

# Congress of the United States

Washington, DC 20515

October 20, 2006

The Honorable Alphonso Jackson  
U.S. Department of Housing and Urban Affairs  
451 Seventh Street, SW  
Washington, DC 20410

Dear Secretary Jackson,

We are writing to respectfully urge you to amend the Department of Housing and Urban Development's (HUD) definition of a "person with disabilities" in 24 C.F.R. 5.403, for the purposes of federal public housing programs, to include veterans who receive "improved disability pensions" from the Department of Veterans Affairs (VA) pursuant to 38 U.S.C. 1521.

Section 1521 of title 38, United States Code, authorizes payment of improved pensions to veterans who served during a period of war, meet certain other service requirements and are permanently and totally disabled as defined by 38 U.S.C. 1502. We believe that the VA statutory definition of "permanently and totally disabled," is consistent with HUD's regulatory definition of "persons with disabilities." Individuals receiving social security disability benefits are exempt from the requirement; however, disabled veterans are subject to a superfluous re-evaluation in order to receive the same exemption. We believe the dual certification is an unnecessary burden upon persons who dedicated their time and lives to serve this country.

In 2003, VA Secretary Anthony Principi wrote to HUD Secretary Mel Martinez urging the department to issue a regulation that would exempt disabled veterans from the community service requirement. In addition, the VA General Counsel took the same view and encouraged HUD to include disabled veterans in the exemption.

We hope that you act favorably upon our request and work with us to reduce any unfair burden placed upon our disabled veterans.

Sincerely,



Julia Carson  
Member of Congress



Lane Evans  
Member of Congress



Barney Frank  
Member of Congress



Charles B. Rangel  
Member of Congress



Steve Israel  
Member of Congress

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*Carolyn McCarthy*  
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