To amend the Runaway and Homeless Youth Act to ensure that recipients of assistance under that Act provide services to sexual and gender minority youth in a manner that is culturally competent, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES
AUGUST 1, 2013
Ms. MOORE (for herself and Mr. POCAN) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL
To amend the Runaway and Homeless Youth Act to ensure that recipients of assistance under that Act provide services to sexual and gender minority youth in a manner that is culturally competent, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Runaway and Homeless Youth Inclusion Act of 2013”.

SEC. 2. CULTURAL COMPETENCY OF SERVICE PROVIDERS.

(a) Basic Centers.—Section 312(b) of the Runaway and Homeless Youth Act (42 U.S.C. 5712(b)) is amended—

(1) in paragraph (6) by inserting after “cultural minority” the following: “, persons who are in a minority category related to sexual orientation or gender identity or expression,”;

(2) in paragraph (7) by inserting after “services),” the following: “including demographics on the sexual orientation and gender identity or expression of the youth it serves,”;

(3) in paragraph (12)(C)(ii) by striking “and” at the end;

(4) in paragraph (13) by striking the period at the end and inserting “; and”;

(5) by adding at the end the following:

“(14) shall serve youth in a manner that is culturally competent.”.

(b) Transitional Living Programs.—Section 322(a) of such Act (42 U.S.C. 5714–2(a)) is amended—

(1) in paragraph (15) by striking “and” at the end;

(2) in paragraph (16) by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:
“(17) to serve youth in a manner that is culturally competent.”.

(c) Sexual Abuse Prevention Programs.—Section 351 of such Act (42 U.S.C. 5714–41) is amended by adding at the end the following:

“(c) Qualification Requirement.—To be eligible to receive grants under subsection (a), an applicant shall certify to the Secretary that the applicant has systems in place to ensure that the applicant provides services to all youth in a culturally competent manner.”.

SEC. 3. ADDITIONAL FINDING.

(a) Finding.—Section 302 of the Runaway and Homeless Youth Act (42 U.S.C. 5701) is amended—

(1) in paragraph (5) by striking “and” at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

“(6) lesbian, gay, bisexual, and transgender youth comprise an estimated 3 to 5 percent of the youth population of the United States but such youth account for up to 40 percent of the homeless youth population of the United States; and”.

SEC. 4. ADDITIONAL PURPOSES.

Section 311(a)(2)(C) of the Runaway and Homeless Youth Act (42 U.S.C. 5711(a)(2)(C)) is amended—

(1) in clause (iii) by striking “and” at the end;

(2) in clause (iv) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(v) family assessment, intervention, and reunification services for families of sexual and gender minority youth; and

“(vi) providing resources for families of sexual and gender minority youth who may be struggling with understanding or accepting the sexual orientation or gender identity or expression of the individual.”.

SEC. 5. REPORT REQUIREMENT.

Section 345(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5714–25(a)) is amended—

(1) in paragraph (1) by striking “and” at the end; and

(2) by adding at the end the following:

“(3) that includes data on the demographics of such individuals, including whether such individuals are sexual and gender minority youth; and

“(4) that does not disclose the identity of individual runaway or homeless youth.”.
SEC. 6. INCLUSION OF NONDISCRIMINATION STATEMENT IN RUNAWAY AND HOMELESS YOUTH ACT.

Part F of title III of the Runaway and Homeless Youth Act (42 U.S.C. 5714a et seq.) is amended by adding at the end the following:

“SEC. 390. NONDISCRIMINATION.

“(a) IN GENERAL.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, sexual orientation, gender identity or expression, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under—

“(1) any program or activity funded in whole or in part with funds made available under this title; or

“(2) any program or activity funded in whole or in part with funds appropriated for grants, agreements, and other assistance administered with funds made available under this title.

“(b) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this section shall be the same as it is under section 809 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d).

“(c) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed, interpreted, or applied to supplant, displace, preempt, or otherwise dimin-
ish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.”.

SEC. 7. DEFINITIONS.

Section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a) is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (9) through (12), respectively;

(2) by redesignating paragraphs (2) through (4) as paragraphs (4) through (6), respectively;

(3) by redesignating paragraph (1) as paragraph (2);

(4) by inserting after “In this title:” the following:

“(1) CULTURALLY COMPETENT.—The term ‘culturally competent’ means—

“(A) having a defined set of values and principles and demonstrate behaviors, attitudes, policies, and structures that enable effective working relationships with individuals of diverse backgrounds, including sexual and gender minority youth; and

“(B) having the demonstrated capacity to—

“(i) value diversity;

“(ii) conduct self-assessment;
“(iii) manage the dynamics of difference;

“(iv) acquire and institutionalize cultural knowledge; and

“(v) adapt to diversity and cultural contexts of a community.”;

(5) by inserting after paragraph (2) (as redesignated by paragraph (3) of this section) the following:

“(3) GENDER IDENTITY OR EXPRESSION.—The term ‘gender identity or expression’ means an individual’s gender-related identity, appearance, or behavior, whether or not that identity, appearance, or behavior differs from that which is traditionally associated with the individual’s physiology or assigned sex at birth.”; and

(6) by inserting after paragraph (6) (as redesignated by paragraph (2) of this section) the following:

“(7) SEXUAL AND GENDER MINORITY YOUTH.—The term ‘sexual and gender minority youth’ means a runaway or homeless youth covered under this Act who is in a minority category related to sexual orientation or gender identity or expression.
“(8) Sexual orientation.—The term ‘sexual orientation’ means homosexuality, heterosexuality, or bisexuality.”.