

112TH CONGRESS  
2D SESSION

# S. 3283

To amend the Fair Housing Act to protect servicemembers and veterans from housing discrimination, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 11, 2012

Mr. BROWN of Massachusetts introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To amend the Fair Housing Act to protect servicemembers and veterans from 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 “Ending Housing Dis-  
5       crimination Against Servicemembers and Veterans Act of  
6       2012”.

7       **SEC. 2. FINDINGS.**

8       Congress finds the following:

1           (1) Servicemembers and veterans have given the  
2           United States the ultimate commitment to preserve  
3           freedom and national security.

4           (2) Those who are serving or have served in the  
5           Armed Forces deserve the maximum protection pos-  
6           sible from discrimination based upon their military  
7           service.

8           (3) Veterans have historically suffered from  
9           homelessness at a higher rate than the general popu-  
10          lation and ending this disgrace should be a national  
11          priority.

12          (4) Those who are wearing or have worn the  
13          uniform of the United States should be entitled to  
14          Federal protection from housing discrimination.

15 **SEC. 3. ENDING HOUSING DISCRIMINATION AGAINST**  
16 **SERVICEMEMBERS AND VETERANS.**

17          (a) DEFINITIONS.—Section 802 of the Fair Housing  
18          Act (42 U.S.C. 3602) is amended by adding at the end  
19          the following:

20          “(p) ‘Servicemember or veteran’ means an individual  
21          who serves or served in the Armed Forces, including in  
22          the National Guard or the Reserves (or in the National  
23          Guard in State status under title 32, United States Code),  
24          except that such term does not include an individual who

1 was discharged or released from service under dishonor-  
 2 able conditions.”.

3 (b) DISCRIMINATION IN THE SALE OR RENTAL OF  
 4 HOUSING AND OTHER PROHIBITED PRACTICES.—Section  
 5 804 of the Fair Housing Act (42 U.S.C. 3604) is amend-  
 6 ed—

7 (1) in subsection (a), by inserting “or because  
 8 the person is a servicemember or veteran” after “na-  
 9 tional origin”;

10 (2) in subsection (b), by inserting “or because  
 11 the person is a servicemember or veteran” after “na-  
 12 tional origin”;

13 (3) in subsection (c), by inserting “or because  
 14 a person is a servicemember or veteran,” after “na-  
 15 tional origin,”; and

16 (4) in subsection (d), by inserting “, or because  
 17 the person is a servicemember or veteran,” after  
 18 “national origin”.

19 (c) DISCRIMINATION IN RESIDENTIAL REAL ESTATE-  
 20 RELATED TRANSACTIONS.—Section 805 of the Fair  
 21 Housing Act (42 U.S.C. 3605) is amended—

22 (1) in subsection (a), by inserting “or because  
 23 the person is a servicemember or veteran” after “na-  
 24 tional origin”; and

1           (2) in subsection (c), by striking “, or familial  
2           status” and inserting “familial status, or whether a  
3           person is a servicemember or veteran”.

4           (d) DISCRIMINATION IN THE PROVISION OF BROKER-  
5   AGE SERVICES.—Section 806 of the Fair Housing Act (42  
6   U.S.C. 3606) is amended by inserting “or because a per-  
7   son is a servicemember or veteran” after “national ori-  
8   gin”.

9           (e) RELIGIOUS ORGANIZATION OR PRIVATE CLUB  
10   EXEMPTION.—Section 807(a) of the Fair Housing Act  
11   (42 U.S.C. 3607(a)) is amended, in the first sentence by  
12   inserting “or to persons who are not servicemembers or  
13   veterans” after “national origin”.

14          (f) ADMINISTRATION.—Section 808(e)(6) of the Fair  
15   Housing Act (42 U.S.C. 3608(e)(6)) is amended, in the  
16   first sentence, by inserting “(including whether such per-  
17   sons and households are or include servicemembers or vet-  
18   erans)” after “persons and households”.

19          (g) PREVENTION OF DISCRIMINATION.—Section 901  
20   of the Civil Rights Act of 1968 (42 U.S.C. 3631) is  
21   amended—

22           (1) in subsection (a), by inserting “, or because  
23           the person is a servicemember or veteran (as such  
24           term is defined in section 802 of this Act),” after  
25           “national origin”;

1           (2) in subsection (b)(1), by inserting “or be-  
 2           cause a person is a servicemember or veteran (as  
 3           such term is defined in section 802 of this Act),”  
 4           after “national origin,”; and

5           (3) in subsection (c), by inserting “or because  
 6           a person is a servicemember or veteran (as such  
 7           term is defined in section 802 of this Act),” after  
 8           “national origin,”.

9           (h) **RULE OF CONSTRUCTION.**—The Fair Housing  
 10          Act (42 U.S.C. 3601 et seq.) is amended by adding at  
 11          the end the following:

12       **“SEC. 821. RULE OF CONSTRUCTION RELATING TO THE**  
 13                       **TREATMENT OF SERVICEMEMBERS AND VET-**  
 14                       **ERANS.**

15       “(a) **RULE OF CONSTRUCTION.**—Nothing in this Act  
 16          may be construed to prohibit any person from—

17               “(1) making available to an individual a benefit  
 18               with respect to a dwelling, a residential real estate-  
 19               related transaction (as defined in section 805 of this  
 20               Act), or a service described in section 806 of this  
 21               Act because the individual is a servicemember or vet-  
 22               eran; or

23               “(2) selling or renting a dwelling only to  
 24               servicemembers or veterans.

1       “(b) DEFINITION.—For purposes of this section, the  
2 term ‘benefit’ includes a term, condition, privilege, pro-  
3 motion, discount, or other favorable treatment (including  
4 an advertisement for such treatment) having the purpose  
5 or effect of providing an advantage to a servicemember  
6 or veteran.”.

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