

NAHMA Achieves Breakthrough on LEP Implementation

AHMA-NCNH is pleased to share with you that yesterday afternoon NAHMA, our national organization, achieved a major breakthrough related to the implementation of LEP.

Here are the details:

House Financial Services Committee Chairman Barney Frank has committed to include language in the Section 8 Reform bill mandating that HUD translate vital documents (including standardized generic versions of key property specific documents), provide a 1-800 number for oral interpretation needs, and authorize appropriations to do so. These actions are essentially the key changes to LEP implementation NAHMA proposed in our LEP Improvement bill!

In attendance were Chairman Frank, Senator Bob Menendez (D-NJ), Housing and Community Opportunity Subcommittee Chair Maxine Waters (D-CA), Congressional Hispanic Caucus Chair Rep. Joe Baca (D-CA), Assistant Secretary for Fair Housing and Equal Opportunity Kim Kendrick, congressional and HUD staff, industry representatives and civil rights advocacy group representatives.

Chairman Frank opened the meeting by saying there are two key principles to satisfy: ensuring LEP people receive language services and maximizing the number of people willing to participate in Section 8. Members should also be aware that Chairman Frank said in no uncertain terms that the Democratic controlled Congress was not going to repeal the Executive Order [13166] or the guidance itself, but that the important thing was to make the guidance work effectively. The Chairman believes LEP is a civil right, but he said he is concerned about using federal resources efficiently and noted that owners are not jumping to participate in Section 8. In his opinion, it is HUD's responsibility to provide the translations. He said although HUD may not be able to translate every property-specific document and this may fall to owners in some cases, he made it clear that where it is possible for HUD to standardize and translate it is in the best interest of all involved to do so.

Senator Bob Menendez eloquently explained the reasons for his strong feeling that producing the translations is HUD's responsibility. The Senator noted in his 33 years of public service from local to federal office, he has used translated materials. Menendez said there are always variations in those translations. He argued that it is wiser in terms of cost-effectiveness and in fulfilling the intent of the guidance for HUD to provide a single standard translation of vital documents than to have multiple versions with different meanings. The Senator also noted it was pointless to argue in litigation over this issue for years and having HUD take leadership in providing these services is a better use of time and money.

Rep. Baca agreed that HUD should provide translations, and raised the point that HUD should also provide a 1-800 hotline for interpretation services.

Assistant Secretary Kendrick said the translations and the hotline idea were cost issues for HUD. She also said some of the unofficial vital documents are state documents. Chairman Frank said he would work with the appropriators to provide the money. He also said the state agencies and foundations could be brought into this discussion as well.

In terms of next steps, Chairman Frank asked for:

- A list of unofficial property-specific vital documents that HUD should standardize & translate to be provided by the industry
- The list of recommended standardized translations will be shared with the interested members of Congress & the advocacy groups;
- A budget estimate on cost of translations and the interpreter hotline to be provided by HUD;
- The Chairman will reach out to House Appropriations Subcommittee on Transportation and HUD Chairman John Olver (D-MA);
- Possibly a second meeting which includes the state agencies, and large foundations which could assist efforts with funding for any state documents.

As for NAHMA's next steps,

- Staff will circulate a list of our recommendations for unofficial vital documents for comment;
- We will confer with industry colleagues on our recommendations;
- Once consensus is reached on this point, we will forward our list (as requested by the Chairman) to the members of Congress in attendance today and the civil rights representatives;
- Alert other congressional offices which expressed interest in reaching a solution on this issue-most notably Rep. Gary Miller (R-CA)-to these developments & request their support for the Chairman's proposal;
- We will prepare new grassroots materials which will
- Alert NAHMA members to the recent developments;
- Urge those in the districts of Rep. Frank, Rep. Waters, Rep. Baca and Senator Menendez to thank them for their efforts on this issue;
- Urge all members of the Financial Services Committee to support this important language as part of the Section 8 reform legislation.