

118TH CONGRESS
1ST SESSION

H. R. 2918

To provide protection for survivors of domestic violence, sexual violence,
and sex trafficking under the Fair Housing Act.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2023

Ms. WASSERMAN SCHULTZ (for herself, Ms. MALLIOTAKIS, Ms. BARRAGÁN, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BOWMAN, Ms. BUSH, Mr. DAVIS of Illinois, Ms. LOIS FRANKEL of Florida, Mr. GREEN of Texas, Mr. GRIJALVA, Mrs. HAYES, Mr. IVEY, Mr. KHANNA, Ms. KUSTER, Ms. LEE of California, Mr. LIEU, Mrs. McCLELLAN, Ms. MOORE of Wisconsin, Mr. MULLIN, Mrs. NAPOLITANO, Mr. NICKEL, Ms. NORTON, Ms. OCASIO-CORTEZ, Ms. PORTER, Mr. ROSS, Ms. SEWELL, Ms. STANSBURY, Mr. TAKANO, Mr. THOMPSON of Mississippi, Ms. TITUS, Ms. TLAIB, Mr. TORRES of New York, Mrs. WATSON COLEMAN, Ms. WILLIAMS of Georgia, Ms. WILSON of Florida, Mr. SOTO, and Ms. JAYAPAL) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide protection for survivors of domestic violence, sexual violence, and sex trafficking under the Fair Housing Act.

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 “Fair Housing for Sur-
5 vivors Act of 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Cities, towns, and rural communities in the
4 United States continue to face enormous challenges
5 regarding domestic violence, sexual assault, sex traf-
6 ficking, dating violence, stalking, and other forms of
7 intimate partner and gender-based violence.

8 (2) One in three women and one in ten men in
9 the United States have experienced rape, physical vi-
10 olence, or stalking by an intimate partner in their
11 lifetime.

12 (3) Intimate partner violence alone affects more
13 than 12,000,000 people in the United States every
14 year.

15 (4) Approximately 7,000,000 women are raped
16 or physically assaulted by a current or former inti-
17 mate partner each year.

18 (5) Among women experiencing sex trafficking,
19 many of their traffickers are also their intimate
20 partners.

21 (6) Each day, an average of three women are
22 killed by a current or former partner.

23 (7) Researchers estimate that domestic violence
24 costs employers up to \$13,000,000,000 each year.

1 (8) A fundamental component of ending domes-
2 tic and sexual violence is securing safe and afford-
3 able housing for survivors.

4 (9) Research indicates that:

5 (A) As many as fifty-seven percent of
6 homeless women report that domestic violence
7 was the immediate cause of their homelessness.

8 (B) Ninety-two percent of homeless women
9 report having experienced severe physical or
10 sexual violence at some point in their lives, in-
11 cluding sexual exploitation and trafficking.

12 (C) Eighty-four percent of survivors in do-
13 mestic violence shelters reported that they need-
14 ed help finding affordable housing. The Na-
15 tional Network to End Domestic Violence's DV
16 Counts Report finds that the majority of sur-
17 vivors' unmet needs are related to housing and
18 shelter. In another nationwide study, more than
19 half of the victims who identified a need for
20 housing services did not receive them.

21 (D) Survivors who become homeless as a
22 result of sexual assault are vulnerable to fur-
23 ther sexual victimization and exploitation in-
24 cluding sex trafficking.

1 (E) Women of color in the lowest income
2 category experience six times the rate of
3 nonfatal intimate partner violence compared to
4 white women in the highest income category.

5 (F) Poor women of color, domestic violence
6 survivors, and women with children are among
7 those at the highest risk of eviction.

8 (G) Housing insecurity can exacerbate sur-
9 vivors' vulnerability. Women and men who expe-
10 rienced food or housing insecurity in a 12-
11 month period had a significantly higher preva-
12 lence of rape, physical violence, or stalking by
13 an intimate partner in that same time period,
14 as compared to those who did not experience
15 food or housing insecurity.

16 (H) Vulnerable women are also at risk of
17 sex trafficking and exploitation by landlords
18 who pressure them for sex in exchange for rent
19 or a delay in rent payments.

20 (I) Approximately thirty-eight percent of
21 all survivors of domestic violence become home-
22 less at some point in their life.

23 (10) Surveys show that a majority of survivors
24 who experience a sexual assault in their home do not
25 relocate to a safe environment because they do not

1 have sufficient funds and are not aware of better op-
2 tions.

3 (11) Domestic and sexual violence survivors
4 often find themselves trapped in homes where they
5 are further victimized by caregivers, parents, sib-
6 lings, landlords, intimate partners, neighbors, or oth-
7 ers in or near their home. Economic insecurity and
8 the trauma that often follows sexual violence make
9 it difficult, if not impossible, for many survivors to
10 access safe, affordable housing options for them-
11 selves and their families.

12 (12) Domestic and sexual violence survivors
13 continue to face discrimination in securing and
14 maintaining housing based on their status as sur-
15 vivors and as a result of crimes committed against
16 them.

17 (13) Research by the Attorney General of the
18 State of New York found that sixty-seven percent of
19 domestic violence survivors reported that discrimina-
20 tion by landlords is a significant obstacle in obtain-
21 ing housing.

22 (14) Research also shows that survivors of do-
23 mestic violence or sexual assault are commonly de-
24 nied housing opportunities if a previous residence of
25 the survivor was a domestic violence shelter, if the

1 survivor has secured a protective order, or if there
2 is other evidence that the survivor has experienced
3 a previous domestic violence incident.

4 (15) Studies show that survivors of domestic vi-
5 olence or sexual assault often face eviction based on
6 a single domestic violence incident.

7 (16) Survivors of sex trafficking face additional
8 challenges in obtaining and maintaining housing due
9 to criminal records incurred as a direct result of
10 their exploitation.

11 (17) It is in the public interest to ensure that
12 survivors of domestic violence, sexual assault, sex
13 trafficking, dating violence, stalking, and other
14 forms of intimate partner and gender-based violence
15 are not discriminated against, particularly with re-
16 spect to housing, based on their status as victims of
17 the crimes committed against them.

18 **SEC. 3. SURVIVORS OF DOMESTIC VIOLENCE OR SEXUAL**
19 **ASSAULT AS PROTECTED CLASS UNDER THE**
20 **FAIR HOUSING ACT.**

21 (a) IN GENERAL.—The Fair Housing Act (42 U.S.C.
22 3601 et seq.) is amended—

23 (1) in section 802 (42 U.S.C. 3602), by adding
24 at the end the following:

25 “(p) ‘Domestic violence’—

1 “(1) has the meaning given the term in section
2 40002(a) of the Violence Against Women Act of
3 1994 (34 U.S.C. 12291(a)); and

4 “(2) includes—

5 “(A) dating violence and stalking, as such
6 terms are defined in such section 40002(a); and

7 “(B) threatened domestic violence.

8 “(q) ‘Sexual assault’—

9 “(1) has the meaning given the term in section
10 40002(a) of the Violence Against Women Act of
11 1994 (34 U.S.C. 12291(a)); and

12 “(2) includes threatened sexual assault.

13 “(r) ‘Severe forms of trafficking in persons’ has the
14 meaning given the term in section 103 of the Trafficking
15 Victims Protection Act of 2000 (22 U.S.C. 7102).

16 “(s) ‘Coercion’ has the meaning given the term in sec-
17 tion 103 of the Trafficking Victims Protection Act of 2000
18 (22 U.S.C. 7102).

19 “(t) ‘Survivor of domestic violence, sexual assault, or
20 severe forms of trafficking in persons’ includes any person
21 who experienced or is perceived to have experienced do-
22 mestic violence, sexual assault, or severe forms of traf-
23 ficking in persons.’.”;

24 (2) in section 804 (42 U.S.C. 3604)—

1 (A) in subsection (a), by striking “or na-
2 tional origin” and inserting “national origin, or
3 whether a person is a survivor of domestic vio-
4 lence, sexual assault, or severe forms of traf-
5 ficking in persons”;

6 (B) in subsection (b), by striking “or na-
7 tional origin” and inserting “national origin, or
8 whether a person is a survivor of domestic vio-
9 lence, sexual assault, or severe forms of traf-
10 ficking in persons”;

11 (C) in subsection (c), by striking “or na-
12 tional origin” and inserting “national origin, or
13 whether a person is a survivor of domestic vio-
14 lence, sexual assault, or severe forms of traf-
15 ficking in persons”;

16 (D) in subsection (d), by striking “or na-
17 tional origin” and inserting “national origin, or
18 whether a person is a survivor of domestic vio-
19 lence, sexual assault, or severe forms of traf-
20 ficking in persons”; and

21 (E) in subsection (e), by striking “or na-
22 tional origin” and inserting “national origin, or
23 whether a person is a survivor of domestic vio-
24 lence, sexual assault, or severe forms of traf-
25 ficking in persons”;

1 (3) in section 805 (42 U.S.C. 3605)—

2 (A) in subsection (a), by striking “or na-
3 tional origin” and inserting “national origin, or
4 whether a person is a survivor of domestic vio-
5 lence, sexual assault, or severe forms of traf-
6 ficking in persons”; and

7 (B) in subsection (c), by striking “or fa-
8 miliary status” and inserting “familial status, or
9 whether a person is a survivor of domestic vio-
10 lence, sexual assault, or severe forms of traf-
11 ficking in persons”;

12 (4) in section 806 (42 U.S.C. 3606), by striking
13 “or national origin” and inserting “national origin,
14 or whether a person is a survivor of domestic vio-
15 lence, sexual assault, or severe forms of trafficking
16 in persons”;

17 (5) in section 807 (42 U.S.C. 3607), by adding
18 at the end the following:

19 “(c) Nothing in this title shall prohibit a Federal,
20 State, unit of local government, or other assistance or
21 preference program from being designed to assist or ben-
22 efit survivors of domestic violence, sexual assault, or se-
23 vere forms of trafficking in persons in seeking, securing,
24 or maintaining dwellings, shelters, or any other form of

1 housing for such survivors, including associated notices,
2 statements, or advertisements of such dwelling.”; and

3 (6) in section 808(e)(6) (42 U.S.C. 3608(e)(6)),
4 by inserting “status as a survivor of domestic vio-
5 lence, sexual assault, or severe forms of trafficking
6 in persons,” after “handicap,”.

7 (b) PREVENTION OF INTIMIDATION IN FAIR HOUS-
8 ING CASES.—The Civil Rights Act of 1968 (42 U.S.C.
9 1301 et seq.) is amended—

10 (1) in section 901 (42 U.S.C. 3631)—

11 (A) in the paragraph preceding subsection
12 (a), by inserting “or coercion” after “threat of
13 force”;

14 (B) in subsection (a), by striking “or na-
15 tional origin” and inserting “national origin, or
16 because the person is a survivor of domestic vio-
17 lence, sexual assault, or severe forms of traf-
18 ficking in persons”;

19 (C) in subsection (b)(1), by striking “or
20 national origin” and inserting “national origin,
21 or because a person is a survivor of domestic vi-
22 olence, sexual assault, or severe forms of traf-
23 ficking in persons”; and

24 (D) in subsection (c), by striking “or na-
25 tional origin” and inserting “national origin, or

1 because a person is a survivor of domestic vio-
2 lence, sexual assault, or severe forms of traf-
3 ficking in persons”; and

4 (2) by inserting after section 901 the following:

5 **“SEC. 902. DEFINITIONS.**

6 “In this title, the terms ‘domestic violence’, ‘sexual
7 assault’, ‘severe forms of trafficking in persons’, ‘coercion’,
8 and ‘survivor of domestic violence, sexual assault, or se-
9 vere forms of trafficking in persons’ shall have the mean-
10 ing given such terms in section 802.”.

11 (c) **PRESERVATION OF SURVIVORS’ ABILITY TO RE-**
12 **COVER FOR OTHER FORMS OF DISCRIMINATION.**—Noth-
13 ing in this Act, or an amendment made by this Act, shall
14 be interpreted to limit the ability of survivors of domestic
15 violence, sexual assault, or severe forms of trafficking in
16 persons to recover for any other claims of discrimination
17 under the Fair Housing Act (42 U.S.C. 3601 et seq.), in-
18 cluding with respect to failure to conform to gender stereo-
19 types or policies that disproportionately affect women.

○