

May 25, 2010

Chairman Barney Frank  
House Financial Services Committee  
U.S. House of Representatives  
2252 Rayburn House Office Building  
Washington, DC 20515

Chairman Spencer Bachus  
House Financial Services Committee  
U.S. House of Representatives  
2246 Rayburn House Office Building  
Washington, DC 20515  
[warren.tryon@mail.house.gov](mailto:warren.tryon@mail.house.gov)

Dear Chairman Frank and Ranking Member Bachus,

We are writing to urge the Financial Services Committee to maintain the important housing mobility and choice elements in the Transforming Rental Assistance draft bill released by the Department of Housing and Urban Development (HUD) on May 12, 2010. We believe such provisions are necessary because of HUD's responsibility to affirmatively further fair housing and remove barriers to residential segregation.

Much of the publicity and comment concerning this bill has focused on the importance of retaining public ownership, protecting resident rights, and guaranteeing long term preservation of low income housing units. We strongly support these goals, along with the National Low Income Housing Coalition, the Housing Justice Network, and other housing advocacy groups. More specifically, we support the comments in the letter sent to Secretary Donovan by the Housing Justice Network on May 3, 2010 and the statement of the National Low Income Housing Coalition on May 19, 2010.

As fair housing advocates, we particularly recognize the importance of the mobility provisions of this program. They would give residents of public housing and other HUD assisted housing an opportunity to voluntarily move to new neighborhoods and communities without losing their housing subsidy and without jeopardizing the subsidy that would continue to be attached to the unit. This principle of fair housing choice is innovative, and should not be weakened or abandoned. Indeed, we believe that the housing mobility elements of the bill should be strengthened so that those families who do decide to move receive active mobility assistance to choose from a wider range of neighborhoods and schools. The May 3 Housing Justice Network letter attached hereto discusses these recommendations in more detail at pp. 14-17 and we urge your consideration of them.

Under the Fair Housing Act, the federal government, through all of the relevant programs of all of its agencies, must use its resources to take positive steps to break down the barriers of residential segregation and promote equal housing opportunity for all. The term used in the Act is "affirmatively furthering fair housing," as set out in Section 808(d) of the Fair Housing Act:

All executive departments and agencies shall administer their programs and activities relating to housing and urban development (including any Federal agency having regulatory or supervisory authority over financial institutions) *in a manner affirmatively to further the purposes of this subchapter* and shall cooperate with the Secretary [of Housing and Urban Development] to further such purposes. (*emphasis added*)

It is critical that HUD programs prioritize this commitment. In plain language, “affirmatively furthering fair housing” includes eliminating discrimination as well as the proactive promotion of healthy neighborhoods and geographic opportunity for all people. In the context of public housing, this means both preserving existing public housing in improved neighborhoods, and giving low income families real choices. This new bill – if it can guarantee long-term public ownership and control – has the potential to do both.

Thank you for the opportunity to share these views with the Committee. We firmly believe that the housing, mobility and choice elements of the Transforming Rental Assistance bill are central to ensuring equal housing opportunities for all. Should you have additional questions, feel free to contact any of our respective organizations. Thank you!

Sincerely,

/s/ Tanya Clay House

Tanya Clay House, Director of Public Policy  
Joseph D. Rich, Director for Fair Housing Project  
Lawyers’ Committee for Civil Rights under Law  
1401 New York Ave. NW, Suite 400  
Washington DC 20005  
[jrich@lawyerscommittee.org](mailto:jrich@lawyerscommittee.org)

Philip Tegeler  
President/Executive Director  
Poverty & Race Research Action Council  
Washington, DC

Shanna Smith  
President & CEO  
National Fair Housing Alliance  
Washington, DC