

119TH CONGRESS
1ST SESSION

S. _____

To nullify certain regulations and notices of the Department of Housing and Urban Development, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. LEE introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To nullify certain regulations and notices of the Department of Housing and Urban Development, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Local Zoning Decisions
5 Protection Act of 2025”.

6 **SEC. 2. NULLIFICATION OF RULES AND NOTICES.**

7 (a) PROPOSED RULE.—The proposed rule of the De-
8 partment of Housing and Urban Development entitled
9 “Affirmatively Furthering Fair Housing”, published in
10 the Federal Register on February 9, 2023 (88 Fed. Reg.

1 8516; Docket No. FR-6250-P-01), and any successor
2 rule that is substantially similar to such proposed rule
3 shall have no force or effect.

4 (b) INTERIM FINAL RULE.—The interim final rule
5 of the Department of Housing and Urban Development
6 entitled “Restoring Affirmatively Furthering Fair Hous-
7 ing Definitions and Certifications”, published in the Fed-
8 eral Register on June 10, 2021 (86 Fed. Reg. 30779;
9 Docket No. FR-6249-I-01), and any successor rule that
10 is substantially similar to such interim final rule shall have
11 no force or effect.

12 (c) FINAL RULE.—The final rule of the Department
13 of Housing and Urban Development entitled “Affirma-
14 tively Furthering Fair Housing”, published in the Federal
15 Register on July 16, 2015 (80 Fed. Reg. 42272; Docket
16 No. FR-5173-F-04), and any successor rule that is sub-
17 stantially similar to such final rule shall have no force or
18 effect.

19 (d) NOTICE.—The notice of the Department of Hous-
20 ing and Urban Development relating to the Affirmatively
21 Furthering Fair Housing Assessment Tool, published in
22 the Federal Register on December 31, 2015 (80 Fed. Reg.
23 81840; Docket No. FR-5173-N-07), and any successor
24 notice or rule substantially similar to such notice shall
25 have no force or effect.

1 **SEC. 3. PROHIBITION ON USE OF FEDERAL FUNDS.**

2 Notwithstanding any other provision of law, no Fed-
3 eral funds may be used to design, build, maintain, utilize,
4 or provide access to a Federal database of geospatial infor-
5 mation on community racial disparities or disparities in
6 access to affordable housing.

7 **SEC. 4. FEDERALISM CONSULTATION AND REPORT.**

8 (a) IN GENERAL.—The Secretary shall jointly consult
9 with State officials, local government officials, and offi-
10 cials of public housing agencies to develop recommenda-
11 tions, consistent with applicable rulings of the Supreme
12 Court of the United States, to further the purposes and
13 policies of the Fair Housing Act (42 U.S.C. 3601 et seq.).

14 (b) CONSULTATION REQUIREMENTS.—In developing
15 the recommendations required under subsection (a), the
16 Secretary shall—

17 (1) provide State officials, local government of-
18 ficials, and officials of public housing agencies with
19 notice and an opportunity to participate in the con-
20 sultation process required under subsection (a);

21 (2) seek to consult with State officials, local
22 government officials, and officials of public housing
23 agencies that represent a broad cross-section of re-
24 gional, economic, and geographic perspectives in the
25 United States;

1 (3) emphasize the importance of collaboration
2 with and among the State officials, local government
3 officials, and officials of public housing agencies;

4 (4) allow for meaningful and timely input by
5 State officials, local government officials, and offi-
6 cials of public housing agencies;

7 (5) promote transparency in the consultation
8 process required under subsection (a); and

9 (6) explore with State officials, local govern-
10 ment officials, and officials of public housing agen-
11 cies whether Federal objectives under the Fair
12 Housing Act can be attained by means other than
13 through new regulations.

14 (c) REPORTS.—

15 (1) IN GENERAL.—Not later than 12 months
16 after the date of enactment of this Act, the Sec-
17 retary shall publish in the Federal Register a draft
18 report describing the recommendations developed
19 pursuant to subsection (a).

20 (2) CONSENSUS REQUIREMENT.—The Secretary
21 may include a recommendation in the draft report
22 only if consensus has been reached with regard to
23 the recommendation among the Secretary, the State
24 officials, local government officials, and officials of

1 public housing agencies consulted pursuant to sub-
2 section (a).

3 (3) FAILURE TO REACH CONSENSUS.—If the
4 Secretary, State officials, local government officials,
5 and officials of public housing agencies consulted
6 under subsection (a) fail to reach consensus on a
7 regulatory proposal, the draft report shall identify
8 that consensus was not reached and shall describe—

9 (A) the areas and issues with regard to
10 which consensus was reached;

11 (B) the areas and issues of continuing dis-
12 agreement that resulted in the failure to reach
13 consensus; and

14 (C) the reasons for the continuing dis-
15 agreements.

16 (4) PUBLIC REVIEW AND COMMENT PERIOD.—
17 The Secretary shall make the draft report available
18 for public review and comment for a period of not
19 fewer than 180 days.

20 (5) FINAL REPORT.—The Secretary shall, in
21 consultation with the State officials, local govern-
22 ment officials, and officials of public housing agen-
23 cies, address any comments received pursuant to
24 paragraph (4) and shall prepare a final report de-

1 scribing the final results of the consultation process
2 under subsection (a).

3 (d) SUBMISSION OF FINAL REPORT.—Not later than
4 12 months after the date of enactment of this Act, the
5 Secretary shall make publicly available online the final re-
6 port prepared pursuant to subsection (c)(5).

7 (e) DEFINITIONS.—In this section, the following defi-
8 nitions apply:

9 (1) SECRETARY.—The term “Secretary” means
10 the Secretary of Housing and Urban Development.

11 (2) LOCAL GOVERNMENT OFFICIAL.—The term
12 “local government official” means an elected or pro-
13 fessional official of a local government or an official
14 of a regional or national organization representing
15 local governments or officials.

16 (3) STATE OFFICIAL.—The term “State offi-
17 cial” means an elected or professional official of a
18 State government or an official of a regional or na-
19 tional organization representing State governments
20 or officials.

21 (4) PUBLIC HOUSING AGENCY.—The term
22 “public housing agency” has the meaning given such
23 term in section 3(b) of the United States Housing
24 Act of 1937 (42 U.S.C. 1437a(b)).