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June 9, 2015

Dear Representative:

On behalf of the more than 600 members of the National Community Reinvestment Coalition (NCRC), I am writing to urge you to oppose amendments offered by Rep. Scott Garrett and Rep. Paul Gosar to the Transportation, Housing and Urban Development, and Related Agencies Appropriation Act for FY 2016 (T-HUD) that would undermine enforcement of the nation's fair housing laws.

Rep. Garrett's amendment would block funding for HUD to enforce its disparate impact rule finalized in February 2013. HUD has long interpreted the Fair Housing Act to prohibit practices that have an unjustified discriminatory effect, regardless of whether there was an intent to discriminate. The disparate impact analysis has been used in a variety of contexts, including formal adjudications of charges of discrimination, in joint policy statements between HUD and other federal agencies, and in guidance to agency staff. It has found liability where seemingly neutral housing practices have, in fact, had a discriminatory impact against families, domestic violence victims and other protected classes, and has been a means of proving lending discrimination under the Act. Rep. Garrett's amendment would upend HUD's disparate impact rule, which ensures that a consistent standard is used to assess claims that a facially neutral practice violates the Fair Housing Act. We urge you to vote no.

We also urge you to vote no on Rep. Gosar's amendment to prohibit funding to HUD to finalize its Affirmatively Furthering Fair Housing (AFFH) rule. As directed by the Fair Housing Act, the AFFH mandate ensures that recipients of federal housing and urban development funds do more than simply not discriminate; it obligates them to take proactive steps to address segregation and related barriers for those protected by the Act, particularly as reflected in racially and ethnically concentrated areas of poverty. HUD program participants are required to identify impediments to fair housing choice within their jurisdiction and take appropriate actions to overcome the effects of impediments. The AFFH rule provides needed guidance and clarity on the mandate and better integrates the analysis of impediments (AI) process into the housing and community development planning efforts currently undertaken by HUD grantees.

For these reasons and more, we urge you to oppose Rep. Garrett's and Rep. Gosar's amendments to the T-HUD Appropriations bill. Please feel free to contact Gerron S. Levi, Director of Policy and Government Affairs, at 202-464-2708 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John Taylor", is written over a white background.

John Taylor
President & CEO