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POLITICS

# Obama Unveils Stricter Rules Against Segregation in Housing

By **JULIE HIRSCHFELD DAVIS** and **BINYAMIN APPELBAUM** JULY 8, 2015

WASHINGTON — The Obama administration announced an aggressive effort on Wednesday to reduce the racial segregation of residential neighborhoods. It unveiled a new requirement that cities and localities account for how they will use federal housing funds to reduce racial disparities, or face penalties if they fail.

The new rules are an effort to enforce the goals of the civil rights-era fair housing law that bans overt residential discrimination, but whose broader mandate for communities to actively foster integration has not been realized. They are part of President Obama's attempt to address the racial imbalances and lack of opportunity that he says have contributed to unrest reminiscent of the turbulent 1960s in cities like Ferguson, Mo., and Baltimore, where African-Americans have clashed with police officers.

The requirement is likely to pose the greatest challenges for cities in the Northeast and the Rust Belt that have the highest levels of segregation according to the 2010 census, including Detroit, Milwaukee, New York and Newark.

More affluent minorities have diversified many predominantly white

neighborhoods in those cities, but the segregation of less-wealthy minority families remains entrenched. The new effort aims to encourage affordable housing development in more desirable neighborhoods, and to improve the housing stock in lower-income areas.

Civil rights groups celebrated the announcement as a long-overdue response to the persistence of segregation in an increasingly diverse nation. Hilary O. Shelton, the director of the N.A.A.C.P. Washington bureau, called it “a crucial step forward in advancing fair housing and discrimination protection.”

But it has caused a backlash among conservatives, who denounced it as another directive from Washington to communities they say have long suffered from ill-conceived government housing initiatives. Some congressional Republicans are moving to deny funding for its implementation. The changes also could prompt some governments to follow the example of Westchester County, which has foregone some federal funding because of its refusal to comply with fair housing regulations.

Julián Castro, the secretary of Housing and Urban Development, said the measure should rise above politics, noting that both Democrats and Republicans supported the 1968 Fair Housing Act that undergirds it.

“A ZIP code should never prevent any person from reaching their aspirations,” Mr. Castro said in a conference call on Wednesday. While the 1968 law has always required communities to ensure equal opportunity in their neighborhoods, he added, “the fact is that federal efforts have often fallen short” when it came to enforcement.

Administration officials said that asking cities and localities to detail how they plan to use funds to reduce segregation would foster cooperation with the federal government. Housing and Urban Development will make available a trove of data that local officials can use in deciding how they will address segregation and racially concentrated areas of poverty, rather than

being told how they must meet the new goals.

Mr. Castro said penalties for noncompliance, including the loss of federal housing funds, were a “last resort” that he did not anticipate using.

“We’re approaching this in a very collaborative spirit,” he said. “Enforcement is always a last resort — it is there, it is possible, but our preference is to work cooperatively and steadfastly with communities.”

The completion of the new requirement was first reported by The Washington Post.

Some local governments, like the Chicago suburb of Oak Park, have already created the kinds of fair housing plans the federal government will now require. Rob Breymaier, the executive director of the Oak Park Regional Housing Center, a nonprofit group that advocates “meaningful and lasting racial diversity,” said he hoped other communities would follow that example.

“This rule makes it clear that the fair housing obligation isn’t just being able to say, ‘I didn’t discriminate,’ ” Mr. Breymaier said. “It’s also saying, ‘I’m doing something proactively to promote an integrated or inclusive community.’ ”

Federal officials announced the new policy two weeks after the Supreme Court endorsed a broad interpretation of the fair housing statute, allowing suits under a legal theory that civil rights groups say is a crucial tool in fighting housing discrimination. It also builds on recent academic research documenting that lower-income children have much better prospects if they live in diverse neighborhoods.

“It’s significant, because it is a serious effort by the administration to, in effect, enforce one of the legacy civil rights laws,” said Marc H. Morial, the president of the National Urban League. “The country has to confront this,

and it is my hope that this rule will help us change this paradigm, because this pattern of residential segregation, isolated pockets of poverty, is not just confined to the cities.”

The measure met with instant derision among Republicans who called it an executive overreach that would force Mr. Obama’s priorities upon neighborhoods across the nation.

Representative Paul D. Gosar, Republican of Arizona, called the rule Mr. Obama’s “most aggressive attempt yet to force his utopian ideology on American communities disguised under the banner of ‘fairness.’ ”

The House last month passed an amendment by Mr. Gosar to defund the rule.

“This is just the latest attempt by H.U.D. to social-engineer the American people,” said Edward J. Pinto, a housing specialist at the conservative American Enterprise Institute.

“The goal is to get the suburbs to look more like the cities,” he added. “It’s presumptuous for H.U.D. to think that someone in Washington, D.C., should decide all of this.”

Housing advocates, however cheered the move.

Debbie Goldberg, the vice president for housing policy at the National Fair Housing Alliance, noted a recent Census Bureau report saying that for the first time, most American children younger than 5 are members of minority groups. “If they don’t do well, the country doesn’t do well,” she said.

Ed Gramlich, a senior adviser at the National Low Income Housing Coalition, cautioned that change was likely to come slowly. Local governments that receive federal funding are required to draw up plans once every five years. For some jurisdictions, the new rules may not need to be addressed until 2020.

Still, he described the new requirement as “tremendous.” Until now, he said, local governments have basically had the freedom to decide for themselves whether they were complying with the 1968 law.

“Jurisdictions would say, ‘We put up a fair housing poster during Fair Housing Month,’ and that was it,” he said. “The whole concept was unenforceable and therefore meaningless.”

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