

118TH CONGRESS
1ST SESSION

H. RES. 337

Promoting and supporting the goals and ideals of the Fair Housing Act and recognizing April 2023 as “Fair Housing Month”, which includes bringing attention to the discrimination faced by everyday Americans in the United States in housing and housing-related transactions on the basis of race, color, national origin, sex, sexual orientation, gender identity, familial status, disability, and religion.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2023

Mr. GREEN of Texas (for himself, Ms. WATERS, Ms. MOORE of Wisconsin, Ms. NORTON, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mrs. BEATTY, Ms. BONAMICI, Mr. KHANNA, Ms. SCANLON, Mr. THOMPSON of Mississippi, Mr. TRONE, Mrs. RAMIREZ, Ms. BROWN, Mr. POCAN, Ms. CROCKETT, Mr. CARSON, Ms. DEAN of Pennsylvania, Ms. GARCIA of Texas, Ms. LEE of California, Ms. SÁNCHEZ, Mrs. HAYES, Mr. BLUMENAUER, Ms. WILLIAMS of Georgia, and Mr. EVANS) submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Promoting and supporting the goals and ideals of the Fair Housing Act and recognizing April 2023 as “Fair Housing Month”, which includes bringing attention to the discrimination faced by everyday Americans in the United States in housing and housing-related transactions on the basis of race, color, national origin, sex, sexual orientation, gender identity, familial status, disability, and religion.

Whereas April 11, 2023, marks the 55th anniversary of the date of enactment of the Civil Rights Act of 1968, title VIII of which (42 U.S.C. 3601 et seq.) is commonly known as the Fair Housing Act;

Whereas the Chicago Freedom Movement, led by the Reverend Doctor Martin Luther King, Jr., expanded the fight for civil rights from the South to the North, raised the national consciousness about housing discrimination, and shaped the debate that led to the landmark Fair Housing Act;

Whereas the National Advisory Commission on Civil Disorders, appointed by President Lyndon B. Johnson and commonly known as the Kerner Commission, found on February 29, 1968, that “our nation is moving toward two societies, one black and one white—separate and unequal”;

Whereas Congress passed the Fair Housing Act as part of the Civil Rights Act of 1968, and President Lyndon B. Johnson signed the Act into law on April 11, 1968, one week after the assassination of the Reverend Doctor Martin Luther King, Jr.;

Whereas the Universal Declaration of Human Rights and the International Covenant on Economic, Social, and Cultural Rights recognize adequate housing as a human right;

Whereas the original Fair Housing Act prohibited discrimination in housing and housing-related transactions on the basis of race, color, national origin, and religion;

Whereas the mission statement of the Department of Housing and Urban Development (HUD) reflects a commit-

ment to “build inclusive and sustainable communities free from discrimination”;

Whereas, in section 808 of the Housing and Community Development Act of 1974 (Public Law 93–383), Congress amended the Fair Housing Act to include protection on the basis of sex, including gender identity and sexual orientation;

Whereas September 13, 2023, will mark the 35th anniversary of the congressional passage of the Fair Housing Amendments Act of 1988;

Whereas the Fair Housing Amendments Act of 1988, passed by overwhelming margins in Congress, included protection on the basis of familial status and disability, created an important enforcement mechanism, and expanded the definition of “discriminatory housing practices” to include interference and intimidation, requiring HUD to issue regulations to implement and interpret the Fair Housing Act and report annually to Congress on the nature and extent of housing discrimination;

Whereas the intent of Congress in passing the Fair Housing Act was broad and inclusive, to advance equal opportunity in housing and achieve racial integration for the benefit of all people in the United States;

Whereas the intent of Congress in passing the Fair Housing Act was to prohibit discrimination in all housing and housing-related transactions, including policies or practices that appear superficially neutral, but have a discriminatory effect on protected classes;

Whereas the Supreme Court has reaffirmed the use of the disparate impact doctrine to challenge policies or prac-

tices that have a discriminatory effect on protected classes;

Whereas the majority of large metropolitan areas in the United States are more racially segregated today than in 1990;

Whereas research shows that, in some cases, the placement of housing funded through the Low-Income Housing Tax Credit program, which is the single largest source of Federal funding for the creation of affordable housing in the United States, further entrenches racial residential segregation, despite the Fair Housing Act requiring that Federal housing funds be used to affirmatively undo patterns of residential segregation;

Whereas fair housing testing has revealed that discrimination on the basis of sexual orientation and gender identity exists and that fair housing protections must be extended to the lesbian, gay, bisexual, transgender, and queer (LGBTQ+) community;

Whereas same-sex couples are 73 percent more likely to be denied a home mortgage compared to heterosexual couples, and when same-sex couples are approved, they pay an average of \$86,000,000 more in combined annual interest and fees;

Whereas fair housing testing has revealed that discrimination exists against people who use public housing assistance, including support from the Housing Choice Voucher and Veterans Affairs Supportive Housing programs and other sources of income, and that fair housing protections against source-of-income discrimination must be provided to all people;

Whereas the Low-Income Housing Tax Credit program and Housing Trust Fund already prohibit the refusal of housing funded through such programs to Housing Choice Voucher holders or individuals receiving rental assistance through the HOME Investment Partnerships Program;

Whereas there continues to be widespread discrimination in the housing industry against Black, Latinx, and Asian-American home buyers by real estate agents;

Whereas owner-occupied homes located in majority-Black neighborhoods are undervalued by approximately \$162,000,000,000 when compared to owner-occupied homes in similarly situated communities that have very few or no Black residents;

Whereas the average home in a White neighborhood is valued 2 times higher than comparable homes in Black and Latinx neighborhoods, even after controlling for neighborhood characteristics;

Whereas 92.4 percent of appraisers identify as White and 54.5 percent identify as male, compared to the total United States population that identifies as 59.3 percent White and 49.5 percent male;

Whereas more than 71 percent of people experiencing homelessness in the United States are Black, Latinx, Asian American, Indigenous, or otherwise non-White despite making up just over 43 percent of the total population of the United States;

Whereas an individual's housing conditions impacts their health, educational attainment level, employment opportunities, exposure to the adverse effects of climate change, and personal wealth;

Whereas borrowers of color lack equal access to quality and affordable credit compared to similarly situated White borrowers;

Whereas research shows that Black and Latinx borrowers pay \$765,000,000 more in combined mortgage interest each year compared to similarly situated White borrowers due to discriminatory factors in mortgage lending by the government-sponsored housing finance enterprises;

Whereas the 2020 Home Mortgage Disclosure Act data show that the majority of loans purchased by the government-sponsored housing finance enterprises primarily served higher income, White borrowers in wealthier, majority-White neighborhoods;

Whereas Black and Latinx borrowers are more likely to receive mortgage loans through the Federal Housing Administration, even when they qualify for conventional lending options that may offer more affordable terms;

Whereas research shows that algorithmic bias and discrimination exist in online housing platforms, automated valuation models, and lending that use artificial intelligence for advertising and decisionmaking purposes, and there is an urgent need to eliminate individual bias that enters into the development of artificial intelligence systems and systemic bias through the use of inappropriate or historically biased data;

Whereas the majority of Americans support neighborhood integration and numerous studies have shown the universal benefits of residential integration;

Whereas reports indicate there are more than 4,000,000 violations of fair housing laws each year against people of all protected classes, and fair housing testing continues

to uncover a high rate of discrimination in the rental, sales, mortgage lending, and insurance markets;

Whereas 68,000,000 adults in the United States believe they have experienced unequal treatment in their housing search due to their status as a member of a protected class under the Fair Housing Act;

Whereas less than 1 percent of fair housing violations are reported each year;

Whereas private nonprofit fair housing organizations funded by the Fair Housing Initiatives Program (FHIP) serve as the front line in the effort to resolve housing discrimination and train local housing providers on how to comply with the Fair Housing Act;

Whereas, in 2021, there were a total of 31,216 housing discrimination complaints reported nationwide, an 8.7-percent increase over the number of complaints filed in 2020, despite there being less FHIP organizations available to process such complaints;

Whereas the Fair Housing Assistance Program funds State as well as local civil and human rights enforcement agencies to investigate and process housing discrimination complaints, conduct special enforcement projects, and take part in training and other projects designed to enhance the agency's administration and enforcement of fair housing laws;

Whereas while our Nation has made great strides in eliminating housing discrimination, families with children, women, people with disabilities, people of color, religious minorities, immigrants, LGBTQ+ individuals, and low-income people receiving public assistance, among others, still face discriminatory barriers to housing;

Whereas fair housing education and enforcement play a pivotal role in increasing housing choice and homeownership opportunities for members of protected classes and combating predatory lending;

Whereas, amid a global health and economic crisis, housing discrimination against health care workers and people who have been infected by the coronavirus, or are perceived as having been infected, is contributing to increased evictions and hate crimes;

Whereas systemic health and economic disparities have been exacerbated by the coronavirus pandemic, disproportionately infecting communities of color, destabilizing their employment opportunities, and resulting in higher levels of evictions and foreclosures;

Whereas, during the coronavirus pandemic, as mortgage interest rates reached historic lows, Black borrowers were disproportionately denied mortgage loans to purchase and refinance homes due to biased and potentially discriminatory appraisal and lending policies and practices, excluding them from wealth-building opportunities and lower housing costs;

Whereas, during the coronavirus pandemic, harmful sentiments toward Asian American and Pacific Islander communities incited increases in racialized and gendered violence across the Nation;

Whereas reports of sexual harassment increased by 300 percent during the coronavirus pandemic, with women of color and transgender women disproportionately reporting such incidents;

Whereas immigrant and limited-English proficient communities must have in-language access to online, telephone,

print, and all other mediums of housing information, notices, and resources during the coronavirus pandemic to prevent predatory and discriminatory housing and lending practices;

Whereas persons with disabilities must have equal access to online, telephone, print, and all other mediums of housing information, notices, and resources during the coronavirus pandemic to prevent predatory and discriminatory housing and lending practices;

Whereas persons with disabilities, including seniors and children with disabilities, have experienced unlawful denials of their reasonable accommodation requests to insulate them from exposure to the coronavirus and its associated life-threatening complications;

Whereas there is a chronic undersupply of accessible housing and an underenforcement of housing accessibility standards, which denies many people with disabilities their right to fair and accessible housing that is integrated into community settings; and

Whereas the Fair Housing Act is an essential component of our Nation’s civil rights legislation: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. SHORT TITLE.**

3 This resolution may be cited as the “Original Fair
4 Housing Resolution of 2023”.

5 **SEC. 2. SUPPORT FOR FAIR HOUSING ACT.**

6 The House of Representatives—

7 (1) supports the goals and values of the 55th
8 anniversary of the enactment of the Fair Housing

1 Act (42 U.S.C. 3601 et seq.) and the 35th anniver-
2 sary of the enactment of the Fair Housing Amend-
3 ments Act of 1988 (Public Law 100–430; 102 Stat.
4 1619);

5 (2) supports efforts to expand, strengthen, and
6 increase fair housing enforcement, education, and
7 protections, including robust funding for enforce-
8 ment and to fully staff the Department of Housing
9 and Urban Development’s Office of Fair Housing
10 and Equal Opportunity and an expansion of fair
11 housing rights to include Federal source of income
12 protections;

13 (3) supports activities to recognize and cele-
14 brate the important historical milestones represented
15 by the anniversaries of the enactments of the Fair
16 Housing Act and the Fair Housing Amendments Act
17 of 1988; and

18 (4) encourages all people, every level of govern-
19 ment, and each Federal agency to rededicate them-
20 selves to the enforcement and the ideals of the Fair
21 Housing Act and supporting civil rights laws.

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