

ON YOUR LETTERHEAD

February 2, 2007

The Honorable Alphonso Jackson
U.S. Department of Housing and Urban Development
451 Seventh St. S.W.
Washington, DC 20410

Dear Secretary Jackson:

I urge you to refrain from issuing HUD's final Limited English Proficiency (LEP) guidance [Docket No. FR-4878-N-02] on February 21, 2007, since serious concerns about the consistency and accuracy of translated documents, as well as the competence of local interpreters, have not yet been adequately addressed.

I support HUD's goal of making sure that potential renters and buyers with limited English proficiency can participate in federal programs and activities. But HUD's approach to this problem – insisting that individual building owners and managers arrange to translate vital documents and provide local interpreters – creates a situation in which there is no consistency in translation from one area to another, and no way for onsite managers to evaluate the skills of local interpreters. These concerns have been raised repeatedly since the draft LEP rules were issued in 2003, but the final guidance is essentially the same as the original proposal.

At an estimated cost of thousands of dollars per document/per language, plus the cost of interpreters, this guidance creates an unfunded mandate for building owners and managers. Even though HUD has labeled the cost of translation for leases and a tenants' rights document into seven languages as an approved project expense, there has been no funding proposed to cover such costs. Furthermore, HUD has not agreed to cover translation of other required documents, such as the Notices required for recertification, Form 5059, and others.

The requirement that local translators be used exposes building managers and owners to legal liability by making them responsible for ensuring that the translators hired are competent and can accurately translate the housing documents. We feel that ensuring consistency and accuracy can be met by having HUD translate all documents, and provide a centralized translation service.

Please delay issuing HUD's final guidance in this matter until these serious concerns have been addressed.

Sincerely,
