

**Earned Income Tax Credit
Increasing Participation Working Group
Summary of Recommendations and Findings
May 11, 2020**

A work group met from late 2019 through May 2020 to look at the persistent problem of Oregon's Earned Income Participation rates remaining stubbornly low, at about 75% of those eligible for the EITC claiming the tax credit. A roster of group participants is attached for reference, though not all participants have endorsed these findings.

This document summarizes our recommendations to the Governor's office, to state agencies, and to state legislators. It also attempts to summarize what we learned in the course of our exploration and research.

Introduction

One in four Oregonians eligible to claim the federal Earned Income Tax Credit does not claim it. This means low income Oregonians miss out on cash they are entitled to and need, and Oregon's communities miss out on a federal cash infusion of as much as \$127 million (1). While we've known this for a number of years, we now have growing evidence that will better guide our strategies to address participation. New research, and a broader conversation with on-the-ground experts, gives us a path forward that promises to improve our odds of success.

Oregon's system to support taxpayers with low incomes to file income taxes and claim tax credits including the federal Earned Income Tax Credit and state Earned Income Credit is insufficient to support participation by the lowest income taxpayers. The current system is oversubscribed by 7 to 1, runs almost entirely on the work of volunteers, and is largely only functional for a part of each year. While we know that language and geography are major barriers to tax filing, the volunteer based system is geographically limited and primarily offered in English. (Please see the map and description of the current system developed by the workgroup, and the list of barriers that tax filers and volunteers face.)

COVID-19 has dramatically exposed the vulnerability of a system built around volunteers. The volunteer run system has been totally shut down for the past nine weeks. This means we've lost about 97% of our capacity to offer support to filers needing help to file their tax return for free. This shutdown occurs just as the federal economic stimulus payments are being issued in a way that preferences tax filers. Only those who have filed taxes in 2018 or 2019 or receive Social Security or Railroad Worker benefits are receiving an automatic stimulus payment.

Pre-COVID 19, the free tax prep support system reached and served about 45,000 taxpayers each year. We know from Department of Revenue estimates that about 85,000 additional taxpayers do not file tax returns, often because their incomes are low enough that they are not required to. To build a system that will fully and adequately serve current loads plus even a

portion of these non-filing taxpayers with low incomes will require new resources, new strategies, and creativity.

Recommendations:

We recommend that the Legislature provide resources through the Department of Human Services to develop a year-round, comprehensive approach that will increase EITC participation. Resources in the 2021-2023 biennium should support a range of partners, strategies, and approaches, and gather metrics on impact. Those metrics should be used to help design additional and ongoing investments for future biennia.

We recommend that these resources support four interlinked strategies, listed below, which are discussed in more detail in the workgroup's Solutions Matrix document.

DHS should:

- Fund culturally specific/ competent organizations to provide tax filer support in languages other than English, by trusted partners, and at trusted community hubs. Tax filer support could take several forms:
 - “Tax navigation” services to help community members prepare to file taxes and identify and access a tax prep solution that works for them.
 - Hosting Facilitated Self Assistance tax sites, where clients are offered some guidance and forms, and provided with computers to prepare their own taxes.
 - Free tax preparation services provided in the community by community based staff and volunteers, possibly available year around. This could be supplemented by a centralized call center staffed by paid staff and volunteers.
- Fund statewide staffing to professionalize volunteer recruitment and training efforts, and provide administrative support to the network of volunteers. This could include funds for a statewide call center which would connect tax filers with trained volunteers.
- Develop and maintain a comprehensive and streamlined online training for volunteer tax preparers.
- Implement “Tax Navigation” training and support for agencies in Oregon. “Tax navigation” empowers case workers and others with direct consumer/client support roles to direct taxpayers towards tax filing support. Tax navigation has been piloted by CASH with DHS and with several non-profit partners.

In addition, the Department of Revenue should act to formalize functions that support Oregonians with low incomes. While the DOR has done work over the years on increasing EITC take up, and has an internal system to address taxpayer issues and concerns, we recommend that they look at the possibility of creating a Taxpayer Advocate position within DOR.

We believe that these actions, taken together, will build a foundation for success and provide us the opportunity to pilot new approaches which will help us reach and serve those who most need the resources of the EITC and other tax credits.

Findings:

Oregon's EITC claim rate remains persistently low.

Over time, in spite of various communications and outreach efforts, Oregon's EITC claim rate remains among the lowest in the country, with about one in four of eligible Oregonians not claiming the EITC. This percentage has varied only slightly over the past ten years. (2)

Our target audience is Oregonians who do not file taxes.

Most people who file taxes and are eligible for the EITC do claim it, according to analysis done by the Oregon Department of Revenue. They estimate, based on their analysis of tax returns, that only about 2,000 people who filed their Oregon income tax did not claim the EITC who could have been eligible. That's less than 2% of the estimated 85,000 Oregonians who don't claim the EITC. (3).

People who do not file taxes primarily are people with extremely low incomes who are not required to file. This group may also include people who have had tax issues in the past and are overwhelmed by the complexity of going back in time to file for past years.

Oregonians who do not file face a variety of barriers

Barriers noted by the workgroup (see the system description document for more information on barriers) as especially important include:

- Language barriers
- Trust in the system, fear of taxes
- Geographic barriers for access to tax prep sites
- Lack of computer fluency, math fluency
- Complex tax situations, history of tax issues or audits
- Personal situations making documentation hard to gather

Information campaigns – even very good ones -- are not effective at increasing filing

The California Policy Lab released a research report in January 2020 that shared the results of various controlled experiments conducted in cooperation with the state's taxing authority, the Franchise Tax Board. Together, those well designed and well targeted outreach efforts reached over two million people, and were found to have no demonstrable effect on tax filing or EITC

claiming, as measured by a review of the tax returns of the people reached by the outreach efforts (4).

A recent paper by Jacob Goldin offers an explanation of this. He suggests that we – advocates and government – consistently treat the lack of take-up of the EITC as an informational challenge, when in fact it is a *computational challenge*. What people need is tax filing assistance – either online or in person -- rather than information about the availability of tax credits. (5)

Tax filing assistance for Oregonians with low incomes relies overly heavily on volunteers and is inadequate to meet demands. During the COVID-19 pandemic, the volunteer-based parts of the system have largely collapsed. The system is also largely a part-time system, gearing up for tax season and then shutting down.

The system to provide tax preparation support and assistance to taxpayers is outlined in the attached “system map” and “system description” documents. Tax prep assistance in Oregon has been primarily (97% of all free returns filed) offered through the AARP Foundation Tax Aide sites. These sites are located all over Oregon, but do not reach much beyond the Willamette Valley except for a site in Central Oregon. While Oregon’s AARP network is one of the strongest and highest performing in the country, it is nevertheless woefully inadequate to meet demand.

In addition to the AARP system, there are five tax prep sites in Oregon that are supported through the federal VITA program. This includes the site operated by El Programa Hispano Catolico. In addition, there are three Low Income Taxpayer Clinics (LITCs), one at Lewis and Clark, one at Oregon Legal Services, and one at El Programa Hispano Catolico. The LITCs operate year round.

CASH Oregon (now a part of Metropolitan Family Services) is based in the Portland metro area, and is supported by local government resources, philanthropy, and some state government contracts. CASH provides critical support to both of the volunteer based networks and runs two year round “super-sites”. CASH/MFS are now working to create a centralized call center to replace the physical sites closed by COVID-19.

The volunteer based tax prep system is insufficient to meet demand. Building capacity is limited by multiple barriers

Barriers identified by the workgroup (and described in more detail in the “system description” document) as especially important include:

- The training and time commitment for volunteers is extensive. Training is 40 to 50 hours and requires successfully completing testing of comprehension and accuracy. Training must be done for every new tax year.
- Volunteers with ample time and ability to support taxpayers are hard to identify, especially volunteers with a variety of language skills and cultural competence.

- Physical locations for tax sites are needed, with good internet capacity and internet security. Need computers, supplies, desks, phones.
- A year-round presence is needed. It's hard to gear up every year for tax season.

Please see the attached documents for more detail on these recommendations and findings.

- Solutions Matrix
- System Map
- System Description
- Workgroup Roster

Notes:

1. Oregon Center for Public Policy issue brief: Low EITC Participation Costs Oregon Dearly January 2020
2. Ibid.
3. Discussion with Deanna Mack and Ken Ross of the Oregon Department of Revenue, Governor's EITC Workgroup meeting, Nov. 21, 2020.
4. "Increasing Take-up of the Earned Income Tax Credit". January 2020. California Policy Lab. Retrieved 4-6-2020 at <https://www.capolicylab.org/increasing-take-up-of-the-earned-income-tax-credit/> (page 3 and 4 for findings and recommendations, page 7 for details on lack of impacts)
5. "Tax Benefit Complexity and Take-up: lessons from the Earned Income Tax Credit", Jacob Goldin. Retrieved 4-23-2020 at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3101160. And, "Increasing EITC Takeup in the Age of Turbotax" blog post by Kathleen DeLaney Thomas Feb 15, 2019.

Solution	Description	Impact	Cost	Barriers	Case Studies and Examples	Other Considerations
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<p>Support to culturally specific/ competent organizations to provide tax filer support in languages other than English, by trusted partners, and at trusted community hubs.</p>	<ul style="list-style-type: none"> Grant/contract program to support staffing that provides on ground tax support around the state at locations where EITC taxpayers are likely Alternate models with scale of grant varying dependent on size of project Potential models not limited to: <ol style="list-style-type: none"> Hosting + Recruiting + Training tax prep volunteers Hosting “Supersites” Hosting FSA (Facilitated Self Assistance) tax sites Provide Tax Navigation training to relevant populations 	<ul style="list-style-type: none"> Provide reputable + reliable + relevant outlets for free tax preparation & build EITC awareness in communities most likely to be eligible for EITC Initial pilot to be 3-5 (?) organizations around the state Key data to monitor: amount of EITC accessed, amount of taxpayers served, % of taxpayers receiving EITC Work to gather data on race and ethnicity of people served; language needs; and income levels. (This will require voluntary reporting, as IRS does not capture this data.) 	<p>Need cost estimates. We know this needs to be a full year effort.</p>	<p>Organizations have limited capacity, especially in time for training and staff time, to engage in tax outreach.</p>	<ul style="list-style-type: none"> Warm Springs CAT MFS NWU NAYA IRCO 	<ul style="list-style-type: none"> How to determine which geographic/ demographic area in Oregon has most EITC filers where this on the ground service is most relevant? <ol style="list-style-type: none"> Low income (Max 56k) Has children (up to 19 or 24 if FT student) dependents living with them TP Age range 25-65.
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<p>Fund statewide staffing to professionalize volunteer recruitment and training efforts. Fund centralized call center.</p>	<ul style="list-style-type: none"> Staffing dedicated to statewide efforts on volunteer recruitment. Including digital + physical marketing campaigns + networking with public & private sector Staffing dedicated to statewide efforts on volunteer training. Including development and implementation of online trainings. Staffing additionally used to help support and professionalize in person trainings around the state. Assist with administrative needs of Volunteer Coordinators Assist in development of Supersites and FSA sites 	<ul style="list-style-type: none"> Ensure volunteer opportunity is more visible, understood, & accessible across Oregon to expand volunteer pool Develop and build on relations with private, public, university, & nonprofit sectors to build volunteerism Simplify and streamline application + training processes to improve training dropout rate Relieve administrative responsibilities of volunteer leadership positions to make volunteer sites easier to setup for volunteers 	<p>Positions for at least:</p> <ul style="list-style-type: none"> 1 Statewide Volunteer Recruitment Manager -- @ about \$75K per year 3 Statewide Volunteer Recruitment Coordinator – at about \$55K per year 1 Education software developer --- at 		<p>Successful examples include Portland, Beaverton, Bend. Sites that have not been as successful include Eugene and Salem.</p>	
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Solution	Description	Impact	Cost	Barriers	Case Studies and Examples	Other Considerations
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			<p>about \$80K per year</p> <ul style="list-style-type: none"> • 1 Database specialist – at about \$50K per year • 1 Tax Navigation Specialist – at about \$55K per year 			
<p>Develop comprehensive and streamlined online training for volunteer tax preparers</p>	<p>Will ease in person training demand which currently relies on volunteer trainers and finding physical locations which is difficult in rural areas</p> <p>System will also track volunteer's progress with learning material and passing required tests, easing the administrative load on volunteer coordinators.</p>	<p>Online training will make volunteer opportunity more accessible to individuals. Especially people working, students, and rural communities. Online classes will remove calendar restrictions of in person trainings.</p> <p>Online training will standardize and improve quality of training</p> <p>Online training will ease administrative needs for volunteer leadership. Currently volunteer leadership have to find free space, organize and communicate with new volunteers, and identify and train volunteer trainers.</p> <p>Online training will track and encourage volunteers progress through training which can then be shared with volunteer leadership. People could potentially train at various times through the season, and training could be staggered (people still need to certify for each tax year).</p>	<p>Cost of developing and maintaining an education website. Will need website specialist</p>	<p>Federal and Oregon Tax code changes every year. This website will need to be updated every year.</p>	<p>Link and Learn, Blackboard</p> <p>MFS CASH Oregon has developed surveys for Volunteer Tax Preparers that can be utilized around the state to identify barriers</p>	

Solution	Description	Impact	Cost	Barriers	Case Studies and Examples	Other Considerations
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Develop and implement “Tax Navigation” training and support for agencies in Oregon

- Move beyond information and referral towards a system of "tax navigators."
- Build understanding and raise comfort levels for agencies (Private employers, Public + Nonprofit agencies engaged with modest income households, Universities, & more) around tax preparation basics. Focusing on common barriers to tax preparation, tax credits, free tax prep options.
- Facilitated by trainings on Tax Navigation with interested parties

Increased communication & education for all agencies on how to refer and interact with EITC eligible individuals

Special emphasis on common barriers that non-filers face, education on tax credits, and where folks can receive more in depth assistance (Volunteer tax sites + Free File)

Cost will be staffing of Tax Navigation Specialist who can facilitate these trainings across agencies in Oregon consistently.

Organizations have limited capacity, especially in time for training and staff time, to engage in tax outreach.

MFS has built a "Tax Navigation" toolkit. DHS is piloting the use of tax navigators during the summer at DHS locations.

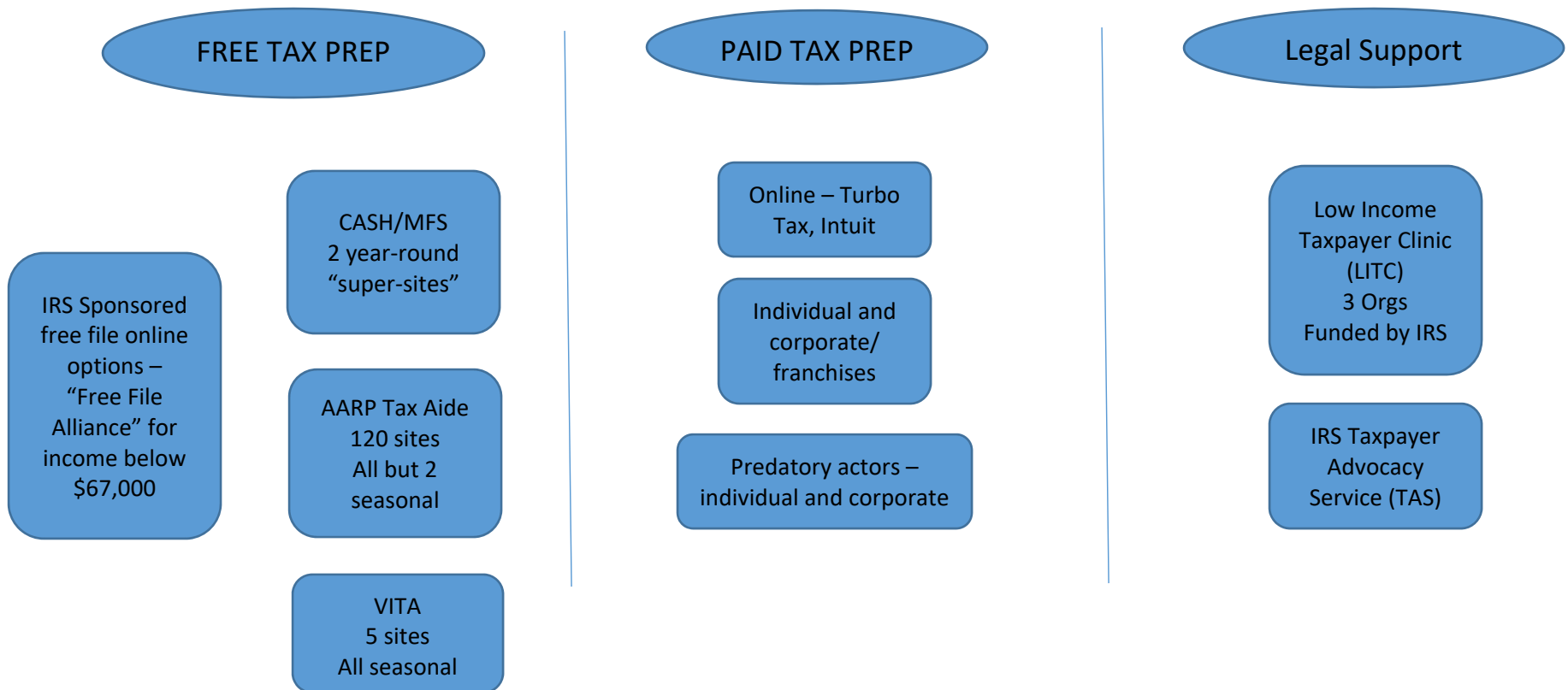
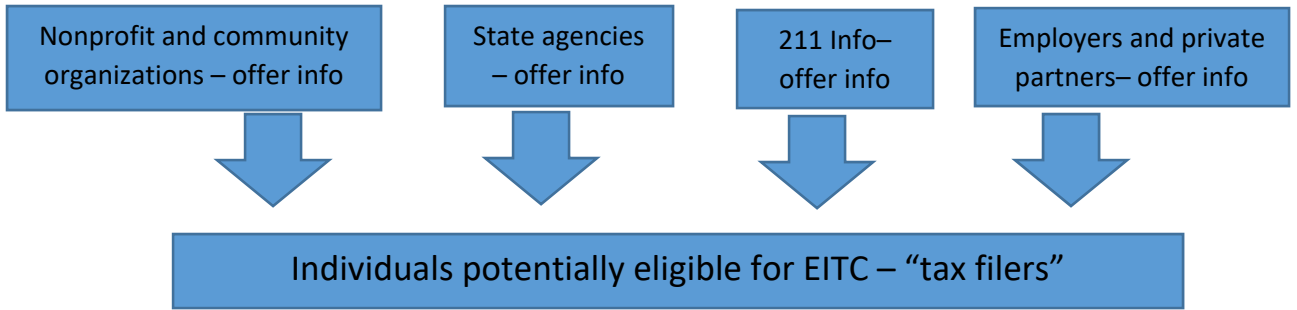
MFS CASH Oregon has developed surveys for taxpayers to continually identify common barriers for tax preparers.

MFS CASH Oregon has developed a survey for DHS workers in assessing awareness & behavioral tendencies around EITC with their clients.

Create Taxpayer Advocate position within DOR

- Taxpayer Advocate at the state level would be both responsive to complaints or concerns raised by taxpayers and could be proactive in addressing patterns of concern
- Taxpayer Advocate would be able to address Oregon-specific concerns, to raise concerns of underserved communities, elevating ongoing barriers and issues.

In 2011, the Fiscal Impact Statement for HB 2636 estimated that the biennial cost for a similar position would be \$235,000.



EITC Increasing Participation Workgroup
Description of tax filer support system
May 6, 2020

Introduction

Efforts to increase participation in the Earned Income Tax Credit in Oregon will be most effective if we look first at the systems we have in place to support Oregonians with low incomes to file their income taxes. Historically, Oregon has invested minimal state resource into direct support for tax filers.

Our workgroup spent some time mapping the current system for offering support for tax filers in an effort to better understand where we might be missing the mark, what barriers exist for tax filers, and what the limits are on the system.

The highlights: the bulk of resources are provided through federal networks, and the overwhelming majority of the work relies on a network of volunteers. The COVID-19 pandemic glaringly illustrated the weaknesses of a system that relies so heavily on volunteers, as the system capacity largely evaporated overnight as the state followed stay at home guidelines.

☐ Federally supported tax prep networks and resources:

Federal resources flow through IRS to networks for tax filer support. There are two branches of Volunteer Tax Preparation services that the IRS sponsors, VITA (Volunteer Income Tax Assistance) and TCE (Tax Counseling for the Elderly). These are administered through the IRS by their Stakeholder Partnerships, Education and Communication (SPEC) division.

- **TCE- AARP Tax Aide**

Administered by AARP Tax Aide Foundation which is a not for profit branch of AARP. The organization has a small employee base in Washington DC who oversees the volunteer database, produces national training curriculum, and has an equipment & supplies system for most things Volunteer Tax Sites will need. Administrative, programmatic, and relationship responsibilities are left to a

dedicated volunteer base. Their target market for these services are low to middle income households with an emphasis on seniors who are often subject to predatory practices. In Oregon the sites have no income restriction.

AARP is responsible for about 97% of the free tax returns filed in Oregon. They create about 120 sites across Oregon. The Oregon network is the 4th highest performing AARP network in the country. In 2018 they did 45,000 federal returns, helped filers claim \$48.5 M in refunds, including \$11.8 M in EITC.

AARP Tax Aide mandates that all of their volunteer preparers pass the “Advanced” exam which enables them to assist slightly more complicated returns including simple schedule C tax returns. AARP Tax Aide Foundation with support of SPEC provides their own computers.

- **VITA – Volunteer Income Tax Assistance**

VITA works directly under SPEC. VITA programs are nonprofit organizations that receive a federal grant – which must be matched 1:1 with local funds-- to facilitate free tax preparation in their respective community. They are typically administered and organized by employees and then have Volunteer Tax Preparers doing the tax preparation work. VITA currently creates around 3% of the volunteer tax preparation in Oregon and only has a few sites operating.

VITA rules allow for volunteers to do a “Basic” or “Advanced” level of certification which means they focus more directly on simple tax returns. Generally, VITA sites have an income limit of \$55,000 and below.

VITA sites rely on the IRS for equipment and computers that are typically used devices.

VITA sites in Oregon currently include El Programa Hispano Catolico.

Standards and expectations

Accuracy is emphasized at both the AARP sites and VITA sites. New Tax Preparation volunteers are supervised and mentored. Volunteers must attend in person classes and complete practice returns. “Certified” tax preparers pass a standard IRS test. At least two people work on each return -- one person

prepares, one reviews. Both branches of volunteer tax preparation serve predominately low income (Average income Below \$30,000) individuals that vary by geography and community.

Federal resources also support legal services and taxpayer advocacy on federal issues.

LITC -- Low Income Tax Clinics

Currently Oregon has three LITC sites. El Programa Hispana, Lewis and Clark Law School, and Legal Aid Services of Oregon. These clinics provide legal support to tax filers with audits, debt mitigation, disputes. The Earned Income Tax Credit and Child Tax Credit are heavily audited and disputed by the IRS due to the complexity of the credits. Having free legal resources available to low to middle income taxpayers is an important resource.

TAS – Taxpayer Advocacy Service

Is an independent branch of the IRS that assists taxpayers in their discussion with the IRS. A part of their function is to document and report to the IRS and congress common issues/complaints taxpayers are experiencing with the federal tax code. The TAS is often a resource to the Low Income Tax Clinics for issues with federal returns.

☐ Privately and locally funded taxpayer support services

CASH Oregon (now a part of Metropolitan Family Services)

CASH works to expand EITC in the state of Oregon. It does so in part by supporting the organization and functioning of the AARP and VITA network for Oregon - especially with the Portland metro area's more than 50 volunteer sites. Additionally, CASH Oregon actively promotes access to Free File products to the community. CASH supported about 18,000 of the free tax returns filed in Oregon in 2019.

CASH Oregon uses staff time to reduce barriers experienced by volunteer tax preparation sites like administrative, organizational, recruitment, organizing, & training.

Additionally, CASH Oregon has partnered with the City of Portland and Beaverton to create 2 “Super Sites” which provide front end staff, interpreters, & Local Coordinator staffing to enable sites that are open 5 or 6 days a week during the tax season. Additionally, CASH hosts two year round volunteer tax sites in Oregon. The supersites bring in economic empowerment activities to further benefit clientele.

❑ **FREE FILE ALLIANCE (online)**

The IRS has negotiated with online tax preparers that if they make tax prep available for free to taxpayers with incomes below \$67,000, the IRS will not develop a competing platform.

Abuses reported in 2019 in which the software platforms made it challenging to file for free by offering paid options or diverting taxpayers from the free file site seem to have been addressed. However, it’s important that consumers know how to access free file and get help if they have questions or difficulties. Free file online requires ability to navigate the website and access to the internet.

Free file is available to taxpayers with incomes below \$67,000, and allows free filing of federal returns in partnership with major tax software providers. Free file is only available for current year taxes and in English only.

Barriers for tax filers

1. There is limited availability of free tax prep

- Existing sites have limited appointments and availability, and there are geographic gaps. (There are very limited sites in Eastern Oregon – None in Ontario, Baker City, Lakeview for example)

2. Trust is limited, and consumers are fearful

- Many taxpayers with very low incomes have limited trust in the system, many generally fear the idea of taxes and of making a tax error, consumers are trained to have fear of scams

3. Most available free tax prep is in English

- There is significant lack of access in all parts of the state for people needing support in languages other than English.

4. Taxes are complex, and require computational skill

- The tax code is complex, confusing, and intimidating with many “if then”, “but”, and “or” statements
- Paper tax forms are complex – requires intensive math and deep understanding of tax law

5. People get scared away or discouraged

- People with complex personal situations – small business income, many years not filing, lack of record keeping – may simply give up hope of getting things straightened out
- High rate of EITC audits means people may have had a bad experience
- Once behind on taxes many taxpayers opt to “Stay low” in order to not bring their situation into light.
- Once under garnishments (Often student loans) some taxpayers do not see reason to continue to file

6. Online systems require computer access and computer literacy

Barriers for expanding the free tax prep system

1. Volunteers. Oregon's free tax prep support system is almost entirely reliant on volunteer tax preparers.

- Need capable, reliable volunteers
- We need a lot more volunteer hours – right now, the system is oversubscribed 7 to 1
- Need diverse volunteers who speak languages other than English
- Need volunteers who look like the community (racial and ethnic diversity)
- Need to reduce administrative burden for volunteers, so that their time is spent more on tax prep
- Cannot hire staff to do tax prep for clients without losing volunteer liability after payment of \$500. Liability increases insurance costs.

2. Training – volunteers must be trained in tax prep, and re-trained every year. Training is followed by testing to ensure quality advice.

- Training is hard for volunteers to schedule. It is lengthy, and may be offered in large time blocks. Training is 40-50 hours in addition to volunteer service.
- Trainings are often led by volunteers who themselves have limited time and capacity, limiting their flexibility for scheduling. Volunteers may not be trained teachers.
- Trainings depend on the availability and schedule of whatever free facilities they can acquire. Paying for training space is often out of budget.
- Training for volunteers is mostly available in English.
- Few training components are available online. There is no Oregon income tax specific training available online.

3. Locations for free tax prep service are hard to find, especially rent-free locations.

- Locations are needed for every year, and locations change depending on what free space volunteers can acquire. Often can't use the same locations/ hours year after year. Locations need to be accessible, and also need really good internet and wi-fi.

4. Experience and evidence shows that we need a year round presence for free tax prep.

- A year round presence would improve tax filer support, increase visibility and community awareness, and provide for consistent staffing and institutional capacity.

5. Match funds requirement for the VITA program are 1:1.

- In order to qualify for federal funding through the VITA (Volunteer Income Tax Assistance) program, there is a 1:1 cash match requirement for local dollars to federal grant funds. Federal funds also cannot be used to pay salary (though they can be used to pay benefits)
- The lack of consistent resources for Oregon partners who would like to host VITA sites is a barrier.

6. IT security

- The sensitive nature of the data being transmitted means that there are concerns with remote locations, and the ability to provide supervision to tax preparers working from remote locations.

7. Equipment + Supplies

- Tax sites need computers, printers, shredders, projectors, pens, envelopes, staplers, markers, snacks and beverages for volunteers, etc... Some of these costs are often absorbed by volunteers, but some are not and some volunteers may be unable to absorb costs.

Supporting EITC Tax Filers Subcommittee
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