



(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To help end crime and disorder on America's streets.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. CARTER of Georgia introduced the following bill; which was referred to  
the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To help end crime and disorder on America's streets.

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 “Make Our Streets Safe  
5       Again Act” or the “MOSSA Act”.

6       **SEC. 2. ENDING CRIME AND DISORDER ON AMERICA'S**  
7       **STREETS.**

8       (a) RESTORING CIVIL COMMITMENT.—The Attorney  
9       General, in consultation with the Secretary of Health and  
10      Human Services, shall take appropriate action to—

1           (1) seek, in appropriate cases, the reversal of  
2       Federal or State judicial precedents and the termi-  
3       nation of consent decrees that impede the United  
4       States’ policy of encouraging civil commitment of in-  
5       dividuals with mental illness who pose risks to them-  
6       selves or the public or are living on the streets and  
7       cannot care for themselves in appropriate facilities  
8       for appropriate periods of time; and

9           (2) provide assistance to State and local govern-  
10      ments, through technical guidance, grants, or other  
11      legally available means, for the identification, adop-  
12      tion, and implementation of maximally flexible civil  
13      commitment, institutional treatment, and “step-  
14      down” treatment standards that allow for the appro-  
15      priate commitment and treatment of individuals with  
16      mental illness who pose a danger to others or are liv-  
17      ing on the streets and cannot care for themselves.

18      (b) FIGHTING VAGRANCY ON AMERICA’S STREETS.—

19           (1) PRIORITY IN DISCRETIONARY GRANT PRO-  
20      GRAMS.—The Attorney General, the Secretary of  
21      Health and Human Services, the Secretary of Hous-  
22      ing and Urban Development, and the Secretary of  
23      Transportation shall take immediate steps to assess  
24      their discretionary grant programs and determine  
25      whether priority for those grants may be given to

1 grantees in States and municipalities that, to the  
2 maximum extent permitted by law—

3 (A) enforce prohibitions on open illicit  
4 drug use;

5 (B) enforce prohibitions on urban camping  
6 and loitering;

7 (C) enforce prohibitions on urban squat-  
8 ting;

9 (D) enforce, and where necessary, adopt,  
10 standards that address individuals who are a  
11 danger to themselves or others and suffer from  
12 serious mental illness or substance use disorder,  
13 or who are living on the streets and cannot care  
14 for themselves, through assisted outpatient  
15 treatment or by moving them into treatment  
16 centers or other appropriate facilities via civil  
17 commitment or other available means, to the  
18 maximum extent permitted by law; or

19 (E) substantially implement and comply  
20 with, to the extent required, the registration  
21 and notification obligations of the Sex Offender  
22 Registration and Notification Act (34 U.S.C.  
23 20901 et seq.), particularly in the case of reg-  
24 istered sex offenders with no fixed address, in-

1 cluding by adequately mapping and checking  
2 the location of homeless sex offenders.

3 (2) DUTIES OF ATTORNEY GENERAL.—The At-  
4 torney General shall—

5 (A) ensure that homeless individuals ar-  
6 rested for Federal crimes are evaluated, con-  
7 sistent with section 4248 of title 18, United  
8 States Code, to determine whether they are sex-  
9 ually dangerous persons and certified accord-  
10 ingly for civil commitment;

11 (B) take all necessary steps to ensure the  
12 availability of funds under the Emergency Fed-  
13 eral Law Enforcement Assistance program to  
14 support, as consistent with sections 609M  
15 through 609Y of the Justice Assistance Act of  
16 1984 (34 U.S.C. 50101 et seq.), encampment  
17 removal efforts in areas for which public safety  
18 is at risk and State and local resources are in-  
19 adequate;

20 (C) assess Federal resources to determine  
21 whether they may be directed toward ensuring,  
22 to the extent permitted by law, that detainees  
23 with serious mental illness are not released into  
24 the public because of a lack of forensic bed ca-

1           capacity at appropriate local, State, and Federal  
2           jails or hospitals; and

3                   (D) enhance requirements that prisons and  
4           residential reentry centers that are under the  
5           authority of the Attorney General or receive  
6           funding from the Attorney General require in-  
7           custody housing release plans and, to the max-  
8           imum extent practicable, require individuals to  
9           comply.

10       (c) REDIRECTING FEDERAL RESOURCES TOWARD  
11       EFFECTIVE METHODS OF ADDRESSING HOMELESS-  
12       NESS.—

13           (1) DUTIES OF HHS SECRETARY.—The Sec-  
14       retary of Health and Human Services shall take ap-  
15       propriate action to—

16                   (A) ensure that discretionary grants issued  
17           by the Substance Abuse and Mental Health  
18           Services Administration for substance use dis-  
19           order prevention, treatment, and recovery fund  
20           evidence-based programs and do not fund pro-  
21           grams that fail to achieve adequate outcomes,  
22           including so-called “harm reduction” or “safe  
23           consumption” efforts that only facilitate illegal  
24           drug use and its attendant harm;

1 (B) provide technical assistance to assisted  
2 outpatient treatment programs for individuals  
3 with serious mental illness or addiction during  
4 and after the civil commitment process focused  
5 on shifting such individuals off of the streets  
6 and public programs and into private housing  
7 and support networks; and

8 (C) ensure that Federal funds for federally  
9 qualified health centers and certified community  
10 behavioral health clinics reduce rather than pro-  
11 mote homelessness by supporting, to the max-  
12 imum extent permitted by law, comprehensive  
13 services for individuals with serious mental ill-  
14 ness and substance use disorder, including cri-  
15 sis intervention services.

16 (2) DUTIES OF ATTORNEY GENERAL.—The At-  
17 torney General shall prioritize available funding to  
18 support the expansion of drug courts and mental  
19 health courts for individuals for which such diversion  
20 serves public safety.

21 (d) INCREASING ACCOUNTABILITY AND SAFETY IN  
22 AMERICA’S HOMELESSNESS PROGRAMS.—

23 (1) ACCOUNTABILITY IN GRANTS FOR HOME-  
24 LESSNESS ASSISTANCE.—The Secretary of Health  
25 and Human Services and the Secretary of Housing

1 and Urban Development shall take appropriate ac-  
2 tions to increase accountability in their provision of,  
3 and grants awarded for, homelessness assistance and  
4 transitional living programs. These actions shall in-  
5 clude, to the extent permitted by law—

6 (A) ending support for “housing first”  
7 policies that deprioritize accountability and fail  
8 to promote treatment, recovery, and self-suffi-  
9 ciency;

10 (B) increasing competition among grantees  
11 through broadening the applicant pool; and

12 (C) holding grantees to higher standards  
13 of effectiveness in reducing homelessness and  
14 increasing public safety.

15 (2) REQUIREMENT FOR SUBSTANCE ABUSE  
16 TREATMENT AND MENTAL HEALTH SERVICES.—The  
17 Secretary of Housing and Urban Development shall,  
18 as appropriate, take steps to require recipients of  
19 Federal housing and homelessness assistance to in-  
20 crease requirements that persons participating in the  
21 recipients’ programs who suffer from substance use  
22 disorder or serious mental illness use substance  
23 abuse treatment or mental health services as a con-  
24 dition of participation.

1           (3) DUTIES WITH RESPECT TO DRUG SITES  
2           AND DISTRIBUTION.—With respect to recipients of  
3           Federal housing and homelessness assistance that  
4           operate drug injection sites or “safe consumption  
5           sites”, knowingly distribute drug paraphernalia, or  
6           permit the use or distribution of illicit drugs on  
7           property under their control—

8                   (A) the Attorney General shall review  
9                   whether such recipients are in violation of Fed-  
10                  eral law, including section 416 of the Controlled  
11                  Substances Act (21 U.S.C. 856), and bring civil  
12                  or criminal actions in appropriate cases; and

13                  (B) the Secretary of Housing and Urban  
14                  Development, in coordination with the Attorney  
15                  General, shall review whether such recipients  
16                  are in violation of the terms of the programs  
17                  pursuant to which they receive Federal housing  
18                  and homelessness assistance and freeze their  
19                  assistance as appropriate.

20           (4) STOPPING SEX OFFENDERS.—The Sec-  
21           retary of Housing and Urban Development shall  
22           take appropriate measures and revise regulations as  
23           necessary to allow, where permissible under applica-  
24           ble law, federally funded programs to exclusively  
25           house women and children and to stop sex offenders



1 who receive homelessness assistance through such  
2 programs from being housed with unrelated children.

3 (5) DATA COLLECTION.—The Secretary of  
4 Housing and Urban Development, in consultation  
5 with the Attorney General and the Secretary of  
6 Health and Human Services, shall, as appropriate  
7 and to the extent permitted by law—

8 (A) allow or require the recipients of Fed-  
9 eral funding for homelessness assistance to col-  
10 lect health-related information that the Sec-  
11 retary of Housing and Urban Development  
12 identifies as necessary to the effective and effi-  
13 cient operation of the funding program from all  
14 persons to whom such assistance is provided;  
15 and

16 (B) require those funding recipients to  
17 share such data with law enforcement authori-  
18 ties in circumstances permitted by law and to  
19 use the collected health data to provide appro-  
20 priate medical care to individuals with mental  
21 health diagnoses or to connect individuals to  
22 public health resources.

23 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
24 tion shall be construed—

1           (1) to impair or otherwise affect the functions  
2       of the Director of the Office of Management and  
3       Budget relating to budgetary, administrative, or leg-  
4       islative proposals; or  
5           (2) to create any right or benefit, substantive or  
6       procedural, enforceable at law or in equity by any  
7       party against the United States, its departments,  
8       agencies, or entities, its officers, employees, or  
9       agents, or any other person.