

118TH CONGRESS
2D SESSION

S. 5534

To authorize a grant program for educational institutions to analyze, digitize, and map historic records relating to housing discrimination, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 16, 2024

Ms. SMITH (for herself, Mr. BROWN, Ms. WARREN, Mr. SANDERS, Ms. KLOBUCHAR, Mr. WYDEN, Mr. BLUMENTHAL, Mr. HEINRICH, Mr. WELCH, Mr. VAN HOLLEN, and Mr. MURPHY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To authorize a grant program for educational institutions to analyze, digitize, and map historic records relating to housing discrimination, 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 “Mapping Housing Dis-
5 crimination Act”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to support—

1 (1) efforts by educational institutions to con-
 2 duct primary analysis and digitization of historic
 3 housing discrimination patterns since 1850;

4 (2) efforts by local governments to digitize
 5 property deeds and other historic records relating to
 6 housing discrimination; and

7 (3) the creation of a national, publicly available
 8 database of local records of housing discrimination
 9 patterns since 1850.

10 **SEC. 3. GRANT PROGRAM.**

11 (a) DEFINITIONS.—In this section:

12 (1) ELIGIBLE ENTITY.—The term “eligible enti-
 13 ty”—

14 (A) means an institution of higher edu-
 15 cation (as defined in section 101 of the Higher
 16 Education Act of 1965 (20 U.S.C. 1001)); and

17 (B) includes a minority-serving institution.

18 (2) HISTORIC HOUSING DISCRIMINATION
 19 RECORD.—The term “historic housing discrimina-
 20 tion record” means—

21 (A) a deed or other historic property
 22 record originating after 1850 in which there is
 23 evidence of housing discrimination, which may
 24 include—

1 (i) a racial covenant or other provision
 2 in a property deed that was legally enforce-
 3 able on the date on which the racial cov-
 4 enant or other provision was written; or

5 (ii) racially or ethnically restrictive
 6 language in any agreement entered into by
 7 the developer of a subdivision, a neighbor-
 8 hood association, a real estate operator, or
 9 a group of property owners; or

10 (B) a State law, a local ordinance, or a
 11 document that presents evidence of a State law
 12 or local ordinance, that—

13 (i) originated after 1850; and

14 (ii) permitted housing discrimination
 15 against a protected class under the Fair
 16 Housing Act (42 U.S.C. 3601 et seq.).

17 (3) JURISDICTION.—The term “jurisdiction”
 18 means—

19 (A) a political subdivision of a State; or

20 (B) the District of Columbia.

21 (4) MAPPING PROJECT.—The term “mapping
 22 project” means a project performed with a grant
 23 awarded under subsection (b)(1).

24 (5) MINORITY-SERVING INSTITUTION.—The
 25 term “minority-serving institution” means an insti-

tution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(6) OFFICE.—The term “Office”, except as otherwise specified, means the Office of Policy Development and Research of the Department of Housing and Urban Development.

(7) OFFICE OF FAIR HOUSING AND EQUAL OPPORTUNITY.—The term “Office of Fair Housing and Equal Opportunity” means the Office of Fair Housing and Equal Opportunity of the Department of Housing and Urban Development.

(8) STATE.—The term “State” means any State of the United States.

(b) MAPPING PROJECTS.—

(1) IN GENERAL.—The Office may award grants on a competitive basis to eligible entities for the purpose of performing projects for analyzing, digitizing, and mapping the historic housing discrimination records of not less than 1 jurisdiction.

(2) DURATION AND AMOUNT.—

(A) DURATION.—The duration of a mapping project shall be not more than 5 years.

1 (B) AMOUNT.—In determining the amount
2 of a grant under this section, the Office shall
3 consider—

4 (i) the size of the jurisdiction or juris-
5 dictions that are the focus of the mapping
6 project; and

7 (ii) the estimated duration of the
8 mapping project included in the application
9 of an eligible entity under paragraph
10 (3)(B)(ii).

11 (3) APPLICATIONS.—

12 (A) IN GENERAL.—An eligible entity desir-
13 ing a grant under this section shall submit to
14 the Office an application at such time, in such
15 manner, and accompanied by such information
16 as the Office may require.

17 (B) CONTENTS.—An application submitted
18 by an eligible entity under this paragraph shall
19 include a description of—

20 (i) each jurisdiction that will be the
21 focus of the mapping project;

22 (ii) the estimated duration of the
23 mapping project;

24 (iii) any necessary partnership with a
25 jurisdiction to digitize and collect historic

1 housing discrimination records, including
2 any—

3 (I) memorandum of under-
4 standing entered into by the eligible
5 entity and the jurisdiction; or

6 (II) compensation given to the
7 jurisdiction to aid in document
8 digitization efforts;

9 (iv) the methodology that the eligible
10 entity will use to—

11 (I) review documents for racial
12 covenants or racially restrictive lan-
13 guage;

14 (II) compile historic housing dis-
15 crimination records; and

16 (III) create a spatial dataset of
17 historic housing discrimination
18 records;

19 (v) any research the eligible entity has
20 already conducted on historic housing dis-
21 crimination records in a jurisdiction that
22 will be a focus of the mapping project; and

23 (vi) if the eligible entity has conducted
24 any research described in clause (v), a plan
25 for coordinating that research with re-

1 search the eligible entity will perform dur-
2 ing the mapping project.

3 (C) PREFERENCE.—In awarding grants
4 under this section, the Secretary may give pref-
5 erence to eligible entities that are minority-serv-
6 ing institutions.

7 (4) PROJECT REQUIREMENTS.—An eligible enti-
8 ty that performs a mapping project shall—

9 (A) use the data standards developed
10 under paragraph (6) to create and maintain a
11 dataset relating to historic housing discrimina-
12 tion records; and

13 (B) upon the completion of the mapping
14 project, submit to the Office—

15 (i) the dataset required under sub-
16 paragraph (A); and

17 (ii) with respect to the dataset re-
18 quired under subparagraph (A)—

19 (I) raw data relating to the
20 dataset;

21 (II) metadata that describes—

22 (aa) the methodology of the
23 eligible entity in creating the
24 dataset; and

25 (bb) the dataset; and

1 (III) any other information rel-
2 evant to the creation of the dataset.

3 (5) USE OF FUNDS.—An eligible entity may use
4 funds from a grant under this section to—

5 (A) confer with other educational institu-
6 tions or other entities conducting research on
7 historic housing discrimination patterns to de-
8 velop and adopt best practices for—

9 (i) coordination with jurisdictions;
10 (ii) data collection;
11 (iii) the involvement of volunteer re-
12 searchers in mapping projects; and

13 (iv) the creation of spatial datasets of
14 historic housing discrimination records;

15 (B) compensate jurisdictions to aid in the
16 digitization of local property deeds or other
17 records;

18 (C) develop or purchase digital tools to
19 identify racial covenants in digitized property
20 deeds or other records;

21 (D) create a spatial dataset of historic
22 housing discrimination records; and

23 (E) make the submission required under
24 paragraph (4)(B).

25 (6) DATA STANDARDS.—

1 (A) IN GENERAL.—Not later than 1 year
2 after the date of enactment of this Act, the Of-
3 fice, in coordination with the Office of Fair
4 Housing and Equal Opportunity, shall establish
5 a set of uniform data standards for the anal-
6 ysis, digitization, and mapping of historic hous-
7 ing discrimination records with which eligible
8 entities performing mapping projects shall com-
9 ply.

10 (B) METADATA.—The set of uniform data
11 standards established under subparagraph (A)
12 shall include guidance for the creation of the
13 metadata required under paragraph
14 (4)(B)(ii)(II).

15 (C) INPUT.—In developing the uniform
16 data standards under subparagraph (A), the
17 Office shall seek input from educational institu-
18 tions, civil rights organizations, or other entities
19 conducting research on historic housing dis-
20 crimination patterns.

21 (D) THIRD-PARTY PROPOSAL.—

22 (i) IN GENERAL.—The Office may
23 award a grant to, or enter into a contract
24 with, a non-Federal entity on a competitive
25 basis for the purpose of proposing the uni-

1 form data standards required to be estab-
 2 lished under subparagraph (A).

3 (ii) INPUT.—A non-Federal entity
 4 that proposes uniform data standards
 5 under clause (i) shall seek input from the
 6 entities described in subparagraph (C).

7 (7) NATIONAL DATABASE.—

8 (A) IN GENERAL.—

9 (i) CREATION.—Subject to clause (ii),
 10 the Office shall use the data submitted by
 11 eligible entities under paragraph (4)(B) to
 12 create a national database of historic hous-
 13 ing discrimination records.

14 (ii) OPTIONAL 6-MONTH DELAY.—At
 15 the request of an eligible entity, the Office
 16 shall wait to add data submitted by the eli-
 17 gible entity under paragraph (4)(B) to the
 18 national database created under clause (i)
 19 of this subparagraph until the date that is
 20 180 days after the date on which the eligi-
 21 ble entity submitted the data.

22 (B) PUBLIC AVAILABILITY.—

23 (i) IN GENERAL.—The Office shall
 24 make the database created under subpara-

1 graph (A) publicly available at no cost on
2 the website of the Office.

3 (ii) OTHER INFORMATION.—At the re-
4 quest of any individual, the Office shall
5 provide the individual with the information
6 submitted by an eligible entity under para-
7 graph (4)(B)(ii).

8 (C) OPTIONAL ADDITIONS.—The Office
9 may import Federal data relating to historic
10 housing discrimination records into the national
11 database created under subparagraph (A).

12 (8) DIGITIZATION.—If an eligible entity com-
13 pensates a jurisdiction for the purpose of digitizing
14 historic housing discrimination records with funds
15 from a mapping project, the jurisdiction shall make
16 those deeds and records publicly available at no cost.

17 (c) REPORTS.—

18 (1) PROJECT REPORT.—Not later than 180
19 days after the date on which an eligible entity re-
20 ceives a grant under this section, and annually
21 thereafter for the duration of the mapping project,
22 an eligible entity performing a mapping project shall
23 submit to the Office a report on the status of the
24 mapping project, which shall include information on
25 the progress of the eligible entity—

1 (A) in community outreach and engage-
2 ment, including whether volunteers are involved
3 in the mapping project;

4 (B) on any necessary collaboration with a
5 jurisdiction for the purpose of digitizing historic
6 housing discrimination records;

7 (C) on data collection and identification of
8 historic housing discrimination records relating
9 to racial discrimination;

10 (D) on data collection and the identifica-
11 tion of historic housing discrimination records
12 that suggest a pattern of discrimination against
13 individuals with any protected characteristic
14 other than race; and

15 (E) on the creation of the dataset required
16 under subsection (b)(4)(A).

17 (2) REPORT TO CONGRESS.—Not later than 1
18 year after the date of enactment of this Act, and not
19 less frequently than once every 3 years thereafter,
20 the Office shall submit to the Committee on Bank-
21 ing, Housing, and Urban Affairs of the Senate and
22 the Committee on Financial Services of the House of
23 Representatives a report that includes—

24 (A) information relating to—

1 (i) the status of the grant program es-
2 tablished under subsection (b), including a
3 list of the ongoing and completed mapping
4 projects and the jurisdictions that are the
5 focus of those mapping projects;

6 (ii) the status of the national database
7 required under subsection (b)(7); and

8 (iii) any research the Office or the
9 Secretary of Housing and Urban Develop-
10 ment performs with information from the
11 national database required under sub-
12 section (b)(7); and

13 (B) an addendum from the Office of Fair
14 Housing and Equal Opportunity that details—

15 (i) the involvement of the Office of
16 Fair Housing and Equal Opportunity in
17 the grant program established under sub-
18 section (b), including any coordination with
19 the Office of Policy Development and Re-
20 search of the Department of Housing and
21 Urban Development; and

22 (ii) how the grant program established
23 under subsection (b) relates to—

24 (I) the mission of the Office of
25 Fair Housing and Equal Opportunity

1 to enforce the Fair Housing Act (42
2 U.S.C. 3601 et seq.); and

3 (II) any ongoing work of the Of-
4 fice of Fair Housing and Equal Op-
5 portunity.

6 (d) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to the Office—

8 (1) \$5,000,000 for each of fiscal years 2024
9 through 2033 to award grants under subsection (b);
10 and

11 (2) \$750,000 for each of fiscal years 2024
12 through 2033, to remain available until expended,
13 for costs associated with carrying out the require-
14 ments of this Act.

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