



The University of Alabama at Birmingham
School of Public Health
Lister Hill Center for Health Policy
Cable Address: UABPUBHLTH
205/934-2718

April 3, 1989

Rebecca Holtz, Esq.
Department of Housing and
Urban Development
451 7th Street S.W.
Room 10258
Washington, D.C. 20410

Dear Ms. Holtz:

During the last nine months you, or an attorney representing HUD, Mr. John Eubanks, and I have visited over 50 housing authorities in the 36 counties affected by Young v Pierce. We have also met with HUD officials in Washington and Fort Worth. All of these efforts have identified problems and generated suggestions concerning the amelioration of housing efforts in accordance with the Interim Injunction of March 3, 1988.

Although we have not had an opportunity to visit all the affected housing, these problems and suggestions seem to represent a broad range of situations that we will face during our continuing visits. The statement of these problems and suggestions is made in general terms to express generic approaches that may have more or less applicability depending upon the situation faced by each housing authority. If you would desire more detail concerning these areas, the HUD attorney accompanying me, John Eubanks or I will be able to assist you.

Although HUD is already aware of these problems and suggestions, the following list may be of some assistance to you in compiling the approaches that HUD may take to comply with current and future orders of the court. It is particularly important that the wide range of program administrators within HUD are integrated into our problem solving process. DCO and the attorneys assigned to this case cannot achieve the injunction objectives alone. I will do everything within

Rebecca Holtz, Esq.
Page Two
April 3, 1989

my power to insure that everyone at HUD - from the Secretary to the employees in the field - is aware of the injunction and the efforts necessary to comply with it.

Yours very truly,

A handwritten signature in cursive script that reads "Francis E. McGovern/jh". The signature is written in dark ink and is positioned above the typed name.

Francis E. McGovern

FEMcG/jb

Attachment

cc: Judge William Wayne Justice
Michael M. Daniel, Esq.
David M. Souders, Esq.

Problems

1. The use of merged waiting lists for housing authorities with traditional low-rent public housing and Section 8 or other supported housing creating the potential for the class preference to result in less desegregated housing.
2. The predominance of one race on waiting lists for traditional low-rent public housing creating the potential for less desegregated housing.
3. The requirement of universal housing authority reporting creating a dilution of efforts to accomplish the goals of the Court's orders.
4. The requirement of universal HUD review creating a dilution of efforts to accomplish goals of the Court's orders.
5. Lack of recent reasonableness in common geographical areas for Section 8 existing programs thereby undermining the goals of the Court's orders.
6. A lack of uniformity in the selection and approval of Section 8 existing programs creating the potential for defeating interim goals of the Court's order.
7. The absence of involvement of HUD officials responsible for funding through CDBG in meeting housing needs thereby creating impediments to correcting disparities in public housing and to achieving the goals of the Court's orders.
8. The absence of coordination among HUD officials, the Texas Departments of Commerce and Community Affairs, the cities, and the various councils of governments creating impediments to correcting disparities in public housing and to achieving the goals of the Court's orders.
9. The lack of coordination among HUD and other housing providers such as SIS programs in the State of Texas that results in the misallocation of resources, the creation of disparate racial treatment contrary to HUD requirements, and inefficient utilization of existing resources, all of which may inhibit compliance with the Court's orders.
10. The lack of coordination among city and county housing authorities in their use of housing resources thwarting opportunities for furthering the goals of the Court's orders.

11. The lack of coordination among HUD programs, between HUD offices, and within HUD offices thwarting opportunities for furthering the goals of the Court's orders.
12. Lack of coordination between housing authorities and other local governmental officials, such as justices of the peace and police, that would otherwise assist in furthering the goals of the Court's orders.
13. Noncompliance by housing entities with the reporting requirements of the Interim Injunction.
14. Noncompliance by housing entities with HUD regulations.
15. The uneven allocation and use of Section 8 certificates and vouchers in the 36 counties thereby creating impediments to compliance with the Court's orders.
16. The lack of cooperation of housing entities, such as 223 (f), with HUD in complying with the Court's orders.
17. The lack of resources for housing entities to comply with the Court's orders.
18. The lack of experienced and competent personnel in housing entities to comply with HUD regulations, the Interim Injunction, and the Court's orders.
19. Resistance within HUD and housing entities to compliance with the Court's orders.
20. The lack of encouragement for and the paucity of applications, and corresponding awards, from housing entities for additional funding such as for CIAP and for disparate housing that deter achieving the goals of the Court's orders.
21. The lack of training plans and the difficulty of adequate training of housing officials to effectuate compliance with the Court's orders.
22. The lack of applications for housing assistance from persons who could create more opportunities for desegregated housing.
23. The lack of counseling for applicants who could create more opportunities for desegregated housing.
24. The lack of Section 8 landlords who could create more opportunities for desegregated housing.

25. Failure of housing entities to take advantage of community resources to promote the goals of the Court's orders.
26. Lack of involvement of housing authority boards and mayors in achieving the goals of the Court's orders.
27. The mandatory six month waiting requirement for refusal to accept a unit creating inefficiencies where there are more vacancies than applicants.
28. Difficulty of ascertaining those individuals who are responsible for thwarting the Court's orders.
29. Inadequate decision-making in the allocation and location of resources that conflicts with the Court's orders.
30. Lack of effort to utilize and coordinate with housing in default to effectuate Injunction goals.
31. Slow response time to specific requests.
32. Inability to coordinate remedies across programs lines within HUD.

Suggestions

1. Use of officials from housing entities that have been successful in complying with the Court's orders to instruct other housing entities.
2. Use of officials to provide assistance to local housing entities in locating and counseling applicants and landlords that would achieve the goals of the Court's orders.
3. Creation of a joint effort among the various arms of HUD, local housing authorities, and developers to seek solutions to broad ranging problems that may create dynamic gains.
4. Development of a newsletter to disseminate helpful and accurate information to the affected parties.
5. Establishment of application fairs or drives to locate applicants who would further the Court's orders.
6. Invitations to attorneys for the plaintiffs to witness advances in compliance with the Court's orders.
7. Expansion of the DCO staff, computer ability, travel allowance, and role as coordinator and implementer of solutions to problems.
8. Generation of requests from Fort Worth to Washington to access resources available for lawsuit remedies.
9. Identification of sources of non-governmental resources.
10. Elimination of class preference and/or reporting requirements for specific housing entities and for certain general categories.
11. Use of sanctions for non-compliance with the provisions of the Interim Injunction.
12. Reallocation of Section 8 certificates and vouchers within the region.
13. Reorganization of the chain of decision-making to insure accountability.
14. Supplemental inspections and reviews.
15. Elimination, or amending, of necessity for compliance with Interim Injunction for certain housing entities.
16. Use of race neutral and race conscious criteria.

17. Use of additional Section 8 certificates and vouchers to supplement normal assignment plans.
18. Addition of compliance with Court's orders to personnel goals for performance review.
19. Increased ability of HUD personnel to go into the field to identify problems and provide suggested solutions.
20. Redesignation of authorities and powers where necessary.
21. Generation of requests from housing entities for additional resources.
22. Expedited decision-making process for obtaining exceptions to Interim Injunction.
23. Increased involvement of various program personnel into implementation of the Interim Injunction.
24. Additional efforts to recruit and counsel landlords and tenants who would assist in achieving Interim Injunction objectives.