

The Board of Supervisors

County Administration Building
1025 Escobar St., 4th floor
Martinez, California 94553

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Contra Costa County



Monica Nino
Clerk of the Board
and
County Administrator
(925) 655-2075

November 10, 2025

Senator Alex Padilla
331 Hart Senate Office Building
Washington, DC 20515

RE: Support Funding and Stability in the Continuum of Care (CoC) and CoC Builds Programs

Dear Senator Padilla:

As Chair of the Board of Supervisors of Contra Costa County, I write to express deep concern regarding anticipated changes to the U.S. Department of Housing and Urban Development's (HUD) FY2025 Continuum of Care (CoC) Program Notice of Funding Opportunity (NOFO). We urge your continued support for the language currently included in the FY2026 Transportation and HUD appropriations bill, which will help preserve the CoC program.

This funding directly supports communities with housing needs, rental assistance, and dedicated beds for veterans. These resources form the backbone of many communities' coordinated efforts to end homelessness and keep families safely housed. Changes proposed by the Administration would severely disrupt our local homelessness response system and jeopardize housing stability for hundreds of vulnerable residents in Contra Costa County.

Recently, the Administration changed the process for the CoC Builds program partway through the process, which would have resulted in a loss in funding of \$22 million to Contra Costa County's CoC. These proposals are currently being litigated and a temporary restraining order is in effect, acknowledging concerns related to this process. If a fair, equitable, and evidence-based framework is not restored to the CoC Builds NOFO process, our CoC will lose funding needed to keep people housed in our community. Even more concerning, these harmful proposals foreshadow other changes anticipated to the broader CoC program in the President's FY2026 budget, which may apply to future CoC funding opportunities.

Flexibility in using this funding for evidence-based practices and permanent housing projects is necessary to find stable, long-term solutions to homelessness. In Contra Costa County, we use the majority of our funding for permanent housing. If a cap were to be implemented, it could eliminate housing assistance for more than 700 individuals and put more than \$10 million in annual funding at risk. Evidence-based practices have helped us achieve a 26% reduction in homelessness in Contra Costa County from 2024 to 2025, and we need ongoing funding to continue this progress.

For these reasons, we request your assistance to help ensure continuation of the CoC program through competitive grant process, as provided for in the draft FY2026 Transportation and HUD appropriations bills. We would like to ensure that the Section 166 language included in the draft

appropriations bill is also included in any continuing resolution or FY2026 funding package. We are grateful for your past support for the CoC program and greatly appreciate your engagement on this issue.

Sincerely,



CANDACE ANDERSEN

Chair, Board of Supervisors

cc: Contra Costa County Congressional Delegation
Honorable Members, Contra Costa County Board of Supervisors
Monica Nino, County Administrator
Dr. Grant Colfax, CEO of Contra Costa Health Services
Jim Davenport & Paul Schlesinger, Thorn Run Partners

Encl. 1. Factsheet: CoC Builds NOFO Analysis

2. Link to the National Alliance to End Homelessness: Visualizing the Impacts of the President's Budget:
[Visualizing the Impacts of the President's FY2026 Budget: Returns to Homelessness and Major Setbacks Could Be Ahead - National Alliance to End Homelessness](#)

CoC Builds NOFO

EXCLUSIONARY CRITERION ANALYSIS

There is a great need for Permanent Supportive Housing for older adults and people with disabilities, and the Alliance knows that many applicants are considering how they may respond to this funding opportunity. As CoCs think about applying, they should read the criteria carefully to ensure that they are comfortable with the program design and standards they will be held to by HUD, as outlined in the NOFO.

It is unclear how HUD will apply the criteria because they are not clearly defined. However, the Administration has published lists of jurisdictions it deems to impede enforcement of federal immigration law and not to have substantially implemented SORNA. Those lists suggest that HUD will likely deem the below states not to sufficiently meet the immigration and SORNA-related criteria.

This analysis is for informational purposes only. Applicants should review the cited sources and consult additional state or local references for complete information.

Legend

- ✓ Likely meets the criteria
- ✗ Likely does **not** meet the criteria

States and Territories	# of CoCs in State <small>Source (NAEH, HUD)</small>	SORNA Jurisdiction Criterion <small>(Source)</small> <small>(Does NOT Substantially Implement and Comply with SORNA)</small>	Immigration Enforcement Jurisdiction Criterion <small>(Source)</small> <small>(DOJ-Identified Sanctuary City/County/State)</small>
Alabama	9	✓	✓
Alaska	2	✗	✓
Arizona	3	✗	✓
Arkansas	5	✗	✓
California	44	✗	✗
Colorado	4	✓	✗
Connecticut	2	✗	✗
Delaware	1	✓	✗
Florida	27	✓	✓
Georgia	9	✗	✓
Hawaii	2	✗	✓
Idaho	2	✗	✓
Illinois	19	✗	✗
Indiana	2	✗	✓
Iowa	3	✗	✓
Kansas	4	✓	✓
Kentucky	3	✗	✓
Louisiana	7	✓	✓
Maine	1	✗	✓
Maryland	10	✓	✓

States and Territories	# of CoCs in State	SORNA Jurisdiction Criterion <small>(Source)</small>	Immigration Enforcement Jurisdiction Criterion <small>(Source)</small>
	Source (NAEH , HUD)	<i>(Does NOT Substantially Implement and Comply with SORNA)</i>	<i>(DOJ-Identified Sanctuary City/County/State)</i>
Massachusetts	11	✗	✓
Michigan	20	✓	✓
Minnesota	10	✗	✗
Mississippi	3	✓	✓
Missouri	8	✓	✓
Montana	1	✗	✓
Nebraska	3	✗	✓
Nevada	3	✓	✗
New Hampshire	3	✗	✓
New Jersey	16	✗	✓
New Mexico	2	✗	✓
New York	24	✗	✗
North Carolina	12	✗	✓
North Dakota	1	✗	✓
Ohio	9	✓	✓
Oklahoma	8	✓	✓
Oregon	8	✗	✗
Pennsylvania	16	✗	✓
Rhode Island	1	✗	✗
South Carolina	4	✓	✓
South Dakota	1	✓	✓
Tennessee	10	✓	✓
Texas	11	✗	✓
Utah	3	✗	✓
Vermont	2	✗	✓
Virginia	16	✓	✓
Washington	6	✗	✓
West Virginia	4	✗	✓
Wisconsin	4	✗	✓
Wyoming	1	✓	✓
American Samoa	1	✓	✓
Commonwealth of the Northern Mariana Islands	1	✓	✓
District of Columbia	1	✓	✗
Guam	1	✓	✓
Puerto Rico	1	✗	✓
USVI	1	✓	✓
Total	386		

Based upon further analysis, an applicant must attest that it "does not and will not deny the sex binary in humans or promote the notion that sex is a chosen or mutable characteristic" independent of territory, state or local laws. The sex binary criterion in the NOFO also conflicts with federal discrimination laws. Further, based on publicly available information, the following states or territories include transgender and/or gender identity as a protected class against discrimination.

This analysis is for informational purposes only. Applicants should review the cited sources and consult additional state or local references for complete information.

Legend

- ✓ Likely meets the criteria
- ✗ Likely does **not** meet the criteria

States and Territories	# of CoCs in State Source (NAEH , HUD)	Sex Binary Criterion (Source) (States or Territories Who Define Transgender or Gender Identity as Part of State-Level Protected Class Discrimination)
Alabama	9	✓
Alaska	2	✓
Arizona	3	✓
Arkansas	5	✓
California	44	✗
Colorado	4	✗
Connecticut	2	✗
Delaware	1	✗
Florida	27	✓
Georgia	9	✓
Hawaii	2	✗
Idaho	2	✓
Illinois	19	✗
Indiana	2	✓
Iowa	3	✗
Kansas	4	✓
Kentucky	3	✓
Louisiana	7	✓
Maine	1	✗
Maryland	10	✗
Massachusetts	11	✗
Michigan	20	✗
Minnesota	10	✗
Mississippi	3	✓
Missouri	8	✓
Montana	1	✓
Nebraska	3	✓
Nevada	3	✗
New Hampshire	3	✗
New Jersey	16	✗
New Mexico	2	✗

States and Territories	# of CoCs in State	Sex Binary Criterion
	Source (NAEH , HUD)	(Source) (States or Territories Who Define Transgender or Gender Identity as Part of State-Level Protected Class Discrimination)
New York	24	✗
North Carolina	12	✓
North Dakota	1	✓
Ohio	9	✓
Oklahoma	8	✓
Oregon	8	✗
Pennsylvania	16	✗
Rhode Island	1	✓
South Carolina	4	✓
South Dakota	1	✓
Tennessee	10	✓
Texas	11	✓
Utah	3	✗
Vermont	2	✗
Virginia	16	✗
Washington	6	✗
West Virginia	4	✓
Wisconsin	4	✓
Wyoming	1	✓
American Samoa	1	✓
Commonwealth of the Northern Mariana Islands	1	✗
District of Columbia	1	✗
Guam	1	✓
Puerto Rico	1	✓
USVI	1	✗
Total	386	