

RUNAWAY AND HOMELESS YOUTH AND TRAFFICKING
PREVENTION ACT OF 2020

DECEMBER 28, 2020.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. SCOTT of Virginia, from the Committee on Education and
Labor, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 5191]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 5191) to reauthorize the Runaway and Homeless Youth Act, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Runaway and Homeless Youth and Trafficking Prevention Act of 2020”.

SEC. 2. REFERENCES.

Except as otherwise specifically provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the amendment or repeal shall be considered to be made to a provision of the Runaway and Homeless Youth Act (34 U.S.C. 11201 et seq.).

SEC. 3. FINDINGS.

Section 302 (34 U.S.C. 11201) is amended—

(1) in paragraph (1), by striking “share of, serious health, behavioral, and emotional problems” and inserting “share of, trauma, serious health, behavioral, social, and emotional problems, and substance use disorder”;

(2) in paragraph (2), by inserting “socially, age, gender, developmentally, culturally and” before “linguistically appropriate”;

(3) by redesignating paragraphs (3) through (6), as paragraphs (4) through (7), respectively;

(4) by inserting after paragraph (2) the following:

“(3) research has documented that youth experience homelessness as fluid, such that many youth experience 2 to 3 different types of homelessness, including couch surfing, emergency shelters, and staying on the streets.”;

(5) in paragraph (4)(C), as redesignated by paragraph (3), by striking “social contribution” and inserting “self-advocacy”;

(6) in paragraph (4)(E), as redesignated by paragraph (3), by inserting “and peer” before “relationships”;

(7) in paragraph (5), as redesignated by paragraph (3), by striking “outside the welfare system and the law enforcement system” and inserting “, in collaboration with public assistance systems, the law enforcement system, and the child welfare system”;

(8) in paragraph (6), as redesignated by paragraph (3)—

(A) by inserting “a safe place to live, connection to caring adults, and” after “youth need”; and

(B) by striking “and” at the end;

(9) in paragraph (7), as redesignated by paragraph (3)—

(A) by striking “between the Federal programs that serve runaway and homeless youth are” and inserting “at the Federal level is”; and

(B) by striking the period at the end and inserting a semicolon; and

(10) by adding at the end the following:

“(8) runaway and homeless youth are at a high risk of substance use disorder and becoming victims of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking;

“(9) research has shown that—

“(A) the prevalence of homelessness among youth and young adults is similar in rural and urban communities; and

“(B) runaway and homeless youth programs, such as those funded under this Act, are integral services that every community, regardless of size, should provide; and

“(10) runaway and homeless youth programs provide expert adolescent services and are integral community partners for the child welfare and juvenile justice systems.”.

SEC. 4. BASIC CENTER GRANT PROGRAM.

(a) GRANTS FOR CENTERS AND SERVICES.—Section 311(a) (34 U.S.C. 11211(a)) is amended—

(1) in paragraph (1)—

(A) by striking “The Secretary” and inserting “Every 2 or 3 years, the Secretary”;

(B) by striking “and operate” and inserting “, operate, and maintain”; and

(C) by striking “services” and all that follows through the period at the end and inserting “safe shelter and services, including trauma-informed services, for runaway and homeless youth and, if appropriate, services for the families of such youth, including (if appropriate) individuals identified by such youth as family. Grants shall be awarded for a 5-year period.”; and

(2) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

“(A) shall be provided to runaway youth, street youth, homeless youth, and youth at risk of separation from his or her family or at risk of becoming homeless;”;

(B) in subparagraph (B)—

(i) in clause (i), by striking “21 days; and” and inserting “30 days or the maximum allowed by the State, whichever is greater;”;

(ii) by striking clause (ii) and inserting the following:

“(ii) age, gender, developmentally, and culturally and linguistically appropriate individual, family, and group counseling, as appropriate (including, if appropriate, counseling for individuals identified by such youth as family); and”;

(iii) by adding at the end the following:

“(iii) suicide prevention services; and”;

(C) in subparagraph (C)—

(i) in clause (ii), by inserting “age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable,” before “home-based services”;

(ii) in clause (iii), by striking “and” after the semicolon;

(iii) in clause (iv), by striking “diseases.” and inserting “infections;”;

(iv) by adding at the end the following:

“(v) trauma-informed and gender-responsive services for runaway or homeless youth, including such youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking; and

“(vi) if safe and appropriate, supports for youth and their parents, legal guardians, or (if appropriate) those identified by such youth as family, including—

“(I) an assessment of family engagement to improve support for youth (and if appropriate) reunify youth;

“(II) strength-based interventions; and

“(III) ongoing supportive services.”.

(b) ELIGIBILITY; PLAN REQUIREMENTS.—Section 312 (34 U.S.C. 11212) is amended—

(1) in subsection (a), by inserting “, to youth who are at risk of separation from the family,” after “guardians”;

(2) in subsection (b)—

(A) in paragraph (2), by striking “facility” the 1st place it appears and inserting “project”;

(B) in paragraph (2)(A)—

(i) by striking “facility” and inserting “project”; and

(ii) by striking “requires” and inserting “allows”;

(C) in paragraph (5), by inserting “, or (if appropriate) individuals identified by such youth as family,” after “parents or legal guardians”;

(D) in paragraph (6)—

(i) by inserting “(which may include the use of online resources in order to reach and engage youth)” after “programs”; and

(ii) by striking “cultural minority and persons with limited ability to speak English” and inserting “cultural minority, persons with limited ability to speak English, and runaway or homeless youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking”;

(E) by striking paragraph (7) and inserting the following:

“(7) shall keep adequate statistical records profiling the youth and family members of such youth whom the applicant serves, including demographic information on and the number of such youth who—

“(A) are not referred to out-of-home shelter services;

“(B) are members of vulnerable or underserved populations;

“(C) are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking;

“(D) are pregnant or parenting;

“(E) have been involved in the child welfare system; and

“(F) have been involved in the juvenile justice system;”;

(F) by striking paragraph (8) and inserting the following:

“(8) shall ensure that—

“(A) the records described in paragraph (7), on an individual runaway or homeless youth, shall not be disclosed without the consent of the individual youth and of the parent or legal guardian of such youth or (if appropriate) an individual identified by such youth as family, to anyone other than another agency compiling statistical records or a government agency involved

in the disposition of criminal charges against an individual runaway or homeless youth; and

“(B) reports or other documents based on the statistics described in paragraph (7) shall not disclose the identity of any individual runaway or homeless youth;”;

(G) in paragraph (12)—

(i) by striking subparagraph (B) and inserting the following:

“(B) detailed information on how the center has been able to meet the goals of its plans; and”; and

(ii) in subparagraph (C)—

(I) by striking clause (i) and inserting the following:

“(i) the number and characteristics of runaway and homeless youth, and youth at risk of family separation, who participate in the project, including such information on—

“(I) such youth (including runaway and homeless youth, and youth at risk of family separation) who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking;

“(II) such youth who are pregnant or parenting;

“(III) such youth who have been involved in the child welfare system; and

“(IV) such youth who have been involved in the juvenile justice system; and”; and

(II) in clause (ii), by striking “and” after the semicolon;

(H) in paragraph (13) by striking the period at the end and inserting “for natural disasters, inclement weather, and mental health emergencies;”; and

(I) by adding at the end the following:

“(14) shall provide age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable, services to runaway and homeless youth; and

“(15) shall inform youth of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), provide verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), and assist youth in completing this application at the youth’s request.”;

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by inserting “age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable,” after “provide”;

(ii) by striking “families (including unrelated individuals in the family households) of such youth” and inserting “families of such youth (including unrelated individuals in the family households of such youth and, if appropriate, individuals identified by such youth as family)”;

and

(iii) by inserting “suicide prevention,” after “physical health care.”;

(B) in paragraph (4)—

(i) by inserting “, including training on trauma-informed and youth-centered care” after “home-based services”; and

(ii) by striking “and” after the semicolon; and

(C) in paragraph (5)—

(i) in subparagraph (A), by striking “and” after the semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) youth are eligible for home-based services when determined by the applicant to be at risk of separation from the family.”; and

(4) by adding at the end the following:

“(f) ONLINE RESOURCES FOR OUTREACH.—An applicant may develop a plan, consistent with local needs, for the use of online resources, if appropriate, in order to reach and engage youth.”.

(c) APPROVAL OF APPLICATIONS.—Section 313(b) (34 U.S.C. 11213(b)) is amended by striking paragraph (2) and inserting the following:

“(2) eligible applicants that request grants—

“(A) of less than \$225,000, if this title is funded at less than \$200,000,000 for the relevant fiscal year; and

“(B) of less than \$250,000, if this title is funded at \$200,000,000 or more for the relevant fiscal year.”.

SEC. 5. TRANSITIONAL LIVING GRANT PROGRAM.

(a) AUTHORITY FOR PROGRAM.—Section 321 (34 U.S.C. 11221) is amended—

- (1) by striking “The Secretary is authorized to make grants and to provide technical assistance” and inserting “The Secretary shall award grants every 2 or 3 years, and shall provide technical assistance”; and
 (2) by inserting “Grants shall be awarded for a 5-year period.” after “homeless youth.”

(b) ELIGIBILITY.—Section 322 (34 U.S.C. 11222) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable,” before “information and counseling services”; and

(ii) by striking “job attainment skills, and mental and physical health care” and inserting “job attainment skills, mental and physical health care, and suicide prevention services”;

(B) in paragraph (2)—

(i) by striking “18” and inserting “21”; and

(ii) by striking “18th” and inserting “21st”;

(C) by redesignating paragraphs (3) through (8) and (9) through (16) as paragraphs (5) through (10) and (12) through (19), respectively;

(D) by inserting after paragraph (2) the following:

“(3) to provide counseling to homeless youth and to encourage, if appropriate, the involvement in such counseling of their parents or legal guardians, or (if appropriate) individuals identified by such youth as family;

“(4) to provide aftercare services, if possible, to homeless youth who have received shelter and services from a transitional living youth project, including (to the extent practicable) such youth who, after receiving such shelter and services, relocate to a geographic area or State other than the geographic area or State in which such project is located.”;

(E) in paragraph (5), as redesignated by subparagraph (C), by striking “shelter facility” and inserting “project”;

(F) in paragraph (6), as redesignated by subparagraph (C), by striking “shelter facility used to carry out such project” and inserting “project”;

(G) in paragraph (8), as so redesignated, by striking “to provide a written transitional living plan to each youth” and inserting “to develop a written transitional living plan in partnership with each youth”;

(H) in paragraph (9), as so redesignated—

(i) by inserting “age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable,” after “referral of homeless youth to”;

(ii) by striking “vocational, training” and inserting “career and technical education”;

(iii) by striking “and health care programs” and inserting “mental health service and health care programs, substance use disorder treatment, and programs providing wrap-around services to victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking”; and

(iv) by striking “such services for youths,” and inserting “such programs described in this paragraph.”;

(I) in paragraph (10), as so redesignated, by inserting “, which may include the use of online and social media engagements, as appropriate” before the semicolon;

(J) by inserting after paragraph (10), as so redesignated, the following:

“(11) to develop a plan to provide age, gender, developmentally, and culturally and linguistically appropriate services, to the extent practicable, that address the needs of homeless and street youth.”;

(K) in paragraph (12), as so redesignated, by striking “the applicant and statistical” and all that follows through “who participate in such project,” and inserting “the applicant, statistical summaries describing the number, the characteristics, and the demographic information of the homeless youth who participate in such project, including the prevalence of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking of such youth.”;

(L) in paragraph (18), as so redesignated, by striking “and” after the semicolon;

(M) in paragraph (19), as so redesignated, by striking the period at the end and inserting “regarding responses to natural disasters, inclement weather, and mental health emergencies; and”; and

(N) by adding at the end the following:

“(20) to inform youth of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), provide verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), and assist the youth in completing this application at the youth’s request.”; and

(2) by amending subsection (b) to read as follows:

“(b) PRIORITY; EQUITABLE GEOGRAPHIC DISTRIBUTION.—In selecting eligible applicants to receive grants under this part, the Secretary shall—

“(1) give priority to—

“(A) entities that have experience in providing to homeless youth shelter and services of the types described in subsection (a)(1); and

“(B) entities that request grants—

“(i) of less than \$225,000, if this title is funded at less than \$200,000,000 for the relevant fiscal year; and

“(ii) of less than \$250,000, if this title is funded at \$200,000,000 or more for the relevant fiscal year; and

“(2) consider providing an equitable geographic distribution of grants.”.

SEC. 6. NATIONAL COMMUNICATIONS SYSTEM.

Section 331 (34 U.S.C. 11231) is amended—

(1) by inserting “5-year” before “grants”; and

(2) by inserting “, online, and social media” after “telephone”.

SEC. 7. COORDINATING, TRAINING, RESEARCH, AND OTHER ACTIVITIES.

(a) COORDINATION.—Section 341 (34 U.S.C. 11241) is amended—

(1) in the matter preceding paragraph (1), by inserting “safety, well-being,” after “health,”; and

(2) in paragraph (2), by striking “other Federal entities” and inserting “the Department of Housing and Urban Development, the Department of Education, the Department of Labor, and the Department of Justice”.

(b) GRANTS FOR TECHNICAL ASSISTANCE AND TRAINING.—Section 342 (34 U.S.C. 11242) is amended—

(1) by inserting “5-year” before “grants to”; and

(2) by inserting “, including onsite and web-based techniques, such as on-demand and online learning,” before “to public and private entities”; and

(3) by striking “carrying out” and inserting “implementing in a trauma-informed manner”.

(c) GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS.—Section 343(b) (34 U.S.C. 11243(b)) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A)—

(i) by striking “sexual abuse and assault” and inserting “violence, trauma, sexual abuse, sexual exploitation”; and

(ii) by striking “and sex trafficking” and inserting “or sex trafficking”;

(B) in subparagraph (B)—

(i) by striking “assault” and inserting “sexual exploitation”; and

(ii) by striking “and” after the semicolon;

(C) in subparagraph (C), by striking “who have been sexually victimized” and inserting “who are victims of sexual abuse or sexual exploitation”; and

(D) by adding at the end the following:

“(D) best practices for identifying and providing age, gender, developmentally, and culturally and linguistically appropriate services to the extent practicable to—

“(i) vulnerable and underserved youth populations; and

“(ii) youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking; and

“(E) informing youth of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), providing verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), and assisting youth in completing this application at the youth’s request.”;

(2) in paragraph (9), by striking “and” at the end;

(3) in paragraph (10), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

“(11) examining the intersection between the runaway and homeless youth populations and trafficking in persons, including noting whether such youth who are victims of trafficking in persons or sex trafficking were previously involved in the child welfare or juvenile justice systems; and

- “(12) the needs of runaway youth and homeless youth with disabilities, including projects that examine best practices for serving these youth.”.
- (d) DEMONSTRATION PROJECTS TO PROVIDE SERVICES TO YOUTH IN RURAL AREAS.—Section 344(a)(2)(A) (34 U.S.C. 11244(a)(2)(A)) is amended by striking “\$100,000” and inserting “\$200,000”.
- (e) PERIODIC ESTIMATE OF INCIDENCE AND PREVALENCE OF YOUTH HOMELESSNESS.—Section 345 (34 U.S.C. 11245) is amended—
- (1) in subsection (a)—
 - (A) in the matter preceding paragraph (1)—
 - (i) by striking “Reconnecting Homeless Youth Act of 2008” and inserting “Runaway and Homeless Youth and Trafficking Prevention Act of 2019”;
 - (ii) by striking “5” and inserting “3”; and
 - (iii) by inserting “of Health and Human Services, acting through the Associate Commissioner of the Family and Youth Services Bureau” after “Secretary”;
 - (B) in paragraph (1)—
 - (i) by striking “13” and inserting “12”; and
 - (ii) by striking “and” after the semicolon;
 - (C) in paragraph (2), by striking the period at the end and inserting a semicolon; and
 - (D) by adding at the end the following:

“(3) that includes demographic information about and characteristics of runaway or homeless youth, including such youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking; and

“(4) that does not disclose the identity of any runaway or homeless youth.”;
 - (2) in subsection (b)(1)—
 - (A) in the matter preceding subparagraph (A), by striking “13” and inserting “12”;
 - (B) in subparagraph (A), by striking “and” at the end;
 - (C) by redesignating subparagraph (B) as subparagraph (C);
 - (D) by inserting after subparagraph (A) the following:

“(B) incidences, if any, of—

“(i) such individuals who are victims of sexual abuse, sexual exploitation, trafficking in persons; or

“(ii) such individuals who are victims of sex trafficking; and”;
 - (E) in subparagraph (C), as so redesignated—
 - (i) in clause (ii), by striking “; and” and inserting “, including mental health services;”; and
 - (ii) by adding at the end the following:

“(iv) access to education (including postsecondary education and career and technical education); and”.

SEC. 8. SEXUAL ABUSE PREVENTION PROGRAM.

- Section 351 (34 U.S.C. 11261) is amended—
- (1) in subsection (a)—
 - (A) by striking “The Secretary” and inserting “Every 2 or 3 years, the Secretary”;
 - (B) by inserting “public and” before “nonprofit”; and
 - (C) by striking “prostitution,” and inserting “violence,”;
 - (2) by amending subsection (b) to read as follows:

“(b) PRIORITY; EQUITABLE GEOGRAPHIC DISTRIBUTION.—In selecting applicants to receive grants under subsection (a), the Secretary shall—

 - (1) give priority to—
 - (A) public and nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth; and
 - (B) eligible applicants that request grants—
 - (i) of less than \$225,000, if this title is funded at less than \$200,000,000 for the relevant fiscal year; and
 - (ii) of less than \$250,000, if this title is funded at \$200,000,000 or more for the relevant fiscal year; and
 - (2) consider providing an equitable geographic distribution of grants.”; and
 - (3) by adding at the end the following:

“(c) ELIGIBILITY REQUIREMENTS.—To be eligible to receive a grant under subsection (a), an applicant shall certify to the Secretary that such applicant has systems in place to ensure that such applicant can provide age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable, services to all youth described in subsection (a).

“(d) DURATION.—Grants awarded under this section shall be for a period of 5 years.”

SEC. 9. GENERAL PROVISIONS.

(a) LEASE OF SURPLUS FEDERAL FACILITIES FOR USE RUNAWAY AND HOMELESS YOUTH CENTERS OR AS TRANSITIONAL LIVING YOUTH SHELTER PROJECTS.—Section 381 (34 U.S.C. 11272) is amended—

(1) in the section heading—

(A) by inserting “, SITES,” after “CENTERS”; and

(B) by striking “SHELTER FACILITIES” and inserting “SHELTER PROJECTS”; and

(2) in subsection (a), in the matter preceding paragraph (1), by striking “youth shelter facilities” and inserting “youth shelter projects”.

(b) REPORTS.—Section 382(a) (34 U.S.C. 11273(a)) is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking “2000” and inserting “2021”; and

(B) by striking “the Workforce” and inserting “Labor”;

(2) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) collecting data on sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking of runaway and homeless youth;” and

(3) in paragraph (2)—

(A) by striking subparagraph (A) and inserting the following:

“(A) the number and characteristics of homeless youth served by such projects, including—

“(i) such youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking;

“(ii) such youth who are pregnant or parenting;

“(iii) such youth who have been involved in the child welfare system;

and

“(iv) such youth who have been involved in the juvenile justice system;” and

(B) in subparagraph (F), by striking “intrafamily problems” and inserting “problems within the family, including (if appropriate) individuals identified by such youth as family.”

(c) FEDERAL SHARE.—Section 383(a) (34 U.S.C. 11274(a)) is amended by striking “facility’s budget” and inserting “project’s budget”.

(d) EVALUATION AND INFORMATION.—Section 386(a) (34 U.S.C. 11277(a)) is amended in the matter preceding paragraph (1)—

(1) by striking “3” and inserting “5” each place the term appears; and

(2) by inserting “, acting through the Associate Commissioner of the Family and Youth Services Bureau” after “Secretary”.

(e) PERFORMANCE STANDARDS.—Section 386A(a) (34 U.S.C. 11278(a)) is amended by striking “Reconnecting Homeless Youth Act of 2008” and inserting “Runaway and Homeless Youth and Trafficking Prevention Act of 2019”.

(f) NONDISCRIMINATION.—Part F is amended by inserting after section 386A (34 U.S.C. 11278) the following:

“SEC. 386B. NONDISCRIMINATION.

“(a) IN GENERAL.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in section 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance under title III of the Juvenile Justice and Delinquency Prevention Act of 1974.

“(b) EXCEPTION.—If programming that is segregated by or specific to sex is necessary to the essential operation of a program, nothing in this section shall be construed to prevent the entity carrying out any such program or activity from consideration of an individual’s sex. In such a circumstance, the entity may meet the requirements of this section by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

“(c) DISQUALIFICATION.—The authority provided for the Secretary to enforce this section shall be the same as the authority provided for the Secretary to enforce subsection (a) or (b) of section 654 of the Head Start Act (42 U.S.C. 9849). The procedures provided for review of an action to enforce this section shall be the same as the procedures provided for review of an action to enforce subsection (b) of that section.

“(d) CONSTRUCTION.—Nothing in this section shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise limit the responsibilities and liabilities under other Federal or State laws with respect to discrimination on a basis described in subsection (a).”

(g) DEFINITIONS.—Section 387 (34 U.S.C. 11279) is amended—

(1) by redesignating paragraphs (1) through (6), and paragraphs (7) and (8), as paragraphs (2) through (7), and paragraphs (9) and (10), respectively;

(2) by inserting before paragraph (2), the following:

“(1) CULTURALLY AND LINGUISTICALLY APPROPRIATE.—The term ‘culturally and linguistically appropriate’, with respect to services, has the meaning given the term ‘culturally and linguistically appropriate services’ in the ‘National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care’, issued in April 2013, by the Office of Minority Health of the Department of Health and Human Services.”;

(3) in paragraph (4)(A) (as so redesignated)—

(A) in clause (i), by striking “21” and inserting “26”; and

(B) in clause (ii), by striking “and either” and all that follows through the end of the clause and inserting “but less than 26 years of age.”;

(4) in paragraph (6)(B) (as so redesignated)—

(A) in clause (i), by striking the semicolon and inserting “, including the use of online methods of engagement, as appropriate, based on the needs of the community and population served.”; and

(B) in clause (v), by striking subclauses (I) through (IV) and inserting the following:

“(I) alcohol and substance use disorder;

“(II) sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking;

“(III) sexually transmitted infections, including human immunodeficiency virus (HIV);

“(IV) physical and sexual assault; and

“(V) suicide.”;

(5) in paragraph (7)(B) (as so redesignated), by striking “prostitution, or drug abuse” and inserting “trafficking in persons, sex trafficking, or substance use disorder”;

(6) by inserting after paragraph (7) (as so redesignated), the following:

“(8) TRAFFICKING IN PERSONS.—The term ‘trafficking in persons’ has the meaning given the term ‘severe forms of trafficking in persons’ in section 103 of the Trafficking Victims Protection Act of 2019 (22 U.S.C. 7102).”;

(7) in paragraph (9) (as so redesignated)—

(A) by inserting “to homeless youth” after “provides”; and

(B) by inserting “, to establish a stable family or community supports,” after “self-sufficient living”; and

(8) in paragraph (10)(B) (as so redesignated)—

(A) in clause (ii)—

(i) by inserting “or able” after “willing”; and

(ii) by striking “or” at the end;

(B) in clause (iii), by striking the period and inserting “; or”; and

(C) by adding at the end the following:

“(iv) who is involved in the child welfare or juvenile justice system, but is not living in housing or shelter funded by the Federal Government.”.

(h) AUTHORIZATION OF APPROPRIATIONS.—Section 388(a) (34 U.S.C. 11280(a)) is amended—

(1) in paragraph (1), by striking “\$127,421,000 for each of fiscal years 2019 through 2020” and inserting “\$225,000,000 for fiscal year 2021, and such sums as may be necessary for each of fiscal years 2022 through 2025”;

(2) in paragraph (3)(B), by striking “such sums as may be necessary” and all that follows through the period at the end and inserting “\$2,000,000 shall be made available to carry out section 345 for fiscal year 2021 and such sums as may be necessary shall be made available to carry out such section for each of fiscal years 2022 through 2025”; and

(3) in paragraph (4), by striking “\$25,000,000 for each of fiscal years 2019 through 2020” and inserting “\$75,000,000 for fiscal year 2021, and such sums as may be necessary for each of fiscal years 2022 through 2025”.

PURPOSE AND SUMMARY

H.R. 5191, the *Runaway and Homeless Youth and Trafficking Prevention Act of 2019*, reauthorizes and strengthens federal pro-

grams that support youth experiencing homelessness and youth who are at risk of experiencing homelessness. Recent research revealed that a staggering four million youth ages 13 to 25 experience homelessness in any given year, a figure much higher than previously known. H.R. 5191 provides a robust response to this public health crisis and addresses the needs of this vulnerable population by strengthening and expanding services to ensure that more youth experiencing homelessness can access and benefit from these programs.

H.R. 5191 makes significant updates to the *Runaway and Homeless Youth Act* (RHYA)¹, to ensure local programs provide the services and resources that young people need to become permanently and safely housed. The legislation increases the authorization level for RHYA services to better align federal support with need and strengthens program requirements to ensure that such services are accessible and responsive to the diverse population of youth experiencing homelessness. Data show that youth experiencing homelessness are more likely than their peers to come from historically underserved communities, including low-income communities, communities of color, and the LGBTQ community.² In response, H.R. 5191 requires that services provided to youth be age, gender, developmentally, and culturally and linguistically appropriate, to the extent possible, in order to best serve youths. The legislation also protects youth seeking RHYA services from discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability to ensure that all youth feel safe and supported in federally-funded programs.

In addition to expanding the reach of housing services, H.R. 5191 ensures that services provided through RHYA meet the broad needs of this highly vulnerable population. Youths who experience homelessness or are at risk of experiencing homelessness often face several challenges simultaneously.³ From past trauma to ongoing mental health challenges, overcoming youth homelessness is not simply a question of finding stable housing. Youths need a breadth of support to find a path to a healthy and productive life. H.R. 5191 strengthens the quality of counseling services and adds suicide prevention services to regular programming to ensure youths receive appropriate mental health supports. The legislation also ensures that staff employ trauma-informed perspectives in their interactions with youths and are versed on best practices for identifying and supporting youths who have been victims of trafficking. In addition, the legislation requires RHYA programs to connect youths to postsecondary and job training opportunities, including providing support for completing the Free Application for Federal Student Aid (FAFSA), the key to accessing and affording higher education opportunities.

¹ 34 U.S.C. § 10101 note (Runaway and Homeless Youth Act).

² MATTHEW MORTON ET AL., CHAPIN HALL AT THE UNIVERSITY OF CHICAGO, MISSED OPPORTUNITIES: YOUTH HOMELESSNESS IN AMERICA: NATIONAL ESTIMATES 12–13 (2017) <https://voicesofyouthcount.org/wpcontent/uploads/2017/11/VoYC-National-Estimates-Brief-Chapin-Hall-2017.pdf>.

³ INST. FOR CHILD., POVERTY, AND HOMELESSNESS, SUICIDE AND DEPRESSION AMONG HOMELESS HIGH SCHOOL STUDENTS 3–4, <https://www.icphusa.org/wp-content/uploads/2018/07/ICPH-Mental-Health-7.18.pdf>; U.S. DEP'T OF HEALTH & HUM. SERVS., DATA COLLECTION STUDY FINAL REPORT: STREET OUTREACH PROGRAM 27–39, (2016), https://www.acf.hhs.gov/sites/default/files/fysb/data_collection_study_final_report_street_outreach_program.pdf.

Consistent with Congress' efforts to advance evidence-based policymaking, H.R. 5191 makes several improvements to federal data collection efforts aimed at measuring the incidence and prevalence of youth homelessness. The legislation increases the frequency with which the Secretary of Health and Human Services is to conduct comprehensive estimates of youth homelessness and expands on the information that such estimates should cover. The legislation also strengthens reporting requirements for local programs to help Congress better understand the extent to which there may be disparities in the subpopulations of youth experiencing homelessness served with federal funds.

H.R. 5191 implements needed improvements to the federal response to youth homelessness. Early experiences of homelessness can have devastating effects on youths' lives. From being less likely to finish high school, to becoming more like to become victims of trafficking and experience adult homelessness, youths who experience homelessness can face insurmountable challenges.⁴ By passing H.R. 5191, Congress reaffirms its long-standing commitment to those most vulnerable in our society and gets our nation closer to an ideal where all youths have the opportunity to succeed.

COMMITTEE ACTION

114TH CONGRESS

On October 8, 2015, the Committee held a hearing in Washington, D.C., on "Reviewing the Juvenile Justice System and How It Serves At-Risk Youth." The purpose of the hearing was to examine federal, state, and local administration of juvenile justice programs, including programs to better serve at-risk youth. Testifying before the Committee were The Honorable Steven Teske, Chief Judge, Clayton County Juvenile Court, Jonesboro, Georgia; Mr. Derek Cohen, Deputy Director, Center for Effective Justice, Texas Public Policy Foundation, Austin, Texas; Mr. Sloane Baxter, Youth Advocate, Washington, D.C.; and Dr. Tim Goldsmith, Chief Clinical Officer, Youth Villages, Memphis, Tennessee.

On September 8, 2016, Rep. Carlos Curbelo (R-FL) introduced H.R. 5963, the *Supporting Youth Opportunity and Preventing Delinquency Act of 2016*, with Reps. Early "Buddy" Carter (R-GA), John Kline (R-MN), Robert C. "Bobby" Scott (D-VA), Susan Davis (D-CA), and Frederica Wilson (D-FL) as original co-sponsors. On September 14, 2016, the Committee considered H.R. 5963 in a legislative session and reported it favorably, as amended, to the House of Representative by voice vote. The Committee considered and adopted the following amendments to H.R. 5963:

- Amendment in the Nature of a Substitute: Rep. Curbelo (R-FL) offered an amendment in the nature of a substitute, which was adopted by voice vote.
- Amendment 1: Rep. Jared Polis (D-CO) offered an amendment to prohibit corporal punishment in public schools. The amendment was withdrawn.

⁴Chris Chamberlain & Guy Johnson, *Pathways into adult homelessness*. 49 J. OF SOCIOLOGY 1,7 (2011) <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.1020.1764&rep=rep1&type=pdf>; LAURA MURPHY, LABOR AND SEX TRAFFICKING AMONG HOMELESS YOUTH: A TEN CITY STUDY FULL REPORT 5 (2016), <https://oag.ca.gov/sites/all/files/agweb/pdfs/ht/murphy-labor-sex-trafficking-homeless-youth.pdf>.

- Rep. David P. Roe (R–TN) offered a motion to report the bill as amended. The motion was adopted by voice vote.

115TH CONGRESS

On February 15, 2017, the Subcommittee on Early Childhood, Elementary and Secondary Education held a hearing in Washington, D.C., on “Providing Vulnerable Youth the Hope of a Brighter Future Through Juvenile Justice Reform.” The purpose of the hearing was to examine efforts and proposals to reform the juvenile justice system. Testifying before the Committee were The Honorable Denise Navarre Cubbon, Judge, Lucas County Juvenile Division, Lucas County, Ohio; Ms. Meg Williams, MPA Manager, Office of Adult and Juvenile Justice Assistance, Division of Criminal Justice, Colorado Department of Public Safety, Denver, Colorado; Chief Patrick J. Flannelly, Chief of Police, Lafayette Police Department, Lafayette, Indiana; and Mr. Matt Reed, Executive Director, Safe Place Services, YMCA of Greater Louisville, Louisville, Kentucky.

On March 30, 2017, Rep. Jason Lewis (R–MN) introduced H.R. 1809, the *Juvenile Justice Reform Act of 2017*, with Reps. Virginia Foxx (R–NC), Todd Rokita (R–IN), Scott, Davis, and Wilson as original co-sponsors. On April 4, 2017, the Committee considered H.R. 1809 in a legislative session and reported it favorably, as amended, to the House of Representative by voice vote. The Committee considered and adopted the following amendments to H.R. 1809:

- Amendment in the Nature of a Substitute: Rep. Lewis offered an amendment in the nature of a substitute which was adopted by voice vote.
- Rep. Glenn “GT” Thompson (R–PA) offered a motion to report the bill as amended. The motion was adopted by voice vote.

Other Legislative Action

Instead of taking up H.R. 1809, the Senate instead acted on S. 860, the Juvenile Justice and Delinquency Prevention Reauthorization Act of 2017, authored by Sen. Chuck Grassley (R–IA). S. 860 passed the Senate August 1, 2017. While the House and Senate bills were remarkably similar, there was no clear procedural path to reconcile either bill to the satisfaction of both chambers.

In hopes of advancing compromise language through the legislative process, on September 28, 2018, Rep. Lewis introduced H.R. 6964, the *Juvenile Justice Reform Act of 2018*, with Rep. Scott as an original co-sponsor. This bill contained compromise language that reflected the priorities of the majority and minority caucuses of each chamber. Like H.R. 1809, the bill included provisions to help ensure the continuity of young people’s education while incarcerated, provided clear direction for states and localities to reduce racial and ethnic disparities among incarcerated youth, and allocated resources for communities to plan and implement evidencebased prevention and intervention programs specifically designed to reduce juvenile delinquency and gang involvement. The Committee was discharged from consideration so the bill could proceed directly to the House floor where it passed that same day without objection.

The Senate, however insisted on modification of this language and on December 11, 2018, H.R. 6964 was passed in the Senate with an amendment by voice vote, necessitating the House to approve a bill reauthorizing the *Juvenile Justice Delinquency and Prevention Act of 1974* (JJDP) for a third time in the 115th Congress. On December 13, 2018, a motion that the House agree to the Senate amendment to H.R. 6964 was agreed to without objection. On December 21, 2018 the bill was signed into law (Pub. L. 115-385) by the President.

116TH CONGRESS

On July 16, 2019, the Subcommittee on Civil Rights and Human Services held a hearing in Washington, D.C., on “Strengthening Federal Support to End Youth Homelessness.” The purpose of the hearing was to allow Members to hear about the youth homelessness crisis and learn about the federal resources that can help youth transition out of homelessness and become self-sufficient individuals. Testifying before the Committee were Mr. Matthew Morton, Ph.D., M.Sc., Research Fellow, Chapin Hall at the University of Chicago, New York, New York; Ms. Melinda Giovengo, Ph.D., CEO, YouthCare, Seattle, Washington; Mr. Robert Lowery, Jr., M.S., Vice-President, Missing Children Division, National Center for Missing & Exploited Children, Alexandria, Virginia; and Mr. David Baker, Support Specialist, YMCA Youth & Family Services, San Diego, California.

On November 20, 2019, Rep. John Yarmuth (D-KY) introduced H.R. 5191, the Runaway and Homeless Youth and Trafficking Prevention Act of 2019, with Reps. Don Bacon (R-NE), Jahana Hayes (D-CT), and Pramila Jayapal (D-WA) as original co-sponsors. On January 14, 2020, the Committee considered H.R. 5191 in a legislative session and reported it favorably, as amended, to the House of Representatives by a bipartisan vote of 28-19. The Committee considered the following amendments to H.R. 5191:

- Amendment in the Nature of a Substitute: Rep. Jayapal introduced an amendment in the nature of a substitute which made minor technical changes to the bill. The amendment was adopted by voice vote.
- Rep. Foxx introduced a substitute to the amendment in the nature of an amendment. The amendment was defeated on a recorded vote of 19-27.

COMMITTEE VIEWS

INTRODUCTION

Millions of young people experience homelessness in our country, largely hidden in plain sight. An innovative comprehensive estimate of youth homelessness recently found that 1 in 30 youth ages 13-17 and 1 in 10 youth ages 18-25 experience homelessness in any given year.⁵ This means that a staggering 4.2 million youth experience homelessness over the course of a year. The expansiveness of this issue is deeply troubling; early experiences of homelessness can have serious consequences on the lives of children and young adults. Youths who experience homelessness are vulnerable to ex-

⁵ MATTHEW MORTON ET AL., *supra* note 2, at 12.

ploitation and human trafficking, are more likely to exit school before graduating, and more likely to have adult experiences of homelessness than their peers who do not experience homelessness.⁶ In other words, experiences of youth homelessness are associated with incredible life hardship.

Congress has a long history of supporting individuals experiencing homelessness, including youths. Although several federal programs provide services to individuals experiencing homelessness, the *Runaway and Homeless Youth Act* (RHYA) is the primary federal law that authorizes services specifically for youth experiencing homelessness. RHYA was first enacted as title III of the *Juvenile Justice and Delinquency Prevention Act* in 1974.⁷ The federal government has continued to dedicate funding and resources to these vulnerable youths since then through subsequent reauthorizations of RHYA. Congress last reauthorized RHYA in 2018 through a reauthorization that was limited in scope and extended funding through 2020 but included no substantial policy changes.⁸ The last comprehensive reauthorization of RHYA occurred in 2008 with the passage of the *Reconnecting Homeless Youth Act of 2008*,⁹ through which Congress made substantial changes to the program's requirements and added a number of accountability provisions.

In the decade since RHYA was last reauthorized, innovations in the measuring and counting of youths experiencing homelessness have revealed that the scope of youth homelessness is much broader and diverse than previously understood. We now know that data and definitional limitations of regularly performed counts of homeless individuals lead to a significant undercounting of youth experiencing homelessness. Homelessness affects about 4.2 million youth each year, a figure 24 times larger than the most recent official estimate from the U.S. Department of Housing and Urban Development's (HUD) annual count.¹⁰ Congress must comprehensively reauthorize RHYA to ensure the federal government is able to meet the needs of the large and diverse population of youths experiencing homelessness.

Background

Research shows that the experience of youth homelessness is quite varied across individuals as well as within individuals over time. Although homelessness is often thought of as a permanent condition of living on the street or in a shelter, it is in fact a complex and fluid experience. Individual youth can move in and out of homelessness and have multiple experiences of homelessness over even a short period of time. Some youth experiencing homelessness live on the street, whereas others live in shelters or couch surf with friends, meaning they move around from one arrangement to an-

⁶Chamberlain & Johnson, *supra* note 4, at 7; MURPHY, *supra* note 4, at 5; NAT'L CTR. FOR HOMELESS EDUC., *supra* note 4, at 3.

⁷Juvenile Justice and Delinquency Prevention Act, Pub. L. No. 93-415, 88 Stat. 1109 (1974).

⁸Juvenile Justice Reform Act of 2018 §402, 34 U.S.C. §11280(a).

⁹Pub. L. No. 110-378, 122 Stat. 4068.

¹⁰In 2017, the year that the study that found that 4.2 million youth experienced homelessness was conducted, the Department of Housing and Urban Development (HUD) counted 168,267 children and youth ages 18-24 in its annual point-in-time count of individuals experiencing homelessness. U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, HUD 2017 CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAMS HOMELESS POPULATIONS AND SUBPOPULATIONS, https://files.hudexchange.info/reports/published/CoC_PopSub_NatlTerrDC_2017.pdf.

other without finding stable and secure housing.¹¹ Many youth experience all such arrangements at different times as they attempt to cobble together what few resources they can find. The range of time youth experience homelessness can also vary greatly. Some youth experience homelessness for periods that may last as little as one week.¹² Others can experience long spells lasting several years, with others yet moving in and out of homelessness for the majority of their childhood and early adulthood.¹³ Although research demonstrates that youths who live in rural and urban areas experience homelessness at similar rates, youths living in rural areas are more likely to be couch surfing and less likely to live in shelters than their urban peers, likely due to lack of available shelter and other formal resources in rural areas.¹⁴

In response to the diversity of the youth homelessness experience, RHYA currently authorizes three different programs administered through the U.S. Department of Health and Human Services (HHS). Each of these programs focuses on a different subpopulation of youth experiencing homelessness and as such provides specific services based on the needs of those groups. These three programs are the Basic Center Program (BCP), the Transitional Living Program (TLP), and the Street Outreach Program (SOP). The BCP was the first program authorized under RHYA in 1974.¹⁵ Subsequent reauthorizations of RHYA in 1988 and 1994 added the TLP and SOP programs, respectively.

The BCP provides short-term housing and crisis intervention for runaway and homeless youth as well as youth at risk of homelessness under the age of 18. Through the BCP, community-based organizations provide services like housing, counseling, family unification, prevention, and after care to youths and their families. Due to the short-term nature of the program, the current allowable length of stay in a BCP facility is 21 days. In fiscal year (FY) 2018, BCP's 223 grantees provided emergency shelter to over 20,000 youths and prevention services to an additional 7,700 youths.¹⁶

The TLP focuses on longer-term housing and support for youth over the age of 16 who are ready to become self-sufficient. Using TLP funds, community-based organizations provide safe and secure housing, in addition to a wide range of services including health care, basic life skills, and connections to education and career opportunities. The TLP also funds maternity group homes to serve pregnant and parenting youths. The current allowable length of stay at a TLP facility is 540 days, or in exceptional circumstances

¹¹ MATTHEW MORTON ET AL., *supra* note 2, at 12.

¹² Jordan Braciszewski, et al., *Understanding the Attainment of Stable Housing: A Seven-year Longitudinal Analysis of Homeless Adolescents*, HHS Public Access Author manuscript (appears in 44 J. OF CMNTY. PSYCH. 358-366) (2016), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4795908/>.

¹³ ADMIN. FOR CHILDREN & FAMILY, FAMILY AND YOUTH SERVICES BUREAU STREET OUTREACH PROGRAM: DATA COLLECTION STUDY FINAL REPORT 28 (2016), https://www.acf.hhs.gov/sites/default/files/fysb/data_collection_study_final_report_street_outreach_program.pdf.

¹⁴ MATTHEW MORTON ET AL., *supra* note 2, at 12.

¹⁵ ADRIENNE L. FERNANDES-ALCANTARA, CONG. RSCH. SERV., RL 33785, RUNAWAY AND HOMELESS YOUTH: DEMOGRAPHICS AND PROGRAMS 18 (2019); *Runaway and Homeless Youth Act*, Family & Youth Services Bureau, <https://www.rhyttac.net/rhya-timeline> (last visited Dec. 21, 2020).

¹⁶ FAM. & YOUTH SERVICES BUR., BASIC CENTER PROGRAM 1 (2020), https://www.acf.hhs.gov/sites/default/files/fysb/bcp_fact_sheet_september_2020.pdf.

for youth 21 or over, 635 days. In FY 2018, TLP's 239 grantees served over 2,000 youth.¹⁷

The SOP focuses on outreach and crisis intervention for runaway and homeless youths who are living on the street who we know disproportionately experience, or are at risk of experiencing, higher rates of sexual abuse, sexual exploitation, and trafficking. SOP grantees conduct outreach with street locations and/or drop-in centers and provide services like counseling and referrals to substance misuse treatment or education services. In FY 2018, SOP's 118 grantees connected with over 35,000 youths.¹⁸

Challenges and innovations in defining and measuring the full scope of runaway and homeless youth

Unfortunately, the varied and transient experience of youth homelessness has historically posed a significant challenge to defining, accurately counting, and, therefore, effectively serving youths who experience homelessness. RHYA, which relies on a developmentally appropriate understanding of the experience of homelessness, defines a homeless youth as one for whom it is not possible to live in a safe environment with a relative or one who has no safe alternative living arrangement.¹⁹ The statute defines runaway youth as youth under the age of 18 who leave their home without the permission of a parent or legal guardian. In other words, the statute includes a broad interpretation of homelessness that research demonstrates is reflective of youths' real life experiences and includes youths living on the street as well as youths who live in shelters, who are couch surfing with friends or relatives, or are in any other situation that is not safe or permanent.

However, agencies mandated with regularly producing estimates of youths experiencing homelessness rely on different definitions of youth homelessness, a discrepancy that has historically limited Congress' ability to access comprehensive data about the scope and magnitude of youth homelessness as defined in RHYA. Specifically, Congress tasks two agencies with data collection on youth homelessness: HUD and the U.S. Department of Education (ED). HUD, which conducts an annual point-in-time count of the number of sheltered and unsheltered individuals experiencing homelessness on one given night each January, omits by definition youths who are couch surfing from its count.²⁰ ED's count, which relies on a definition of youth homelessness that is much more closely aligned to the RHYA definition, yields a figure of youth homelessness that is closer to the population RHYA programs intend to serve.²¹ Yet ED's counting efforts are limited to youths who are enrolled in school and school-aged, and as such also falls short of fully encompassing the population of youths eligible for services under RHYA.

¹⁷FAM. & YOUTH SERVICES BUR., TRANSITIONAL LIVING PROGRAM, https://www.acf.hhs.gov/sites/default/files/fysb/tlp_fact_sheet_september_2020pdf.pdf.

¹⁸FAM. & YOUTH SERVICES BUR., STREET OUTREACH PROGRAM, https://www.acf.hhs.gov/sites/default/files/fysb/sop_fact_sheet_september_2020pdf.pdf; DEP'T OF HEALTH & HUM. SVCS., FISCAL YEAR 2021: ADMINISTRATION FOR CHILDREN AND FAMILIES JUSTIFICATION OF ESTIMATES FOR APPROPRIATIONS COMMITTEES 144, https://www.acf.hhs.gov/sites/default/files/olab/fy_2021_congressional_justification.pdf?nocache=1581352571.

¹⁹34 U.S.C. 11279 (3).

²⁰RL 33785, *supra* note 15, at 3.

²¹42 U.S.C. §11434a (2) (definition of "homeless children and youth" under the McKinney Vento Homeless Assistance Act).

In an attempt to overcome these challenges and more accurately measure the prevalence of youth homelessness as defined in RHYA, HHS in 2016 requested, and Congress appropriated funding to conduct a new study on the scope of youth homelessness.²² HUD contracted with the research organization Chapin Hall at the University of Chicago to conduct a study examining the true prevalence of youth homelessness.²³

The Chapin Hall study revealed to Congress and the public what practitioners had long known: that the federal government's existing counts of youth homelessness vastly underestimated the phenomenon's true prevalence. In 2017, HUD estimated that about 168,000 children and youths under the age of 24 experienced homelessness.²⁴ For the 2017–2018 school year, ED estimated that about 500,000 students in grades 8th through 12th (which roughly match with ages 13–18) experienced homelessness.²⁵ The Chapin Hall study found that in 2017, 700,000 youths ages 13–17 experienced homelessness.²⁶ Alarming, the study found that an additional 3.5 million youth ages 18–25 experienced homelessness at some point that year.

In addition to the groundbreaking findings on the prevalence of youth homelessness, Chapin Hall researchers also revealed new information about the factors that place youths at risk for homelessness. In regards to demographic characteristics, the study showed that youths who identify as LGBTQ are at higher risk for experiencing homelessness than their peers.²⁷ Black and Latino youths are also at higher risk than their white peers.²⁸ Researchers also found that experiences of abuse when the youth was a child, experience in foster care, and experience with the juvenile justice system were all also associated with higher likelihood of experiencing homelessness.²⁹ Although the study revealed that there are many reasons why youths may not be at home, family conflict was the most common reason youths cited for entering homelessness.³⁰ As expected, some youths who experienced family conflict left home on their own while others reported being forced out.³¹

The release of the Chapin Hall study marked a turning point demonstrating that youth homelessness is a public health crisis. The Committee believes Congress cannot ignore the vast number of youths experiencing homelessness and must respond by expanding the quality and reach of services authorized under the RHYA. H.R. 5191 does this by increasing the authorization of appropria-

²² Pub. L. No. 114–113 (2016).

²³ RL 33785, *supra* note 15, at 4; *Point-in-Time (PIT) Count Standards and Methodologies Training*, HUD Exchange, <https://www.hudexchange.info/trainings/courses/point-in-time-pit-count-standards-and-methodologies-training/>.

²⁴ U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, HUD 2017 CONTINUUM OF CARE HOMELESS ASSISTANCE PROGRAMS HOMELESS POPULATIONS AND SUBPOPULATIONS, https://files.hudexchange.info/reports/published/CoC_PopSub_NatlTerrDC_2017.pdf.

²⁵ NATIONAL CENTER FOR HOMELESS EDUCATION, FEDERAL DATA SUMMARY: SCHOOL YEARS 2015–16 THROUGH 2017–18 16–17 (2020), <https://nche.ed.gov/wp-content/uploads/2020/01/Federal-Data-Summary-SY-15.16-to-17.18-Published-1.30.2020.pdf>.

²⁶ MATTHEW MORTON ET AL., *supra* note 2, at 12.

²⁷ *Id.*

²⁸ *Id.*

²⁹ COALITION FOR JUVENILE JUSTICE, ADDRESSING THE INTERSECTIONS OF JUVENILE JUSTICE AND YOUTH HOMELESSNESS: PRINCIPLES FOR CHANGE 1–2, <https://juvjustice.org/sites/default/files/ckfinder/files/FINAL%20Principles%20-%20ns%20final.pdf>; UNITED STATES INTERAGENCY COUNCIL ON HOMELESSNESS, HOMELESSNESS IN AMERICA: FOCUS ON YOUTH 2–8 (2018), https://www.usich.gov/resources/uploads/asset_library/Homelessness_in_America_Youth.pdf.

³⁰ MATTHEW MORTON ET AL., *supra* note 2, at 13.

³¹ *Id.*

tions to support the millions of youths who are at risk of or are experiencing homelessness and making policy changes that improve the reach of services to those who most need them. Reauthorizing RHYA reaffirms Congress' long-standing commitment to caring for and supporting the most vulnerable populations of young people.

ENSURING SERVICES REACH YOUNG PEOPLE FACING HOMELESSNESS

In the face of data showing the prevalence of youth homelessness, it is imperative that Congress expand programs and services authorized under RHYA to meet the needs of young people experiencing homelessness. Moreover, it is critical that services be responsive to the complex and varied experience of youth homelessness revealed in the Chapin Hall study. H.R. 5191 increases the authorization levels for RHYA programs and makes several improvements to the programs' policies to ensure youth have access to the breadth of services that help them find safe and stable housing and place them on a path to a productive, full life.

Increasing authorization levels

Currently, RHYA authorizes just \$36 per youth who experience homelessness in any given year, an unacceptably low figure. To ensure youths experiencing homelessness are able to find stable housing, are connected to critical services that address their physical and mental health needs, and are supported in developing the skills for a successful, healthy future, H.R. 5191 substantially increases authorization levels for the BCP and TLP programs from \$127.4 million to \$225 million and to increase the authorization level for the SOP from \$25 million to \$75 million. With H.R. 5191 the Committee sends a clear message that Congress should make a strong investment in our nation's vulnerable youths, one that will yield significant financial and non-financial benefits for youths experiencing homelessness, their communities, and taxpayers.

Expanding the reach and breadth of services to meet youths' needs

In addition to ensuring that the federal government provides appropriate funding for services for youths experiencing homelessness, it is critical to ensure that these services are intensive enough to help youths find safe, stable housing and exit homelessness for good. Researchers have found that the longer youths experience homelessness, the more challenging it becomes to transition out of homelessness.³² Providing services to youths experiencing homelessness quickly after they first become homeless and preventing them from re-experiencing homelessness after an initial spell does not only minimize harm to youths in the immediate future, but reduces the chances that youths will experience future bouts of homelessness. Moreover, experiences with youth homelessness are closely linked to adult homelessness. In one study, more than a third (35%) of adults who experienced homelessness had transitioned from homeless youths into homeless adults.³³ Thus, it is in everyone's interest to ensure youth have access to the full span of services offered by federally-funded projects and are given the proper amount of time to benefit from such services in order

³² Chris Chamberlain & Guy Johnson, *From Youth to Adult Homelessness*, 43 THE AUSTRALIAN JOURNAL OF SOCIAL ISSUES 563, 575 (2008).

³³ Chamberlain & Johnson, *supra* note 4, at 7.

to reach a positive and long-term reunification with family or become self-sufficient.

H.R. 5191 provides youths access to the depth of services they need in several ways. First, the bill extends the allowable length of stay for both BCP and TLP to ensure youth have adequate time to find stable housing and exit homelessness. For youths served by BCP, the length of stay is increased from 21 to 30 days, or the maximum allowed by state law, whichever is greater. For youths served by TLP, the allowable stay remains 540 days but the extended length of stay for exceptional circumstances is extended to youths under age 21 rather than limited to youths below the age of 18. In addition to extending the length of stay for already eligible youths, H.R. 5191 amends RHYA to extend TLP eligibility by raising the age limit from 22 to 26 in order to ensure services are available to all vulnerable youths who may benefit from support.

The opportunity for TLP grantees to continue serving youths up to age 26 allows young adults experiencing homelessness to receive a host of services that help them become self-sufficient, including assistance in accessing future postsecondary, career, or technical educational opportunities. In order to better bolster youths' access to higher education, H.R. 5191 also requires that grantees assist youths with completing the Free Application for Federal Student Aid (FAFSA), including informing youth of their status as an independent student under section 480 of the *Higher Education Act of 1965*, and assisting with verification of such status for the purpose of completing the FAFSA. The Committee hopes this will open the door of higher education for youths experiencing homelessness and ensure that these youths can be connected to support programs specifically tailored for college and university students who have previously or currently experience homelessness.

Ensuring youths who have been victims of trafficking are adequately served

Youths who experience homelessness are at an increased risk for a number of traumatic and negative outcomes, including being vulnerable to exploitation and human trafficking. This vulnerability emerges in large part because youth experiencing homelessness are often at higher risk for a host of factors that make them more likely to fall victim to trafficking, including poverty, unemployment, past abuse, and mental health disorders.³⁴ One 2016 study of approximately 650 homeless youths found that about one in five (19 percent) had been victims of trafficking, with 14 percent being subjected to sex trafficking, eight percent subjected to labor trafficking, and three percent trafficked for sex and labor.³⁵ That study also revealed that LGBTQ homeless youths were disproportionately found to be victims of trafficking compared to non-LGBTQ homeless youths.

As such, RHYA grantees must tailor services to appropriately support youths following experiences of trafficking. H.R. 5191 makes critical changes to RHYA to ensure BCP, TLP, and SOP grantees provide accessible and appropriate services for such youths. This includes ensuring that grantees are able to provide

³⁴MURPHY, *supra* note 4, at 8.

³⁵*Id.* at 12.

trauma-informed and gender-responsive services and counseling for youths who have been victims of trafficking, ensuring such youths receive wraparound services that meet their needs, ensuring that program outreach efforts reach these youths, and ensuring that staff are trained in best practices for identifying and providing appropriate services to such youths.

Extending the length of RHYA grants

In addition to ensuring services are responsive to the needs of youths experiencing homelessness, H.R. 5191 makes changes to current law to help grantees better support youths. RHYA providers currently face administrative challenges when awarded grants shorter than five years, limiting their ability to provide the full breadth of services allowable under the law. H.R. 5191 amends RHYA to ensure grantees receive five-year grants to reduce burden, improve program quality, and ensure projects can plan and prepare for extended outreach efforts.

ENSURING YOUTHS CAN ACCESS RHYA SERVICES SAFELY AND WITHOUT FEAR OF DISCRIMINATION

Expanding services to meet the needs of youths experiencing homelessness must be done in a way that takes into account and supports their unique experiences and backgrounds. The Chapin Hall study revealed that youths who experience homelessness are a diverse population, many of whom have experienced traumatic instances of discrimination that contributed to their experiences of homelessness. The Committee believes it is critical that programs are responsive to youths' needs and that each youth can access services without the fear of discrimination. H.R. 5191 amends RHYA to ensure that grantees provide appropriate services to youths from all backgrounds and experiences. Moreover, H.R. 5191 adds robust anti-discrimination provisions to RHYA to protect youths experiencing homelessness and ensure they are able to access and receive needed services.

Ensuring services are appropriate for the diverse population of youth experiencing homelessness

Runaway and homeless youths come from diverse backgrounds. Research demonstrates that Black and Latino youths are more likely to experience homelessness than their white peers. Specifically, Black youths are 83 percent more likely and Latino youth are 33 percent more likely to experience homelessness than their white peers.³⁶ Youths who identify as LGBTQ also report experiencing homelessness at higher rates, with such youth being 120 percent more likely to experience homelessness than their heterosexual or cisgender peers.³⁷ Youths experiencing homelessness also vary in their life experiences. Some youths may have experience with the foster care system or juvenile justice system prior to entering homelessness.

H.R. 5191 includes several provisions to address the needs of this demographically diverse population. H.R. 5191 requires that services provided by BCP, TLP, and SOP be age, gender, develop-

³⁶MATTHEW MORTON ET AL., *supra* note 2, at 12.

³⁷*Id.*

mentally, and culturally and linguistically appropriate. This change recognizes the diverse backgrounds and experiences of youths experiencing homelessness and the need for services to appropriately address and reflect these differences. Moreover, H.R. 5191 requires that grantees engage in outreach efforts that are designed to reach and attract youths who are members of a cultural minority or may have limited ability to speak English. Following findings from the Chapin Hall study that youths experiencing homelessness are likely to seek information online, the bill also explicitly allows grantees to use online tools and social media in their outreach efforts to better reach youths who may be marginalized in local communities and difficult to reach in person.

Ensuring no youths face discrimination when accessing services

To ensure that all youths experiencing homelessness, including LGBTQ youths who in some communities represent as much as 40 percent of the homeless youth population,³⁸ feel able to seek RHYA services and are protected against discrimination when receiving federally-funded services, H.R. 5191 amends RHYA to prohibit discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability. This language codifies into statute regulatory requirements added to the RHYA program in 2016 that prohibit exclusion from participation in, denial of benefits for, or discrimination on the basis of “race, ethnicity, nationality, age, religion/spirituality, gender identity/expression, sexual orientation, socioeconomic status, physical or cognitive ability, language, beliefs, values, behavior patterns, or customs” in any program or activity funded in whole or in part under RHYA.³⁹ As such, H.R. 5191 would align statute with current practice and ensure that youths served by RHYA programs in the future continue to benefit from such protections.

In addition, H.R. 5191 includes language clarifying that in cases where sex-segregated programming is essential to the operation of a program, such sex-segregated programming is allowed as long as the program that implements such programming provides comparable services to individuals who cannot receive such sex-segregated programming. This provision is modeled after existing statutory language in the *Violence Against Women Act* adopted with strong bipartisan support in 2013 and will assure that programs that use RHYA funding to implement Maternity Group Homes for pregnant or parenting mothers can continue to provide these critical services.⁴⁰ Altogether, H.R. 5191 codifies important provisions that ensure that regardless of political changes in presidential administrations, no youth experiencing homelessness will ever face discrimination when seeking federally-funded RHYA services.

ADDRESSING MENTAL HEALTH NEEDS OF RUNAWAY AND HOMELESS YOUTHS

Runaway and homeless youths face instability daily. These youths lack access to the basic services many Americans take for granted, including housing, food, and medical care. Many youths

³⁸ MARY CUNNINGHAM ET AL., HOMELESS LGBTQ YOUTH 1(2014), <https://www.urban.org/sites/default/files/publication/22876/413209-Homeless-LGBTQ-Youth.PDF>.

³⁹ 45 C.F.R. § 1351.22.

⁴⁰ 34 U.S.C. § 12291.

experiencing homelessness have also experienced traumatic events that contribute to their homelessness, including family conflict, physical abuse, or sexual abuse.⁴¹ It is thus unsurprising that youths experiencing homelessness experience mental health disorders, including substance use disorders, at much higher rates than their peers. A 2015 study found that young adults experiencing homelessness were four times more likely to have at least one mental illness than their housed peers.⁴² Another study found that almost two thirds (62 percent) of youth experiencing homelessness reported symptoms associated with depression and were at risk for clinical depression.⁴³ The same study found high rates of substance use for alcohol (73.2 percent) and for drugs (37.5 percent) among youth experiencing homelessness.

Given the mental health challenges that youth experiencing homelessness face, the Committee believes it is critical that homelessness services address these needs in order to ensure youth are able to become self-sufficient. Serving youth experiencing homelessness is more than just providing youth a place to stay overnight; grantees must address the broad range of challenges such youth face, whether mild or severe. H.R. 5191 amends RHYA to require grantees to ensure youth have access to the services that help them address trauma and mental health challenges, including the support of close adults who can support youth through difficult times.

Providing trauma-informed services

Many runaway and homeless youth experience trauma early in their lives, even before they leave their homes or become homeless. Youth who experience homelessness often report prior experiences of sexual abuse, physical abuse, domestic violence, the death of a family member, and trafficking, among other negative events. One study of youth living in the street found that the prevalence of trauma for those youth was particularly high, with almost three-quarters (72 percent) of participants reporting experiences of major trauma.⁴⁴ Research has also found that children who experience homelessness are likely to have experienced multiple adverse childhood experience (ACEs), placing them at-risk for a host of negative outcomes in adulthood.⁴⁵ H.R. 5191 addresses trauma in youths' lives by requiring that staff of RHYA grantees are trained in trauma-informed practices and services are provided with a trauma-informed perspective to ensure homeless youth receive the necessary supports to help them overcome the negative effects of trauma.

Allowing individuals identified by youths as family to participate in counseling services

Given the mental health challenges that youth experiencing homelessness face, RHYA allows grantees to provide or connect

⁴¹ Sarah Carter Narendorf et al., *Risk and Resilience Among Young Adults Experiencing Homelessness: A Typology for Service Planning*, 86 CHILDREN AND YOUTH SERVICES, 157, 160 (2018).

⁴² NATIONAL HEALTH CARE FOR THE HOMELESS COUNCIL, BEHAVIORAL HEALTH AMONG YOUTH EXPERIENCING HOMELESSNESS 2 (2015), <https://nhchc.org/wp-content/uploads/2019/08/in-focus-behavioral-health-among-youth.pdf>.

⁴³ U.S. DEPT OF HEALTH & HUM. SERVS., *supra* note 3, at 55.

⁴⁴ *Id.* at 56.

⁴⁵ NATIONAL HEALTH CARE FOR THE HOMELESS COUNCIL, HOMELESSNESS & ADVERSE CHILDHOOD EXPERIENCES: THE HEALTH AND BEHAVIORAL CONSEQUENCES OF CHILDHOOD TRAUMA 2 (2019), <https://nhchc.org/wp-content/uploads/2019/08/aces-fact-sheet.pdf>.

youth to counseling services and, if appropriate, include their family members in these services. Current statute, however, limits the ability of other close adults in a youth's life to participate in such services. H.R. 5191 amends RHYA to ensure that individuals identified by youths as their family can engage and participate in counseling services provided by BCP and TLP grantees. Aligning service provision to reflect youths' reality will ensure that grantees can assist youths in building relationships with individuals that they identify as their family and thus strengthen their support system.

Addressing suicide prevention and providing referrals to mental health programs

Unfortunately, some youths experience more severe mental health symptoms than others. One such symptom reported by a significant proportion of youths experiencing homelessness is suicide ideation. One 2018 study by the Institute for Children, Poverty, and Homelessness that surveyed homeless high school students found that one in five (20 percent) of these youths had attempted suicide compared to just one in ten (10 percent) of their non-homeless peers in a given year. Furthermore, the study found that suicide attempts by youths experiencing homelessness were more severe and more likely to result in serious injury requiring medical attention.⁴⁶ Given these alarming statistics, H.R. 5191 makes important amendments to RHYA to require that BCP and TLP projects ensure youths have access to critical counseling and mental health services to help identify and support youths that are at a higher risk for suicide ideation. H.R. 5191 also directs grantees to have adequate plans in place to refer youths to outside mental health or health care programs, as well as substance use treatment, in cases in which grantees cannot provide adequate services for youths experiencing challenges with mental health disorders, substance use, or other serious health conditions.

Ensuring youths are safe during mental health emergencies

In addition to ensuring that individual youths have access to the mental health services they need, H.R. 5191 makes changes to ensure youths within each facility are safe in cases of mental health emergencies. H.R. 5191 amends RHYA to require that BCP and TLP projects develop plans for mental health emergencies to ensure that in cases where youths may experience a serious outburst or mental health event while near other youth at the project, all youths may be protected. It is important that grantees appropriately respond to and support the individual experiencing the mental health emergency while ensuring other youths are also supported and protected from any harm.

IMPROVING DATA COLLECTION RELATED TO YOUTH HOMELESSNESS

As Congress recently learned, the data regularly collected by federal agencies on youth homelessness fail to capture the true prevalence of this phenomenon as defined in RHYA. Yet, robust and frequent data collection is critical for policymakers and stakeholders to understand the full scope of youth homelessness and the charac-

⁴⁶*Suicide and Depression Among Homeless High School Students*, Institute for Children, Poverty, and Homelessness, 2 <https://www.icphusa.org/reports/suicide-and-depression-among-homeless-high-school-students/> (last visited Dec. 12, 2020).

teristics of runaway and homeless youths. Accurate and frequent information collection allows policymakers to better respond to current trends among youths experiencing homelessness, and to provide funding that meets the population's need. It is critical that data collection similar to that included in the Chapin Hall study continues to occur on a regular basis and be supplemented with detailed data from RHYA grantees so that Congress can implement evidence-based policies that meet the true needs of youths experiencing homelessness.

Periodic comprehensive estimate of youth homelessness

H.R. 5191 amends RHYA to improve the frequency of data collection regarding the prevalence of youth experiencing homelessness as defined under the Act. To ensure comprehensive estimates of the number of youths experiencing homelessness are conducted regularly, H.R. 5191 requires the Secretary of HHS, through the Family Youth Services Bureau (FYSB), to estimate the prevalence of runaway and homeless youth ages 12 to 26 at three-year intervals. This frequency will allow for timely updates to Congress to understand the prevalence of youth homelessness and to adjust funding accordingly.

In addition to estimating the scope of youth homelessness every three years, H.R. 5191 also requires that HHS provide to Congress information about the characteristics of runaway youth and youths experiencing homelessness. This includes data on such youths who are victims of sexual abuse, sexual exploitation, trafficking in persons and/or sex trafficking. The estimate must also provide information regarding barriers youths face in receiving mental health services and accessing postsecondary, career, and technical education. H.R. 5191 authorizes \$2 million every three years for the development of this estimate.

Program reporting requirements

In addition to strengthening the quality of the periodic estimate of youth homelessness, H.R. 5191 makes key improvements to data reporting requirements for BCP and TLP grantees to ensure that providers are engaging with all subgroups of youth experiencing homelessness, including youths most at-risk of experiencing homelessness. H.R. 5191 requires that providers report the number of youth and non-personally identifiable demographic information and characteristics of homeless youth and youth at-risk of family separation served through the grantee's program. This includes information on youths who are victims of sexual abuse, sexual exploitation, trafficking in persons and/or sex trafficking, parenting or pregnant youths, and youths with prior or current involvement with the child welfare system and juvenile justice system. Such data will help Congress uncover disparities in access to services provided by RHYA grantees and ensure services are reaching the most vulnerable populations.

CONCLUSION

Congress has a responsibility to ensure that the 4.2 million youths who experience homelessness in any given year receive the support necessary to find a path to a stable, productive, and healthy life. Recently collected data on the magnitude and preva-

lence of youth homelessness provides a mandate for Congress to act now. H.R. 5191 addresses this mandate by expanding services and increasing authorization levels for the RHYA's three core programs: BCP, TLP, and SOP. The legislation makes several improvements to RHYA programs to ensure services are tailored to the needs of the diverse population of youths who experience homelessness. In addition, the legislation adds a non-discrimination clause to ensure that all youths have access to desperately needed services and are treated fairly by grantees.

Youth experience homelessness in every state, both in rural and urban areas.⁴⁷ As such, Members of Congress on both sides of the aisle have a stake in ensuring that every youth experiencing homelessness is connected to critical services. H.R. 5191 has bipartisan champions in both the Senate and House and RHYA has historically received robust bipartisan support. The Committee recommends Congress adopt the amendment in the nature of a substitute to H.R. 5191 passed at the Committee markup and pass this bill that will ensure continued support for runaway and homeless youths.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act is called the “Runaway and Homeless Youth and Trafficking Prevention Act of 2019.”

Section 2. References

This section provides that any amendment to, or repeal of, a provision shall be considered to be made to a provision of the *Runaway and Homeless Youth Act* (RHYA).

Section 3. Findings

This section updates the findings of the RHYA to reflect new research findings.

Section 4. Basic Center Grant Program

This section makes updates to the Basic Center Program (BCP), which provides temporary housing with crisis intervention services to minors (runaway youth, street youth, homeless youth, and youth at-risk of separation from their family) to increase the allowable length of stay from 21 to 30 days, or the maximum allowed by the state, whichever is higher. This section requires that services be trauma-informed and, if appropriate, inclusive of the youth's family, including individuals identified by the youth as family. Counseling services must be age, gender, developmentally, culturally, and linguistically appropriate, as appropriate, as must be any homebased services provided at the option of BCP grantees. In addition, this section requires that BCP programs provide suicide prevention services.

This section requires that grantee outreach plans be designed to attract persons who are members of a cultural minority, persons with limited ability to speak English, and runaway or homeless youth who are victims of sexual abuse, exploitation, trafficking in

⁴⁷ MATTHEW MORTON ET AL., *supra* note 2, at 12.

persons, or sex trafficking. Grantees may use online resources in order to reach and engage youth. In addition, this section requires that programs include a statistical summary describing the number, characteristics, and demographics of the youth who participated in the project, including prevalence of human trafficking among the population of youth being served, in annual reports to the Secretary of Health and Human Services (Secretary). Such reports must not disclose the identity of any individual served. Such reports must also include detailed information regarding the program's ability to meet its goals.

This section further requires that programs inform youth of their status as an independent student under section 480 of the *Higher Education Act of 1965* and provide verification of such status for purposes of completing the Free Application for Federal Student Aid (FAFSA). This section also requires that BCP programs assist youth with completing the FAFSA. This section further requires programs to develop emergency management plans for natural disasters, inclement weather, and mental health emergencies.

This section requires that BCP grants be awarded for a five-year period. The Secretary shall give priority to eligible applicants that request grants of less than \$225,000 per year if this title is funded at less than \$200 million for the relevant fiscal year, or to eligible applicants that request grants of less than \$250,000 per year if this title is funded at more than \$200 million for the relevant fiscal year.

Section 5. Transitional Living Grant Program

This section makes updates to the Transitional Living Program (TLP), which provides longerterm housing with supportive services for youth experiencing homelessness. This section requires that counseling services be age, gender, developmentally, culturally, and linguistically appropriate, to the extent practicable. This section requires that TLP grantees offer suicide prevention services, counseling services that encourage the involvement of parents, legal guardians, or individuals identified by youth as family, if appropriate, to youth in TLP facilities. This section also requires that programs offer aftercare services to youth who have exited TLP shelters. This section allows youth, in exceptional circumstances, to remain in the program until the youth's 21st birthday even if such youth has already reached the 635-day limit.

This section further requires that programs develop an adequate plan to ensure proper referral of homeless youth to age, gender, developmentally, culturally, and linguistically appropriate, to the extent practicable, services, including substance use disorder treatment and programs for victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking. Additionally, this section requires that transitional living plans be written in partnership with youth rather than being given to youth. This section allows programs to use online and social media in outreach plans, as appropriate.

This section also requires that programs include in their annual reports to the Secretary a statistical summary describing the number, characteristics, and demographics of the youth who participated in the project, including the prevalence of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking among

such youth. This section also requires that programs inform youth of their status as an independent student under section 480 of the *Higher Education Act of 1965*, provide verification of such status for purposes of completing the FAFSA, and assist youth with completing the FAFSA. This section further requires programs to develop emergency management plans for natural disasters, inclement weather, and mental health emergencies.

This section requires that TLP grants be awarded for a five-year period. The Secretary shall give priority to entities that have experience providing homeless youth shelter and that request grants of less than \$225,000 if this title is funded at less than \$200 million for the relevant fiscal year, or entities that request grants of less than \$250,000 per year if this title is funded at more than \$200 million for the relevant fiscal year. This section also allows the Secretary to consider equitable geographic distribution when issuing grants.

Section 6. National communications system

This section requires that grants be made every five years for a national communication system to assist runaway and homeless youth in communicating with their families and with service providers, including through online resources and social media.

Section 7. Coordinating, training, research, and other activities

This section requires the Secretary to coordinate the activities of the Department of Health and Human Services with the activities of the Department of Housing and Urban Development, the Department of Education, the Department of Labor, and the Department of Justice.

This section further requires that grants to statewide and regional nonprofit organizations (or combinations of such organizations) to provide technical assistance and training to RHYA grantees, including through onsite and web-based techniques such as on-demand and online learning, be made for a five-year period. This section establishes that such grants are created for the purpose of implementing RHYA programs in a trauma-informed manner.

This section also makes updates to grants for research, evaluation, demonstration, and service projects. This section requires that the Secretary, in making such grants, give priority to projects relating to staff training in the behavioral and emotional effects of violence, trauma, sexual abuse assault, sexual exploitation, or sex trafficking, staff training in best practices for identifying and providing services to vulnerable and underserved youth populations and youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking, and staff training in informing youth of their status as independent students under section 480 of the *Higher Education Act of 1965* and assisting youth in completing the FAFSA. The Secretary shall also give priority to projects that examine the intersection between the runaway and homeless youth populations and trafficking in persons as well as to projects that relate to the needs of runaway youth and homeless youth with disabilities.

This section also increases the maximum grant for a demonstration project from \$100,000 to \$200,000.

In addition, this section makes several improvements to the periodic estimate of the incidence and prevalence of youth homelessness. This section requires the Secretary to conduct the periodic estimate at three-year intervals. Moreover, this section requires that when the estimate is reported, such report include demographic information and characteristics of runaway or homeless youth, data regarding incidences of youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking, and list barriers youth face in obtaining access to education services.

Section 8. Sexual Abuse Prevention Program

This section makes updates to the Sexual Abuse Prevention of Street Youth Program (SOP), which provides outreach to runaway, homeless, and trafficked youth and refers youth to vital services at street locations and/or drop-in centers. This section requires that grants be awarded for a five-year period to applicants that certify to the Secretary that they can provide age, gender, developmentally, and culturally and linguistically appropriate services, to the extent practicable. This section further requires that the Secretary give priority for such grants to entities that have experience providing services to runaway youth, homeless youth, and street youth and entities that request grants of less than \$225,000 if this title is funded at less than \$200 million for the relevant fiscal year, or entities that request grants of less than \$250,000 per year if this title is funded at more than \$200 million for the relevant fiscal year. This section also allows the Secretary to consider equitable geographic distribution when issuing grants.

Section 9. General provisions

This section requires that the Secretary submit a report on the status, activities, and accomplishments of programs receiving funding under the Act to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate by 2021. Such report shall include, among other things, information on the ability of BCP grantees to collect data on sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking of runaway and homeless youth, the number and characteristics of youth served by TLP grantees, and the ability of grantees to encourage the resolution of problems within the family.

This section also requires that the Secretary perform on-site evaluations of grantees who receive grant funding under any part of RHYA for five consecutive fiscal years. Such evaluations shall determine whether grants are being used for the purposes for which such grants were made by the Secretary acting through the Associated Commissioner of the Family and Youth Services Bureau.

This section further amends RHYA to add nondiscrimination provisions. Such provisions prohibit any person from being excluded from participation in, being denied the benefits of, or being subjected to discrimination under any program funded through RHYA on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability. This section does not prohibit programming that is segregated by or specific to sex that is essential to the operation of a program, but requires that programs that implement such programming provide com-

parable services to individuals who cannot be provided such programming.

This section also amends existing definitions and adds new definitions. This section adds a definition for “culturally and linguistically appropriate” and “trafficking in persons”. Moreover, this section amends the definition of “homeless youth” to raise the age limit from 21 to 26, which in effect raises the age limit of eligible youth for TLP services from 21 to 26. This section also amends the definition of “street-based services” to allow for outreach services to include online methods of engagement and for grantees to provide suicide prevention services. This section also adds youth who are involved in the child welfare system or juvenile justice system but not sheltered by either system to the list of youth at risk of separation from the family.

Finally, this section amends the authorization of appropriations for all activities under this Act except the SOP program to \$225 million for fiscal year 2021 and such sums as may be necessary for fiscal years 2022 through 2025. Out of such amounts authorized to be appropriated, \$2 million shall be made available to carry out the periodic estimate in fiscal year 2021 and such sums as may be necessary for fiscal years 2022 through 2025. Appropriations for the SOP program are authorized at \$75 million for fiscal year 2021 and such sums as may be necessary for fiscal years 2022 through 2025.

EXPLANATION OF AMENDMENTS

The Amendment in the Nature of a Substitute is explained in the descriptive portions of this report.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

H.R. 5191 does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

UNFUNDED MANDATE STATEMENT

Pursuant to Section 423 of the *Congressional Budget and Impoundment Control Act* (as amended by Section 101(a)(2) of the *Unfunded Mandates Reform Act*, Pub. L. 104–4), the Committee adopts as its own the estimate of federal mandates regarding H.R. 5191, as amended, prepared by the Director of the Congressional Budget Office.

EARMARK STATEMENT

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 5191 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of rule XXI.

ROLL CALL VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that the following roll call votes occurred during the Committee’s consideration of H.R. 5191:

Date: 01/14/2020

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 1

Bill: HR 5191

Amendment Number: 2

Disposition: defeated by a vote of 19-27

Sponsor/Amendment: Foxx/ Substitute Amendment to the the ANS

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)		X		Mrs. FOXX (NC) (Ranking)	X		
Mrs. DAVIS (CA)		X		Mr. ROE (TN)	X		
Mr. GRIJALVA (AZ)		X		Mr. THOMPSON (PA)	X		
Mr. COURNTEY (CT)		X		Mr. WALBERG (MI)	X		
Ms. FUDGE (OH)		X		Mr. GUTHRIE (KY)	X		
Mr. SABLAN (MP)		X		Mr. BYRNE (AL)			X
Ms. WILSON (FL)		X		Mr. GROTHMAN (WI)			X [^]
Ms. BONAMICI (OR)		X		Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)		X		Mr. ALLEN (GA)	X		
Ms. ADAMS (NC)		X		Mr. SMUCKER (PA)	X		
Mr. DESAULNIER (CA)			X	Mr. BANKS (IN)	X		
Mr. NORCROSS (NJ)		X		Mr. WALKER (NC)			X
Ms. JAYAPAL (WA)		X		Mr. COMER (KY)	X		
Mr. MORELLE (NY)		X		Mr. CLINE (VA)	X		
Ms. WILD (PA)		X		Mr. FULCHER (ID)	X		
Mr. HARDER (CA)		X		Mr. TAYLOR (TX)	X		
Mrs. MCBATH (GA)		X		Mr. WATKINS (KS)	X		
Ms. SCHRIER (WA)		X		Mr. WRIGHT (TX)	X		
Ms. UNDERWOOD (IL)		X		Mr. MEUSER (PA)	X		
Mrs. HAYES (CT)		X		Mr. JOHNSON (SD)	X		
Ms. SHALALA (FL)		X		Mr. KELLER (PA)	X		
Mr. LEVIN (MI)		X		Mr. MURPHY (NC)	X		
Ms. OMAR (MN)		X					
Mr. TRONE (MD)		X					
Ms. STEVENS (MI)		X					
Mrs. LEE (NV)		X					
Mrs. TRAHAN (MA)		X					
Mr. CASTRO (TX)		X					

TOTALS: Ayes: 19

Nos: 27

Not Voting: 4

Total: 50 / Quorum: / Report:

(28 D - 22 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

Date: 01/14/2020

COMMITTEE ON EDUCATION AND LABOR RECORD OF COMMITTEE VOTE

Roll Call: 2

Bill: H.R. 5191

Amendment Number: Motion

Disposition: Adopted by a vote of 28-17

Sponsor/Amendment: Jayapal/ to report to the House with an amendment and with recommendation that the amendment be agreed to, and the bill as amended, do pass

Name & State	Aye	No	Not Voting	Name & State	Aye	No	Not Voting
Mr. SCOTT (VA) (Chairman)	X			Mrs. FOXX (NC) (Ranking)		X	
Mrs. DAVIS (CA)	X			Mr. ROE (TN)		X	
Mr. GRIJALVA (AZ)	X			Mr. THOMPSON (PA)		X	
Mr. COURNTEY (CT)	X			Mr. WALBERG (MI)		X	
Ms. FUDGE (OH)	X			Mr. GUTHRIE (KY)		X	
Mr. SABLAN (MP)	X			Mr. BYRNE (AL)			X
Ms. WILSON (FL)	X			Mr. GROTHMAN (WI)		X	
Ms. BONAMICI (OR)	X			Ms. STEFANIK (NY)	X		
Mr. TAKANO (CA)	X			Mr. ALLEN (GA)		X	
Ms. ADAMS (NC)	X			Mr. SMUCKER (PA)		X	
Mr. DESAULNIER (CA)			X	Mr. BANKS (IN)		X	
Mr. NORCROSS (NJ)	X			Mr. WALKER (NC)			X
Ms. JAYAPAL (WA)	X			Mr. COMER (KY)		X	
Mr. MORELLE (NY)	X			Mr. CLINE (VA)		X	
Ms. WILD (PA)	X			Mr. FULCHER (ID)		X	
Mr. HARDER (CA)	X			Mr. TAYLOR (TX)		X	
Mrs. MCBATH (GA)	X			Mr. WATKINS (KS)		X	
Ms. SCHRIER (WA)	X			Mr. WRIGHT (TX)		X	
Ms. UNDERWOOD (IL)	X			Mr. MEUSER (PA)		X	
Mrs. HAYES (CT)	X			Mr. JOHNSON (SD)		X	
Ms. SHALALA (FL)	X			Mr. KELLER (PA)		X	
Mr. LEVIN (MI)	X			Mr. MURPHY (NC)		X	
Ms. OMAR (MN)	X						
Mr. TRONE (MD)	X						
Ms. STEVENS (MI)	X						
Mrs. LEE (NV)	X						
Mrs. TRAHAN (MA)	X						
Mr. CASTRO (TX)	X						

TOTALS: Ayes: 28

Nos: 19

Not Voting: 3

Total: 50/ Quorum: / Report:

(28 D - 22 R)

*Although not present for the recorded vote, Member expressed he/she would have voted AYE if present at time of vote.

*Although not present for the recorded vote, Member expressed he/she would have voted NO if present at time of vote.

STATEMENT OF PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause (3)(c) of rule XIII of the Rules of the House of Representatives, the goals of H.R. 5191 are to reauthorize and strengthen federal programs that serve runaway and homeless youth.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of H.R. 5191 establishes or reauthorizes a program of the Federal Government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

HEARINGS

Pursuant to section 103(i) of H. Res. 6 for the 116th Congress—
On July 16, 2019, the Subcommittee on Civil Rights and Human Services held a legislative hearing entitled “Strengthening Federal Support to End Youth Homelessness,” which was used to consider H.R. 5191. The Committee heard testimony on: patterns of youth homelessness; risk factors for youth homelessness; populations at high risk of experiencing youth homelessness; and effects of youth homelessness. The Committee heard testimony from: Mr. Matthew Morton, Ph.D., M.Sc., Research Fellow, Chapin Hall at the University of Chicago, New York, New York; Ms. Melinda Giovengo, Ph.D., CEO, YouthCare, Seattle, Washington; Mr. Robert Lowery, Jr., M.S., Vice-President, Missing Children Division, National Center for Missing & Exploited Children, Alexandria, Virginia; and Mr. David Baker, Support Specialist, YMCA Youth & Family Services, San Diego, California.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF
THE COMMITTEE

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND CBO COST ESTIMATE

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget Act of 1974*, and pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the following estimate for H.R. 5191 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 23, 2020.

Hon. BOBBY SCOTT,
Chairman, Committee on Education and Labor,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5191, the Runaway and Homeless Youth and Trafficking Prevention Act of 2019.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jennifer Gray.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

H.R. 5191, Runaway and Homeless Youth and Trafficking Prevention Act of 2019			
As ordered reported by the House Committee on Education and Labor on January 14, 2020			
By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	1,232	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 5191 would reauthorize and amend the Runaway and Homeless Youth Act. The bill would authorize the appropriation of \$300 million in 2021 and whatever amounts are necessary for fiscal years 2022 through 2025 for programs in that act, including the Runaway and Homeless Youth Program, the Service Connection for Youth on the Streets Program, and related activities. In 2020, the Department of Health and Human Services allocated \$132 million for those programs.

For this estimate, CBO assumes that H.R. 5191 will be enacted before the beginning of fiscal year 2021 and that the authorized and estimated amounts will be appropriated beginning in 2021. For years 2022 through 2025, CBO estimated the authorization amount by increasing the amount authorized in the bill for 2021 using projected inflation rates in CBO's March 2020 baseline. Estimated outlays are based on historical spending patterns. On that basis, CBO estimates that implementing the bill would cost \$1,232 million over the 2020–2025 period.

The costs of the legislation, detailed in Table 1, fall within budget function 500 (education, training, employment, and social services).

TABLE 1.—ESTIMATED INCREASES IN SPENDING SUBJECT TO APPROPRIATION UNDER H.R. 5191

	By fiscal year, millions of dollars—						
	2020	2021	2022	2023	2024	2025	2020–2025
Estimated Authorization	0	300	307	313	320	327	1,567
Estimated Outlays	0	29	269	301	313	320	1,232

Most of the provisions of H.R. 5191 contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO has not reviewed Section 9(f) of H.R. 5191 for intergovernmental or private-sector mandates because section 4 of UMRA excludes from the application of that act any legislative provisions that would establish or enforce statutory rights prohibiting discrimination. CBO has determined that this provision falls within that exclusion because it would extend protections against discrimination based on race, color, religion, sex, national origin, or disability.

The CBO staff contacts for this estimate are Jennifer Gray (for federal costs) and Andrew Laughlin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

COMMITTEE COST ESTIMATE

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 5191. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the *Congressional Budget Act*.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, H.R. 5191, as reported, are shown as follows:

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

RUNAWAY AND HOMELESS YOUTH ACT

* * * * *

TITLE III—RUNAWAY AND HOMELESS YOUTH

* * * * *

SEC. 302. FINDINGS.

The Congress finds that—

(1) youth who have become homeless or who leave and remain away from home without parental permission, are at risk of developing, and have a disproportionate **share of, serious health, behavioral, and emotional problems** *share of, trauma, serious health, behavioral, social, and emotional problems, and substance use disorder* because they lack sufficient resources to obtain care and may live on the street for extended periods thereby endangering themselves and creating a substantial law enforcement problem for communities in which they congregate;

(2) many such young people, because of their age and situation, are urgently in need of temporary shelter and services, including services that are *socially, age, gender, developmentally, culturally and linguistically* appropriate and acknowledge the environment of youth seeking these services;

(3) *research has documented that youth experience homelessness as fluid, such that many youth experience 2 to 3 different types of homelessness, including couch surfing, emergency shelters, and staying on the streets;*

[(3)] (4) services to such young people should be developed and provided using a positive youth development approach that ensures a young person a sense of—

- (A) safety and structure;
- (B) belonging and membership;
- (C) self-worth and **[social contribution]** *self-advocacy*;
- (D) independence and control over one's life; and
- (E) closeness in interpersonal *and peer* relationships.

[(4)] (5) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop an accurate national reporting system to report the problem, and to assist in the development of an effective system of care (including preventive and aftercare services, emergency shelter services, extended residential shelter, and street outreach services) **[outside the welfare system and the law enforcement system]**, *in collaboration with public assistance systems, the law enforcement system, and the child welfare system*;

[(5)] (6) to make a successful transition to adulthood, runaway youth, homeless youth, and other street youth need a *safe place to live, connection to caring adults, and opportunities to complete high school or earn a general equivalency degree, learn job skills, and obtain employment*; **[and]**

[(6)] (7) improved coordination and collaboration **[between the Federal programs that serve runaway and homeless youth are]** *at the Federal level is necessary for the development of a long-term strategy for responding to the needs of this population* **[.]**;

(8) *runaway and homeless youth are at a high risk of substance use disorder and becoming victims of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking*;

(9) *research has shown that—*

- (A) *the prevalence of homelessness among youth and young adults is similar in rural and urban communities*;
- and

(B) runaway and homeless youth programs, such as those funded under this Act, are integral services that every community, regardless of size, should provide; and
(10) runaway and homeless youth programs provide expert adolescent services and are integral community partners for the child welfare and juvenile justice systems.

* * * * *

PART A—BASIC CENTER GRANT PROGRAM

AUTHORITY TO MAKE GRANTS

SEC. 311. (a) GRANTS FOR CENTERS AND SERVICES.—

(1) IN GENERAL.—**【The Secretary】** *Every 2 or 3 years, the Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish **【and operate】**, operate, and maintain (including renovation) local centers to provide **【services for runaway and homeless youth and for the families of such youth.】** safe shelter and services, including trauma-informed services, for runaway and homeless youth and, if appropriate, services for the families of such youth, including (if appropriate) individuals identified by such youth as family. Grants shall be awarded for a 5-year period.*

(2) SERVICES PROVIDED.—Services provided under paragraph (1)—

【(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;】

(A) shall be provided to runaway youth, street youth, homeless youth, and youth at risk of separation from his or her family or at risk of becoming homeless;

(B) shall include—

(i) safe and appropriate shelter provided for not to exceed **【21 days; and】** *30 days or the maximum allowed by the State, whichever is greater;*

【(ii) individual, family, and group counseling, as appropriate; and】

(ii) age, gender, developmentally, and culturally and linguistically appropriate individual, family, and group counseling, as appropriate (including, if appropriate, counseling for individuals identified by such youth as family); and

(iii) suicide prevention services; and

(C) may include—

(i) street-based services;

(ii) *age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable, home-based services for families with youth at risk of separation from the family;*

(iii) drug abuse education and prevention services;

【and】

(iv) at the request of runaway and homeless youth, testing for sexually transmitted **【diseases.】** *infections;*

(v) trauma-informed and gender-responsive services for runaway or homeless youth, including such youth

who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking; and

(vi) if safe and appropriate, supports for youth and their parents, legal guardians, or (if appropriate) those identified by such youth as family, including—

(I) an assessment of family engagement to improve support for youth (and if appropriate) reunify youth;

(II) strength-based interventions; and

(III) ongoing supportive services.

(b)(1) Subject to paragraph (2) and in accordance with regulations promulgated under this title, funds for grants under subsection (a) shall be allotted annually with respect to the States on the basis of their relative population of individuals who are less than 18 years of age.

(2)(A) Except as provided in subparagraph (B), the amount allotted under paragraph (1) with respect to each State for a fiscal year shall be not less than \$200,000, except that the amount allotted to the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be not less than \$70,000 each.

(B) For fiscal years 2009 and 2010, the amount allotted under paragraph (1) with respect to a State for a fiscal year shall be not less than the amount allotted under paragraph (1) with respect to such State for fiscal year 2008.

(C) Whenever the Secretary determines that any part of the amount allotted under paragraph (1) to a State for a fiscal year will not be obligated before the end of the fiscal year, the Secretary shall reallocate such part to the remaining States for obligation for the fiscal year.

(3) In selecting among applicants for grants under subsection (a), the Secretary shall give priority to private entities that have experience in providing the services described in such subsection.

ELIGIBILITY

SEC. 312. (a) To be eligible for assistance under section 311(a), an applicant shall propose to establish, strengthen, or fund an existing or proposed runaway and homeless youth center, a locally controlled project (including a host family home) that provides temporary shelter, and counseling services to youth who have left home without permission of their parents or guardians, *to youth who are at risk of separation from the family*, or to other homeless youth.

(b) In order to qualify for assistance under section 311(a), an applicant shall submit a plan to the Secretary including assurances that the applicant—

(1) shall operate a runaway and homeless youth center located in an area which is demonstrably frequented by or easily reachable by runaway and homeless youth;

(2) shall use such assistance to establish, to strengthen, or to fund a runaway and homeless youth center, or a locally controlled **[facility]** *project* providing temporary shelter, that has—

(A) a maximum capacity of not more than 20 youth, except where the applicant assures that the State where the

center or locally controlled **facility** *project* is located has a State or local law or regulation that **requires** *allows* a higher maximum to comply with licensure requirements for child and youth serving facilities; and

(B) a ratio of staff to youth that is sufficient to ensure adequate supervision and treatment;

(3) shall develop adequate plans for contacting the parents or other relatives of the youth and ensuring the safe return of the youth according to the best interests of the youth, for contacting local government officials pursuant to informal arrangements established with such officials by the runaway and homeless youth center, and for providing for other appropriate alternative living arrangements;

(4) shall develop an adequate plan for ensuring—

(A) proper relations with law enforcement personnel, health and mental health care personnel, social service personnel, school system personnel, and welfare personnel;

(B) coordination with McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), to assure that runaway and homeless youth are provided information about the educational services available to such youth under subtitle B of title VII of that Act; and

(C) the return of runaway and homeless youth from correctional institutions;

(5) shall develop an adequate plan for providing counseling and aftercare services to such youth, for encouraging the involvement of their parents or legal guardians, or *(if appropriate) individuals identified by such youth as family*, in counseling, and for ensuring, as possible, that aftercare services will be provided to those youth who are returned beyond the State in which the runaway and homeless youth center is located;

(6) shall develop an adequate plan for establishing or coordinating with outreach programs *(which may include the use of online resources in order to reach and engage youth)* designed to attract persons (including, where applicable, persons who are members of a **cultural minority and persons with limited ability to speak English** *cultural minority, persons with limited ability to speak English, and runaway or homeless youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking*) who are eligible to receive services for which a grant under subsection (a) may be expended;

(7) shall keep adequate statistical records profiling the youth and family members whom it serves (including youth who are not referred to out-of-home shelter services), except that records maintained on individual runaway and homeless youth shall not be disclosed without the consent of the individual youth and parent or legal guardian to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway and homeless youth, and reports or other documents based on such statistical records

shall not disclose the identity of individual runaway and homeless youth;

[(8) shall submit annual reports to the Secretary detailing how the center has been able to meet the goals of its plans and reporting the statistical summaries required by paragraph (7);]

(7) shall keep adequate statistical records profiling the youth and family members of such youth whom the applicant serves, including demographic information on and the number of such youth who—

(A) are not referred to out-of-home shelter services;

(B) are members of vulnerable or underserved populations;

(C) are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking;

(D) are pregnant or parenting;

(E) have been involved in the child welfare system; and

(F) have been involved in the juvenile justice system;

(8) shall ensure that—

(A) the records described in paragraph (7), on an individual runaway or homeless youth, shall not be disclosed without the consent of the individual youth and of the parent or legal guardian of such youth or (if appropriate) an individual identified by such youth as family, to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway or homeless youth; and

(B) reports or other documents based on the statistics described in paragraph (7) shall not disclose the identity of any individual runaway or homeless youth;

(9) shall demonstrate its ability to operate under accounting procedures and fiscal control devices as required by the Secretary;

(10) shall submit a budget estimate with respect to the plan submitted by such center under this subsection;

(11) shall supply such other information as the Secretary reasonably deems necessary;

(12) shall submit to the Secretary an annual report that includes, with respect to the year for which the report is submitted—

(A) information regarding the activities carried out under this part;

[(B) the achievements of the project under this part carried out by the applicant; and]

(B) detailed information on how the center has been able to meet the goals of its plans; and

(C) statistical summaries describing—

[(i) the number and the characteristics of the runaway and homeless youth, and youth at risk of family separation, who participate in the project; and]

(i) the number and characteristics of runaway and homeless youth, and youth at risk of family separation, who participate in the project, including such information on—

(I) such youth (including runaway and homeless youth, and youth at risk of family separation) who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking;

(II) such youth who are pregnant or parenting;

(III) such youth who have been involved in the child welfare system; and

(IV) such youth who have been involved in the juvenile justice system; and

(ii) the services provided to such youth by the project; **[and]**

(13) shall develop an adequate emergency preparedness and management plan **[.]** for natural disasters, inclement weather, and mental health emergencies;

(14) shall provide age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable, services to runaway and homeless youth; and

(15) shall inform youth of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), provide verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), and assist youth in completing this application at the youth's request.

(c) **APPLICANTS PROVIDING STREET-BASED SERVICES.**—To be eligible to use assistance under section 311(a)(2)(C)(i) to provide street-based services, the applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

(1) provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

(2) provide backup personnel for on-street staff;

(3) provide initial and periodic training of staff who provide such services; and

(4) conduct outreach activities for runaway and homeless youth, and street youth.

(d) **APPLICANTS PROVIDING HOME-BASED SERVICES.**—To be eligible to use assistance under section 311(a) to provide home-based services described in section 311(a)(2)(C)(ii), an applicant shall include in the plan required by subsection (b) assurances that in providing such services the applicant will—

(1) provide age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable, counseling and information to youth and the **[families (including unrelated individuals in the family households) of such youth]** families of such youth (including unrelated individuals in the family households of such youth and, if appropriate, individuals identified by such youth as family), including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, suicide prevention, parenting skills, financial planning, and referral to sources of other needed services;

(2) provide directly, or through an arrangement made by the applicant, 24-hour service to respond to family crises (including

immediate access to temporary shelter for runaway and homeless youth, and youth at risk of separation from the family);

(3) establish, in partnership with the families of runaway and homeless youth, and youth at risk of separation from the family, objectives and measures of success to be achieved as a result of receiving home-based services;

(4) provide initial and periodic training of staff who provide home-based services, *including training on trauma-informed and youth-centered care*; **[and]**

(5) ensure that—

(A) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family receiving such services; **[and]**

(B) staff providing such services will receive qualified supervision**【.】**; *and*

(C) *youth are eligible for home-based services when determined by the applicant to be at risk of separation from the family.*

(e) **APPLICANTS PROVIDING DRUG ABUSE EDUCATION AND PREVENTION SERVICES.**—To be eligible to use assistance under section 311(a)(2)(C)(iii) to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b)—

(1) a description of—

(A) the types of such services that the applicant proposes to provide;

(B) the objectives of such services; and

(C) the types of information and training to be provided to individuals providing such services to runaway and homeless youth; and

(2) an assurance that in providing such services the applicant shall conduct outreach activities for runaway and homeless youth.

(f) **ONLINE RESOURCES FOR OUTREACH.**—*An applicant may develop a plan, consistent with local needs, for the use of online resources, if appropriate, in order to reach and engage youth.*

SEC. 313. APPROVAL OF APPLICATIONS.

(a) **IN GENERAL.**—An application by a public or private entity for a grant under section 311(a) may be approved by the Secretary after taking into consideration, with respect to the State in which such entity proposes to provide services under this part—

(1) the geographical distribution in such State of the proposed services under this part for which all grant applicants request approval; and

(2) which areas of such State have the greatest need for such services.

(b) **PRIORITY.**—In selecting applications for grants under section 311(a), the Secretary shall give priority to—

(1) eligible applicants who have demonstrated experience in providing services to runaway and homeless youth; and

【(2) eligible applicants that request grants of less than \$200,000.】

(2) *eligible applicants that request grants—*

(A) *of less than \$225,000, if this title is funded at less than \$200,000,000 for the relevant fiscal year; and*

(B) of less than \$250,000, if this title is funded at \$200,000,000 or more for the relevant fiscal year.

* * * * *

PART B—TRANSITIONAL LIVING GRANT PROGRAM

AUTHORITY FOR PROGRAM

SEC. 321. **【The Secretary is authorized to make grants and to provide technical assistance】** *The Secretary shall award grants every 2 or 3 years, and shall provide technical assistance to public and nonprofit private entities to establish and operate transitional living youth projects for homeless youth. Grants shall be awarded for a 5-year period.*

ELIGIBILITY

SEC. 322. (a) To be eligible for assistance under this part, an applicant shall propose to establish, strengthen, or fund a transitional living youth project for homeless youth and shall submit to the Secretary a plan in which such applicant agrees, as part of such project—

(1) to provide, by grant, agreement, or contract, shelter (such as group homes, including maternity group homes, host family homes, and supervised apartments) and provide, by grant, agreement, or contract, services, (including *age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable*, information and counseling services in basic life skills which shall include money management, budgeting, consumer education, and use of credit, parenting skills (as appropriate), interpersonal skill building, educational advancement, **【job attainment skills, and mental and physical health care】** *job attainment skills, mental and physical health care, and suicide prevention services*) to homeless youth;

(2) to provide such shelter and such services to individual homeless youth throughout a continuous period not to exceed 540 days, or in exceptional circumstances 635 days, except that a youth in a program under this part who has not reached **【18】** 21 years of age on the last day of the 635-day period may, in exceptional circumstances and if otherwise qualified for the program, remain in the program until the youth's **【18th】** 21st birthday;

(3) *to provide counseling to homeless youth and to encourage, if appropriate, the involvement in such counseling of their parents or legal guardians, or (if appropriate) individuals identified by such youth as family;*

(4) *to provide aftercare services, if possible, to homeless youth who have received shelter and services from a transitional living youth project, including (to the extent practicable) such youth who, after receiving such shelter and services, relocate to a geographic area or State other than the geographic area or State in which such project is located;*

【(3)】 (5) to provide, directly or indirectly, on-site supervision at each **【shelter facility】** project that is not a family home;

[(4)] (6) that such [shelter facility used to carry out such project] *project* shall have the capacity to accommodate not more than 20 individuals (excluding staff);

[(5)] (7) to provide a number of staff sufficient to ensure that all homeless youth participating in such project receive adequate supervision and services;

[(6)] to provide a written transitional living plan to each youth] (8) *to develop a written transitional living plan in partnership with each youth* based on an assessment of such youth's needs, designed to help the transition from supervised participation in such project to independent living or another appropriate living arrangement;

[(7)] (9) to develop an adequate plan to ensure proper referral of homeless youth *to age, gender, developmentally, and culturally and linguistically appropriate, to the extent practicable*, social service, law enforcement, educational (including post-secondary education), [vocational, training] *career and technical education* (including services and programs for youth available under the Workforce Innovation and Opportunity Act), welfare (including programs under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996), legal service, [and health care programs] *mental health service and health care programs, substance use disorder treatment, and programs providing wrap-around services to victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking* and to help integrate and coordinate [such services for youths;] *such programs described in this paragraph;*

[(8)] (10) to provide for the establishment of outreach programs designed to attract individuals who are eligible to participate in the project, *which may include the use of online and social media engagements, as appropriate;*

(11) *to develop a plan to provide age, gender, developmentally, and culturally and linguistically appropriate services, to the extent practicable, that address the needs of homeless and street youth;*

[(9)] (12) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds under this part, the achievements of the project under this part carried out by [the applicant and statistical summaries describing the number and the characteristics of the homeless youth who participate in such project,] *the applicant, statistical summaries describing the number, the characteristics, and the demographic information of the homeless youth who participate in such project, including the prevalence of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking of such youth,* and the services provided to such youth by such project, in the year for which the report is submitted;

[(10)] (13) to implement such accounting procedures and fiscal control devices as the Secretary may require;

[(11)] (14) to submit to the Secretary an annual budget that estimates the itemized costs to be incurred in the year for which the applicant requests a grant under this part;

[(12)] (15) to keep adequate statistical records profiling homeless youth which it serves and not to disclose the identity

of individual homeless youth in reports or other documents based on such statistical records;

[(13)] (16) not to disclose records maintained on individual homeless youth without the informed consent of the individual youth to anyone other than an agency compiling statistical records;

[(14)] (17) to provide to the Secretary such other information as the Secretary may reasonably require;

[(15)] (18) to coordinate services with McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), to assure that runaway and homeless youth are provided information about the educational services available to such youth under subtitle B of title VII of that Act; [and]

[(16)] (19) to develop an adequate emergency preparedness and management plan[.] *regarding responses to natural disasters, inclement weather, and mental health emergencies; and*

(20) to inform youth of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), provide verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), and assist the youth in completing this application at the youth's request.

[(b) In selecting eligible applicants to receive grants under this part, the Secretary shall give priority to entities that have experience in providing to homeless youth shelter and services of the types described in subsection (a)(1).]

(b) PRIORITY; EQUITABLE GEOGRAPHIC DISTRIBUTION.—In selecting eligible applicants to receive grants under this part, the Secretary shall—

(1) give priority to—

(A) entities that have experience in providing to homeless youth shelter and services of the types described in subsection (a)(1); and

(B) entities that request grants—

(i) of less than \$225,000, if this title is funded at less than \$200,000,000 for the relevant fiscal year; and

(ii) of less than \$250,000, if this title is funded at \$200,000,000 or more for the relevant fiscal year; and

(2) consider providing an equitable geographic distribution of grants.

[(c) DEFINITION.—In this part—

(1) the term “maternity group home” means a community-based, adult-supervised transitional living arrangement that provides pregnant or parenting youth and their children with a supportive and supervised living arrangement in which such pregnant or parenting youth are required to learn parenting skills, including child development, family budgeting, health and nutrition, and other skills to promote their long-term economic independence in order to ensure the well-being of their children; and

(2) the term “exceptional circumstances” means circumstances in which a youth would benefit to an unusual extent from additional time in the program.

PART C—NATIONAL COMMUNICATIONS SYSTEM

AUTHORITY TO MAKE GRANTS

SEC. 331. The Secretary shall make *5-year* grants for a national communication system to assist runaway and homeless youth in communicating with their families and with service providers. The Secretary shall give priority to grant applicants that have experience in providing telephone, *online*, and *social media* services to runaway and homeless youth.

PART D—COORDINATING, TRAINING, RESEARCH, AND OTHER ACTIVITIES

SEC. 341. COORDINATION.

With respect to matters relating to the health, *safety*, *well-being*, education, employment, and housing of runaway and homeless youth, the Secretary—

(1) in conjunction with the Attorney General, shall coordinate the activities of agencies of the Department of Health and Human Services with activities under any other Federal juvenile crime control, prevention, and juvenile offender accountability program and with the activities of other Federal entities;

(2) shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of **[other Federal entities]** *the Department of Housing and Urban Development, the Department of Education, the Department of Labor, and the Department of Justice* and with the activities of entities that are eligible to receive grants under this title; and

(3) shall consult, as appropriate, the Secretary of Housing and Urban Development to ensure coordination of programs and services for homeless youth.

GRANTS FOR TECHNICAL ASSISTANCE AND TRAINING

SEC. 342. The Secretary may make *5-year* grants to statewide and regional nonprofit organizations (and combinations of such organizations) to provide technical assistance and training, *including onsite and web-based techniques, such as on-demand and online learning*, to public and private entities (and combinations of such entities) that are eligible to receive grants under this title, for the purpose of **[carrying out]** *implementing in a trauma-informed manner* the programs, projects, or activities for which such grants are made.

AUTHORITY TO MAKE GRANTS FOR RESEARCH, EVALUATION, DEMONSTRATION, AND SERVICE PROJECTS

SEC. 343. (a) The Secretary may make grants to States, localities, and private entities (and combinations of such entities) to carry out research, evaluation, demonstration, and service projects regarding activities under this title designed to increase knowledge con-

cerning, and to improve services for, runaway youth and homeless youth.

(b) In selecting among applications for grants under subsection (a), the Secretary shall give priority to proposed projects relating to—

(1) youth who repeatedly leave and remain away from their homes;

(2) transportation of runaway youth and homeless youth in connection with services authorized to be provided under this title;

(3) the special needs of runaway youth and homeless youth programs in rural areas;

(4) the special needs of programs that place runaway youth and homeless youth in host family homes;

(5) staff training in—

(A) the behavioral and emotional effects of ~~sexual abuse and assault~~ *violence, trauma, sexual abuse, sexual exploitation*, severe forms of trafficking in persons (as defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9))), ~~and sex trafficking~~ *or sex trafficking* (as defined in section 103(10) of such Act (22 U.S.C. 7102(10)));

(B) responding to youth who are showing effects of sexual abuse and ~~assault~~ *sexual exploitation*, severe forms of trafficking in persons (as defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9))), or sex trafficking (as defined in section 103(10) of such Act (22 U.S.C. 7102(10))); ~~and~~

(C) agency-wide strategies for working with runaway and homeless youth ~~who have been sexually victimized~~ *who are victims of sexual abuse or sexual exploitation*, including such youth who are victims of trafficking (as defined in section 103(15) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(15)));

(D) *best practices for identifying and providing age, gender, developmentally, and culturally and linguistically appropriate services to the extent practicable to—*

(i) *vulnerable and underserved youth populations;*
and

(ii) *youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking;*
and

(E) *informing youth of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), providing verification of such status for the purposes of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), and assisting youth in completing this application at the youth's request;*

(6) innovative methods of developing resources that enhance the establishment or operation of runaway and homeless youth centers;

(7) training for runaway youth and homeless youth, and staff training, related to preventing and obtaining treatment for infection by the human immunodeficiency virus (HIV);

(8) increasing access to quality health care (including behavioral health care) for runaway youth and homeless youth;

(9) increasing access to education for runaway youth and homeless youth, including access to educational and workforce programs to achieve outcomes such as decreasing secondary school dropout rates, increasing rates of attaining a secondary school diploma or its recognized equivalent, or increasing placement and retention in postsecondary education or advanced workforce training programs; **[and]**

(10) providing programs, including innovative programs, that assist youth in obtaining and maintaining safe and stable housing, and which may include programs with supportive services that continue after the youth complete the remainder of the programs**[.]**;

(11) *examining the intersection between the runaway and homeless youth populations and trafficking in persons, including noting whether such youth who are victims of trafficking in persons or sex trafficking were previously involved in the child welfare or juvenile justice systems; and*

(12) *the needs of runaway youth and homeless youth with disabilities, including projects that examine best practices for serving these youth.*

(c) In selecting among applicants for grants under subsection (a), the Secretary shall—

(1) give priority to applicants who have experience working with runaway or homeless youth; and

(2) ensure that the applicants selected—

(A) represent diverse geographic regions of the United States; and

(B) carry out projects that serve diverse populations of runaway or homeless youth.

DEMONSTRATION PROJECTS TO PROVIDE SERVICES TO YOUTH IN RURAL AREAS

SEC. 344. (a)(1) The Secretary may make grants on a competitive basis to States, localities, and private entities (and combinations of such entities) to provide services (including transportation) authorized to be provided under part A, to runaway and homeless youth in rural areas.

(2)(A) Each grant made under paragraph (1) may not exceed **[\$100,000] \$200,000**.

(B) In each fiscal year for which funds are appropriated to carry out this section, grants shall be made under paragraph (1) to eligible applicants to carry out projects in not fewer than 10 States.

(C) Not more than 2 grants may be made under paragraph (1) in each fiscal year to carry out projects in a particular State.

(3) Each eligible applicant that receives a grant for a fiscal year to carry out a project under this section shall have priority to receive a grant for the subsequent fiscal year to carry out a project under this section.

(b) To be eligible to receive a grant under subsection (a), an applicant shall—

(1) submit to the Secretary an application in such form and containing such information and assurances as the Secretary may require by rule; and

(2) propose to carry out such project in a geographical area that—

(A) has a population under 20,000;

(B) is located outside a Standard Metropolitan Statistical Area; and

(C) agree to provide to the Secretary an annual report identifying—

(i) the number of runaway and homeless youth who receive services under the project carried out by the applicant;

(ii) the types of services authorized under part A that were needed by, but not provided to, such youth in the geographical area served by the project;

(iii) the reasons the services identified under clause (ii) were not provided by the project; and

(iv) such other information as the Secretary may require.

SEC. 345. PERIODIC ESTIMATE OF INCIDENCE AND PREVALENCE OF YOUTH HOMELESSNESS.

(a) PERIODIC ESTIMATE.—Not later than 2 years after the date of enactment of the [Reconnecting Homeless Youth Act of 2008] *Runaway and Homeless Youth and Trafficking Prevention Act of 2019*, and at [5] 3-year intervals thereafter, the Secretary of Health and Human Services, acting through the Associate Commissioner of the Family and Youth Services Bureau, in consultation with the United States Interagency Council on Homelessness, shall prepare and submit to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate, and make available to the public, a report—

(1) by using the best quantitative and qualitative social science research methods available, containing an estimate of the incidence and prevalence of runaway and homeless individuals who are not less than [13] 12 years of age but are less than 26 years of age; [and]

(2) that includes with such estimate an assessment of the characteristics of such individuals[.];

(3) that includes demographic information about and characteristics of runaway or homeless youth, including such youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking; and

(4) that does not disclose the identity of any runaway or homeless youth.

(b) CONTENT.—The report required by subsection (a) shall include—

(1) the results of conducting a survey of, and direct interviews with, a representative sample of runaway and homeless individuals who are not less than [13] 12 years of age but are less than 26 years of age, to determine past and current—

(A) socioeconomic characteristics of such individuals; [and]

(B) incidences, if any, of—

(i) such individuals who are victims of sexual abuse, sexual exploitation, trafficking in persons; or

(ii) such individuals who are victims of sex trafficking; and

- [(B)] (C) barriers to such individuals obtaining—
- (i) safe, quality, and affordable housing;
 - (ii) comprehensive and affordable health insurance and health services[; and], *including mental health services*;
 - (iii) incomes, public benefits, supportive services, and connections to caring adults; and
 - (iv) *access to education (including postsecondary education and career and technical education); and*

(2) such other information as the Secretary determines, in consultation with States, units of local government, and national nongovernmental organizations concerned with homelessness, may be useful.

(c) IMPLEMENTATION.—If the Secretary enters into any contract with a non-Federal entity for purposes of carrying out subsection (a), such entity shall be a nongovernmental organization, or an individual, determined by the Secretary to have appropriate expertise in quantitative and qualitative social science research.

PART E—SEXUAL ABUSE PREVENTION PROGRAM

SEC. 351. AUTHORITY TO MAKE GRANTS.

(a) IN GENERAL.—[The Secretary] *Every 2 or 3 years, the Secretary may make grants to public and nonprofit private agencies for the purpose of providing street-based services to runaway and homeless, and street youth, who have been subjected to, or are at risk of being subjected to, sexual abuse, [prostitution,] violence, sexual exploitation, severe forms of trafficking in persons (as defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9))), or sex trafficking (as defined in section 103(10) of such Act (22 U.S.C. 7102(10))).*

[(b) PRIORITY.—In selecting applicants to receive grants under subsection (a), the Secretary shall give priority to public and nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth.]

(b) PRIORITY; EQUITABLE GEOGRAPHIC DISTRIBUTION.—*In selecting applicants to receive grants under subsection (a), the Secretary shall—*

(1) *give priority to—*

(A) *public and nonprofit private agencies that have experience in providing services to runaway and homeless, and street youth; and*

(B) *eligible applicants that request grants—*

(i) *of less than \$225,000, if this title is funded at less than \$200,000,000 for the relevant fiscal year; and*

(ii) *of less than \$250,000, if this title is funded at \$200,000,000 or more for the relevant fiscal year; and*

(2) *consider providing an equitable geographic distribution of grants.*

(c) ELIGIBILITY REQUIREMENTS.—*To be eligible to receive a grant under subsection (a), an applicant shall certify to the Secretary that such applicant has systems in place to ensure that such applicant can provide age, gender, developmentally, and culturally and lin-*

guistically appropriate, to the extent practicable, services to all youth described in subsection (a).

(d) DURATION.—Grants awarded under this section shall be for a period of 5 years.

PART F—GENERAL PROVISIONS

* * * * *

LEASE OF SURPLUS FEDERAL FACILITIES FOR USE AS RUNAWAY AND HOMELESS YOUTH CENTERS, *SITES*, OR AS TRANSITIONAL LIVING YOUTH **[SHELTER FACILITIES]** *SHELTER PROJECTS*

SEC. 381. (a) The Secretary may enter into cooperative lease arrangements with States, localities, and nonprofit private agencies to provide for the use of appropriate surplus Federal facilities transferred by the General Services Administration to the Department of Health and Human Services for use as runaway and homeless youth centers or as transitional living **[youth shelter facilities]** *youth shelter projects* if the Secretary determines that—

(1) the applicant involved has suitable financial support necessary to operate a runaway and homeless youth center or transitional living youth project, as the case may be, under this title;

(2) the applicant is able to demonstrate the program expertise required to operate such center in compliance with this title, whether or not the applicant is receiving a grant under this part; and

(3) the applicant has consulted with and obtained the approval of the chief executive officer of the unit of general government in which the facility is located.

(b)(1) Each facility made available under this section shall be made available for a period of not less than 2 years, and no rent or fee shall be charged to the applicant in connection with use of such facility.

(2) Any structural modifications or additions to facilities made available under this section shall become the property of the United States. All such modifications or additions may be made only after receiving the prior written consent of the Secretary or other appropriate officer of the Department of Health and Human Services.

SEC. 382. REPORTS.

(a) IN GENERAL.—Not later than April 1, **[2000]** 2021, and biennially thereafter, the Secretary shall submit, to the Committee on Education and **[the Workforce]** *Labor* of the House of Representatives and the Committee on the Judiciary of the Senate, a report on the status, activities, and accomplishments of entities that receive grants under parts A, B, C, D, and E, with particular attention to—

(1) in the case of centers funded under part A, the ability or effectiveness of such centers in—

(A) alleviating the problems of runaway and homeless youth;

(B) *collecting data on sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking of runaway and homeless youth;*

- [(B)]** (C) if applicable or appropriate, reuniting such youth with their families and encouraging the resolution of intrafamily problems through counseling and other services;
- [(C)]** (D) strengthening family relationships and encouraging stable living conditions for such youth; and
- [(D)]** (E) assisting such youth to decide upon a future course of action; and
- (2) in the case of projects funded under part B—
- [(A)]** the number and characteristics of homeless youth served by such projects;
- (A) *the number and characteristics of homeless youth served by such projects, including—*
- (i) such youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking;*
- (ii) such youth who are pregnant or parenting;*
- (iii) such youth who have been involved in the child welfare system; and*
- (iv) such youth who have been involved in the juvenile justice system;*
- (B) the types of activities carried out by such projects;
- (C) the effectiveness of such projects in alleviating the problems of homeless youth;
- (D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;
- (E) the effectiveness of such projects in assisting homeless youth to decide upon future education, employment, and independent living;
- (F) the ability of such projects to encourage the resolution of **[(intrafamily problems)]** *problems within the family, including (if appropriate) individuals identified by such youth as family,* through counseling and development of self-sufficient living skills; and
- (G) activities and programs planned by such projects for the following fiscal year.
- (b) CONTENTS OF REPORTS.—The Secretary shall include in each report submitted under subsection (a), summaries of—
- (1) the evaluations performed by the Secretary under section 386; and
- (2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.

FEDERAL SHARE

SEC. 383. (a) The Federal share for the renovation of existing structures, the provision of counseling services, staff training, and the general costs of operations of such **[(facility's budget)]** *project's budget* for any fiscal year shall be 90 per centum. The non-Federal share may be in cash or in kind, fairly evaluated by the Secretary including plant, equipment, or services.

(b) Payments under this section may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

* * * * *

SEC. 386. EVALUATION AND INFORMATION.

(a) *IN GENERAL.*—If a grantee receives grants for [3] 5 consecutive fiscal years under part A, B, C, D, or E (in the alternative), then the Secretary, *acting through the Associate Commissioner of the Family and Youth Services Bureau* shall evaluate such grantee on-site, not less frequently than once in the period of such [3] 5 consecutive fiscal years, for purposes of—

- (1) determining whether such grants are being used for the purposes for which such grants are made by the Secretary;
- (2) collecting additional information for the report required by section 384; and
- (3) providing such information and assistance to such grantee as will enable such grantee to improve the operation of the centers, projects, and activities for which such grants are made.

(b) *COOPERATION.*—Recipients of grants under this title shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this title.

SEC. 386A. PERFORMANCE STANDARDS.

(a) *ESTABLISHMENT OF PERFORMANCE STANDARDS.*—Not later than 1 year after the date of enactment of the [Reconnecting Homeless Youth Act of 2008] *Runaway and Homeless Youth and Trafficking Prevention Act of 2019*, the Secretary shall issue rules that specify performance standards for public and nonprofit private entities and agencies that receive grants under sections 311, 321, and 351.

(b) *CONSULTATION.*—The Secretary shall consult with representatives of public and nonprofit private entities and agencies that receive grants under this title, including statewide and regional nonprofit organizations (including combinations of such organizations) that receive grants under this title, and national nonprofit organizations concerned with youth homelessness, in developing the performance standards required by subsection (a).

(c) *IMPLEMENTATION OF PERFORMANCE STANDARDS.*—The Secretary shall integrate the performance standards into the processes of the Department of Health and Human Services for grantmaking, monitoring, and evaluation for programs under sections 311, 321, and 351.

SEC. 386B. NONDISCRIMINATION.

(a) *IN GENERAL.*—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in section 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance under title III of the *Juvenile Justice and Delinquency Prevention Act of 1974*.

(b) *EXCEPTION.*—If programming that is segregated by or specific to sex is necessary to the essential operation of a program, nothing in this section shall be construed to prevent the entity carrying out any such program or activity from consideration of an individual's sex. In such a circumstance, the entity may meet the requirements of this section by providing comparable services to individuals who

cannot be provided with the sex-segregated or sex-specific programming.

(c) *DISQUALIFICATION.*—The authority provided for the Secretary to enforce this section shall be the same as the authority provided for the Secretary to enforce subsection (a) or (b) of section 654 of the Head Start Act (42 U.S.C. 9849). The procedures provided for review of an action to enforce this section shall be the same as the procedures provided for review of an action to enforce subsection (b) of that section.

(d) *CONSTRUCTION.*—Nothing in this section shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise limit the responsibilities and liabilities under other Federal or State laws with respect to discrimination on a basis described in subsection (a).

SEC. 387. DEFINITIONS.

In this title:

(1) *CULTURALLY AND LINGUISTICALLY APPROPRIATE.*—The term “culturally and linguistically appropriate”, with respect to services, has the meaning given the term “culturally and linguistically appropriate services” in the “National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care”, issued in April 2013, by the Office of Minority Health of the Department of Health and Human Services.

[(1)] (2) *DRUG ABUSE EDUCATION AND PREVENTION SERVICES.*—The term “drug abuse education and prevention services”—

(A) means services to runaway and homeless youth to prevent or reduce the illicit use of drugs by such youth; and

(B) may include—

(i) individual, family, group, and peer counseling;

(ii) drop-in services;

(iii) assistance to runaway and homeless youth in rural areas (including the development of community support groups);

(iv) information and training relating to the illicit use of drugs by runaway and homeless youth, to individuals involved in providing services to such youth; and

(v) activities to improve the availability of local drug abuse prevention services to runaway and homeless youth.

[(2)] (3) *HOME-BASED SERVICES.*—The term “home-based services”—

(A) means services provided to youth and their families for the purpose of—

(i) preventing such youth from running away, or otherwise becoming separated, from their families; and

(ii) assisting runaway youth to return to their families; and

(B) includes services that are provided in the residences of families (to the extent practicable), including—

(i) intensive individual and family counseling; and

(ii) training relating to life skills and parenting.

[(3)] (4) HOMELESS YOUTH.—The term “homeless”, used with respect to a youth, means an individual—

(A) who is—

(i) less than [21] 26 years of age, or, in the case of a youth seeking shelter in a center under part A, less than 18 years of age, or is less than a higher maximum age if the State where the center is located has an applicable State or local law (including a regulation) that permits such higher maximum age in compliance with licensure requirements for child-and youth-serving facilities; and

(ii) for the purposes of part B, not less than 16 years of age [and either—

[(I) less than 22 years of age; or

[(II) not less than 22 years of age, as of the expiration of the maximum period of stay permitted under section 322(a)(2) if such individual commences such stay before reaching 22 years of age;] *but less than 26 years of age;*

(B) for whom it is not possible to live in a safe environment with a relative; and

(C) who has no other safe alternative living arrangement.

[(4)] (5) RUNAWAY YOUTH.—The term “runaway”, used with respect to a youth, means an individual who is less than 18 years of age and who absents himself or herself from home or a place of legal residence without the permission of a parent or legal guardian.

[(5)] (6) STREET-BASED SERVICES.—The term “street-based services”—

(A) means services provided to runaway and homeless youth, and street youth, in areas where they congregate, designed to assist such youth in making healthy personal choices regarding where they live and how they behave; and

(B) may include—

(i) identification of and outreach to runaway and homeless youth, and street youth[;], *including the use of online methods of engagement, as appropriate, based on the needs of the community and population served;*

(ii) crisis intervention and counseling;

(iii) information and referral for housing;

(iv) information and referral for transitional living and health care services;

(v) advocacy, education, and prevention services related to—

[(I) alcohol and drug abuse;

[(II) sexual exploitation;

[(III) sexually transmitted diseases, including human immunodeficiency virus (HIV); and

[(IV) physical and sexual assault.]

(I) alcohol and substance use disorder;

(II) sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking;

- (III) *sexually transmitted infections, including human immunodeficiency virus (HIV);*
 (IV) *physical and sexual assault; and*
 (V) *suicide.*

[(6)] (7) STREET YOUTH.—The term “street youth” means an individual who—

(A) is—

- (i) a runaway youth; or
 (ii) indefinitely or intermittently a homeless youth;
 and

(B) spends a significant amount of time on the street or in other areas that increase the risk to such youth for sexual abuse, sexual exploitation, [prostitution, or drug abuse] *trafficking in persons, sex trafficking, or substance use disorder.*

(8) *TRAFFICKING IN PERSONS.—The term “trafficking in persons” has the meaning given the term “severe forms of trafficking in persons” in section 103 of the Trafficking Victims Protection Act of 2019 (22 U.S.C. 7102).*

[(7)] (9) TRANSITIONAL LIVING YOUTH PROJECT.—The term “transitional living youth project” means a project that provides to *homeless youth* shelter and services designed to promote a transition to self-sufficient living, *to establish a stable family or community supports*, and to prevent long-term dependency on social services.

[(8)] (10) YOUTH AT RISK OF SEPARATION FROM THE FAMILY.—The term “youth at risk of separation from the family” means an individual—

(A) who is less than 18 years of age; and

(B)(i) who has a history of running away from the family of such individual;

(ii) whose parent, guardian, or custodian is not willing or able to provide for the basic needs of such individual;

[or]

(iii) who is at risk of entering the child welfare system or juvenile justice system as a result of the lack of services available to the family to meet such needs[.]; or

(iv) *who is involved in the child welfare or juvenile justice system, but is not living in housing or shelter funded by the Federal Government.*

SEC. 388. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—

(1) AUTHORIZATION.—There are authorized to be appropriated to carry out this title (other than part E) [\$127,421,000 for each of fiscal years 2019 through 2020] *\$225,000,000 for fiscal year 2021, and such sums as may be necessary for each of fiscal years 2022 through 2025.*

(2) ALLOCATION.—

(A) PARTS A AND B.—From the amount appropriated under paragraph (1) for a fiscal year, the Secretary shall reserve not less than 90 percent to carry out parts A and B.

(B) PART B.—Of the amount reserved under subparagraph (A), 45 percent and, in those fiscal years in which continuation grant obligations and the quality and number

of applicants for parts A and B warrant not more than 55 percent, shall be reserved to carry out part B.

(3) PARTS C AND D.—

(A) IN GENERAL.—In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D (other than section 345).

(B) PERIODIC ESTIMATE.—Of the amount authorized to be appropriated under paragraph (1), [such sums as may be necessary shall be made available to carry out section 345 for each of fiscal years 2019 through 2020.] *\$2,000,000 shall be made available to carry out section 345 for fiscal year 2021 and such sums as may be necessary shall be made available to carry out such section for each of fiscal years 2022 through 2025*

(4) PART E.—There are authorized to be appropriated to carry out part E [*\$25,000,000 for each of fiscal years 2019 through 2020*] *\$75,000,000 for fiscal year 2021, and such sums as may be necessary for each of fiscal years 2022 through 2025.*

(b) SEPARATE IDENTIFICATION REQUIRED.—No funds appropriated to carry out this title may be combined with funds appropriated under any other Act if the purpose of combining such funds is to make a single discretionary grant, or a single discretionary payment, unless such funds are separately identified in all grants and contracts and are used for the purposes specified in this title.

* * * * *

MINORITY VIEWS

Children are this country's most valuable asset. Unfortunately, they are also the most vulnerable population in our society. For homeless and runaway youth, there are devastating dangers and risks that can compromise their safety and health. In the United States, anywhere from 700,000 children ages 13–17 and 3.5 million adults ages 18–25 experience homelessness in a single year.¹ Committee Republicans believe youth can be better protected from the dangers homelessness presents by implementing a longer reauthorization of the important programs contained in the *Runaway and Homeless Youth Act* (RHYA).

Unfortunately, Committee Democrats refused to engage in bipartisan discussions, denying Republicans the opportunity to address the shortcomings of the underlying partisan legislation. Committee Democrats claimed their bill was bipartisan because it was cosponsored by two Republicans. While technically accurate, it was far from bipartisan since no Republican on the committee of jurisdiction was allowed to work on the language, offer feedback, or ask questions. During the markup, there was a claim that the bill was a “carefully crafted bipartisan agreement.” Perhaps the bill was carefully crafted by Democrats and their advocates, but not one Republican sitting in the Committee room was involved in that agreement. Democrats snubbed Republican Members of this Committee in favor of lobbyists and passed a flawed bill.

For this reason, Committee Republicans offered an amendment that included many of the reforms in the base bill but also updated RHYA to better address issues runaway and homeless youth face, including specific language regarding youth harmed by sexual exploitation and substance use disorder. The amendment also included new provisions to protect taxpayer dollars from waste and abuse. The Chairman even noted he would include some of the Republican provisions in the bill before moving it forward, which could have been done prior to the markup had Democrats been willing to at least discuss the bill before it was considered.

CONSULTATION WITH THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Committee Republicans are unaware if the Democrats asked the Department of Health and Human Services (HHS or the Department) for technical assistance or its perspective on the legislation, but when Republicans reached out to the Department, it was evident there were issues that needed to be addressed and further evaluated before the bill becomes law. While the Republican amendment included some of the same provisions the Department

¹Runaway and Homeless Youth: Demographics and Programs, Fernandes-Alcantara AL. (March 26, 2019).

flagged, there is hope that before the bill becomes law these issues could be addressed.

For example, the bill includes significant increases in the length of time youth can stay in emergency shelters and in transitional living, yet HHS flagged that these changes could be disruptive to the programs and may only be needed in very limited and isolated circumstances. In order to continue the discussion on how to address those limited circumstances and ensure youth are not left without access to needed services, those provisions were included in the Republican amendment.

Again, this could have been avoided had Democrats been willing to engage in robust conversations with all parties involved before advancing their partisan legislation.

REPUBLICAN AMENDMENT

As stated above, the Republican amendment adopted many of the same provisions the Democrats put forward. However, in consultation with Members of the Committee, HHS, and other organizations, we made some key changes to improve the RHYA programs. First, the non-discrimination language was changed to ensure that grantees clearly understood their obligations—they must follow all federal non-discrimination laws. There are no caveats—all federal laws means all federal laws. Additionally, the Republican amendment went further than the Democrats' bill, which does not ensure that all youth seeking help can receive assistance. The Republican alternative remedied this by including language to make it clear that if a youth is seeking help, then a provider must help them. If the program is full or the individual doesn't meet the requirements, such as a male seeking help at a female shelter, then the provider has the obligation to help that youth find assistance in another program. Further, if a provider does not do this, then they will no longer be eligible to receive funding under this law. By including this requirement, obligations are clearly laid out for providers and HHS will be able to ensure only providers meeting the law's obligations will be allowed to continue to participate in the programs.

Additionally, the Republican amendment included new language to hold all grantees more accountable under the law. This language is twofold. First, it required that grantees create a plan, if applicable, for how they will continue to operate their program if federal funds are no longer available. This would encourage grantees to think about alternative funding streams, and it would help ensure grantees are able to continue serving youth if federal funds run out. The second provision under the Republican accountability language would deny grant funding to any grantee not meeting the requirements or purpose of the program. This important language would ensure the Secretary does not hand over taxpayer dollars to grantees who cannot do what they said they would do. This language will protect taxpayer dollars from waste, fraud, and abuse.

The underlying bill largely ignores the link between substance use disorder and homelessness.² The Republican alternative ensured that programs are aware of the issue and are prepared to help individuals who either suffer directly from this issue or are in families that are dealing with the issue. Further, the Republican proposal included a requirement to review the data on this issue so we can better understand how it is affecting youth homelessness and, in turn, better address it. Finally, the Republican proposal included an allowance for demonstration or research on the impact of substance use disorder and homelessness that will be based on the results of the data collection. These were not controversial provisions and could have easily been included in the underlying bill if Committee Democrats had been willing to work with Committee Republicans.

The Republican proposal also included important changes to support better grant monitoring and implementation. Instead of requiring all grants to be awarded for five years, the Republican amendment stated grants would be awarded up to five years. This small, but critical change would allow the Secretary to determine if a five-year grant is appropriate or if a shorter-term grant is better for participants, providers, and taxpayers. A five-year promise to provide funds could result in poor performing grantees receiving taxpayer money. By shortening the grant period, grantees are forced to compete and better provide assistance to youth in need.

Finally, the Republican proposal maintained the current authorization levels in the program. Republicans believe in fiscal responsibility and that program participants deserve honesty. The current authorization allowances are well within the historical rate of growth in this program, and to be clear, that timeline includes both Republican and Democrat control of Congress and the White House. By authorizing considerably above appropriated levels, Democrats are pretending to provide significantly more money for these programs and that does nothing to help youth seeking assistance. Instead, we should include realistic authorization amounts, as laid out in the Republican proposal, so the agency and grantees can better plan how to utilize the available resources.

CONCLUSION

As has been emblematic of the House Majority this Congress, Committee Democrats passed yet another partisan bill that lacks necessary reforms. Due to the bill's shortcomings, Committee Republicans offered legislative language that would better help youth harmed by sexual exploitation and substance use disorder; require grantees to follow non-discrimination laws; and protect taxpayer dollars from waste, fraud, and abuse. Had Committee Democrats been willing to discuss this important legislation, we could have passed bipartisan legislation that ensured critical RHYA programs will continue to be effective and meet the intent of those programs funded with hard-earned taxpayer dollars.

²In the "Voices of Youth Count," 2017 report, 29 percent of youth were reported as having substance use problems. <https://voicesofyouthcount.org/wp-content/uploads/2017/11/VoYC-National-Estimates-Brief-Chapin-Hall-2017.pdf>

It's no secret that when Republicans and Democrats work together, the resulting legislation is better for Americans. Republicans on this Committee stand ready to work with the Democrats in a bipartisan manner to help improve the programs and laws in our jurisdiction.

VIRGINIA FOXX,
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