**UNHOUSED BILL OF RIGHTS**

**RESOLUTION**

Expressing that the United States is obligated to uphold, protect, and enforce the civil and human rights of unhoused individuals, including, but not limited to: the right to privacy, free movement in public spaces, access to public facilities, employment opportunities, vote, freedom from harassment by law enforcement, and equal rights to medical care and social services.

Whereas, the root causes contributing to individuals becoming unhoused are poverty, systemic racism, housing discrimination, gentrification, chronically low wages, underemployment and unemployment, a lack of affordable housing options, mass incarceration, domestic violence, LGBTQ discrimination, mental trauma, disabilities, personal and medical debt, natural disasters, and unexpected loss of household income;

Whereas, in the wake of a deadly global pandemic and a compounding economic crisis resulting in massive job loss, rates of homelessness and housing insecurity have skyrocketed as millions of people across the nation face imminent eviction, and the pandemic has significantly increased the number of unhoused children and youth due to high unemployment, unstable living conditions, and job insecurity;

Whereas, there currently exists between 580,000 and 1.5 million unhoused individuals residing in the United States, disproportionately comprised of people of color, women, children, people with mental and physical disabilities, substance abuse disorders, and the elderly;

Whereas, 4.2 million children and youth will experience homelessness each year in the United States, 420,000 children are potentially unidentified and not connected with a school system, children under 18 comprise of close to 40% of the total unhoused population and become vulnerable to sex trafficking, kidnapping, physical and sexual assult;

Whereas, rates of homelessness have risen for the fourth consecutive year, the overburdened repair backlog for public housing units is estimated at over $70 billion, and the overburdened Housing Choice Voucher (Section 8) program does not have the capacity to match the ever-increasing demand for housing assistance;

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Whereas, emergency shelters, transitional housing programs, permanent supportive housing initiatives, and rapid rehousing programs are often stretched thin and unable to keep up with the constant demand to provide housing for unhoused individuals;

Whereas, there are nearly 17 million vacant homes in the United States that are available to house individuals and families, and the cost to end homelessness is $20 billion, less than three percent of the FY21 Defense budget of $753.5 billion;

Whereas, the cost of maintaining an unhoused population places undue financial burden on taxpayers via incarceration costs, medical treatments, psychiatric and rehabilitation institutions, costing taxpayers between $30,000 and $50,000 per chronically unhoused person;

Whereas, the Department of Housing and Urban Development’s (HUD) Point-in-Time (PIT) method to count the number of sheltered and unsheltered individuals in the United States is does not account for individuals who fall in and out of homelessness throughout the year, people who are sheltered with family or friends, and is limited to a count one night per year during one of the coldest months of the year;

Whereas, inadequate statistical methods for counting unhoused individuals severely limits the capacity of policymakers to develop accurate, data-driven legislation and reduces the amount of funding available for states, counties, cities, and municipalities to provide services to their unhoused communities;

Whereas, the compounding trauma of lack of access to shelter, safety, food, water, bathrooms, electricity, and leisure, combined with higher rates of personal violence, including physical and sexual assaults, endured by unhoused individuals, inevitably worsens the mental health of individuals and makes it more difficult to access legal, medical, and mental health services;

Whereas, hostile architecture and defensive urban design transforms public spaces into impractical and unwelcoming environments for both housed and unhoused communities, by making benches thinner or with armrests to prevent laying down, building bus stops with deliberate gaps in awnings that allow in rain, adding rocks to parks and trails, sloping seating areas, or adding spikes, rocks, or studs to flat surfaces to render them dysfunctional;

Whereas, the criminalization of unhoused individuals and communities through the creation of state and local ordinances that ban panhandling, loitering, sleeping in cars, eating in public, and third parties distributing food to unhoused people violates the basic human and civil rights of unhoused individuals to exist in public without fear of law enforcement surveillance, harassment, violence, destruction of property, fines, vehicle impoundment, or arrests: Now, therefore, be it;

*Resolved,* That it is the sense of the House of Representatives that—

1. the United States must establish regulations and enforcement tools to protect unhoused individuals from undue criminalization, surveillance, harassment, discrimination, and incarceration on behalf of law enforcement. This shall include:
2. protection from law enforcement against undue surveillance, mistreatment, harassment, destruction of personal property, vehicle impoundments, and unreasonable detention and searches;
3. no individual’s rights, privileges, or access to public services, parks, or facilities may be denied solely on the basis of their housing status;
4. the right not to be subject to criminal penalties for resting or sleeping in a public place or vehicle in a non-obstructive manner;
5. uninhibited access to public parks, transportation, facilities, sidewalks, buildings, and restrooms;
6. the right to access safe and clean restroom facilities, safe and clean drinking water, public hand-washing facilities, and to utilize public electricity sources;
7. the right to access 24-hour shelters, transitional housing, social services, public housing, and voucher programs without discrimination;
8. the right to not face discrimination while seeking or maintaining employment due to an individual’s lack of permanent mailing address, or the use of a mailing address from a shelter or social service provider;
9. the right to receive emergency and non-emergency medical care free from discrimination based on an individual’s housing status;
10. the right to vote, register to vote, and receive documentation necessary to prove identity for voting without discrimination due to an individual’s housing status;
11. the right for unhoused children to access high quality education without discrimination due to their housing status;
12. provide blanket legal protections for third parties distributing food, water, or clothing to unhoused individuals and communities;
13. the right to confidentiality of personal and medical records, documentation, and information;
14. the right to a reasonable expectation of privacy in an individual’s personal property to the same extent as personal property in a permanent residence. In any civil action alleging a violation of this act, the court may award appropriate damages and all attorney's fees and costs to a prevailing plaintiff. The court may take into consideration an individual’s housing status and apply leniency while attempting to compile records, receipts, and documentation from the plaintiff.

(2) in pursuit of the above principles, the House of Representatives should strive to *(still editing)*—

1. urge the House Committee on Appropriations Subcommittee on Transportation, and Housing and Urban Development, and Related Agencies to preserve public housing units for future generations by investing $70 billion every five years in the Public Housing Capital Fund;
2. fully fund the Public Housing Operating Fund until the United States has permanently ended homelessness;
3. provide universal vouchers to all eligible households via the Tenant-Based “Section 8” Rental Assistance program for the duration of the unhoused crisis;
4. bolster and enforce tenant protections against discrimination as described in the Fair Housing Act;
5. provide the highest possible funding level for HUD Continuum of Care Program, HUD Emergency Solutions Grants Program, HUD-Veteran’s Affairs Supportive Housing (HUD-VASH) Program, and the Transitional Housing Assistance Grants Program for victims of domestic violence, dating violence, sexual assault and stalking;
6. fund the construction of 300,000 units of permanent low-income housing to replenish the units that have been removed from the stock since 1999, fully fund subsidies to operate additional units to meet demand, and repeal the Faircloth Amendment to allow a net increase in the number of public housing units;
7. require HUD to develop and implement more accurate methods of counting unhoused individuals throughout the duration of the year, accounting for individuals residing inside of housing structures with family and friends, undocumented immigrants, unhoused individuals in hospitals, rehabilitation facilities, and those who experience temporary homelessesness throughout the year;
8. require HUD to develop policies and guidelines for implementing the new method of unhoused population measurement and present a report to the House Financial Services Committee within 6 months of the enacted legislation;
9. require HUD to develop policies, guidelines, and procedures for permanently eradicating homelessness by 2030 and report back to the House Financial Services Committee within six months of the enacted legislation and;
10. require every local law enforcement agency to compile annual statistics showing the number of citations, arrests, and other enforcement activities to track instances of criminalizing unhoused populations, including, but not limited to: camp cleanups, vagrancy violations, sleeping in public, vehicle citations, and panhandling citations. Local law enforcement agencies will be directed to—
11. report unhoused criminalization data to the Department of Justice (DOJ) annually;
12. the DOJ will compile the data and present an annual report to Congress and;
13. both DOJ and HUD will coordinate with community advocates, policymakers, and unhoused people to develop guidelines, policies, and procedures for decriminalizing unhoused individuals and communities and make available a report to Congress within six months of the enacted legislation.