

# United States Senate

October 12, 2018

The Honorable Ben Carson  
Secretary  
U.S. Department of Housing and Urban Development  
451 7th Street, SW  
Washington, D.C. 20410

Dear Secretary Carson:

I write today in regard to the Advanced Notice of Proposed Rulemaking (ANPR) on amendments to the U.S. Department of Housing and Urban Development's (HUD's) Affirmatively Furthering Fair Housing (AFFH) regulations. The AFFH rules and technical assistance have successfully empowered local communities in New Jersey and around the nation to make strategic decisions on how to utilize federal resources and expand fair and open access to housing opportunities, and so I urge HUD not to move forward with these proposed alterations to the existing rules or elimination of the related assessment tools.

Since the passage of the Fair Housing Act (FHA) in 1968, our nation has made progress in addressing the overt housing discrimination that created barriers for so many families, including my own, to moving into certain neighborhoods. A half century after the passage of this landmark legislation, however, the full purpose of the FHA has yet to be realized. The struggle for justice requires constant vigilance and perseverance, and in order for the promise of the FHA to be made real for our families, HUD must zealously pursue its responsibility to protect Americans from housing discrimination.

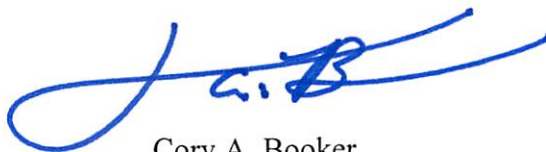
As you know, the FHA requires HUD to investigate housing discrimination and promote fair housing. Before the implementation of the AFFH rule, however, there was no guidance or direction from HUD to help local officials implement the goals of the FHA for almost fifty years. In 2010, the Government Accountability Office (GAO) found that HUD had failed to properly administer its oversight obligations under the FHA and monitor its grantees for compliance with the law. Therefore, in 2013 HUD developed the AFFH rule to arm local communities with the data they need to actively promote fair housing and commit to meaningful goals to address local issues.

Since their implementation in 2015, the current requirements and review process have been successful in advancing fair housing in a manner that responds to local needs and incorporates input from housing advocates and others. In order for the rule to continue to be effective, it is imperative that localities continue to engage in data-driven analysis, provide adequate explanation for their goals and metrics, and be responsive to feedback from fair housing stakeholders.

Historic patterns of segregation cannot be addressed simply by increasing the supply of available housing. In order to uphold our American values of inclusion and integration, it is critical that communities work to identify obstacles to fair housing and to develop local solutions and community-specific strategies that address barriers to housing opportunities. HUD cannot enforce what it cannot measure. This rule in its current form is crucial to generating standardized data to fulfill the unmet mandate of the FHA, which has long been neglected at great social cost.

I appreciate your time and attention to this matter. I am one of millions of Americans who has personally benefited from the FHA, and we must ensure that families like mine have access to fair housing and economic opportunities. Please feel free to contact me or my staff at (973) 639-8700 should you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. A. B.', with a large, sweeping flourish extending to the left.

Cory A. Booker  
United States Senator