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June 10, 2024

The Honorable Adrienne Todman
Acting Secretary
U.S. Department of Housing and Urban Development
451 7th Street SW
Washington, DC 20410

Dear Acting Secretary Todman,

Thank you for committing to rooting out discrimination in housing and making strides to provide direct housing assistance to those most vulnerable. We write to respectfully urge the Administration to expeditiously move forward the Reducing Barriers to HUD-Assisted Housing rule proposed by the Department of Housing and Urban Development (HUD) on April 10th, 2024 (89 Fed. Re. 25332). This rule would amend regulations for certain HUD programs that govern admission for applicants with criminal records. If approved as proposed, it would end the practice of rejecting or evicting tenants from public housing or HUD-subsidized housing solely on the basis of criminal conviction. As Members of Congress, we support the spirit of this rule – to both increase access to housing and minimize counterproductive exclusions from housing for those who have interacted with the criminal justice system.

As you know, too often, local, state, and federal policies have fallen short in protecting individuals with prior justice involvement from further systemic harm. Significant restrictions in access to certain benefits, including housing, make it difficult for people to reenter their communities and become productive members of society. We applaud the Administration's leadership in not only acknowledging these harmful policies and the disproportionate impact they have on communities of color, but also for taking action to dismantle them.

We applaud HUD for outlining an action plan to remove unnecessary barriers for people with criminal records last year and see the expeditious advancement of this rule as a critical component in moving that plan forward. At a time when housing is more unaffordable than ever, 1 in 3 adults in the U.S. has a criminal record. The number is far more staggering for people of color, who have been disproportionately harmed by mass incarceration. It is well documented that a criminal record creates a litany of barriers to full participation in society by restricting access to housing and other basic necessities. People with prior criminal records are often

unfairly evicted or screened out of housing opportunities altogether. Updated policies are desperately needed to break this vicious cycle of poverty and punishment.

HUD's proposed rule will also help Public Housing Agencies and HUD-affiliated owners comply with the Fair Housing Act of 1968. Fair housing staff and grantees have received numerous complaints in which exclusions based on criminal history records discriminate based on race, disability, or other protected classes, which is simply unacceptable. This rule not only codifies the commitment that the Biden-Harris administration has made to ensure fair housing for all, but also guarantees that HUD and its grantees are compliant with the law.

Over 50 years later, the full promise of the Fair Housing Act of 1968 has yet to be realized—especially for our most marginalized residents. Punitive policies enacted during the tough on crime era of the nineties have resulted in systemically keeping and pushing out justice-involved individuals—disproportionately people of color—and their families from housing. We must do better. We must fully realize the Fair Housing Act and recognize housing as the basic human right that it is.

Lastly, we also write to request that the Administration carefully and intentionally consider the feedback it receives from justice-involved individuals and their families through the public comment period. Although we recognize that HUD is bound by certain statutory parameters, we urge the Administration to exercise its full rulemaking authority in pursuit of equity and repair for justice-involved individuals.

Thank you again for your leadership on this issue. We look forward to working with the Administration to improve access to housing for justice-involved individuals and their families.

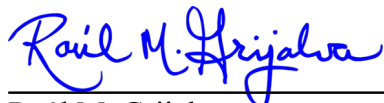
Sincerely,



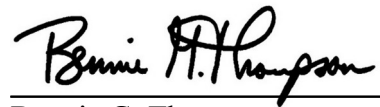
Bonnie Watson Coleman
Member of Congress



Barbara Lee
Member of Congress



Raúl M. Grijalva
Member of Congress



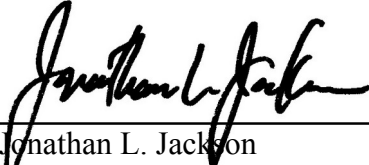
Bennie G. Thompson
Member of Congress



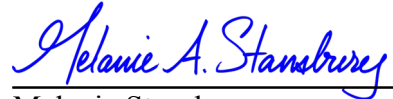
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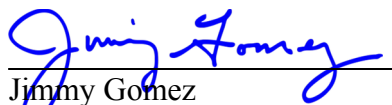
Maxwell Alejandro Frost
Member of Congress




Greg Casar
Member of Congress



Yvette D. Clarke
Member of Congress


Jimmy Gomez
Member of Congress


Alma S. Adams, Ph.D.
Member of Congress

CC: The Honorable Joseph R. Biden, President