

115TH CONGRESS
2D SESSION

H. R. 6925

To require reporting by the Secretary of Housing and Urban Development and the Comptroller General of the United States regarding sexual harassment in Federal housing assistance programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2018

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require reporting by the Secretary of Housing and Urban Development and the Comptroller General of the United States regarding sexual harassment in Federal housing assistance programs, 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 “Sexual Harassment
5 Awareness and Prevention Act of 2018”.

6 **SEC. 2. HUD REPORTS ON SEXUAL HARASSMENT.**

7 The Secretary of Housing and Urban Development
8 shall include in the annual report required under section

1 809(e)(6) of the Fair Housing Act (42 U.S.C. 3608(e)(6))
2 the following information for the year involved:

3 (1) The total number of complaints regarding
4 harassment on the basis of sex (as defined under the
5 regulations of the Secretary implementing such Act)
6 that were received by the Department of Housing
7 and Urban Development and handled under part
8 100 of the Secretary's regulations (24 C.F.R. Part
9 100), disaggregated with respect to both number
10 and percentage, by gender, race, familial status, per-
11 sons with disabilities, and persons who are elderly.

12 (2) The number and percentage of the total
13 number of complaints referred to in paragraph (1)
14 that were made by tenants of, and applicants for
15 programs for, covered housing, disaggregated by the
16 program for assistance for the covered housing.

17 (3) For each State, the number and percentage
18 of the total number of complaints referred to in
19 paragraph (1) that were made by residents of such
20 State.

21 (4) The number and percentage of the total
22 number of complaints referred to in paragraph (1)
23 that alleged that the complainant was retaliated
24 against after reporting the alleged sexual harass-
25 ment and, of such number, the number and percent-

1 age that alleged that the complainant was
2 retaliatorily evicted.

3 (5) The status of the complaints referred to in
4 paragraph (1), including a detailed description of
5 the resolutions and remedies provided and, for com-
6 plaints that were administratively closed, of the rea-
7 sons for such closures.

8 (6) The number and percentage of the total
9 number of complaints referred to in paragraph (1)
10 that were handled by State or local agencies assisted
11 under the Fair Housing Assistance Program author-
12 ized under sections 810 and 817 of the Fair Hous-
13 ing Act (42 U.S.C. 3610, 3616).

14 (7) The number and percentage of the total
15 number of complaints regarding harassment on the
16 basis of sex that were referred to the Department of
17 Justice by the Department of Housing and Urban
18 Development and the number and percentage of
19 such total number of complaints handled by the De-
20 partment of Justice that were not referred by the
21 Department of Housing and Urban Development.

22 **SEC. 3. GAO REPORT ON SEXUAL HARASSMENT.**

23 (a) REVIEW AND ANALYSIS.—The Comptroller Gen-
24 eral of the United States shall conduct a review and anal-
25 ysis of the monitoring and enforcement by the Department

1 of Housing and Urban Development, the Department of
2 Agriculture, the Department of the Treasury, and the De-
3 partment of Justice, of compliance with the prohibitions
4 under the Fair Housing Act (42 U.S.C. 3601 et seq.) and
5 applicable regulations regarding harassment on the basis
6 of sex, which shall include—

7 (1) identifying and determining the effective-
8 ness of—

9 (A) any mechanisms used by the Depart-
10 ment of Housing and Urban Development, and
11 all relevant program offices of the Department,
12 including the Office of Public and Indian Hous-
13 ing and the Office of Community Planning and
14 Development, to identify the extent to which
15 applicants for or participants in programs for
16 covered housing are being subjected to such
17 harassment;

18 (B) any actions that the Department of
19 Housing and Urban Development, the Depart-
20 ment of Agriculture, the Department of the
21 Treasury, and the Department of Justice, in-
22 cluding all relevant program offices within such
23 agencies, are taking in response to complaints
24 by such applicants and participants regarding

1 such harassment to prevent such harassment in
2 the future; and

3 (C) any policies and resources, of the De-
4 partment of Housing and Urban Development,
5 the Department of Agriculture, the Department
6 of the Treasury, the Department of Justice, in-
7 cluding all relevant program offices within such
8 agencies, and public housing agencies, that are
9 currently in effect or are currently available, re-
10 spectively, to serve applicants for or partici-
11 pants in programs for covered housing who are
12 victims of sexual harassment; and

13 (2) determining whether there are differences in
14 the methods by which State and local agencies as-
15 sisted under the Fair Housing Assistance Program
16 handle claims regarding harassment on the basis of
17 sex and whether such differences yield different re-
18 sults for similar claims.

19 (b) REPORT.—Not later than the expiration of the
20 18-month period beginning on the date of the enactment
21 of this Act, the Comptroller General of the United States
22 shall submit to the Congress a report regarding the review
23 and analysis conducted pursuant to subsection (a), which
24 shall include assessments of the effectiveness of the mech-
25 anisms and actions referred to in paragraphs (1) and (2),

1 respectively, of subsection (a) and recommendations for
2 additional actions, as appropriate, to better monitor and
3 enforce compliance with the prohibitions under the Fair
4 Housing Act and applicable regulations regarding harass-
5 ment on the basis of sex.

6 **SEC. 4. INTERAGENCY TASK FORCE.**

7 (a) ESTABLISHMENT.—Effective upon the submis-
8 sion to the Congress of the report under section 3(b),
9 there is established an Interagency Task Force on En-
10 forcement of Prohibitions Against Sexual Harassment
11 Under the Fair Housing Act.

12 (b) MEMBERSHIP.—The Task Force shall consist of
13 the following members or their designees:

14 (1) The Secretary of Housing and Urban Devel-
15 opment.

16 (2) The Secretary of Agriculture.

17 (3) The Secretary of the Treasury.

18 (4) The Secretary of Veterans Affairs.

19 (5) The Attorney General.

20 (c) CHAIRPERSON.—The Chairperson of the Task
21 Force shall be the Secretary of Housing and Urban Devel-
22 opment.

23 (d) RESPONSIBILITIES.—The Task Force shall be re-
24 sponsible for implementing the recommendations made in
25 the report submitted to the Congress under section 3(b)

1 and for addressing ongoing issues with respect to moni-
2 toring and enforcement by the Department of Housing
3 and Urban Development, the Department of Agriculture,
4 the Department of the Treasury, and the Department of
5 Justice, of compliance with the prohibitions under the
6 Fair Housing Act (42 U.S.C. 3601 et seq.) and applicable
7 regulations regarding harassment on the basis of sex.

8 (e) CONSULTATION.—The Task Force shall consult
9 with tenants of covered housing (including tenant organi-
10 zations, such as resident advisory boards and resident
11 councils), tenant advocates, anti-sexual violence advocacy
12 organizations, and fair housing organizations to solicit
13 feedback on implementation of the recommendations made
14 in the report submitted to the Congress under section 3(b)
15 and other Task Force activities.

16 (f) MEETINGS.—The Task Force shall initially con-
17 vene not later than the expiration of the 30-day period
18 beginning upon its establishment under subsection (a) and
19 shall meet not less often than once each year thereafter.

20 **SEC. 5. COVERED HOUSING.**

21 For purposes of this Act, the term “covered housing”
22 means—

23 (1) housing assisted under the program for sup-
24 portive housing for the elderly under section 202 of
25 the Housing Act of 1959 (12 U.S.C. 1701q), includ-

1 ing the direct loans program under such section 202
2 as in effect before the enactment of the Cranston-
3 Gonzalez National Affordable Housing Act (Public
4 Law 101–625; November 28, 1990);

5 (2) housing assisted under the program for sup-
6 portive housing for persons with disabilities under
7 section 811 of the Cranston-Gonzalez National Af-
8 fordable Housing Act (42 U.S.C. 8013);

9 (3) housing assisted under the program for
10 housing opportunities for people with AIDS/HIV
11 under subtitle D of title VIII of the Cranston-Gon-
12 zalez National Affordable Housing Act (42 U.S.C.
13 12901 et seq.);

14 (4) housing assisted under any of the programs
15 under subtitles B through F of title IV of the
16 McKinney-Vento Homeless Assistance Act (42
17 U.S.C. 11371 et seq.);

18 (5) housing assisted under the HOME Invest-
19 ments Partnerships program under subtitle A of title
20 II of the Cranston-Gonzalez National Affordable
21 Housing Act (42 U.S.C. 12741 et seq.);

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

1 (7) housing financed by a loan or mortgage
2 that is insured under section 221(d)(3) of the Na-
3 tional Housing Act (12 U.S.C. 1715l(d)(3)) that
4 bears interest at a rate determined under the proviso
5 of paragraph (5) of such section 221(d);

6 (8) housing insured, assisted, or held by the
7 Secretary or a State or State agency under the mul-
8 tifamily rental assistance program under section 236
9 of the National Housing Act (12 U.S.C. 1715z-1);

10 (9) public housing assisted under title I of the
11 United States Housing Act of 1937 (42 U.S.C. 1437
12 et seq.);

13 (10) a dwelling unit assisted under the Housing
14 Choice Voucher program for rental assistance under
15 section 8(o) of the United States Housing Act of
16 1937 (42 U.S.C. 1437f(o));

17 (11) housing assisted with project-based rental
18 assistance provided under section 8 of the United
19 States Housing Act of 1937 (42 U.S.C. 1437f);

20 (12) housing assisted with funds from the
21 Housing Trust Fund as established under section
22 1338 of the Federal Housing Enterprises Financial
23 Safety and Soundness Act of 1992 (12 U.S.C.
24 4568);

1 (13) housing assisted under any of the rural
2 housing assistance programs under section 514, 515,
3 516, 533, 538, or 542 of the Housing Act of 1949
4 (42 U.S.C. 1484, 1485, 1486, 1490m, 1490p–2,
5 1490r);

6 (14) any housing project for which equity is
7 provided through any low-income housing tax credit
8 pursuant to section 42 of the Internal Revenue Code
9 of 1986 (26 U.S.C. 42);

10 (15) housing assisted under the Comprehensive
11 Service Programs for Homeless Veterans program
12 under subchapter II of chapter 20 of title 38, United
13 States Code (38 U.S.C. 2011 et seq.);

14 (16) housing and facilities assisted under the
15 grant program for homeless veterans with special
16 needs under section 2061 of title 38, United States
17 Code;

18 (17) permanent housing for which assistance is
19 provided under the program for financial assistance
20 for supportive services for very low-income veteran
21 families in permanent housing under section 2044 of
22 title 38, United States Code; and

23 (18) housing assisted under such other Federal
24 housing programs, and federally subsidized dwelling
25 units providing affordable housing to low-income

1 persons by means of restricted rents or rental assist-
2 ance, as may be identified for purposes of this sec-
3 tion by the appropriate agency.

○