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2012 Magnolia Avenue  
Birmingham, Alabama 35294  
(205) 934-2718

July 29, 1988

The Honorable William W. Justice  
Post Office Box 330  
Tyler, Texas 75710

Dear Judge Justice:

In accordance with your order of March 3, 1988, I would like to report that the parties to Young v. Pierce are working cooperatively to implement your Interim Injunction and to complete additional necessary discovery.

The status report filed by the defendants recounts their efforts to comply with the Interim Injunction. I have met with the defendants on May 16 and July 27 to discuss their activities and have participated in their training sessions on June 14, 15, 20, and 21. I have also had several telephone conferences with counsel for plaintiffs concerning compliance with the injunction and discovery.

Because of misinformation concerning your injunction that generated some publicity, I sent the enclosed letter to the enclosed list of affected individuals. This was done with the permission of the Court and the parties.

We anticipate over the next several months to follow-up on the data collection effort to insure 100% compliance and to develop a computer data base for use by the parties. I hereby request permission from the Court to commence negotiations with individuals with computer and data entry expertise to assist me and the parties in selecting a suitable method for making the data available to the parties. If it appears that a successful arrangement can be reached, I will request authority from the Court to engage the appropriate personnel.

During the next several months we will also meet with various individuals who have gathered experience in dealing with problems similar to these in Young v. Pierce. Hopefully, these discussions will result in the development of a menu of measures that can be available for use. We then anticipate spending time in East Texas to attempt to learn how to apply specific solutions to specific problems.

Yours very truly,

*Francis E. McGovern/jh*  
Francis E. McGovern

FEM:sh

FRANCIS E. MCGOVERN  
2012 Magnolia Avenue  
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(205) 934-2718

July 8, 1988

Dear

There have been a number of inaccurate impressions circulating in East Texas concerning preferences for applicants to the HUD assisted and insured housing. This letter is intended to clarify any uncertainties you may have and to provide an opportunity to respond to your questions.

Congress passed legislation which HUD published as a final rule on January 15, 1988, directing that you and certain other housing providers give preferences to certain applicants eligible for assistance under certain housing programs. Applicants who are (1) involuntarily displaced, (2) living in substandard housing, or (3) spending more than 50% of their income on housing are to be given a preference over other applicants. This means that you must create a waiting list and give a preference to applicants who fit in these three congressionally mandated categories. You may rank the legislative preferences in whatever order you choose or you may give all of them equal weight.

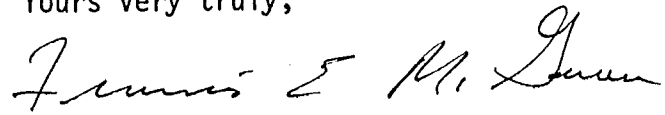
In addition to the legislative preferences passed by Congress, the U.S. District Court for the Eastern District of Texas ruled on an interim basis that class members in Young vs Pierce, CA# P-80-8-CA (E.D. Tex.) are to be given a preference equal to, but not greater than, the three legislative preferences. Class members are defined as black applicants for or residents of traditional low rent public housing in the thirty-six class action East Texas counties. This means that you must add class members as an additional preference to the legislative preferences. If you rank the legislative preferences in order, you must give class members a preference equal to the highest ranked preference. If you treat the legislative preferences equally, you must give class members a preference equal to the legislative preferences.

These preferences do not alter your normal applicant qualification process. Applicants must still meet the established criteria in order to qualify for housing. Once applicants have qualified, however, you must select them in accordance with the preferences. If more than one person has qualified and each has the same level of preference, selection should be made upon neutral criteria such as the date and time of the applications.

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I have been appointed as a Special Master to monitor the implementation of the Young vs Pierce interim measures and to recommend changes for the future. I hope to meet you or your manager in the near future to learn of your concerns and needs. If you have any questions regarding these preferences, please feel free to contact the HUD Desegregation Coordinating Office at (817) 885-5866 or me at (205) 934-2718.

Yours very truly,



Francis E. McGovern

FEM/kw