



**Statement by the Honorable John Conyers, Jr.
for the Oversight Hearing on the Enforcement of the Fair Housing Act
Before the Subcommittee on the Constitution, Civil Rights, and Civil Liberties
2141 Rayburn House Office Building
Thursday, June 12, 2008, at 10:00 a.m.**

Although it's been nearly 40 years since the Fair Housing Act banned housing discrimination, complaints alleging unfair treatment of minorities, the disabled, families, and other groups are increasing. Of an estimated 3.7 million fair housing violations annually, approximately 2 million involve race discrimination.

Admittedly, some progress has been made in reducing levels of residential segregation and discrimination since the passage of the Act. But let's face it – most Americans still live in communities largely divided by race and ethnicity.

Thus, the obvious question I have for our witnesses – particularly in light of the ever-escalating mortgage crisis – is what actions have Justice and HUD taken to ensure that the Fair Housing Act is enforced effectively?

The facts clearly underscore the need for greater enforcement. Let me highlight three particular concerns.

First, despite claims that the Administration has continued vigorous enforcement of the FHA, the Government's caseloads and charges have steadily decreased and relatively few cases have been brought on behalf of racial and ethnic minorities, particularly pattern and practices cases.

HUD's own data suggests that out of approximately 3.7 million annual fair housing violations, the Department, for example, only processed 11,000 complaints in 2006, which is less than one-half of 1% of the total estimated number of housing violations.

Second, I sense that DOJ's longstanding commitment to combat race discrimination in housing has steadily declined over the years. The Department filed fewer fair housing cases in the past two years than in previous years.

Look, we're not talking about thousands of cases or even hundreds of cases being filed. In 2007, for example, the DOJ filed only 35 fair housing cases. In 2006, it filed 31 cases. In contrast, the DOJ filed 42 cases in 2005, and 53 cases in 2001. And, of the 31 housing and civil enforcement cases DOJ brought in 2006, only eight involved claims of race discrimination.

Beyond this, I am troubled by Attorney General Mukasey's recently announced refusal to create a national taskforce to combat the country's mortgage fraud crisis. Doesn't he read the newspapers or listen to the television news reports about rampant fraud and predatory lending by brokers and lenders?

Finally, we just learned that HUD's mortgage policy may have actually helped to fuel the subprime mortgage crisis that is at the heart of today's turbulent economy. The Washington Post reported Tuesday that, while regulators warned that subprime lenders were saddling borrowers with mortgages they could not afford, HUD stuck with an outdated policy that allowed Freddie Mac and Fannie Mae to count billions of dollars they invested in subprime loans as a public good that would foster affordable housing.

I want to know from our witnesses why the number of discrimination cases filed by DOJ has declined, even as the number of complaints has risen. I also hope to learn if, in fact, HUD irresponsibly continued policies that helped create the mortgage crisis we find ourselves in today.

Many people forget that Dr. King focused heavily on fair housing issues, with a keen recognition of what costs our society would pay for continued patterns of discrimination and segregated living. Passage of the Fair Housing Act was a fitting tribute to his efforts in this regard.

The Fair Housing Act is now one of the most powerful tools in our civil rights arsenal; but a tool is only effective when wielded with skill and intent.

I look forward to hearing from our witnesses today as we seek to determine whether the federal government is wielding this tool effectively.