

Congress of the United States

Washington, DC 20515

November 17, 2005

Honorable Alphonso Jackson
Secretary
Department of Housing and Urban Development
451 7th Street, SW
Washington, DC 20410

Dear Mr. Secretary:

As members of the Congressional Hispanic Caucus, whose districts are comprised of significant Hispanic populations, we are writing to express our concern over the implementation of certain provisions in HUD's Limited English Proficient (LEP) guidance. We are aware that HUD will soon complete the draft guidance and would like to draw your attention to some ramifications that it could have for members of the Hispanic community and others with limited English proficiency.

On December 18, 2003, HUD issued its draft LEP guidance, in response to President Clinton's Executive Order 13111, "Improving Access to Services for Persons with Limited English Proficiency." We commend HUD for taking steps to ensure that those with limited English proficiency have the information and services they need and we are generally supportive of HUD's efforts to meet these needs. Providing meaningful access to services for those with limited knowledge or proficiency in English is of the utmost concern to us.

However, HUD's draft LEP guidance raises some areas of concern. For instance, it relies heavily on private sector actions, posing a significant financial burden on property owners. It also increases the likelihood that persons with limited English proficiency will receive poorly translated documents and confusing information.

HUD has previously undertaken a serious effort to provide a standard version of leases and documents in English. It is only fair for the same documents to be available in other languages. Yet, HUD's guidance provides no definitive list of documents that will be translated.

As a result, property owners and landlords bear most of the responsibility for translating documents. This policy raises serious questions about who will cover the costs and what the quality of information will be for those with limited English proficiency. Different translations could alter the meaning and quality of various documents, resulting in multiple and inconsistent versions. This practice will only lead to confusion among tenants, who will be held responsible for meeting the requirements of translations that they may not fully comprehend.

Again, we welcome the efforts that HUD is taking to improve services to those who are not proficient in English. However, it is essential that HUD consider the impact its actions will have on tenants across the country. In taking our concerns into account as you finalize the LEP guidance, we request that you provide a list of the documents that HUD will translate. If you have any questions or we can be of any assistance in this process, please feel free to contact us. Thank you for your consideration.

Sincerely,

Robert Hernandez

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