

119TH CONGRESS
1ST SESSION

S. 1621

To restore the fair housing mission of the Department of Housing and
Urban Development, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2025

Ms. WARREN introduced the following bill; which was read twice and referred
to the Committee on Banking, Housing, and Urban Affairs

A BILL

To restore the fair housing mission 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 “Restoring Fair Hous-
5 ing Protections Eliminated by Trump Act of 2025”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The current Administration has taken sev-
9 eral steps that seriously undermine fair housing pro-
10 tections for people in the United States.

1 (2) On February 10, 2025, the Secretary an-
2 nounced that he would halt all current and future
3 enforcement of the Equal Access Rule of the Depart-
4 ment that protects persons who are experiencing
5 homelessness from discrimination on the basis of
6 sexual orientation and gender identity while residing
7 in shelters and while receiving homeless services.

8 (3) On February 11, 2025, the Secretary stated
9 in an interview regarding the halting of Equal Ac-
10 cess Rule enforcement that, “We want to uphold,
11 first, what the bible says—that there’s male and fe-
12 male” and also stated that Department and the Of-
13 fice of Management and Budget “are going after
14 AFFH”.

15 (4) On February 12, 2025, the Secretary sub-
16 mitted an interim final rule about affirmatively fur-
17 thering fair housing to the Office of Management
18 and Budget for review.

19 (5) On February 12, 2025, the Secretary sub-
20 mitted a proposed Equal Access Rule to the Office
21 of Management and Budget for review.

22 (6) On February 14, 2025, Bloomberg Law re-
23 ported that the Trump Administration plans to
24 eliminate 50 percent of the staff at the Department.

1 (7) On February 26, 2025, ProPublica reported
2 that the United States DOGE Service (commonly re-
3 ferred to as the “Department of Government Effi-
4 ciency” or “DOGE”) was given access to confiden-
5 tial fair housing discrimination complaints.

6 (8) On February 26, 2025, the Secretary an-
7 nounced the rescission of the rule to affirmatively
8 further fair housing and announced the Department
9 will now rely on localities to self-certify that they
10 comply with the law, even if the locality has not
11 shown to the Department that it has affirmatively
12 furthered fair housing, through an interim final rule
13 issued on March 3, 2025, entitled “Affirmatively
14 Furthering Fair Housing Revisions”.

15 (9) On February 25, 2025, the Secretary, at
16 the direction of the United States DOGE Service
17 (commonly referred to as the “Department of Gov-
18 ernment Efficiency” or “DOGE”), canceled 78 Fair
19 Housing Initiatives Program grants that private
20 nonprofit fair housing organizations use to inves-
21 tigate and root out illegal housing discrimination.

22 (10) On March 13, 2025, Fair Housing Initia-
23 tives Program grantees filed a class action lawsuit in
24 a United States District Court.

1 (11) On March 25, 2025, the United States
 2 District Court in the District of Massachusetts
 3 granted a temporary restraining order directing the
 4 Secretary to reinstate the 78 Fair Housing Initia-
 5 tives Program grants.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) **ARTIFICIAL INTELLIGENCE.**—The term “ar-
 9 tificial intelligence” has the meaning given the term
 10 in section 238(g) of the John S. McCain National
 11 Defense Authorization Act for Fiscal Year 2019 (10
 12 U.S.C. 2358 note).

13 (2) **COVERED HOUSING.**—The term “covered
 14 housing”—

15 (A) with respect to a complaint alleging a
 16 violation of the Fair Housing Act (42 U.S.C.
 17 3601 et seq.), means—

18 (i) housing assisted under the pro-
 19 gram for supportive housing for the elderly
 20 under section 202 of the Housing Act of
 21 1959 (12 U.S.C. 1701q), including the di-
 22 rect loans program under such section 202
 23 as in effect before the date of enactment of
 24 the Cranston-Gonzalez National Affordable
 25 Housing Act (12 U.S.C. 12701 et seq.);

1 (ii) housing assisted under the pro-
2 gram for supportive housing for persons
3 with disabilities under section 811 of the
4 Cranston-Gonzalez National Affordable
5 Housing Act (42 U.S.C. 8013);

6 (iii) housing assisted under the pro-
7 gram for housing opportunities for people
8 with AIDS/HIV under subtitle D of title
9 VIII of the Cranston-Gonzalez National
10 Affordable Housing Act (42 U.S.C. 12901
11 et seq.);

12 (iv) housing assisted under any of the
13 programs under subtitles B through D of
14 title IV of the McKinney-Vento Homeless
15 Assistance Act (42 U.S.C. 11371 et seq.);

16 (v) housing assisted under the HOME
17 Investment Partnerships program under
18 subtitle A of title II of the Cranston-Gon-
19 zalez National Affordable Housing Act (42
20 U.S.C. 12741 et seq.);

21 (vi) housing assisted under the rent
22 supplement program under section 101 of
23 the Housing and Urban Development Act
24 of 1965 (12 U.S.C. 1701s);

1 (vii) housing financed by a loan or
2 mortgage that is insured under section 203
3 of the National Housing Act (12 U.S.C.
4 1709);

5 (viii) housing financed by a loan or
6 mortgage that is—

7 (I) secured by a first or subordi-
8 nate lien on a residential real prop-
9 erty, including any such secured loan,
10 the proceeds of which are used to pre-
11 pay or pay off an existing loan se-
12 cured by the same property; and

13 (II) purchased or securitized by
14 the Federal Home Loan Mortgage
15 Corporation or the Federal National
16 Mortgage Association;

17 (ix) housing insured, assisted, or held
18 by the Secretary or a State or State agen-
19 cy under the multifamily rental assistance
20 program under section 236 of the National
21 Housing Act (12 U.S.C. 1715z-1);

22 (x) public housing assisted under title
23 I of the United States Housing Act of
24 1937 (42 U.S.C. 1437 et seq.);

1 (xi) a dwelling unit assisted under the
2 Housing Choice Voucher program for rent-
3 al assistance under section 8(o) of the
4 United States Housing Act of 1937 (42
5 U.S.C. 1437f(o));

6 (xii) housing assisted with project-
7 based rental assistance provided under sec-
8 tion 8 of the United States Housing Act of
9 1937 (42 U.S.C. 1437f);

10 (xiii) housing assisted with funds from
11 the Housing Trust Fund as established
12 under section 1338 of the Federal Housing
13 Enterprises Financial Safety and Sound-
14 ness Act of 1992 (12 U.S.C. 4568);

15 (xiv) housing assisted under any of
16 the rural housing assistance programs
17 under section 514, 515, 516, 533, 538, or
18 542 of the Housing Act of 1949 (42
19 U.S.C. 1484, 1485, 1486, 1490m, 1490p-
20 2, 1490r);

21 (xv) any housing project for which eq-
22 uity is provided through any low-income
23 housing tax credit pursuant to section 42
24 of the Internal Revenue Code of 1986;

1 (xvi) housing assisted under the Com-
2 prehensive Service Programs for Homeless
3 Veterans program under subchapter II of
4 chapter 20 of title 38, United States Code;

5 (xvii) housing and facilities assisted
6 under the grant program for homeless vet-
7 erans with special needs under section
8 2061 of title 38, United States Code;

9 (xviii) permanent housing for which
10 assistance is provided under the program
11 for financial assistance for supportive serv-
12 ices for very low-income veteran families in
13 permanent housing under section 2044 of
14 title 38, United States Code;

15 (xix) any other housing assisted by
16 any housing program administered by the
17 Secretary of Veterans Affairs;

18 (xx) housing assisted by the Commu-
19 nity Development Financial Institutions
20 Fund established under the Community
21 Development Banking and Financial Insti-
22 tutions Act of 1994 (12 U.S.C. 4701 et
23 seq.);

1 (xxi) housing assisted under the
2 Neighborhood Reinvestment Corporation
3 Act (42 U.S.C. 8101 et seq.);

4 (xxii) housing assisted under title I of
5 the Housing and Community Development
6 Act of 1974 (42 U.S.C. 5301 et seq.), in-
7 cluding housing assisted with amounts pro-
8 vided during a disaster as described in
9 such Act;

10 (xxiii) transitional or short-term hous-
11 ing assisted under the grant program
12 under section 40299 of the Violence
13 Against Women Act of 1994 (34 U.S.C.
14 12351);

15 (xxiv) housing assisted under such
16 other Federal housing programs as identi-
17 fied for the purposes of section 7 of this
18 Act; and

19 (xxv) Federally subsidized dwelling
20 units that provide affordable housing to
21 low-income persons by means of restricted
22 rents or rental assistance, as identified for
23 the purposes of section 7 of this Act; and

24 (B) with respect to a complaint alleging a
25 violation of the Violence Against Women Act

1 (34 U.S.C. 12291 et seq.), means a covered
 2 housing program, as defined in section 41411
 3 of such Act (34 U.S.C. 12491).

4 (3) DEPARTMENT.—The term “Department”
 5 means the Department of Housing and Urban De-
 6 velopment.

7 (4) SECRETARY.—The term “Secretary” means
 8 the Secretary of Housing and Urban Development.

9 **SEC. 4. MISSION OF THE DEPARTMENT OF HOUSING AND**
 10 **URBAN DEVELOPMENT.**

11 Section 2 of the Department of Housing and Urban
 12 Development Act (42 U.S.C. 3531) is amended—

13 (1) in the section heading, by inserting “; MIS-
 14 SION OF DEPARTMENT” after “PURPOSE”;

15 (2) by inserting “(a) PURPOSE.—” after “SEC.
 16 2.”; and

17 (3) by adding at the end the following:

18 “(b) MISSION OF DEPARTMENT.—The mission of the
 19 Department of Housing and Urban Development shall be
 20 to create strong, sustainable, inclusive communities and
 21 quality affordable homes for all. The Department of Hous-
 22 ing and Urban Development shall work to strengthen the
 23 housing market to bolster the economy and protect con-
 24 sumers, meet the need for quality affordable rental homes,
 25 utilize housing as a platform for improving quality of life,

1 build inclusive and sustainable communities free from dis-
 2 crimination, and transform the way the Department does
 3 business.”.

4 **SEC. 5. IMPLEMENTATION OF AFFIRMATIVELY FUR-**
 5 **THERING FAIR HOUSING REGULATION.**

6 Not later than 90 days after the date of enactment
 7 of this Act, the Secretary shall carry out the following:

8 (1) Repeal the interim final rule issued on
 9 March 3, 2025, entitled “Affirmatively Furthering
 10 Fair Housing Revisions”.

11 (2) Issue a rule that defines “affirmatively fur-
 12 thering fair housing” in the following manner:

13 (A) “Affirmatively furthering fair housing”
 14 means—

15 (i) taking meaningful actions, in addi-
 16 tion to combating discrimination, that
 17 overcome patterns of segregation and fos-
 18 ter inclusive communities free from bar-
 19 riers that restrict access to opportunity
 20 based on protected characteristics; and

21 (ii) in particular, taking meaningful
 22 actions that, taken together, address sig-
 23 nificant disparities in housing needs and in
 24 access to opportunity, replacing segregated
 25 living patterns with truly integrated and

1 balanced living patterns, transforming ra-
 2 cially or ethnically concentrated areas of
 3 poverty into areas of opportunity, and fos-
 4 tering and maintaining compliance with
 5 civil rights and fair housing laws.

6 (B) The duty to affirmatively further fair
 7 housing extends to all of a program partici-
 8 pant's activities and programs relating to hous-
 9 ing and urban development.

10 **SEC. 6. REVIEW OF ONLINE COMPLAINTS OF VIOLATIONS**
 11 **OF FAIR HOUSING ACT.**

12 Not later than 180 days after the date of enactment
 13 of this Act, the Secretary shall submit to Congress a re-
 14 port that includes—

15 (1) a review of the complaints filed with the
 16 Secretary under section 810 of the Fair Housing
 17 Act (42 U.S.C. 3610) during the 5-year period pre-
 18 ceding the date of enactment of this Act that alleged
 19 a discriminatory housing practice involving a digital
 20 platform or artificial intelligence, including any arti-
 21 ficial intelligence used for—

- 22 (A) advertisement delivery and targeting;
- 23 (B) tenant screening;
- 24 (C) automated mortgage underwriting;
- 25 (D) dynamic pricing of real estate; and

1 (E) real estate listings; and

2 (2) an analysis of trends and risks related to—

3 (A) discrimination that occurs in connec-
4 tion with the use of digital platforms to rent or
5 purchase housing;

6 (B) the sufficiency of the Fair Housing
7 Act (42 U.S.C. 3601 et seq.) to remedy dis-
8 crimination during the rental or purchase of
9 housing through digital platforms; and

10 (C) steps the Secretary plans to take to
11 address that discrimination.

12 **SEC. 7. PUBLICLY AVAILABLE DATABASE FOR FAIR HOUS-**
13 **ING COMPLAINTS.**

14 The Secretary shall develop, and update on a quar-
15 terly basis, a database that is publicly available on a
16 website of the Department that includes, subject to appli-
17 cable confidentiality constraints, the following:

18 (1) The total number of complaints alleging vio-
19 lations of the Fair Housing Act (42 U.S.C. 3601 et
20 seq.) that were received by the Secretary,
21 disaggregated with respect to both number and per-
22 centage, by each protected class established under
23 such Act.

24 (2) The number and percentage of the total
25 number of complaints that allege violations of the

1 Violence Against Women Act of 1994 (34 U.S.C.
2 12291 et seq.).

3 (3) The number and percentage of the total
4 number of complaints referred to in paragraphs (1)
5 and (2) that—

6 (A) were made by persons experiencing
7 homelessness;

8 (B) were made by tenants; and

9 (C) were made by persons who have ap-
10 plied for covered housing, disaggregated by
11 each specific type of covered housing for which
12 such person applied.

13 (4) For each State, the number and percentage
14 of the total number of complaints referred to in
15 paragraphs (1) and (2) that were made by residents
16 of such State.

17 (5) The number and percentage of the total
18 number complaints referred to in paragraphs (1)
19 and (2) that alleged that the complainant was retali-
20 ated against after reporting the alleged violation
21 and, of such number, the number and percentage
22 that alleged that the complainant was evicted for
23 any retaliatory reason.

24 (6) The status of the complaints referred to in
25 paragraphs (1) and (2), including a detailed descrip-

1 tion of the resolutions and remedies provided and,
2 for complaints that were administratively closed, of
3 the reasons for such closures.

4 (7) The number and percentage of the total
5 number of complaints referred to in paragraph (1)
6 that were received by—

7 (A) State agencies assisted under the Fair
8 Housing Assistance Program authorized under
9 section 810 of the Fair Housing Act (42 U.S.C.
10 3610); and

11 (B) local agencies assisted under the Fair
12 Housing Initiatives Program authorized under
13 section 817 of such Act (42 U.S.C. 3616).

14 (8) The number and percentage of the total
15 number of complaints referred to in paragraph (1)
16 that ended in a reasonable cause charge by the Sec-
17 retary or were referred to the Attorney General by
18 the Secretary.

19 (9) The number and percentage of the total
20 number of complaints referred to in paragraph (1)
21 received by the Attorney General that were not re-
22 ferred to the Attorney General by the Secretary.

○