

April 17, 2024

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

We, the undersigned organizations, write to urge you to release the U.S. Department of Housing and Urban Development's (HUD) final "Affirmatively Furthering Fair Housing" (AFFH) rule immediately. In the first week of your administration, you announced your commitment to a "comprehensive approach to advancing equity for all"¹ and to "secure equal access to housing opportunity for all."² You also stated that "[a]ffirmatively advancing...racial justice...is the responsibility of the whole of our Government."³ As you yourself have recognized,⁴ the AFFH rule is a vital tool to ensure that there are equitable and affordable housing opportunities and stronger, more viable neighborhoods for low-income residents and communities of color across the country. In doing so, it can strengthen the U.S. economy as a whole while redressing the legacy of state-sponsored segregation and discrimination. We implore the White House to follow through on its commitments and release the final AFFH rule as soon as possible so that more communities can have affordable and accessible housing options that offer access to fresh air, clean water, good public transportation, quality care and schools, living wage jobs, quality healthcare, healthy foods, and affordable credit, free from discrimination.

Unfortunately, where you live often determines your outcomes in life. For centuries, federal, state, and local governments enacted policies and funneled investments in a way that helped and supported some in our society while denying opportunities to and harming others, especially people of color, people with disabilities, and women. These unfair policies created unjust structures that still impact millions of people, resulting in the litany of housing challenges America faces today, from skyrocketing rents to increased evictions and homelessness to barriers that prevent the dream of homeownership from becoming a reality.

Supporting equitable housing principles and expanding fair, affordable, and accessible housing opportunities can boost our economy in a way that benefits all communities and serves as a critical tool to address the nation's housing crisis. Providing affordable and accessible housing

¹ Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Exec. Order No. 13985, 86 FR 7009 (Jan. 20, 2021). *See also* Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Exec. Order No. 14091, 88 Fed. Reg. 10825 (Feb. 16, 2023).

² Memorandum on Redressing Our Nation's and the Federal Government's History of Discriminatory Housing Practices and Policies, 86 Fed. Reg. 7487 (Feb. 26, 2021).

³ Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Exec. Order No. 13985, 86 Fed. Reg. 7009 (Jan. 20, 2021). *See also* Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Exec. Order No. 14091, 88 Fed. Reg. 10825 (Feb. 16, 2023).

⁴ *Id.*

in all communities, including well-resourced neighborhoods, can be a powerful mechanism for increasing upward economic mobility for low-income households and breaking the cycle of intergenerational poverty. Research has shown that adults living in neighborhoods with lower poverty and more-educated neighbors experienced better outcomes in employment, income, and physical health,⁵ and children living in these neighborhoods experienced better educational outcomes.⁶ Research shows that the shortage of affordable housing costs the American economy about \$2 trillion a year in lower wages and productivity.⁷ Moreover, closing the wage, education, housing, and credit gaps between Black and white people alone would add \$5 trillion of additional Gross Domestic Product to the U.S. economy over a five-year period.⁸

The Fair Housing Act's AFFH mandate is one of our strongest tools to address today's housing challenges. This mandate requires every entity receiving federal funding for housing and community development to use those funds and operate their programs in a manner that affirmatively furthers fair housing. The AFFH mandate can reduce racial and gender wealth and homeownership gaps; increase the supply of quality accessible and affordable housing, including in neighborhoods that have historically blocked its construction; improve educational, health, environmental, and other outcomes; increase economic opportunities; and benefit thousands of communities and millions of people. In doing so, it can boost the American economy overall. Further, failure to release the rule could undermine the Biden-Harris Administration's goals of ensuring recent federal infrastructure funding initiatives fairly reach all communities and threaten to exacerbate existing racial wealth gaps as jurisdictions and NGOs will lack the guidance needed in administering infrastructure funds in the Bipartisan Infrastructure Law, Inflation Reduction Act, and the CHIPS and Science Act.

In January 2023, HUD released a Notice of Proposed Rulemaking outlining the proposed process certain HUD grant recipients would undertake to fulfill their obligation to AFFH pursuant to the FHA. The proposed rule is a significant improvement over the status quo, ensuring that communities have a voice in how AFFH plans are developed; helping communities analyze barriers to housing choice and establish their own local goals and priorities; and improving coordinated public-private investment in areas of highly concentrated poverty, transforming these neighborhoods into communities of opportunity. Ultimately, the AFFH rule will help ensure that HUD grantees have the guidance, data, and tools necessary to empower communities to shape their own cost-effective strategies to affirmatively further fair housing and thereby advance racial justice, gender justice, and disability justice – including future investments in housing, transportation, infrastructure, and economic development that can make any community thrive.

⁵ Margery Austin Turner, et al, *Benefits of Living in High Opportunity Neighborhoods; Insights from the Moving to Opportunity Demonstration*, URBAN INST., (Sept. 2012), <https://www.urban.org/sites/default/files/publication/32821/412648-Benefits-of-Living-in-High-Opportunity-Neighborhoods.PDF>.

⁶ *Id.*

⁷ Nat'l Low-Income Housing Coalition, *The Problem*, <https://nlihc.org/explore-issues/why-we-care/problem> (last visited Apr. 17, 2024).

⁸ Nat'l Fair Housing Alliance, *Expanding Opportunity for All* (Mar. 2023), <https://nationalfairhousing.org/wp-content/uploads/2023/03/2023-AFFH-Top-Line-Messaging-Points-FINAL.pdf>.

As you reflected on the 55th Anniversary of the Fair Housing Act, “A fair housing market is critical to the fulfillment of the American dream.”⁹ Our response is that a fair housing market cannot be realized without a strong AFFH rule. By investing in interventions that ensure that everyone can access fair, affordable, and accessible housing in thriving neighborhoods, we can create communities of opportunity. We urge the White House to immediately release the final proposed AFFH rule, so that more Americans can have their chance at the American Dream.

Sincerely,

20/20 Vision

Access Ready Inc.

All Under One Roof LGBT Advocates of Southeastern Idaho

Alliance for Housing Justice

American Civil Liberties Union Foundation

American Council of the Blind

Americans for Financial Reform Education Fund

Appleseed Foundation

The Arc of the United States

Asian Real Estate Association of America (AREAA)

Asian Pacific Institute on Gender-Based Violence

Autistic Self Advocacy Network

TheCaseMade Incorporated

Center for Elder Law & Justice

Center for Environmental Health

Center for Land, Environment & Natural Resources, UC Irvine School of Law

Center for Law and Social Policy (CLASP)

Center for Popular Democracy

Center for Responsible Lending

Center for the Study of Social Policy

Christopher & Dana Reeve Foundation

Church World Service

Coalition on Human Needs

Collaborative Solutions

Color Of Change

Community Solutions Collaborative

Consumer Federation of America

Disability Rights Education and Defense Fund

Diverse Elders Coalition

Earthjustice, Midwest Office

EMPath (Economic Mobility Pathways)

Equal Rights Center

Evangelical Lutheran Church in America

⁹ The White House, Statement from President Joe Biden on the 55th Anniversary of the Fair Housing Act (Apr. 11, 2023), <https://www.whitehouse.gov/briefing-room/statements-releases/2023/04/11/statement-from-president-joe-biden-on-the-55th-anniversary-of-the-fair-housing-act/>.

Fair Share Housing Center
Gary E. Hanes & Associates, LLC
Grounded Solutions Network
Healthcare Anchor Network
Housing Justice Center
Human Impact Partners
Human Rights Campaign
interACT: Advocates for Intersex Youth
International Housing and Economic Development Corporation
Japanese American Citizens League (JACL)
Jewish Women International
Justice in Aging
JustUS Coordinating Council
The Kelsey
Lawyers' Committee for Civil Rights Under Law
The Leadership Conference on Civil and Human Rights
Liberation in a Generation (LibGen)
Living Cities
Matthew Shepard Foundation
Mobility Works
Muslim Advocates
NAACP
NAACP Legal Defense & Educational Fund, Inc. (LDF)
National Alliance to End Sexual Violence
National Association of Hispanic Real Estate Professionals (NAHREP)
National Association for Latino Community Asset Builders (NALCAB)
National Action Network
National Alliance to End Homelessness
National Association of Real Estate Brokers (NAREB)
National Association of Realtors®
National Baptist Convention, USA, Inc.
National Center for Law and Economic Justice
National Center for Lesbian Rights (NCLR)
National Center for Transgender Equality
National Coalition for Asian Pacific American Community Development (National CAPACD)
National Coalition on Black Civic Participation
National Community Action Partnership
National Community Reinvestment Coalition
National Community Stabilization Trust (NCST)
National Consumer Law Center (on behalf of its low-income clients)
National Disability Rights Network (NDRN)
National Fair Housing Alliance
National HIV/AIDS Housing Coalition
National Housing Conference
National Housing Law Project
National LGBTQ Task Force

National Low Income Housing Coalition
National Partnership for Women & Families
National PLAN Alliance
National Urban League
National Women's Law Center
Natural Resources Defense Council
The Network: Advocating Against Domestic Violence
NETWORK Lobby for Catholic Social Justice
Paralyzed Veterans of America
People Power United
PolicyLink
Positive Women's Network-USA
Poverty and Race Research Action Council
Poverty Project at the Institute for Policy Studies
Presbyterian Church (USA) Office of Public Witness
Professional Association of Social Workers in HIV/AIDS (PASWHA)
Prosperity Now
Public Advocacy for Kids (PAK)
Public Justice Center
RESULTS Educational Fund
Revolving Door Project
SAGE
SGG Insight LLC
Shriver Center on Poverty Law
Southern Poverty Law Center
Transgender Legal Defense & Education Fund (TLDEF)
Tude & Fuwa International Ventures
UnidosUS
Union for Reform Judaism
Whitman-Walker Institute
Women of Reform Judaism

State/Local Groups:

Access Living
Alaska Coalition on Housing and Homelessness
All Under One Roof LGBT Advocates of Southeastern Idaho
Alliance 85
Alternatives for Community & Environment (ACE)
Arkansas Coalition of Housing and Neighborhood Housing and Empowerment
Beyond Housing
Boston Center for Independent Living
Boston Tenant Coalition
Brown Like Me
California Center for Movement Legal Services
California Housing Partnership

Camden Coalition
Center for Civic and Public Policy Improvement
Center for Fair Housing, Inc.
Center for Living & Working, Inc.
CHAPA
Chicago Area Fair Housing Alliance
Clean Wisconsin
CNY Fair Housing
Coalition For Tenant Justice
Coalition for the Homeless
Coalition on Homelessness and Housing in Ohio (COHHIO)
Colorado Poverty Law Project
Columbus Foundation, Inc.
Community Action Wayne/Medina
Community Development Network of Maryland
Community Legal Services of Philadelphia
Community Shelter Board
Connecticut Fair Housing Center
Crossroads Urban Center
CSA San Diego County
D4ward
Detroit People's Platform
Disability Action Center Northwest
Disability Law Center of Utah
Disability Rights California
Disability Rights Florida, Inc.
Disability Rights Maryland
East Bay Housing Organizations (EBHO)
Economic Action Maryland
Empire Justice Center
Empower Missouri
Ensuring Opportunity Campaign
Equality California
ERASE Racism
Esperanza Justice and Peace Center
Fair Housing Advocates of Northern California
Fair Housing Center for Rights & Research
Fair Housing Center of Central Indiana
Fair Housing Center of Metropolitan Detroit
Fair Housing Center of Northern Alabama
Fair Housing Center of Southwest Michigan
Fair Housing Center of the Greater Palm Beaches
Fair Housing Center of Washington
Fair Housing Center of West Michigan
Fair Housing Council of Riverside County, Inc.
Fair Housing Council of South Texas

Fair Housing Justice Center, Inc.
Fair Housing Resource Center, Inc.
Fair Housing Rights Center in Southeastern Pennsylvania
Fighting Homelessness
Findlay Hope House for the Homeless, Inc.
Georgia Advancing Communities Together, Inc.
Greater Houston Fair Housing Center
Greater Napa Valley Fair Housing Center (CA)
Grounded Solutions, LLC
Habitat for Humanity of Summit and Wasatch Counties
Hawaii Appleseed Center for Law & Economic Justice
High Plains Fair Housing Center, Inc.
Home For Everyone COC
Homeless and Housing Coalition of Kentucky
Homeward, Inc.
HOND, INC.
Hoosier Housing Needs Coalition
HOPE Fair Housing Center
Housing Action Illinois
Housing Action NH
Housing Alliance of Pennsylvania
Housing and Community Development Network of New Jersey
Housing California
Housing Equality Center of Pennsylvania
Housing Opportunities Made Equal (HOME) of Virginia
Housing Opportunities Made Equal of Greater Cincinnati
Housing Opportunities Project for Excellence (HOPE), Inc.
Idaho Access Project
Idaho Asset Building Network
Idaho Black Community Alliance
Idaho Coalition Against Sexual & Domestic Violence
Inclusive Communities Project
Indiana Community Action Poverty Institute
Inner City Law Center
Intermountain Fair Housing Council, Inc.
J Gould Consulting
Jacksonville Area Legal Aid
Jesse Tree of Idaho
Jewish Alliance for Law and Social Action
La Raza Community Resource Center (San Francisco)
Legal Aid of Sonoma County
Legal Aid Society of Palm Beach County
Living Independence Network Corporation
Long Beach Gray Panthers
Lutheran Metropolitan Ministry
Make-A-Day

Massachusetts Law Reform Institute
Maui Economic Opportunity, Inc.
Metro Fair Housing Services, Inc.
Metropolitan Milwaukee Fair Housing Council
MI Coalition Against Homelessness
Miami Valley Fair Housing Center, Inc.
Michigan Poverty Law Program
Mississippi Center for Justice
Moab Area Community Land Trust
Montana Fair Housing
Mt. Vernon Manor, Inc.
My City Is My Home
New Disabled South
New Jersey Institute for Social Justice
New Mexico Coalition to End Homelessness
New Mexico Environmental Law Center
New Virginia Majority
New York Appleseed
New York Housing Conference
New York State Tenants & Neighbors
Non-Profit Housing Association of Northern California
North Carolina Housing Coalition
North Texas Fair Housing Center
Northside Community Resources
NW ADA Center-Idaho
Northwest Fair Housing Alliance
Office of Boston City Council President Ruthzee Louijeune
Ohio Domestic Violence Network
Open Communities
Open Communities Alliance
Partnership for Strong Communities
Pennsylvania Public Health Association
People Organizing to Demand Environmental & Economic Rights (PODER)
Philadelphia Rent Control Coalition
Project Sentinel (California)
Prosperity Indiana
Public Advocates
Public Counsel
Public Interest Law Project
Race & Equity in all Planning Coalition of San Francisco (REP-SF)
Reclaim Roxbury
Regional Housing Legal Services (Pennsylvania)
Reinvest Toledo
Renaissance Indexes Group
Renewity, Inc.
Rise Economy (formerly California Reinvestment Coalition)

San Francisco Tenants Union
Savannah-Chatham County Fair Housing Council
Silver
Sonoma Valley Collaborative (California)
SouthCoast Fair Housing Inc.
Southwest Fair Housing Council
Supportive Housing Network of New York, Inc.
Tenants & Neighbors
Tennessee Fair Housing Council
Texas Appleseed
Texas Housers
The Children's Partnership (California)
The Fair Housing Center
The Legal Aid Society
The Low Income Housing Coalition of Alabama
Tzedek DC
United South Broadway Corporation/ Anti Racism Institute of the SW (ARTI)
Utah Domestic Violence Coalition
Utah Housing Coalition
Utah State University Housing and Financial Counseling
V Martin Environmental Justice Consulting
Virginia Housing Alliance
Virginia Poverty Law Center
Washington Low Income Housing Alliance
West End Revitalization Association - WERA
West Street Recovery
West Virginia Coalition to End Homelessness
Westchester Residential Opportunities, Inc.
Western Center on Law and Poverty
William E. Morris Institute for Justice (Arizona)
With Action