

May 14, 2009

Secretary Kathleen Sebelius
U.S. Department of Health and Human Services
200 Independence Ave. SW
Washington, DC 20201

Dear Secretary Sebelius:

I am writing with concern about the application filed by New Life Evangelistic Center, Inc., (NLEC) to develop a transitional housing facility in the old Cape Girardeau Federal courthouse. I believe that this facility is inappropriate for the proposed use by the NLEC, particularly in light of its size and location. Most importantly, I believe that the application of the NLEC to obtain this building does not meet legal requirements for a transfer of the property for the proposed use. A proper vetting process by the U.S. Department of Health and Human Services should result in the same conclusion. I urge you to ensure that such a detailed review takes place.

In accordance with Title V of the McKinney-Vento Homeless Assistance Act of 1987, this building was deemed to be excess property by the U.S. General Services Administration (GSA) following the opening of the Rush H. Limbaugh Sr. Federal Courthouse. Therefore, the U.S. Department of Housing and Urban Development (HUD) issued a Notice of Determination of Homeless Suitability and Availability in December, 2008. Subsequently, the NLEC filed an application with your department to procure this building under the tenets of McKinney-Vento. That application is currently under review by the U.S. Department of Health and Human Services.

Homelessness in America is a tragic epidemic and the federal government must continue to work with state and local governments to find solutions. I support the work of many nonprofit and faith-based partners in dealing with this problem, as well as the value of McKinney-Vento in providing one outlet for assisting organizations seeking to provide greater access to transitional housing in underserved communities. However, McKinney-Vento is not a blank check for the transfer of excess federal properties. The size of a communities' homeless population, a communities' support for new efforts to assist area homeless, whether a building is appropriately sized and designed for transitional housing, and the record of an applicant for a new building are important considerations in making a final disposition of a federal building. When reviewing these and other criteria, it is clear that the application of the NLEC to acquire the excess federal courthouse in Cape Girardeau, while laudatory in intent, should be rejected.

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Cape Girardeau and the surrounding area have a relatively small homeless population, in part due to the outstanding work of local agencies and nonprofits. The scope of the proposed project is not in proportion to the demand for services. It would be inappropriate to use the 47,000 square foot building the NLEC seeks to acquire in Cape Girardeau for the very small and relatively well served homeless population in the area. Finally, while community and elected leaders are unified in their efforts to assist those in need of transitional housing, there is an equally unified view that the project proposed by the NLEC is not the appropriate mechanism for addressing any perceived unmet needs in the Cape Girardeau community.

I will continue working with the Missouri Congressional delegation to prevent this building from being used for this purpose and I strongly urge your agency to carefully review the NLEC application and ultimately reject it.

Sincerely,

A handwritten signature in blue ink that reads "Claire McCaskill". The signature is fluid and cursive, with the first name "Claire" starting with a large loop and the last name "McCaskill" ending with a double loop.

CLAIRE MCCASKILL
United States Senator