

PRRAC
Poverty & Race Research Action Council
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March 11, 2024

The Honorable Stephen M. Casey
Chair, House Committee on Municipal Government and Housing
Rhode Island State House Room 101

RE: Letter in Support of H5949 — An Act Relating To Towns And Cities -- Zoning Ordinance

Dear Chair Casey,

On behalf of PRRAC and PolicyLink,¹ we write to you in support of HB5949, An Act Relating To Towns And Cities -- Zoning Ordinance. HB5949 will codify key parts of the 2015 US Department of Housing and Urban Development rule entitled “Affirmatively Furthering Fair Housing” in state law, an important and much-needed step towards sustaining the state’s and our nation’s efforts towards identifying and dismantling housing patterns which have historically segregated our communities. The term “Affirmatively Furthering Fair Housing,” or AFFH, existed as far back as the Fair Housing Act passed by Congress in the 1960s, but was undefined and underutilized until the Obama Administration. In providing a meaningful accountability system, the Administration empowered cities, towns, and states to use public funding to create housing which not only addressed housing shortages, but required them to do so in a way that proactively disrupted housing patterns actively re-entrenching segregation on the basis of race, class, and ability.

However, the first Trump Administration removed this definition and instead directed HUD to implement a new rule titled “Preserving Community and Neighborhood Choice,” reducing AFFH to merely a good-faith effort. While the Biden Administration restored the basic definitions underlying the 2015 rule, President Trump’s Secretary of Housing and Urban Development announced in February of this year that they will terminate the AFFH rule once again. This would present a setback for families in minoritized groups, residents of segregated and disinvested neighborhoods, low-income families with children, and persons with disabilities.

¹ The Poverty & Race Research Action Council (PRRAC) is a civil rights law and policy organization based in Washington, D.C. Our mission is to promote research-based advocacy strategies to address structural inequality and change the systems that disadvantage low income people of color. PolicyLink is a national research and action institute that is working to build a future where all people in the United States of America can participate in a flourishing multiracial democracy, prosper in an equitable economy, and live in thriving communities.

By codifying AFFH into state law, Rhode Island would be sending a loud and clear message that regardless of the federal administration's policies, the State remains steadfast in its commitment to undo decades of housing segregation. Several states, including California, Maryland, New York, and Connecticut have taken steps to codify the central elements of AFFH into law, and legislation has been submitted to the Massachusetts General Assembly which would do the same. We need to use the tools of our government to bring communities together, not drive them apart, and we hope that Rhode Island will take a stand against the reactionary attack on civil rights that we are seeing at the federal level. We urge you to recommend the passage of this bill.

Sincerely,

Philip Tegeler
Executive Director, PRRAC

Rasheedah Phillips
Director of Housing, PolicyLink

CC: The Honorable Members of the House Committee on Municipal Government and Housing
Nicole McCarty, Esq.