GRASSROOTS ACTION ALERT:
TELL CONGRESS TO MODIFY THE COBURN/ISSA AMENDMENT

For your convenience, NAHMA has prepared a phone script to assist you in discussing the negative impacts of the Coburn/Issa Amendments limitations on federal agency employees’ abilities to attend private, non-government conferences with your Congressional Representatives. The sections in italics give you an overview of what will happen when you call, and they provide additional advice to handle situations when staff may not be available to talk. We strongly encourage you to share your own stories about how you have interacted positively with federal agency employees while attending NAHMA or AHMA conferences.

For information on contacting your Congressional Representatives, please visit: http://www.nahma.org/content/grassroots.html

Please contact NAHMA staff members Lauren Eardensohn (lauren@nahma.org) or Michelle Kitchen (michelle.kitchen@nahma.org) if you have any questions.

Phone Script for the Coburn/Issa Amendment

My name is (please give your name) and I am the (position title) with (company). I am calling from (city, state). I am calling to ask my (Senator/Representative) to discuss a legislative proposal that would limit federal agency employee attendance at non-government, privately funded conferences. I would like to discuss this issue further with the appropriate legislative staff member.

(If the receptionist does not transfer you to the legislative assistant, please ask to leave a message for the relevant staff member, provide your contact information, and ask them to return your call so you can discuss the information more in-depth.)

(If the staff member does transfer you, but the relevant legislative assistant is not available, leave a message with your contact information and ask them to return your call to discuss legislation that would limit federal agency employee attendance at non-government, privately funded conference).

(When you speak to the appropriate legislative assistant, please provide them with the following information).

My name is (please give your name) and I am the (position title) with (company). (Give them a one sentence background on your company and how you are connected to their District / State. Do you own or manage properties there? Is your company located there? Do you live there?)

I am calling you today because I am concerned about legislative provisions in S. 1789, the 21st Century Postal Service Act, and H.R. 2146, the Digital Accountability and Transparency Act (DATA). S. 1789 and H.R. 2146, as passed by their respective chambers, included amendments sponsored by Senator Tom Coburn (R-OK) and Representative Darrell Issa (R-CA) that would restrict agencies’ spending on conferences and federal employee travel.

PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS
While I support the intent of these provisions to increase accountability and transparency and government spending, I fear that these provisions are too broadly written and would limit federal agency employees’ abilities to attend private, non-government conferences. This would, in effect, cut off affordable housing industry stakeholder’s—like myself—primary means of communication with federal government agencies.

I am (a member of/affiliated with) the National Affordable Housing Management Association (NAHMA). NAHMA is a 501(c)(6) non-profit trade association which represents apartment property owners and managers, multifamily housing industry stakeholders, and providers of goods and services to the affordable housing industry. Their mission includes promoting the development and preservation of quality affordable multifamily housing and preparing affordable housing professionals to succeed in evolving economic and political environments. To meet these goals, NAHMA and its regional Affordable Housing Management Associations (AHMA) hold several membership conferences each year that bring together a large number of federal agency employees and industry stakeholders together and help facilitate critical information exchange on important regulatory issues.

At NAHMA meetings, staff members from HUD, Treasury, and USDA provide affordable housing owners and management agents with clarification and updates of regulations, which ensures that we are able to understand and comply with the laws and regulations governing the operations of Federally-subsidized multifamily housing programs. In turn, NAHMA members like me are able to provide feedback on the real world impact of federal regulations on affordable housing programs, which allows agency staff to go back and fix the regulations to make them more effective and efficient. This reduces the regulatory burdens we operate under, as well as the costs of operating and administering affordable housing programs.

(Please include your own story of how you have interacted with federal agency employees at NAHMA and AHMA meetings. What regulatory issues did you discuss? Did the federal agency provide any response or changes in policy due to your concerns? If so, please explain.)

(Optional example: For example, in August 2011, HUD released burdensome guidance on bedbug infestations in HUD-assisted and HUD-insured apartment buildings. The guidance was written in a way that was interpreted by some local courts as superseding the landlord/tenant lease agreements. Likewise, the guidance made it more difficult for owners and agents to prevent and treat repeat infestations which resulted directly from tenants’ noncompliance with treatment protocols. The NAHMA membership conference provided property owners and agents with the opportunity to discuss the real impact of this guidance on their properties’ operations with HUD staff. These exchanges gave agency staff a deeper understanding of the owners’ and agents’ concerns. They also helped HUD write improved, pragmatic, and workable bedbug guidance which was released in April, 2012.)

(You may also include additional talking points from the fact sheet that is attached to this phone script).

The Coburn/Issa legislative language has already passed the Senate in S. 1789 and the House in H.R. 2146. I am extremely concerned that it could be added to moving legislative vehicles, including appropriations bills and conferenced legislation. If this legislative language is offered as an amendment in the (House/Senate) or included in a conferenced bill, I would ask you to please oppose this overly broad language in its current form.

I would also ask you to strongly urge your (House/Senate) leadership to revise the Coburn/Issa legislative language if it is included in any moving legislative vehicles. First, please support modifying the definition of “conference” to only cover a meeting “sponsored by one or more agencies.” Next, please support striking Section 4 from the legislative language, which limits any agency from expending funds on “more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.”

These changes will not dilute the language’s goal of appropriately limiting spending on conferences sponsored by federal agencies and paid for with taxpayers’ money. However, these changes will allow PROTECTING THE INTERESTS OF AFFORDABLE HOUSING PROPERTY MANAGERS AND OWNERS
NAHMA, regional AHMAs, and other associations to continue necessary and vital communications with agency staff regarding federal policies, rules, and regulations.

(Optional: Please feel free to use me as a resource regarding the impact of the conference limitations legislative language and other affordable housing issues in the future. I would be happy to provide you and your staff more information on the impact of appropriations proposals and authorization legislation in the future. You can contact me at (provide contact information).)

Thank you for your time. I greatly appreciate your willingness to consider my concerns about the conference limitation language for federal agency employees. I would appreciate a written response to my concerns. (provide contact information)
FACT SHEET: The Negative Impact of the Issa/Coburn Amendments Concerning Federal Employee Participation at Government and Private Conferences

On April 24, the Senate passed S. 1789, the 21st Century Postal Service Act, which contained an amendment—sponsored by Senator Tom Coburn (R-OK)—that would restrict spending on federal conference and federal employee travel. That same legislative language was included by Representative Darrell Issa (R-CA) in H.R. 2146, the Digital Accountability and Transparency Act (DATA), which was passed by the House on April 25. Although the stated intent of the language is to prevent wasteful spending on government sponsored conferences, the actual language would prevent many federal employees from attending and participating in private conferences as well.

NAHMA supports Congressional efforts to improve accountability and transparency in government spending, but we believe this legislative language would have serious unintended consequences. If enacted, these provisions would shut down the communication between federal agency staff and private organizations which is necessary to create constructive, effective, and transparent private-public partnerships. Therefore, NAHMA opposes the conference language as written.

About NAHMA
NAHMA is a 501(c)(6) non-profit trade association which represents apartment property owners and managers, multifamily housing industry stakeholders, and providers of goods and services to the affordable housing industry. Our mission includes promoting the development and preservation of quality affordable multifamily housing and preparing affordable housing professionals to succeed in evolving economic and political environments. To achieve these goals, NAHMA holds three membership conferences each year that are attended by our members as well as legislative and executive branch employees.

Coburn/Issa Federal Agency Conference Language
- The legislative language in H.R. 2146 and S. 1789 would:
  - Change the definition of a federal agency conference to include private meetings held by a nonprofit or for-profit organization where government employees are invited;
  - Include anything related to travel and lodging in conference costs, even something as small as cab fare or public transportation fare;
  - Limit federal employees’ abilities to attend:
    - More than one conference sponsored by a private organization until the next fiscal year; and
    - Meetings for government projects at other agencies or public interest forums; and
  - Could require non-governmental conference organizers to publicly disclose meeting expenses for private conferences, as well as all conference materials.

Concerns
- Private conferences, like NAHMA’s three yearly membership meetings, provide an extremely useful and important venue to bring federal agency employees and industry stakeholders together and help facilitate critical information exchanges on important regulatory issues.
  - Such communication would be cut off under the Coburn / Issa provisions as written.

- NAHMA’s membership meetings provide an opportunity for agency staff from HUD, USDA-RD and Treasury-IRS to provide regulatory updates and explain the correct regulatory compliance protocol for federal affordable multifamily housing programs directly to the apartment owners and management agents who participate in these programs.
  - If enacted, the Coburn / Issa provisions would harm NAHMA members’ ability to understand and comply with federal law and regulations.

- The discussions that occur during NAHMA membership meetings and other private conferences help develop and maintain public-private partnerships to deal with ongoing regulatory issues outside these meetings.
  - This, in turn, helps create informed policymakers that make decisions geared toward reducing excessive regulatory burdens, increasing economic growth, and creating jobs.
The substantive discussions at NAHMA conferences provide the opportunity for agency staff to solicit and receive feedback from industry stakeholders about improving the effectiveness and efficiency of government programs and reducing program costs. These exchanges also give agency staff a better understanding of the day-to-day impact of policy decisions.

- The Coburn / Issa provisions would force the federal government officials to make decisions in a vacuum without meaningful input from impacted stakeholders.

Exchanges between NAHMA members and agency officials at our private conferences have resulted in improved federal housing policies.

- For example, in August 2011, HUD released burdensome guidance on bedbug infestations in HUD-assisted and HUD-insured apartment buildings. The guidance was written in a way that was interpreted by some local courts as superseding the landlord/tenant lease agreements. Likewise, the guidance made it more difficult for owners and agents to prevent and treat repeat infestations which resulted directly from tenants’ noncompliance with treatment protocols.
- The NAHMA membership conference provided owners and agents with the opportunity to discuss the real impact of this guidance on their properties’ operations.
- These exchanges gave agency staff a deeper understanding of the owners’ and agents’ concerns. They also helped HUD write improved, pragmatic, and workable bedbug guidance which was released in April 2012.

NAHMA believes that enacting legislation that restricts knowledge-sharing between the government and private organizations is counterproductive to Congress’ goals of reducing burdensome regulations, strengthening the economy, and creating jobs. Therefore, NAHMA urges Congress to modify the Colburn/Issa legislative language in all moving legislative vehicles in order to allow federal employees to attend association and non-governmental organizations’ conferences.

Suggested modifications include:

- Section 1(D) defines “conference” as a meeting “sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations.” This definition would encompass every conference held by an association, corporation or virtually any other non-governmental organization. Our recommendation is to revise this definition to a meeting “sponsored by 1 or more agencies.”
- The final section of the amendment, Section 4, limits any agency from expending funds on “more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.” This provision is highly problematic for agency employees seeking education from non-governmental sources and for the associations and other private sector organizations that invite government employees to conferences. A reasonable reading of this provision would mean, for example, that if employees of the National Institutes of Health (NIH) attended a scientific conference sponsored by a medical association, no other employees of the Department of Health and Human Services could attend any other conference held by that same association for the remainder of the fiscal year. Our recommendation would be to strike this final provision from the amendment.

However well-intentioned, the provisions noted above have broad implications for associations and other non-governmental organizations that invite government employees to give presentations or attend their conferences. Without modifications, the provisions could discourage government attendance at educational conferences and hinder the necessary interchange between government and the private sector.

We believe these changes will allow associations to continue their mutually beneficial engagement with federal government agencies while ensuring federal accountability and transparency.