program Name: FAIR HOUSING ASSISTANCE PROGRAM					
Program Mission: To enforce the Fair Housing Act and other civil rights laws by taking proactive steps to identify and combat discrimination in both its most obvious and more subtle forms, and to ensure the right of equal housing opportunity and free and fair housing choice regardless of race, color, religion, sex, national origin, disability, or family compositions.					
Performance Indicators	Data Sources	Performance Report		Performance Plan	
		2007 Plan	2007 Actual	2008 Plan	2009 Plan
Fair Housing Assistance Program agencies will close or charge 50 percent of its Fair Housing complaints filed during the fiscal year within 100 days.	TEAPOTS a/	53%	46%	53%	50%
Fair Housing Assistance Program agencies will close or charge 95 percent of their aged fair housing complaints within the fiscal year.	TEAPOTS a/	NA	NA	NA	95%

a/ Title VIII Automated Paperless Office and Tracking System (TEAPOTS).

NA Not Applicable.

Explanation of Indicators

The Office of Fair Housing and Equal Opportunity proposes \$25.0 million in FHAP program funding in support of HUD's Strategic Goal to "Ensure Equal Opportunity in Housing." The proposed funding will support the enforcement, education and outreach, and administrative activities of 111 FHAP agencies.

This funding will continue the fight to eradicate discrimination in housing and will have the concurrent effect of increasing the overall national homeownership rate and supporting the President's and Secretary's dynamic goal of adding 5.5 million new minority homeowners by the end of the decade.

FHEO's annual performance measures track program contributions toward the achievement of long-term outcome goals that include increased public awareness of fair housing laws and decreased incidences of housing discrimination nationwide. HUD studies conducted in intervals of 5 to 10 years examine progress toward these outcomes. The Department is currently working to identify options for measuring national awareness and discrimination on a more frequent basis.

Fair Housing Assistance Program

MEANS/STRATEGIES

OBJECTIVE: ENSURE ACCESS TO A FAIR AND EFFECTIVE ADMINISTRATIVE PROCESS TO INVESTIGATE AND RESOLVE COMPLAINTS OF DISCRIMINATION.

Fair Housing Assistance Program agencies will close or charge 50 percent of their Fair Housing complaints filed during the fiscal year within 100 days.

- Funding for case processing is allocated based on the performance of the FHAP agencies. Thorough investigations that are resolved in a timely manner receive larger reimbursement amounts, thereby encouraging FHAP agencies to resolve cases within 100 days.
- Funding for the National Fair Housing Training Academy will enhance the efficiency of FHAP agencies and allow them to process discrimination complaints in less time.
- Funding for training will allow FHAP agencies to attend the NFHTA, which will enhance their investigation skills, allowing them to provide quality investigations within 100 days.

Fair Housing Assistance Program agencies will close or charge 95 percent of their aged fair housing complaints within the fiscal year.

- On a quarterly basis, HUD will track all FHAP aged fair housing cases.
- On a quarterly basis, HUD will contact FHAP agencies with significant aged case loads and develop strategy for closure of aged cases on a quarterly basis.
- As appropriate, HUD will reactivate cases that have been open for more than 300 days that are not systemic or novel and complex.

Fair Housing Assistance Program

**FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING ASSISTANCE PROGRAM
Justification of Proposed Changes in Appropriations Language**

The 2009 President's Budget includes proposed changes in the appropriations language listed below.

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$51,000,000, to remain available until September 30, 2010, of which \$26,000,000 shall be to carry out activities pursuant to such section 561 (of which up to \$6,000,000 may be used for the Housing Discrimination Study of 2010): Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

Fair Housing Assistance Program

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING ASSISTANCE PROGRAM
 Crosswalk of 2007 Availability
 (Dollars in Thousands)

<u>Budget Activity</u>	<u>2007 Enacted</u>	<u>Supplemental/ Rescission</u>	<u>Approved Reprogrammings</u>	<u>Transfers</u>	<u>Carryover</u>	<u>Total 2007 Resources</u>
Fair Housing Assistance Program	\$26,000	-\$260	...	...	\$4,552 ^a	\$30,292
Total	26,000	-260	...	...	4,552	30,292

a/ Amount includes \$32 thousand in recaptured funds.

Fair Housing Assistance Program

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING ASSISTANCE PROGRAM
 Crosswalk of 2008 Changes
 (Dollars in Thousands)

<u>Budget Activity</u>	<u>2008 President's Budget Request</u>	<u>Congressional Appropriations Action on 2008 Request</u>	<u>2008 Supplemental/ Rescission</u>	<u>Reprogrammings</u>	<u>Carryover</u>	<u>Total 2008 Resources</u>
Fair Housing Assistance Program	\$25,620	\$25,620	...	...	\$3,637 ^a	\$29,257
Total	25,620	25,620	...	...	3,637	29,257

a/ Amount does not include \$362 thousand in expired funds.

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING INITIATIVES PROGRAM
 2009 Summary Statement and Initiatives
 (Dollars in Thousands)

FAIR HOUSING INITIATIVES PROGRAM	<u>Enacted/ Request</u>	<u>Carryover</u>	<u>Supplemental/ Rescission</u>	<u>Total Resources</u>	<u>Obligations</u>	<u>Outlays</u>
2007 Appropriation	\$19,800	\$1,700 ^a	...	\$21,500	\$20,800	\$19,584
2008 Appropriation/Request	24,000 ^b	611 ^c	...	24,611	24,611	20,492
2009 Request	<u>26,000</u>	<u>...</u>	<u>...</u>	<u>26,000</u>	<u>26,000</u>	<u>22,000</u>
Program Improvements/Offsets	+2,000	-611	...	+1,389	+1,389	+1,508

a/ Includes \$100 thousand in recaptured funds.

b/ The fiscal year 2008 Appropriations Act provides \$380 thousand for translation purposes outside of FHEO's FHAP and FHIP funding, and no separate justification is included for this smaller fair housing activity.

c/ Excludes \$89 thousand in expired funds.

Summary Statement

The overall fiscal year 2009 budget request for the Fair Housing Initiatives Program (FHIP) is \$26 million, a \$2 million increase from the fiscal year 2008 enacted level. The funding request recognizes the priority and necessity of funding fair housing education, outreach, and enforcement efforts to fight housing discrimination and achieve the key outcome of greatly expanding housing opportunities for all Americans.

The primary increase is for the Housing Discrimination Study (HDS) 2010. FHEO is requesting funding of up to \$6 million in fiscal year 2009 to fund the first year of a two-year study that will estimate the national levels of discrimination faced by African-Americans, Hispanics, and Asian and Pacific Islander renters and homebuyers. The study would provide comparable data to determine any changes in the level of discrimination from the 2000 HDS, and would measure the outcomes of the FHIP component programs.

Specifically, FHIP funding is directed toward addressing HUD's findings that:

- Minority homeseekers (African-Americans, Hispanics, Asian Americans, Native Americans), compared to equally qualified white homeseekers, receive consistently unfavorable treatment in 20 to 25 percent of paired-tests when they inquire about a unit advertised for rent or sale ("Housing Discrimination Study (HDS)," 2002);
- Mortgage lenders quote African-Americans and Hispanics higher rates and fees, compared to similarly qualified white applicants ("All Other Things Being Equal," 2002);
- Mobility-impaired persons using wheelchairs face discrimination about one-third of the time when they visit rental properties. Hearing-impaired persons are discriminated against approximately 50 percent of the time when using a telephone-operator relay to search for rentals. ("Housing Discrimination Study (HDS)," 2005); and
- Eighty-three percent of people who say they have experienced discrimination do not report it (HUD Awareness Study: "How Much Do We Know," published 2002), due, in part, to a lack of awareness of the resources available to address these problems and the belief that government agencies are not adequately equipped to address these issues.

Fair Housing Initiatives Program

The major features of this budget are:

- Private Enforcement Initiative (PEI) - \$17 million (\$2 million decrease);
- Housing Discrimination Study (HDS) 2010 - \$6 million (\$6 million increase);
- Education and Outreach Initiative (EOI) - \$2.2 million (\$1 million decrease);
- Fair Housing Organization Initiative (FHOI) - \$0 (\$1 million decrease); and
- Fair Housing Accessibility FIRST - \$800 thousand (no change).

FHIP funds support the efforts of private non-profit organizations that educate the public on their fair housing rights and, in addition, conduct private enforcement activities under the Fair Housing Act.

The request includes \$17 million for PEI, recognizing the priority of investigating incidences of discrimination in communities, as well as conducting longer-term systemic investigations. Also, \$6 million is being requested for the HDS 2010 study to fund a follow-up study to HDS 2000. The HDS 2010 study would replicate HDS 2000 focusing on African-Americans, Hispanics, and Asians and Pacific Islanders renters and homebuyers. The study would provide comparable data to determine any changes in the level of discrimination from the previous study.

PEI grantees investigate reports of housing discrimination, lending discrimination, and predatory lending; develop evidence on behalf of victims; and pursue complaints with government agencies and in the courts. Most significantly, PEI grantees are the nation's experts in "testing." Since housing discrimination is rarely overt, PEI grantees investigate complaints of discrimination by sending trained "testers" to inquire about housing availability and record their experiences. Testers are matched by their qualifications and differ only with respect to their race, sex, or other characteristics that are the basis of alleged discrimination. In fiscal year 2009, a large majority of PEI funds will be used to continue Performance-Based Funding Component (PBFC) grants, which are 3-year agreements contingent upon available funding making it possible for proven grantees to conduct long-term systemic investigations and strategic planning. In addition, PEI grantees are required to use 10 percent of their funds for education and outreach efforts.

FHIP organizations create greater awareness of housing discrimination, lending discrimination, and predatory lending through the publicity generated by their enforcement efforts and the education they conduct with EOI grants.

If necessary, funds will be made available under the Fair Housing Accessibility FIRST program to respond to natural disasters and provide technical assistant activities needed to address disaster relief efforts. In fiscal year 2007, FIRST trained 1,351 people through 22 training sessions in 17 states. In fiscal year 2009, it is anticipated that the Fair Housing Accessibility FIRST program will provide 8 to 12 training events targeted to reach 400 to 800 persons, and handle approximately 3,000 requests for technical guidance.

HUD's revised Strategic Plan establishes several new long-term goals that this funding request supports:

- To improve accountability, service delivery, and customer service for HUD and its partners;
- To improve the quality and rigor of investigations;
- By 2011, HUD will increase public awareness of the Fair Housing Act's prohibitions of discrimination against families with children by 6 percentage points from the baseline of 44 percent in 2005; and
- By 2011, HUD will increase public awareness of the Fair Housing Act's prohibitions against racial steering by 4 percentage points from the baseline of 58 percent in 2005.

Fair Housing Initiatives Program

HUD has also established a new efficiency measure for PEI grantees, to compare the amount of FHIP funding spent on fair housing tests, versus the number of fair housing tests completed.

Program Background

The Housing and Community Development Act of 1987 established the FHIP for the purpose of preventing and overcoming housing discrimination. This program provides a coordinated approach to further the purposes of the Fair Housing Act, to guarantee the rights of all people to seek housing in an open market free of discrimination, and to inform the public and the housing industry of its rights and obligations under the Fair Housing Act. FHIP also enhances and facilitates the delivery of the Department's housing and community development programs by providing a free and open housing market.

Legislative Authority. Section 561 of the Housing and Community Development Act of 1987, as amended, authorizes the execution of grants, contracts, or cooperative agreements with State or local government agencies, public or private non-profit organizations, institutions or other entities that are formulating or carrying out programs to prevent or overcome discriminatory housing practices. FHIP supports projects and activities designed to enhance compliance with the Fair Housing Act and substantially equivalent State and local laws. Section 905 of the Housing and Community Development Act of 1992 expanded the provisions of the Fair Housing Initiatives Program to build the capacity of fair housing organizations in unserved and underserved areas, to establish a national media campaign for dissemination of fair housing information, and to establish funding for celebration of the National Fair Housing Month.

Recent Program Accomplishments

- In fiscal year 2007, the Department awarded 63 new grants under FHIP and 13 third year and 12 second year PEI-Performance-Based grants for a total of 88 awards.
- HUD's education and outreach efforts, particularly those carried out through FHIP, have led to an increase in public awareness of fair housing laws. For example, tracking surveys conducted by the Ad Council in 2003 and 2004 measured the impact of HUD's FHIP-funded fair housing public service announcements (PSAs) finding that: (1) those who saw the PSAs were more likely to be aware of the Fair Housing Act than those who did not (87 percent vs. 70 percent); (2) people who saw at least one PSA were more likely to be aware of housing discrimination as a problem; and (3) the general public's knowledge of the Fair Housing Act increased from 67 percent to 74 percent.
- The increase in public awareness has likely contributed to the rise in public reports of housing discrimination. FHAP agencies investigated 7,795 complaints in fiscal year 2007, and agencies completed investigation of 7,055 complaints in fiscal year 2007, representing significant increases from years past.

Fair Housing Initiatives Program

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING INITIATIVES PROGRAM
 Summary of Resources by Program
 (Dollars in Thousands)

<u>Budget Activity</u>	<u>2007 Budget Authority</u>	<u>2006 Carryover Into 2007</u>	<u>2007 Total Resources</u>	<u>2007 Obligations</u>	<u>2008 Budget Authority/ Request</u>	<u>2007 Carryover Into 2008</u>	<u>2008 Total Resources</u>	<u>2009 Request</u>
Competitive Grants	\$19,800	\$1,700	\$21,500	\$20,800	\$24,000	\$611	\$24,611	\$26,000
Total	19,800	1,700	21,500	20,800	24,000	611	24,611	26,000

<u>FTE</u>	<u>2007 Actual</u>	<u>2008 Estimate</u>	<u>2009 Estimate</u>
Headquarters	10	7	7
Field	15	16	16
Total	25	23	23

**FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING INITIATIVES PROGRAM
Program Offsets
(Dollars in Thousands)**

Competitive Grants	<u>Amount</u>
2007 Appropriation	\$19,800
2008 Appropriation/Request	24,000
2009 Request	<u>26,000</u>
Program Improvements/Offsets	+2,000

Proposed Actions

The overall fiscal year 2009 budget request for FHIP is \$26 million. The fiscal year 2009 request provides \$17.0 million for PEI and \$2.2 million for EOI, and \$6 million HDS 2010. The budget also allocates \$800 thousand for the continuation of the Fair Housing Accessibility FIRST program.

Private Enforcement Initiative (PEI)--\$17.0 million (\$2 million decrease)

PEI provides funding to private, tax-exempt organizations that have engaged in fair-housing enforcement activities for at least 1 year in the 2-year period preceding the filing of a FHIP application.

Allocation. Of the \$17.0 million allocated for this initiative, approximately 90 percent of funds will support competitive 3-year awards to high-performing fair housing enforcement organizations under the Performance-Based Funding Component (PBFC), which began in fiscal year 2005. These funds make it possible for groups to conduct long-term systemic investigations and strategic planning. Fiscal year 2009 funds will support PBFC grant commitments made for fiscal years 2007, 2008, and 2009. To qualify for this funding, organizations must: (1) be a "qualified fair housing enforcement organization" (2 years of enforcement experience) or a "fair housing enforcement organization" (at least 1 year of enforcement experience); (2) have an "excellent" performance rating under 2 previous years' FHIP grant; and (3) score in the top 5 percent of PEI applications in the year for which they apply. For fiscal year 2007, approximately 27 organizations were eligible for Performance-Based funding. Of these, 14 were funded based upon criteria for eligibility. The private, non-profit fair housing organizations have responded favorably to the creation of the PBFC as it provides continuity of funding for qualified groups, allowing them to perform long-term enforcement projects.

The remaining fiscal year 2009 PEI funds will be awarded in accordance with the competitive requirements of the fiscal year 2009 Notice of Funding Availability under the General Component.

<u>Initiative</u>	<u>FY 2008</u>	<u>FY 2009</u>
	(Dollars in Millions)	
Private Enforcement Initiative.....	\$19	\$17
General Component.....	4	2
Performance-Based Component.....	15	15

Fair Housing Initiatives Program

Justification. PEI addresses high levels of discrimination in America, as reported in the "HDS 2000" study. PEI grantees respond to complaints of housing discrimination, predatory lending, and lending discrimination from the public. While discrimination remains a significant problem, HDS also shows that discrimination is substantially lower than in 1989, particularly in the sales market, suggesting that Federal Government efforts in this area are having a measurable impact.

PEI funds proven investigative methods. FHIP PEI is the primary source of Federal funds for private enforcement of the Fair Housing Act. PEI grantees investigate complaints from individuals, and attempt to corroborate allegations of discrimination by performing "testing" of housing providers. The HUD-funded Urban Institute study, "A National Report Card on Discrimination in America: The Role of Testing" (1998) concluded, "There is a broad agreement that a meaningful reduction in rental discrimination will require a great deal more testing and enforcement. These tests will, over time, require the use of more sophisticated testing techniques and necessitate a higher level of expenditure." The study clearly supports the priority of this effort, which is the largest component of the FHIP program.

PEI addresses the full range of housing-related discrimination, including lending discrimination and predatory lending. A HUD-commissioned study of two major metropolitan areas titled "All Other Things Being Equal" (published 2002) documented how African-Americans and Hispanics are more likely than similarly qualified whites to receive worse terms, higher fees, and less favorable treatment when they inquire about mortgage loans.

PEI will respond to increased reports of disability-related discrimination. Increased enforcement of the Fair Housing Act's design and construction requirements by HUD and the Department of Justice (DOJ), and the publicity these cases generate, will likely result in more reports to FHIP groups of disability discrimination. The 2004 guidance that HUD and DOJ issued regarding the obligations of housing providers to provide reasonable accommodations to people with disabilities may also encourage more people to exercise their rights.

Education and Outreach Initiative (EOI)--\$2.2 million (\$1.0 million decrease)

This Initiative provides funding for projects that educate the public on the rights and obligations provided under the Fair Housing Act and substantially equivalent state and local fair housing laws. These efforts will be directed by the findings of awareness studies discussed above. The decrease will provide funding to 7 organizations and assist in achieving the goal of reaching 180,000 people.

Allocation. The budget requests \$2.2 million for this Initiative, which will be awarded through a NOFA. The NOFA will include funding for general Education and Outreach activities, including the media campaign, in the amount of \$1.0 million for EOI National Component project, a continuation of the FHIP Information Resource Center, which assists FHIP in accountability, and funds for the clinical law school project.

The EOI will fund programs that educate the public on housing discrimination, lending discrimination, and predatory lending. The organizations will explain the public's right to housing free from discrimination and what they can do if they feel those rights have been violated.

Justification. *Many are unaware of protections under fair housing laws.* The HUD study, "How Much Do We Know?" conducted in 2000, examined the public's awareness of the Fair Housing Act's prohibitions against housing discrimination. This study found that many Americans still do not recognize unlawful discrimination when it occurs. HUD's update of this study, conducted in 2005, finds that awareness of the Fair Housing Act remains substantially the same, with modest increases in knowledge in some areas, and slight decreases in knowledge in others. There is clearly a great need to educate young people entering the housing market. While the 2005 study finds no dramatic changes in public awareness of the Fair Housing Act, public support for the law has increased. The study demonstrates the great challenge and resource needs to substantially affect public awareness of the law.

Evidence of the underreporting of housing discrimination. The HUD awareness study, "How Much Do We Know?" also found that 83 percent of respondents who believed they had experienced discrimination took no action against it. Almost one in five people who believe they

Fair Housing Initiatives Program

have experienced discrimination do not know their rights or where they should go to complain. The 2005 update of this study finds similarly low levels of public inclination to report discrimination.

Fair Housing Accessibility FIRST Training and Technical Guidance--\$800 thousand (no change)

HUD developed Accessibility FIRST in response to a fiscal year 2000 directive from the House and Senate Subcommittee on Appropriations to provide training and technical guidance on how to design and construct accessible multifamily housing in compliance with the Fair Housing Act.

Allocation. The Department is requesting \$800 thousand to continue the hotline and website for Fair Housing Accessibility FIRST education and provide outreach training to builders, architects, and others throughout the country and specifically in disaster-impacted areas, such as communities in the Gulf Coast region damaged by Hurricanes Katrina, Rita, and Wilma.

Justification. Accessibility FIRST provides classroom and online training for architects, builders, code officials, advocates, and others on compliance with the design and construction requirements of the Fair Housing Act (the Act). Accessibility FIRST is part of a broad effort to increase compliance with fair housing design and construction requirements across the U.S. and specifically in disaster-impacted areas such as the Gulf Coast region. These training sessions will help to ensure that as this region is reconstructed, the new multifamily housing will be accessible to persons with disabilities. In fiscal year 2007, FIRST provided training to 1,351 people through 22 training sessions in 17 states.

HUD continues to enforce the accessibility requirements through its enforcement actions in fair housing complaints, compliance reviews of housing authorities, and the funds the Department provides to private fair housing groups to conduct Fair Housing Act enforcement and education.

HUD is currently conducting a study on the conformance of apartment buildings with the accessibility requirements of the Fair Housing Act. This study will provide a baseline measure of the number of buildings that conform to 14 key accessibility features, identified by the Department.

Housing Discrimination Study (HDS)--\$6 million (\$6 million increase)

Since 1977, FHEO has coordinated with HUD's Office of Policy Development and Research (PDR) once a decade to assess the extent of housing discrimination in the United States. The most recent study, Housing Discrimination Study 2000 (HDS 2000), showed substantial declines in discrimination between 1990 and 2000 in the sales market for both African-Americans and Hispanics, declines for African American renters, and no change for Hispanic renters. The 2000 study also provided the first ever national estimate of discrimination faced by Asians and Pacific Islanders in the rental and sales market. These studies have also shown how the patterns, nature, and level of discrimination have changed over time. In short, the studies continue to show that housing discrimination remains a substantial problem, with minorities facing consistent adverse treatment ranging from 17 percent for African American in the sales market to 26 percent for Hispanics in the rental market.

HDS 2000 was funded over 3 fiscal years, 1999, 2000, and 2001 with FHIP program funds, costing \$21 million over those 3 years (\$7.5 million, \$6 million, and \$7.5 million, respectively). The research component of HDS 2000 cost \$16 million and included national estimates of discrimination for African-Americans, Hispanics, and Asians and Pacific Islanders, metropolitan estimates for over 20 metropolitan areas, three state estimates for African-Americans and single state estimates for Hispanics and Asians, estimates of discrimination for Native Americans in three states, and a metropolitan estimate of discrimination for people with hearing impairments and people with mobility limitations. The remaining \$5 million was used for follow-up enforcement testing in response to research tests showing high levels of different treatment.

Allocation. FHEO is requesting funding of \$6 million in fiscal year 2009 to fund the first year of a two-year study that will estimate the national levels of discrimination faced by African-Americans, Hispanics, and Asians and Pacific Islanders renters and homebuyers. The study would provide comparable data to determine any changes in the level of discrimination from the 2000 study. FHEO projects that 3,000 paired tests would be undertaken over the course of 2 fiscal years.

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Justifications. It will achieve the purpose of the program, which is to increase compliance with the Fair Housing Act and substantially equivalent State and local fair housing laws. It will allow the Department to better achieve its special emphasis on reducing the wide gap in homeownership rates between whites and racial and ethnic minorities (notably, African-Americans and Hispanics) and will promote effective strategic efforts by FHIP applicants, including faith-based organizations that result in effective enforcement of the fair housing laws.

**FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING INITIATIVES PROGRAM
Performance Measurement Table**

Program Name: FAIR HOUSING INITIATIVES PROGRAM					
Program Mission: To enforce the Fair Housing Act and other civil rights laws by taking proactive steps to identify and combat discrimination in both its most obvious and more subtle forms, and to ensure the right of equal housing opportunity and free and fair housing choice regardless of race, color, religion, sex, national origin, disability, or family compositions.					
Performance Indicators	Data Sources	Performance Report		Performance Plan	
		2007 Plan	2007 Actual	2008 Plan	2009 Plan
Recipients of FHIP education and outreach grants will hold at least 300 activities, to include outreach to faith-based and grassroots organizations, reaching, at least, 180,000 people.	TEAPOTS a/	300 180,000	1,486 247,201	300 180,000	300 180,000

a/ Title VIII Automated Paperless Office and Tracking System (TEAPOTS).

Explanation of Indicators

For fiscal year 2009, the Office of Fair Housing and Equal Opportunity proposes \$26 million in FHIP program funding.

Funding for FHIP is critical to achieving the Department’s Strategic Goal “Ensure Equal Opportunity in Housing” and addressing the findings of HUD-funded discrimination studies. FHIP provides non-profit organizations with the funding they need to investigate complaints of discrimination on the local and regional level, collect evidence to corroborate allegations, and educate communities about their fair housing rights. HUD studies demonstrate the effectiveness of testing in uncovering unlawful discrimination. HUD studies also indicate a need to do more education and outreach to inform the public and to improve their confidence in the government’s role in investigating and addressing housing-related discrimination.

FHEO’s annual performance measures track program contributions toward the achievement of long-term outcome goals that include increased public awareness of fair housing laws and decreased incidences of housing discrimination nationwide. HUD studies conducted in intervals of 5 to 10 years examine progress toward these outcomes. The Department is currently working to identify options for measuring national awareness and discrimination on a more frequent basis.

Strategies:

OBJECTIVE: IMPROVE PUBLIC AWARENESS OF FAIR HOUSING LAWS

Recipients of FHIP education and outreach grants will hold at least 300 activities, to include outreach to faith-based and grassroots organizations, reaching, at least, 180,000 people.

- Outreach events will provide education on a full range of fair housing issues in communities nationwide. Some resources will be targeted to topics of high priority, such as predatory and discriminatory lending.
- A national clearinghouse will support the efficient distribution of available outreach materials to a large numbers of organizations and individuals, potentially enhancing the effectiveness of outreach events.

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Efficiency Measures:

FHEO will monitor two new measures of *efficiency* while progressing toward the achievement of long-term programmatic goals:

- For PEI grant recipients, compare the amount of FHIP funding spent on fair housing tests to the number of fair housing tests completed (*i.e., dollars spent/tests completed*).
- For Education and Outreach Initiative grant recipients, compare the amount of FHIP funding spent on Education and Outreach to the number of people reached with FHIP Education and Outreach (*dollars spent/people reached*).

It is important to note that FHEO has and is continuing to develop database and logic model systems to effectively capture outcomes and the efficiencies. For example, FHEO has created a database that captures the enforcement activities of recipients of PEI grants.

Fair Housing Initiatives Program

**FAIR HOUSING AND EQUAL OPPORTUNITY
FAIR HOUSING INITIATIVES PROGRAM
Justification of Proposed Changes in Appropriations Language**

The 2009 President's Budget includes proposed changes in the appropriations language listed and explained below.

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$51,000,000, to remain available until September 30, 2010, of which \$26,000,000 shall be to carry out activities pursuant to such section 561 (of which up to \$6,000,000 may be used for the Housing Discrimination Study of 2010): Provided, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy and may use such funds to provide such training: Provided further, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

Fair Housing Initiatives Program

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING INITIATIVES PROGRAM
 Crosswalk of 2007 Availability
 (Dollars in Thousands)

<u>Budget Activity</u>	<u>2007 Enacted</u>	<u>Supplemental/ Rescission</u>	<u>Approved Reprogrammings</u>	<u>Transfers</u>	<u>Carryover</u>	<u>Total 2007 Resources</u>
Competitive Grants	\$19,800	...	...	...	\$1,700	\$21,500
Total	19,800	...	...	...	1,700	21,500

Fair Housing Initiatives Program

FAIR HOUSING AND EQUAL OPPORTUNITY
 FAIR HOUSING INITIATIVES PROGRAM
 Crosswalk of 2008 Changes
 (Dollars in Thousands)

<u>Budget Activity</u>	<u>2008 President's Budget Request</u>	<u>Congressional Appropriations Action on 2008 Request</u>	<u>2008 Supplemental/ Rescission</u>	<u>Reprogrammings</u>	<u>Carryover</u>	<u>Total 2008 Resources</u>
Competitive Grants	\$24,000	\$24,000	...	...	\$611 ^a	\$24,611
Total	24,000	24,000	...	...	611	24,611

a/ Excludes \$89 thousand of expired funds.