

LIVABLE COMMUNITIES ACT OF 2011
BILL (S. 1621) INTRODUCED BY SENATOR ROBERT MENENDEZ
SEPTEMBER 2011

The Livable Communities Act strengthens rural, suburban, and urban communities by supporting their efforts to establish a vision for the future and chart a realistic course for getting there. The bill promotes local leadership by encouraging communities to partner strategically to develop innovative solutions that reflect their unique character, assets, and needs. It promotes good planning and good governance by saving taxpayer dollars through coordinated investments in infrastructure, facilities, and services to meet multiple objectives.

This bill is the next important step forward in transforming the federal government into a better partner for communities as they work to achieve their goals.

The bill would formally **authorize the Office of Sustainable Housing and Communities** at the U.S. Department of Housing and Urban Development (HUD) and its **Regional Planning and Community Challenge grant programs**. These programs support community efforts to establish and implement a locally-defined vision for future growth and redevelopment through comprehensive planning and capital improvement programs. In addition, it would create a **loan program for infrastructure improvements** in preparation for transit oriented development.

The bill would also improve the way **federal agencies with jurisdictional overlap** work together so that their policies, programs, and regulations are well aligned. The bill directs the HUD Office of Sustainable Housing and Communities to take a leading role in coordinating interconnected housing, transportation, and environmental efforts in cooperation DOT and EPA. HUD would also lead efforts to align federal work on healthy housing issues. Along with coordination, the bill directs agencies to streamline requirements, reduce redundancy, and eliminate red tape to become more efficient in both their internal operations and their engagement with communities in the field.

The effort builds on work that Senator Chris Dodd began in 2009 when he introduced the Livable Communities Act last Congress. This iteration of the bill honors the core programs of the original while lowering its cost. The bill would authorize these activities at \$880 million over five years, which is roughly equivalent to FY10 funding levels.

The bill is cosponsored by Senators: Jack Reed (D-RI); Michael F. Bennet (D-CO); Tom Harkin (D-IA); Frank R. Lautenberg (D-NJ); Al Franken (D-MN); Jeff Merkley (D-OR); Bernard Sanders (D-VT); Richard Blumenthal (D-CT); Ron Wyden (D-OR); Richard Durbin (D-IL); Benjamin L. Cardin (D-MD); Daniel K. Akaka (D-HI); Sheldon Whitehouse (D-RI); Christopher A. Coons (D-DE); Jeanne Shaheen (D-NH); Mary L. Landrieu (D-LA); and Patrick J. Leahy (D-VT).

Funding:

FY10 and FY11 Actuals, the President's Request for FY12, and LCA 2011 Proposal

<i>Million \$</i>	Regional Planning	Challenge Grants	Research & Dev't	TOD Loans	Total
FY10	100	40	10	0	150
FY11	67	23	10	0	100
FY12 President's Budget Req.					
	100	40	10	0	150
LCA 2011 - Proposed					
FY12	100	30	0	20	150
FY13	125	30	0	20	175
FY14	125	35	0	20	180
FY15	125	40	0	20	185
FY16	125	45	0	20	190
Total for LCA (5 years)	600	180	0	100	880

How the Livable Communities Act of 2011 Compares with the 2009 Bill

What's the same?

- This bill would formally authorize the existing HUD Office of Sustainable Housing and Communities;
- It continues the popular Regional Planning and Community Challenge grants;
- Retains the Study and Report on Sustainable Building Features and Indoor Environmental Quality;
- Maintains a loan program for communities to attract private transit-oriented development; and
- Ensures 15% of funding supports rural communities.

What's different?

- The price tag of \$880 million (approximately FY10 levels) is substantially lower than originally proposed;
- The bill is one-half the length of the original;
- HUD has already begun creating a Transportation & Housing Affordability Index, so this version of the bill does not include one;
- It would not establish an Interagency Council on Sustainable Communities;
- It does not include grant programs other than Regional Planning and Community Challenge;
- It includes a new Healthy Homes section, directing HUD to lead an interagency effort to evaluate, coordinate, and make recommendations to refine and improve healthy housing policy effectiveness across relevant agencies in line with HUD's Healthy Homes Strategic Plan.

Side-by-Side Comparison of Major Bill Components from 2009 and in 2011

	LCA 2009 (S.1619)	LCA 2011 (S. 1621)
Bill Length	100 pages	48 pages
Price	\$1.95 B	\$880 million (approx. FY10 levels)
Period	5 years	5 years
HUD Office of Sustainable Housing and Communities	Yes.	Yes.
Report of Housing Location Affordability	Yes.	No. HUD just made a grant to create one and doesn't need it in the bill.
Interagency Council on Sustainable Communities	Yes.	No. Over the past two years, HUD, DOT, and EPA have held weekly leadership meetings and monthly full Partnership meetings.
Council Study on Sustainable Building Features and Indoor Environmental Quality in Housing	Yes.	Yes. No cost.
Regional Planning Grant Program	Yes.	Yes. This is a core function of the OSHC, HUD made grants in FY10 and will do so again in FY11. This bill seeks to continue these existing activities.
Community Challenge Grant Program	Yes.	Yes. This is a core function of the OSHC, HUD made grants in FY10 and will do so again in FY11. This bill seeks to continue these existing activities.
Building Code Enforcement Grants	Yes.	No. Existing Regional Planning and Community Challenge are the only grant programs in this bill.
Community Zoning and Land Use Planning Grant and Building Code Enforcement Grant Program	Yes.	No. Existing Regional Planning and Community Challenge are the only grant programs in this bill.
Regeneration Planning Grant Demonstration Program	Yes.	No. Existing Regional Planning and Community Challenge are the only grant programs in this bill.
Infrastructure Credit Facility to Support TOD	Yes.	Yes. These are loans, so money comes back to the federal government. Addresses goal of where development is happening. Strong link b/t transportation and housing.
Healthy Homes Coordination	No.	Yes. No cost. In line with HUD's current activities as outlined in HUD's Healthy Homes Strategic Plan.
15% of funds to Rural Communities.	Yes.	Yes.