

December 13, 2022

Hon. Susan E. Rice  
Director, Domestic Policy Council  
Eisenhower Executive Office Building, Room 469  
Washington, DC 20502

Dear Ambassador Rice:

The undersigned fair housing and civil rights organizations write to urge immediate action to advance the proposed new Affirmatively Furthering Fair Housing (AFFH) regulation being promulgated by the Department of Housing and Urban Development (HUD), which has been under review by the Office of Management and Budget (OMB) for nearly six months. It is critical that OMB release the rule now and allow HUD to continue the process of seeking and reviewing public comment, finalizing and then implementing a new AFFH rule.

The AFFH rule is a crucial tool for achieving the Biden-Harris administration's goal of advancing racial justice and creating more equitable and prosperous communities. In recognition of its importance, one of President Biden's very first official actions, on January 26, 2021, was to issue a [Presidential memorandum](#) on "Redressing Our Nation's and the Federal Government's History of Discriminatory Housing Practices and Policies." That memorandum stated that, "it is the policy of my Administration that the Federal Government shall work with communities to end housing discrimination, to provide redress to those who have experienced housing discrimination, to eliminate racial bias and other forms of discrimination in all stages of home-buying and renting, to lift barriers that restrict housing and neighborhood choice, to promote diverse and inclusive communities, to ensure sufficient physically accessible housing, and to secure equal access to housing opportunity for all." The memorandum directed HUD to "take any necessary steps, as appropriate and consistent with applicable law, to implement the Fair Housing Act's requirements that HUD administer its programs in a manner that affirmatively furthers fair housing and HUD's overall duty to administer the Act (42 U.S.C. 3608(a))..."

It is long past time for this rule, which has been under development by HUD for nearly two years and under review by OMB for a quarter of that time, to advance through the rest of the rulemaking process. Given the above-stated policy of this administration and the importance of the AFFH rule for carrying out that policy, we ask you to ensure that OMB acts immediately to complete its review and permit HUD to publish the proposed rule for public comment. The public comment period will allow our organizations and other stakeholders to offer constructive feedback to help HUD make any refinements that may be needed to maximize the rule's impact and effectiveness.

Once the rule is adopted in final form, we look forward to putting it to work in our communities to advance our shared goals of equity, inclusion and shared prosperity. These are goals that cannot wait, and the AFFH rule is a vital component of our collective efforts to achieve them.

We know you share our sense of urgency, and request that you take the necessary steps to move this rule ahead right away.

Thank you for your timely attention to this important matter. If you have questions about our request, please contact Lisa Rice, National Fair Housing Alliance, [LRice@nationalfairhousing.org](mailto:LRice@nationalfairhousing.org).

Sincerely,

Lawyers' Committee for Civil Rights Under Law  
The Leadership Conference on Civil and Human Rights  
NAACP Legal Defense and Educational Fund, Inc. (LDF)  
National Community Reinvestment Coalition  
National Fair Housing Alliance  
National Housing Law Project  
National Low Income Housing Coalition  
National Urban League  
National Women's Law Center  
PolicyLink  
Poverty and Race Research Action Council (PRRAC)  
UnidosUS

Cc: Hon. Marcia L. Fudge, Secretary, U.S. Department of Housing & Urban Development  
Brian Deese, Director, National Economic Council  
Shalanda Young, Director, Office of Management and Budget