



December 14, 2021

The Honorable Marcia L. Fudge  
Secretary  
U.S. Department of Housing and Urban  
Development  
Washington, D.C.

The Honorable Janet Yellen  
Secretary  
U.S. Department of the Treasury  
Washington, D.C.

The Honorable Tom Vilsack  
Secretary  
U.S. Department of Agriculture  
Washington, D.C.

To Secretaries Fudge, Yellen, and Vilsack:

On behalf of the ACLU, Demos, National Housing Law Project, and National Low Income Housing Coalition, we write to urge HUD, Treasury, and USDA to take every possible action to help overcome barriers that prevent equitable access to the ballot, support voter registration and participation among low-income renters, and effectuate President Biden's directive in the Executive Order on Promoting Access to Voting. As a first step, each agency should use its authority to use flexible housing resources provided in the Build Back Better Act to prioritize eligible grantees with concrete plans to improve voter registration. Moreover, each agency should identify and propose additional resources and legislative authority needed to expand voter registration efforts in President Biden's FY 2023 budget request.

Throughout history and today, voter suppression has prevented low-income people from accessing their constitutional right to vote. These efforts have disproportionately targeted Black, Indigenous, and people of color. Given your agencies' vital role serving millions of low-income and historically marginalized households, you are well-positioned to support voter registration among the millions of low-income people you serve.

Below are our joint recommendations on concrete steps HUD, Treasury, and USDA can take to support voter registration and participation. These recommendations expand upon those in our previous letter to HUD on September 21, 2021.

## **Build Back Better Act**

Each federal housing agency should incorporate voter registration requirements into competitive housing resources enacted through the Build Back Better Act. Many of the housing investments included in the economic recovery package provide HUD, Treasury, or USDA with broad discretion in how the agencies can allocate the resources. This discretion should be used to prioritize grantees that agree to incorporate voter registration efforts into programs. For example:

- **HUD Public Housing.** Of the \$65 billion proposed in the Build Back Better Act to preserve public housing, \$53 billion is provided to the HUD Secretary for priority investments. An additional \$1.2 billion is set aside for competitive grants to help transform neighborhoods of poverty into sustainable neighborhoods. HUD could use its authority to prioritize PHAs, property owners, and other eligible grantees with an actionable plan to increase voter registration among residents.
- **HUD Energy Efficiency and Climate Resilience program.** The bill provides \$2 billion to fund projects to improve energy and water efficiency, indoor air quality, and climate resiliency in properties receiving HUD Project-Based Rental Assistance. HUD could use its authority to prioritize property owners and other eligible recipients that agree to promote voter registration among residents.
- **Treasury's Housing Investment Fund.** The Build Back Better Act provides \$740 million to establish a Housing Investment Fund within the Department of the Treasury's Community Development Financial Institutions Fund (CDFI Fund) to increase investments in the development of affordable homeowner and rental housing and for economic development and community facilities. To the extent HIF funds are used to develop rental housing, Treasury should require property owners to comply with voter registration efforts.
- **USDA Rural Housing.** The bill provides \$1.8 billion to build, improve, and preserve USDA multifamily housing developments. USDA should consider how to leverage these funds to prioritize multifamily property owners who commit to promoting voter registration among residents.

## **President's Budget Request**

Each of your federal agencies should include in their FY 2023 budget request funding to support additional staff and other necessary resources to help your agency develop and execute a plan to promote voter registration and participation, and to support public housing agencies (PHAs), property owners, and other stakeholders in these efforts. Specifically, your agencies should also request increased funding to continue voter registration work through your current programs that have that flexibility and request funding for a demonstration focused on developing and executing voter registration activities at your agency.<sup>1</sup> Without this financial investment, your agencies will be severely limited in their ability to focus on voter registration. Including such

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<sup>1</sup> We previously identified some of HUD's programs, such as the Housing Counseling Program, 202 program, resident opportunity and self-sufficiency service (ROSS) program, Section 514(f) program, as opportunities where HUD can prioritize those eligible grantees who have a voter registration plan. We are happy to provide a list of current programs where we believe each agency has the authority to conduct voter registration work.

funds in the president's budget request for HUD, Treasury, and USDA for this express purpose will send a clear message to congressional appropriators about the importance of voter participation.

As we've indicated previously to HUD, given our work in respective areas of low-income housing and implementation of strong voter registration systems in public services programs throughout the country, we're prepared for and eager to assist your departments in devising and implementing voter registration plans and training for staff. We look forward to working together to ensure that Americans with low incomes have wide access to voter registration, and thus participation, toward the end of a more representative country.

Thank you in advance for your time and consideration. We stand ready to work with you and your agencies to ensure equitable access to voting. To set up a meeting, preferably before December 22, please contact NLIHC Vice President Sarah Saadian at [ssaadian@nlihc.org](mailto:ssaadian@nlihc.org), NHLP Director of Government Affairs Noëlle Porter at [nporter@nhlp.org](mailto:nporter@nhlp.org), Demos Senior Policy Analyst Laura Williamson at [lwilliamson@demos.org](mailto:lwilliamson@demos.org), and ACLU Policy Analyst Kristen Lee at [klee@aclu.org](mailto:klee@aclu.org).

Sincerely,

American Civil Liberties Union  
Demos  
National Housing Law Project  
National Low Income Housing Coalition