

quency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5601 of this title and Tables.

EFFECTIVE DATE

Section effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, as amended, set out as an Effective Date of 2002 Amendment note under section 5601 of this title.

SUBCHAPTER III—RUNAWAY AND HOMELESS YOUTH

§ 5701. 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 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 linguistically appropriate and acknowledge the environment of youth seeking these services;

(3) 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;
- (D) independence and control over one's life; and
- (E) closeness in interpersonal relationships.¹

(4) 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 after-care services, emergency shelter services, extended residential shelter, and street outreach services) outside the welfare system and the law enforcement system;

(5) to make a successful transition to adulthood, runaway youth, homeless youth, and other street youth need opportunities to complete high school or earn a general equivalency degree, learn job skills, and obtain employment; and

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

(Pub. L. 93-415, title III, §302, Sept. 7, 1974, 88 Stat. 1129; Pub. L. 102-586, §3(a), Nov. 4, 1992, 106

Stat. 5017; Pub. L. 106-71, §3(a), Oct. 12, 1999, 113 Stat. 1035; Pub. L. 108-96, title I, §101, Oct. 10, 2003, 117 Stat. 1167; Pub. L. 110-378, §2, Oct. 8, 2008, 122 Stat. 4068.)

AMENDMENTS

2008—Pars. (3) to (6). Pub. L. 110-378 added par. (3) and redesignated former pars. (3) to (5) as (4) to (6), respectively.

2003—Pub. L. 108-96 amended section generally. Prior to amendment, section contained congressional statement of findings.

1999—Par. (5). Pub. L. 106-71, §3(a)(1), substituted “an accurate national reporting system to report the problem, and to assist in the development of” for “accurate reporting of the problem nationally and to develop”.

Par. (8). Pub. L. 106-71, §3(a)(2), added par. (8) and struck out former par. (8) which read as follows: “in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop an accurate national reporting system and to develop an effective system of care including prevention, emergency shelter services, and longer residential care outside the public welfare and law enforcement structures;”.

1992—Par. (1). Pub. L. 102-586, §3(a)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “the number of juveniles who leave and remain away from home without parental permission has increased to alarming proportions, creating a substantial law enforcement problem for the communities inundated, and significantly endangering the young people who are without resources and live on the street;”.

Par. (5). Pub. L. 102-586, §3(a)(3), substituted “care (including preventive services, emergency shelter services, and extended residential shelter) outside the welfare system and the law enforcement system;” for “temporary care outside the law enforcement structure.”

Pars. (6) to (10). Pub. L. 102-586, §3(a)(2), (4), added pars. (6) to (10).

SHORT TITLE

For short title of title III of Pub. L. 93-415, which enacted this subchapter, as the “Runaway and Homeless Youth Act”, see section 301 of Pub. L. 93-415, as amended, set out as a note under section 5601 of this title.

REPORT ON PROMISING STRATEGIES TO END YOUTH HOMELESSNESS

Pub. L. 108-96, title I, §118, Oct. 10, 2003, 117 Stat. 1170, provided that: “Not later than 2 years after the date of the enactment of this Act [Oct. 10, 2003], the Secretary of Health and Human Services, in consultation with the United States Interagency Council on Homelessness, shall submit to the Congress a report on promising strategies to end youth homelessness.”

§ 5702. Promulgation of rules

The Secretary of Health and Human Services (hereinafter in this subchapter referred to as the “Secretary”) may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this subchapter.

(Pub. L. 93-415, title III, §303, Sept. 7, 1974, 88 Stat. 1130; Pub. L. 98-473, title II, §650, Oct. 12, 1984, 98 Stat. 2122.)

AMENDMENTS

1984—Pub. L. 98-473 substituted “Health and Human Services” for “Health, Education, and Welfare” and “issue such rules as the Secretary” for “prescribe such rules as he”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

¹ So in original. The period probably should be a semicolon.

PART A—BASIC CENTER GRANT PROGRAM

AMENDMENTS

2003—Pub. L. 108-96, title I, §102, Oct. 10, 2003, 117 Stat. 1168, substituted in part A heading “BASIC CENTER” for “RUNAWAY AND HOMELESS YOUTH”.

1988—Pub. L. 100-690, title VII, §7272(1), Nov. 18, 1988, 102 Stat. 4454, substituted in part A heading “RUNAWAY AND HOMELESS YOUTH GRANT PROGRAM” for “GRANTS PROGRAM”.

§ 5711. Authority to make grants**(a) Grants for centers and services****(1) In general**

The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

(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;

(B) shall include—

(i) safe and appropriate shelter provided for not to exceed 21 days; and

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

(C) may include—

(i) street-based services;

(ii) 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.

(b) Allotment of funds for grants; priority given to certain private entities

(1) Subject to paragraph (2) and in accordance with regulations promulgated under this subchapter, funds for grants under subsection (a) of this section 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) of this section, the Secretary shall give priority to private entities that have experience in providing the services described in such subsection.

(Pub. L. 93-415, title III, §311, Sept. 7, 1974, 88 Stat. 1130; Pub. L. 95-115, §7(a)(1), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96-509, §18(c), Dec. 8, 1980, 94 Stat. 2762; Pub. L. 98-473, title II, §651, Oct. 12, 1984, 98 Stat. 2123; Pub. L. 100-690, title VII, §7271(a), (b), Nov. 18, 1988, 102 Stat. 4452; Pub. L. 102-586, §3(b), Nov. 4, 1992, 106 Stat. 5018; Pub. L. 106-71, §3(b), Oct. 12, 1999, 113 Stat. 1035; Pub. L. 108-96, title I, §§103, 104, Oct. 10, 2003, 117 Stat. 1168; Pub. L. 110-378, §3(a), Oct. 8, 2008, 122 Stat. 4068.)

AMENDMENTS

2008—Subsec. (a)(2)(B)(i). Pub. L. 110-378, §3(a)(1), added cl. (i) and struck out former cl. (i) which read as follows: “safe and appropriate shelter; and”.

Subsec. (b)(2). Pub. L. 110-378, §3(a)(2), designated existing provisions as subpar. (A), substituted “Except as provided in subparagraph (B), the” for “The”, “\$200,000” for “\$100,000”, and “\$70,000” for “\$45,000”, and added subpars. (B) and (C).

2003—Subsec. (a)(2)(C)(iv). Pub. L. 108-96, §103, added cl. (iv).

Subsec. (b)(2). Pub. L. 108-96, §104(1), substituted “The” for “Subject to paragraph (3), the”.

Subsec. (b)(3), (4). Pub. L. 108-96, §104(2), (3), redesignated par. (4) as (3) and struck out former par. (3) which read as follows: “If, as a result of paragraph (2), the amount allotted under paragraph (1) with respect to a State for a fiscal year would be less than the aggregate amount of grants made under this part to recipients in such State for fiscal year 1992, then the amounts allotted to satisfy the requirements of such paragraph shall be reduced pro rata to the extent necessary to allot under paragraph (1) with respect to such State for the fiscal year an amount equal to the aggregate amount of grants made under this part to recipients in such State for fiscal year 1992.”

1999—Subsec. (a). Pub. L. 106-71, §3(b)(1), added heading and text of subsec. (a) and struck out former subsec. (a) which read as follows: “The Secretary shall make grants to public and private entities (and combinations of such entities) to establish and operate (including renovation) local runaway and homeless youth centers to provide services to deal primarily with the immediate needs of runaway or otherwise homeless youth, and their families, in a manner which is outside the law enforcement system, the child welfare system, the mental health system, and the juvenile justice system.”

Subsec. (b)(2). Pub. L. 106-71, §3(b)(2), struck out “the Trust Territory of the Pacific Islands,” after “American Samoa,”.

Subsecs. (c), (d). Pub. L. 106-71, §3(b)(3), struck out subsecs. (c) and (d) which related to street-based services and home-based services, respectively.

1992—Subsec. (a). Pub. L. 102-586, §3(b)(1), substituted “system, the child welfare system, the mental health system, and” for “structure and”.

Subsec. (b)(2). Pub. L. 102-586, §3(b)(2)(A), substituted “\$100,000” for “\$75,000” and “\$45,000” for “\$30,000”.

Subsec. (b)(3). Pub. L. 102-586, §3(b)(2)(B), substituted “1992” for “1988” in two places.

Subsecs. (c), (d). Pub. L. 102-586, §3(b)(3), added subsecs. (c) and (d) and struck out former subsec. (c) which read as follows: “The Secretary is authorized to provide on-the-job training to local runaway and homeless youth center personnel and coordinated networks of local law enforcement, social service, and welfare personnel to assist such personnel in recognizing and providing for learning disabled and other handicapped juveniles.”

1988—Pub. L. 100-690, § 7271(a), substituted “Authority to make grants” for “Grants and technical assistance” in section catchline.

Subsec. (a). Pub. L. 100-690, § 7271(b), amended subsec. (a) generally. Prior to amendment, subsec. (a) read as follows: “The Secretary is authorized to make grants and to provide technical assistance and short-term training to States, localities and private entities and coordinated networks of such entities in accordance with the provisions of this part and assistance to their families. Grants under this part shall be made equitably among the States based upon their respective populations of youth under 18 years of age for the purpose of developing local facilities to deal primarily with the immediate needs of runaway youth or otherwise homeless youth, and their families, in a manner which is outside the law enforcement structure and juvenile justice system. The size of such grant shall be determined by the number of such youth in the community and the existing availability of services. Grants also may be made for the provision of a national communications system for the purpose of assisting runaway and homeless youth in communicating with their families and with service providers. Among applicants priority shall be given to private organizations or institutions which have had past experience in dealing with such youth.”

Subsec. (b). Pub. L. 100-690, § 7271(b), amended subsec. (b) generally. Prior to amendment, subsec. (b) read as follows: “The Secretary is authorized to provide supplemental grants to runaway centers which are developing, in cooperation with local juvenile court and social service agency personnel, model programs designed to provide assistance to juveniles who have repeatedly left and remained away from their homes or from any facilities in which they have been placed as the result of an adjudication and to the families of such juveniles.”

1984—Subsec. (a). Pub. L. 98-473, § 651(a), in first sentence, substituted “private entities and coordinated networks of such entities” for “nonprofit private agencies and coordinated networks of such agencies” and inserted “and assistance to their families”.

Subsec. (b). Pub. L. 98-473, § 651(b), inserted “and to the families of such juveniles”.

1980—Subsec. (a). Pub. L. 96-509, § 18(c)(1)-(4), designated existing provision as subsec. (a), inserted “equitably among the States based upon their respective populations of youth under 18 years of age” after “shall be made”, “, and their families,” after “homeless youth”, and provision that grants also be made for the provision of a national communications system to assist runaway and homeless youth in communicating with their families and with service providers.

Subsecs. (b), (c). Pub. L. 96-509, § 18(c)(5), added subsecs. (b) and (c).

1977—Pub. L. 95-115 substituted “technical assistance and short-term training to States, localities and nonprofit private agencies and coordinated networks of such agencies in” for “technical assistance to localities and nonprofit private agencies in”, “needs of runaway youth or otherwise homeless youth in” for “needs of runaway youth in”, and “such youth” for “runaway youth” in two places.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of this title.

§ 5712. Eligibility; plan requirements

(a) Runaway and homeless youth center; project providing temporary shelter; counseling services

To be eligible for assistance under section 5711(a) of this title, 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 or to other homeless youth.

(b) Provisions of plan

In order to qualify for assistance under section 5711(a) of this title, 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 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 is located has a State or local law or regulation that requires 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 [42 U.S.C. 11431 et seq.]; 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 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 designed to attract persons (including, where applicable, persons who are members of a cultural minority and persons with limited ability to speak English) who are eligible to receive services for which a grant under subsection (a) of this section 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);

(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

(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

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

(13) shall develop an adequate emergency preparedness and management plan.

(c) Applicants providing street-based services

To be eligible to use assistance under section 5711(a)(2)(C)(i) of this title to provide street-based services, the applicant shall include in the plan required by subsection (b) of this section 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 5711(a) of this title to provide home-based services described in section 5711(a)(2)(C)(ii) of this title, an applicant shall include in the plan required by subsection (b) of this section assurances that in providing such services the applicant will—

(1) provide counseling and information to youth and the families (including unrelated individuals in the family households) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, 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; 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.

(e) Applicants providing drug abuse education and prevention services

To be eligible to use assistance under section 5711(a)(2)(C)(iii) of this title to provide drug abuse education and prevention services, an applicant shall include in the plan required by subsection (b) of this section—

(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.

(Pub. L. 93-415, title III, §312, Sept. 7, 1974, 88 Stat. 1130; Pub. L. 95-115, §7(a)(2), (3), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96-509, §18(d), Dec. 8, 1980, 94 Stat. 2762; Pub. L. 98-473, title II, §652, Oct. 12, 1984, 98 Stat. 2123; Pub. L. 100-690, title VII, §7271(c)(1)-(3), Nov. 18, 1988, 102 Stat. 4453; Pub. L. 102-586, §3(c), Nov. 4, 1992, 106 Stat. 5019; Pub. L. 106-71, §3(c), Oct. 12, 1999, 113 Stat. 1036; Pub. L. 108-96, title I, §§105, 106, 109, Oct. 10, 2003, 117 Stat. 1168, 1169; Pub. L. 110-378, §3(b), Oct. 8, 2008, 122 Stat. 4069.)

REFERENCES IN TEXT

The McKinney-Vento Homeless Assistance Act, referred to in subsec. (b)(4)(B), is Pub. L. 100-77, July 22,

1987, 101 Stat. 482, as amended. Subtitle B of title VII of the Act is classified generally to part B (§11431 et seq.) of subchapter VI of chapter 119 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 11301 of this title and Tables.

AMENDMENTS

2008—Subsec. (b)(13). Pub. L. 110-378 added par. (13).

2003—Subsec. (a). Pub. L. 108-96, §105, substituted “services to youth” for “services to juveniles” and “homeless youth” for “homeless juveniles”.

Subsec. (b)(2)(A). Pub. L. 108-96, §106, inserted “, except where the applicant assures that the State where the center or locally controlled facility is located has a State or local law or regulation that requires a higher maximum to comply with licensure requirements for child and youth serving facilities” after “youth”.

Subsec. (b)(4)(B). Pub. L. 108-96, §109, substituted “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;” for “personnel of the schools to which runaway and homeless youth will return, to assist such youth to stay current with the curricula of those schools;”.

1999—Subsec. (b)(8). Pub. L. 106-71, §3(c)(1)(A), substituted “paragraph (7)” for “paragraph (6)”.

Subsec. (b)(12). Pub. L. 106-71, §3(c)(1)(B)-(D), added par. (12).

Subsecs. (c) to (e). Pub. L. 106-71, §3(c)(2), added heading and text of subsecs. (c) to (e) and struck out former subsecs. (c) and (d) which related to street-based service projects and home-based service projects, respectively, but which specified more detailed lists of services applicants were to provide in order to qualify for assistance.

1992—Subsec. (a). Pub. L. 102-586, §3(c)(1), substituted “project (including a host family home) that provides” for “facility providing”.

Subsec. (b)(2). Pub. L. 102-586, §3(c)(2)(A), amended par. (2) generally. Prior to amendment, par. (2) read as follows: “shall have a maximum capacity of no more than twenty children, with a ratio of staff to children of sufficient proportion to assure adequate supervision and treatment;”.

Subsec. (b)(3). Pub. L. 102-586, §3(c)(2)(B), substituted “parents or other relatives of the youth and ensuring” for “child’s parents or relatives and assuring” and “youth” for “child” after “the” in two places.

Subsec. (b)(4). Pub. L. 102-586, §3(c)(2)(C), amended par. (4) generally. Prior to amendment, par. (4) read as follows: “shall develop an adequate plan for assuring proper relations with law enforcement personnel, social service personnel, school system personnel, and welfare personnel, and the return of runaway and homeless youth from correctional institutions;”.

Subsec. (b)(5). Pub. L. 102-586, §3(c)(2)(D), substituted “providing counseling and aftercare services to such youth, for encouraging the involvement of their parents or legal guardians in counseling, and for ensuring” for “aftercare counseling involving runaway and homeless youth and their families within the State in which the runaway and homeless youth center is located and for assuring” and “youth” for “children” after “those”.

Subsec. (b)(6). Pub. L. 102-586, §3(c)(2)(G), added par. (6). Former par. (6) redesignated (7).

Subsec. (b)(7). Pub. L. 102-586, §2(c)(2)(E), (F), redesignated par. (6) as (7) and substituted “youth and family members whom it serves (including youth who are not referred to out-of-home shelter services)” for “children and family members which it serves”.

Subsec. (b)(8) to (11). Pub. L. 102-586, §3(c)(2)(F), redesignated pars. (7) to (10) as (8) to (11), respectively.

Subsecs. (c), (d). Pub. L. 102-586, §3(c)(2)(H), added subsecs. (c) and (d).

1988—Subsec. (a). Pub. L. 100-690, §7271(c)(1), (2), substituted “section 5711(a) of this title” for “this part”

and “runaway and homeless youth center” for “runaway center”.

Subsec. (b). Pub. L. 100-690, §7271(c)(1), (3)(A), substituted “section 5711(a) of this title” for “this part” and “including assurances that the applicant” for “meeting the following requirements and including the following information. Each center” in introductory provisions.

Subsec. (b)(1). Pub. L. 100-690, §7271(c)(3)(B), substituted “shall operate a runaway and homeless youth center” for “shall be” and “runaway and homeless youth” for “runaway youth”.

Subsec. (b)(3). Pub. L. 100-690, §7271(c)(3)(C), substituted “runaway and homeless youth center” for “runaway center”.

Subsec. (b)(4). Pub. L. 100-690, §7271(c)(3)(D), substituted “runaway and homeless youth” for “runaway youths”.

Subsec. (b)(5). Pub. L. 100-690, §7271(c)(3)(C), (E), substituted “runaway and homeless youth” for “runaway youth” and substituted “runaway and homeless youth center” for “runaway center” in two places.

Subsec. (b)(6). Pub. L. 100-690, §7271(c)(3)(D), (E), substituted “individual runaway and homeless youth” for “individual runaway youths” in two places and “against an individual runaway and homeless youth” for “against an individual runaway youth”.

1984—Subsec. (b)(2). Pub. L. 98-473, §652(1), substituted “proportion” for “portion”.

Subsec. (b)(3). Pub. L. 98-473, §652(2), struck out “(if such action is required by State law)” before “and assuring”.

Subsec. (b)(4). Pub. L. 98-473, §652(3), inserted “school system personnel”.

Subsec. (b)(5). Pub. L. 98-473, §652(4), substituted “families” for “parents”.

Subsec. (b)(6). Pub. L. 98-473, §652(5), substituted “family members” for “parents”.

1980—Subsec. (a). Pub. L. 96-509, §18(d)(1), substituted “center” for “house” and inserted “or to other homeless juveniles” after “parents or guardians”.

Subsec. (b). Pub. L. 96-509, §18(d)(2), substituted “center” for “house” wherever appearing, and in par. (4) inserted reference to social service personnel and welfare personnel.

1977—Subsec. (b)(5), (6). Pub. L. 95-115 substituted “aftercare services” for “aftercase services” in par. (5), and “the consent of the individual youth and parent or legal guardian” for “parental consent” in par. (6).

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of this title.

§§ 5712a to 5712c. Repealed. Pub. L. 102-586, §3(g)(2)(A)-(C), Nov. 4, 1992, 106 Stat. 5025

Section 5712a, Pub. L. 93-415, title III, §313, as added Pub. L. 100-690, title VII, §7275(b), Nov. 18, 1988, 102 Stat. 4457, related to grants for a national communication system to assist runaway and homeless youth. See section 5714-11 of this title.

Section 5712b, Pub. L. 93-415, title III, §314, as added Pub. L. 100-690, title VII, §7276, Nov. 18, 1988, 102 Stat. 4457, related to grants for technical assistance and training to public and private entities for establishment and operation of runaway and homeless youth centers.

Section 5712c, Pub. L. 93-415, title III, §315, as added Pub. L. 100-690, title VII, §7277, Nov. 18, 1988, 102 Stat. 4457, related to authority of the Secretary to make grants for research, demonstration, and service projects.

§ 5712d. Repealed. Pub. L. 109-162, title XI, § 1172(b), Jan. 5, 2006, 119 Stat. 3123

Section, Pub. L. 93-415, title III, §316, as added Pub. L. 103-322, title IV, §40155, Sept. 13, 1994, 108 Stat. 1922, related to grants for prevention of sexual abuse and exploitation.

A prior section 316 of Pub. L. 93-415 was renumbered section 313 of Pub. L. 93-415 and is classified to section 5713 of this title.

Another prior section 316 of Pub. L. 93-415 was renumbered section 372 of Pub. L. 93-415 and is classified to section 5714b of this title.

Another prior section 316 of Pub. L. 93-415 was renumbered section 382 of Pub. L. 93-415 and is classified to section 5716 of this title.

§ 5713. Approval of applications

(a) In general

An application by a public or private entity for a grant under section 5711(a) of this title 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 5711(a) of this title, 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.

(Pub. L. 93-415, title III, §313, Sept. 7, 1974, 88 Stat. 1131; Pub. L. 95-115, §7(a)(4), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96-509, §18(e), Dec. 8, 1980, 94 Stat. 2762; Pub. L. 98-473, title II, §653, Oct. 12, 1984, 98 Stat. 2123; renumbered §316 and amended Pub. L. 100-690, title VII, §§7271(c)(1), 7275(a), Nov. 18, 1988, 102 Stat. 4453, 4457; renumbered §313 and amended Pub. L. 102-586, §3(d), (g)(2)(D), Nov. 4, 1992, 106 Stat. 5022, 5025; Pub. L. 106-71, §3(d), Oct. 12, 1999, 113 Stat. 1037.)

PRIOR PROVISIONS

A prior section 313 of Pub. L. 93-415 was classified to section 5712a of this title prior to repeal by Pub. L. 102-586.

AMENDMENTS

1999—Pub. L. 106-71 inserted section catchline and amended text generally. Prior to amendment, text read as follows: “An application by a State, locality, or private entity for a grant under section 5711(a), (c), or (d) of this title may be approved by the Secretary only if it is consistent with the applicable provisions of section 5711(a), (c), or (d) of this title and meets the requirements set forth in section 5712 of this title. Priority shall be given to grants smaller than \$200,000. In considering grant applications under section 5711(a) of

this title, priority shall be given to organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families.”

1992—Pub. L. 102-586, §3(d), substituted “section 5711(a), (c), or (d) of this title” for “section 5711(a) of this title” in two places in first sentence and substituted “\$200,000” for “\$150,000” in second sentence.

1988—Pub. L. 100-690, §7271(c)(1), substituted “section 5711(a) of this title” for “this part” in three places.

1984—Pub. L. 98-473 substituted “private entity” for “nonprofit private agency”.

1980—Pub. L. 96-509 substituted “\$150,000” for “\$100,000” and “organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families” for “any applicant whose program budget is smaller than \$150,000”.

1977—Pub. L. 95-115 substituted “\$100,000” and “\$150,000” for “\$75,000” and “\$100,000”, respectively.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of this title.

§ 5714. Grants to private entities; staffing

Nothing in this subchapter shall be construed to deny grants to private entities which are fully controlled by private boards or persons but which in other respects meet the requirements of this subchapter and agree to be legally responsible for the operation of the runaway and homeless youth center and the programs, projects, and activities they carry out under this subchapter. Nothing in this subchapter shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds under this subchapter.

(Pub. L. 93-415, title III, §314, Sept. 7, 1974, 88 Stat. 1131; Pub. L. 98-473, title II, §654, Oct. 12, 1984, 98 Stat. 2123; renumbered §317 and amended Pub. L. 100-690, title VII, §§7271(c)(4), 7275(a), Nov. 18, 1988, 102 Stat. 4453, 4457; renumbered §314 and amended Pub. L. 102-586, §3(e), (g)(2)(D), Nov. 4, 1992, 106 Stat. 5022, 5025.)

PRIOR PROVISIONS

A prior section 314 of Pub. L. 93-415 was classified to section 5712b of this title prior to repeal by Pub. L. 102-586.

AMENDMENTS

1992—Pub. L. 102-586, §3(e), substituted “subchapter” for “part” wherever appearing and inserted “and the programs, projects, and activities they carry out under this subchapter” after “center” and “under this subchapter” before period at end.

1988—Pub. L. 100-690, §7271(c)(4), substituted “runaway and homeless youth center” for “runaway center”.

1984—Pub. L. 98-473 amended section catchline and substituted “private entities” for “nonprofit private agencies” and “center” for “house” in text.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 5601 of this title.

PART B—TRANSITIONAL LIVING GRANT PROGRAM
AMENDMENTS

1988—Pub. L. 100-690, title VII, §§ 7272(2), 7273(f), Nov. 18, 1988, 102 Stat. 4454, 4455, added part B heading, set out above, and struck out “PART B—RECORDS” heading, formerly set out preceding section 5731 of this title.

§ 5714-1. Authority for program

The Secretary is authorized to make grants and to provide technical assistance to public and nonprofit private entities to establish and operate transitional living youth projects for homeless youth.

(Pub. L. 93-415, title III, § 321, as added Pub. L. 100-690, title VII, § 7273(f), Nov. 18, 1988, 102 Stat. 4455; amended Pub. L. 106-71, § 3(e), Oct. 12, 1999, 113 Stat. 1038.)

PRIOR PROVISIONS

A prior section 321 of Pub. L. 93-415 was renumbered section 363 and is classified to section 5731 of this title.

AMENDMENTS

1999—Pub. L. 106-71 struck out “Purpose and” before “Authority” in section catchline and struck out subsec. (a) designation before “The Secretary” and subsec. (b) which defined “homeless youth” and “transitional living youth project”.

EFFECTIVE DATE

Section effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as an Effective Date of 1988 Amendment note under section 5601 of this title.

STUDY OF HOUSING SERVICES AND STRATEGIES

Pub. L. 108-96, title I, § 119, Oct. 10, 2003, 117 Stat. 1170, provided that: “The Secretary of Health and Human Services shall conduct a study of programs funded under part B of the Runaway and Homeless Youth Act (42 U.S.C. 5714-1 et seq.) to report on long-term housing outcomes for youth after exiting the program. The study of any such program should provide information on housing services available to youth upon exiting the program, including assistance in locating and retaining permanent housing and referrals to other residential programs. In addition, the study should identify housing models and placement strategies that prevent future episodes of homelessness.”

§ 5714-2. Eligibility**(a) In general**

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,¹ (in-

cluding 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) 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 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 birthday;

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

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

- (5) 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 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) to develop an adequate plan to ensure proper referral of homeless youth to social service, law enforcement, educational (including post-secondary education), vocational, training (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 and to help integrate and coordinate such services for youths;

- (8) to provide for the establishment of outreach programs designed to attract individuals who are eligible to participate in the project;

- (9) 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, and the services provided to such youth by such project, in the year for which the report is submitted;

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

- (11) 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) 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;

¹ So in original. The comma probably should not appear.

(13) 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) to provide to the Secretary such other information as the Secretary may reasonably require;

(15) to coordinate services with McKinney-Vento school district liaisons, designated under section 722(g)(1)(J)(i) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(i)), 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 [42 U.S.C. 11431 et seq.]; and

(16) to develop an adequate emergency preparedness and management plan.

(b) Priority

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) of this section.

(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.

(Pub. L. 93-415, title III, §322, as added Pub. L. 100-690, title VII, §7273(f), Nov. 18, 1988, 102 Stat. 4456; amended Pub. L. 102-586, §3(f), Nov. 4, 1992, 106 Stat. 5022; Pub. L. 106-71, §3(f), Oct. 12, 1999, 113 Stat. 1038; Pub. L. 108-96, title I, §§107, 108, 110, 111, Oct. 10, 2003, 117 Stat. 1168, 1169; Pub. L. 110-378, §4, Oct. 8, 2008, 122 Stat. 4069; Pub. L. 113-128, title V, §512(aa), July 22, 2014, 128 Stat. 1717.)

REFERENCES IN TEXT

The Workforce Innovation and Opportunity Act, referred to in subsec. (a)(7), is Pub. L. 113-128, July 22, 2014, 128 Stat. 1425, which enacted chapter 32 (§3101 et seq.) of Title 29, Labor, repealed chapter 30 (§2801 et seq.) of Title 29 and chapter 73 (§9201 et seq.) of Title 20, Education, and made amendments to numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 3101 of Title 29 and Tables.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996, referred to in subsec. (a)(7), is Pub. L. 104-193, Aug. 22, 1996, 110 Stat. 2105, as amended. For complete classification of this Act to the Code, see Short Title of 1996 Amendments note set out under section 1305 of this title and Tables.

The McKinney-Vento Homeless Assistance Act, referred to in subsec. (a)(15), is Pub. L. 100-77, July 22,

1987, 101 Stat. 482, as amended. Subtitle B of title VII of the Act is classified generally to part B (§11431 et seq.) of subchapter VI of chapter 119 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 11301 of this title and Tables.

AMENDMENTS

2014—Subsec. (a)(7). Pub. L. 113-128 substituted “(including services and programs for youth available under the Workforce Innovation and Opportunity Act)” for “(including services and programs for youth available under the Workforce Investment Act of 1998)”.

2008—Subsec. (a)(1). Pub. L. 110-378, §4(a)(1), substituted “by grant, agreement, or contract, shelter” for “directly or indirectly, shelter” and “and provide, by grant, agreement, or contract, services,” for “and services”.

Subsec. (a)(2). Pub. L. 110-378, §4(a)(2), substituted “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 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 birthday;” for “a continuous period not to exceed 540 days, except that a youth in a program under this part who is under the age of 18 years on the last day of the 540-day period may, if otherwise qualified for the program, remain in the program until the earlier of the youth’s 18th birthday or the 180th day after the end of the 540-day period;”.

Subsec. (a)(16). Pub. L. 110-378, §4(a)(3)–(5), added par. (16).

Subsec. (c). Pub. L. 110-378, §4(b), substituted “part—” for “part,” inserted par. (1) designation before “the term”, substituted “; and” for period at end, and added par. (2).

2003—Subsec. (a)(1). Pub. L. 108-96, §107(a), inserted “including maternity group homes,” after “group homes,” and “parenting skills (as appropriate),” after “use of credit.”

Subsec. (a)(2). Pub. L. 108-96, §108, inserted “, except that a youth in a program under this part who is under the age of 18 years on the last day of the 540-day period may, if otherwise qualified for the program, remain in the program until the earlier of the youth’s 18th birthday or the 180th day after the end of the 540-day period” after “days”.

Subsec. (a)(7). Pub. L. 108-96, §111, amended par. (7) generally. Prior to amendment, par. (7) read as follows: “to develop an adequate plan to ensure proper referral of homeless youth to social service, law enforcement, educational, vocational, training, welfare, legal service, and health care programs and to help integrate and coordinate such services for youths;”.

Subsec. (a)(15). Pub. L. 108-96, §110, added par. (15).

Subsec. (c). Pub. L. 108-96, §107(b), added subsec. (c).

1999—Subsec. (a)(9). Pub. L. 106-71 inserted “, and the services provided to such youth by such project,” after “participate in such project”.

1992—Subsec. (a)(1). Pub. L. 102-586, §3(f)(1), inserted “which shall include money management, budgeting, consumer education, and use of credit” after “basic life skills”.

Subsec. (a)(13). Pub. L. 102-586, §3(f)(2), substituted “informed consent of the individual youth” for “consent of the individual youth and parent or legal guardian” and struck out “or a government agency involved in the disposition of criminal charges against youth” after “statistical records”.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

EFFECTIVE DATE

Section effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as an Effective Date of 1988 Amendment note under section 5601 of this title.

PART C—NATIONAL COMMUNICATIONS SYSTEM

§ 5714-11. Authority to make grants

The Secretary shall make 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 services to runaway and homeless youth.

(Pub. L. 93-415, title III, §331, as added Pub. L. 102-586, §3(g)(1)(C), Nov. 4, 1992, 106 Stat. 5022; amended Pub. L. 106-71, §3(r)(1), Oct. 12, 1999, 113 Stat. 1043.)

AMENDMENTS

1999—Pub. L. 106-71 substituted “The Secretary” for “With funds reserved under section 5751(a)(3) of this title, the Secretary” in first sentence.

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

§ 5714-21. Coordination

With respect to matters relating to the health, 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 and with the activities of entities that are eligible to receive grants under this subchapter; and

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

(Pub. L. 93-415, title III, §341, as added Pub. L. 102-586, §3(g)(1)(C), Nov. 4, 1992, 106 Stat. 5023; amended Pub. L. 106-71, §3(g), Oct. 12, 1999, 113 Stat. 1038; Pub. L. 108-96, title I, §112, Oct. 10, 2003, 117 Stat. 1169.)

PRIOR PROVISIONS

A prior section 341 of Pub. L. 93-415 was renumbered section 380 and is classified to section 5714a of this title.

AMENDMENTS

2003—Par. (3). Pub. L. 108-96 added par. (3).

1999—Pub. L. 106-71 amended section catchline and text generally. Prior to amendment, text read as follows: “With respect to matters relating to the health, education, employment, and housing of runaway and homeless youth, the Secretary shall coordinate the activities of agencies of the Department of Health and Human Services with the activities of other Federal entities and with the activities of entities that are eligible to receive grants under this subchapter”.

§ 5714-22. Grants for technical assistance and training

The Secretary may make grants to statewide and regional nonprofit organizations (and combinations of such organizations) to provide technical assistance and training to public and private entities (and combinations of such entities) that are eligible to receive grants under this subchapter, for the purpose of carrying out the programs, projects, or activities for which such grants are made.

(Pub. L. 93-415, title III, §342, as added Pub. L. 102-586, §3(g)(1)(C), Nov. 4, 1992, 106 Stat. 5023.)

PRIOR PROVISIONS

A prior section 342 of Pub. L. 93-415 was renumbered section 381 and is classified to section 5714b of this title.

§ 5714-23. Authority to make grants for research, evaluation, demonstration, and service projects**(a) Authorization; purposes**

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 subchapter designed to increase knowledge concerning, and to improve services for, runaway youth and homeless youth.

(b) Selection factors; priority

In selecting among applications for grants under subsection (a) of this section, 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 subchapter;

(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, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), and sex trafficking (as defined in section 7102(10) of title 22);

(B) responding to youth who are showing effects of sexual abuse and assault, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), or sex trafficking (as defined in section 7102(10) of title 22); and

(C) agency-wide strategies for working with runaway and homeless youth who have been sexually victimized, including such youth who are victims of trafficking (as defined in section 7102(15) of title 22);

(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 prevent-

ing 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.

(c) Applicant experience and diversity

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.

(Pub. L. 93-415, title III, § 343, as added Pub. L. 102-586, § 3(g)(1)(C), Nov. 4, 1992, 106 Stat. 5023; amended Pub. L. 106-71, § 3(h), Oct. 12, 1999, 113 Stat. 1038; Pub. L. 108-96, title I, § 113, Oct. 10, 2003, 117 Stat. 1170; Pub. L. 110-378, § 5, Oct. 8, 2008, 122 Stat. 4069; Pub. L. 114-22, title II, § 201(1), May 29, 2015, 129 Stat. 248.)

AMENDMENTS

2015—Subsec. (b)(5)(A). Pub. L. 114-22, § 201(1)(A), inserted “, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), and sex trafficking (as defined in section 7102(10) of title 22)” before semicolon at end.

Subsec. (b)(5)(B). Pub. L. 114-22, § 201(1)(B), inserted “, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), or sex trafficking (as defined in section 7102(10) of title 22)” before “; and” at end.

Subsec. (b)(5)(C). Pub. L. 114-22, § 201(1)(C), inserted “, including such youth who are victims of trafficking (as defined in section 7102(15) of title 22)” before semicolon at end.

2008—Subsec. (b). Pub. L. 110-378, § 5(1)(A), substituted “priority” for “special consideration” in introductory provisions.

Subsec. (b)(8). Pub. L. 110-378, § 5(1)(B), substituted “to quality health” for “to health” and “behavioral health care” for “mental health care” and struck out “and” at end.

Subsec. (b)(9). Pub. L. 110-378, § 5(1)(C), substituted “, 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” for period at end.

Subsec. (b)(10). Pub. L. 110-378, § 5(1)(D), added par. (10).

Subsec. (c). Pub. L. 110-378, § 5(2), added subsec. (c) and struck out former subsec. (c). Prior to amendment,

text read as follows: “In selecting among applicants for grants under subsection (a) of this section, the Secretary shall give priority to applicants who have experience working with runaway youth or homeless youth.”

2003—Subsec. (a). Pub. L. 108-96 inserted “regarding activities under this subchapter” after “service projects”.

1999—Pub. L. 106-71, § 3(h)(1), inserted “evaluation,” after “research,” in section catchline.

Subsec. (a). Pub. L. 106-71, § 3(h)(2), inserted “evaluation,” after “research.”

Subsec. (b)(2) to (10). Pub. L. 106-71, § 3(h)(3), redesignated pars. (3) to (10) as (2) to (9), respectively, and struck out former par. (2) which read as follows: “home-based and street-based services for, and outreach to, runaway youth and homeless youth;”.

§ 5714-24. Demonstration projects to provide services to youth in rural areas

(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 of this subchapter, to runaway and homeless youth in rural areas.

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

(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) of this section, 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 of this subchapter 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.

(Pub. L. 93-415, title III, § 344, as added Pub. L. 102-586, § 3(g)(1)(C), Nov. 4, 1992, 106 Stat. 5024; amended Pub. L. 106-71, § 3(r)(2), Oct. 12, 1999, 113 Stat. 1043; Pub. L. 108-96, title I, § 114, Oct. 10, 2003, 117 Stat. 1170.)

AMENDMENTS

2003—Pub. L. 108-96 substituted “Demonstration” for “Temporary demonstration” in section catchline.

1999—Subsec. (a)(1). Pub. L. 106-71 substituted “The Secretary” for “With funds appropriated under section 5751(c) of this title, the Secretary”.

§ 5714-25. Periodic estimate of incidence and prevalence of youth homelessness

(a) Periodic estimate

Not later than 2 years after October 8, 2008, and at 5-year intervals thereafter, the Secretary, 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 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.

(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 years of age but are less than 26 years of age, to determine past and current—

(A) socioeconomic characteristics of such individuals; and

(B) barriers to such individuals obtaining—

(i) safe, quality, and affordable housing;

(ii) comprehensive and affordable health insurance and health services; and

(iii) incomes, public benefits, supportive services, and connections to caring adults; 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.

(Pub. L. 93-415, title III, §345, as added Pub. L. 110-378, §6, Oct. 8, 2008, 122 Stat. 4070.)

PRIOR PROVISIONS

A prior section 5714-25, Pub. L. 93-415, title III, §345, as added Pub. L. 106-71, §3(i), Oct. 12, 1999, 113 Stat. 1038, related to study of runaways to determine the percent who have been sexually abused, prior to repeal by Pub. L. 108-96, title I, §115, Oct. 10, 2003, 117 Stat. 1170.

CHANGE OF NAME

Committee on Education and Labor of House of Representatives changed to Committee on Education and

the Workforce of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

PART E—SEXUAL ABUSE PREVENTION PROGRAM

PRIOR PROVISIONS

A prior part E, consisting of sections 5714a and 5714b, was redesignated part F by Pub. L. 106-71, §3(n)(1)(B), Oct. 12, 1999, 113 Stat. 1040.

AMENDMENTS

1999—Pub. L. 106-71, §3(n)(1)(C), Oct. 12, 1999, 113 Stat. 1040, added part heading. Former part E redesignated F.

§ 5714-41. Authority to make grants

(a) In general

The Secretary may make grants to 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, sexual exploitation, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), or sex trafficking (as defined in section 7102(10) of title 22).

(b) Priority

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

(Pub. L. 93-415, title III, §351, as added Pub. L. 106-71, §3(n)(1)(C), Oct. 12, 1999, 113 Stat. 1040; amended Pub. L. 110-378, §7, Oct. 8, 2008, 122 Stat. 4071; Pub. L. 114-22, title II, §201(2), May 29, 2015, 129 Stat. 248.)

AMENDMENTS

Subsec. (a). Pub. L. 114-22 substituted “sexual exploitation, severe forms of trafficking in persons (as defined in section 7102(9) of title 22), or sex trafficking (as defined in section 7102(10) of title 22)” for “or sexual exploitation”.

2008—Subsec. (b). Pub. L. 110-378 inserted “public and” after “priority to”.

PART F—GENERAL PROVISIONS

AMENDMENTS

1999—Pub. L. 106-71, §3(n)(1)(A), (B), Oct. 12, 1999, 113 Stat. 1040, redesignated part E as F and struck out part F heading “Administrative Provisions”, formerly set out preceding section 5715 of this title.

1992—Pub. L. 102-586, §3(g)(1)(B)(i), Nov. 4, 1992, 106 Stat. 5022, redesignated part C as E.

Pub. L. 102-586, §3(g)(1)(A)(i), Nov. 4, 1992, 106 Stat. 5022, redesignated part D as F.

1988—Pub. L. 100-690, title VII, §7272(3), Nov. 18, 1988, 102 Stat. 4454, added part D heading “Administrative Provisions”.

Pub. L. 100-690, title VII, §§7272(2), 7273(e)(1), Nov. 18, 1988, 102 Stat. 4454, 4455, added part C heading, set out above, and struck out part C heading “Authorization of Appropriations”, formerly set out preceding section 5741 of this title.

§ 5714a. Assistance to potential grantees

The Secretary shall provide informational assistance to potential grantees interested in establishing runaway and homeless youth centers and transitional living youth projects.

(Pub. L. 93-415, title III, § 380, formerly § 315, as added Pub. L. 98-473, title II, § 655(2), Oct. 12, 1984, 98 Stat. 2124; renumbered § 341 and amended Pub. L. 100-690, title VII, § 7273(a), (e)(2), Nov. 18, 1988, 102 Stat. 4454, 4455; renumbered § 371, Pub. L. 102-586, § 3(g)(1)(B)(ii), Nov. 4, 1992, 106 Stat. 5022; renumbered § 380 and amended Pub. L. 106-71, § 3(j), (q), Oct. 12, 1999, 113 Stat. 1038, 1042.)

AMENDMENTS

1999—Pub. L. 106-71, § 3(j), struck out at end: “Such assistance shall consist of information on—

“(1) steps necessary to establish a runaway and homeless youth center or transitional living youth project, including information on securing space for such center or such project, obtaining insurance, staffing, and establishing operating procedures;

“(2) securing local private or public financial support for the operation of such center or such project, including information on procedures utilized by grantees under this subchapter; and

“(3) the need for the establishment of additional runaway and homeless youth centers in the geographical area identified by the potential grantee involved.”

1988—Pub. L. 100-690, § 7273(a)(1), inserted “and transitional living youth projects” after “homeless youth centers” in introductory provisions.

Par. (1). Pub. L. 100-690, § 7273(a)(2), (3), inserted “or transitional living youth project” after “homeless youth center” and “or such project” after “such center”.

Par. (2). Pub. L. 100-690, § 7273(a)(3), inserted “such project” after “such center”.

Par. (3). Pub. L. 100-690, § 7273(a)(4), inserted “and homeless” after “runaway”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE

Section effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as an Effective Date of 1984 Amendment note under section 5601 of this title.

§ 5714b. Lease of surplus Federal facilities for use as runaway and homeless youth centers or as transitional living youth shelter facilities

(a) Conditions of lease arrangements

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 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 subchapter;

(2) the applicant is able to demonstrate the program expertise required to operate such center in compliance with this subchapter, 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 local government in which the facility is located.

(b) Period of availability; rent-free use; structural changes: Federal ownership and consent

(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.

(Pub. L. 93-415, title III, § 381, formerly § 316, as added Pub. L. 98-473, title II, § 655(2), Oct. 12, 1984, 98 Stat. 2124; renumbered § 342 and amended Pub. L. 100-690, title VII, § 7273(b), (e)(2), Nov. 18, 1988, 102 Stat. 4454, 4455; renumbered § 372, Pub. L. 102-586, § 3(g)(1)(B)(ii), Nov. 4, 1992, 106 Stat. 5022; Pub. L. 105-277, div. A, § 101(b) [title I, § 129(a)(2)(E)], Oct. 21, 1998, 112 Stat. 2681-50, 2681-76; renumbered § 381, Pub. L. 106-71, § 3(q), Oct. 12, 1999, 113 Stat. 1042.)

PRIOR PROVISIONS

A prior section 381 of Pub. L. 93-415 was renumbered section 382 and is classified to section 5715 of this title.

AMENDMENTS

1998—Subsec. (a)(3). Pub. L. 105-277 substituted “unit of local government” for “unit of general local government”.

1988—Pub. L. 100-690, § 7273(b)(1), inserted “or as transitional living youth shelter facilities” at end of section catchline.

Subsec. (a). Pub. L. 100-690, § 7273(b)(2), inserted “or as transitional living youth shelter facilities” after “runaway and homeless youth centers” in introductory provisions and “or transitional living youth project, as the case may be, under this subchapter” after “homeless youth center” in par. (1).

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE

Section effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as an Effective Date of 1984 Amendment note under section 5601 of this title.

§ 5715. Reports

(a) In general

Not later than April 1, 2000, and biennially thereafter, the Secretary shall submit, to the Committee on Education and the Workforce 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 of this subchapter, with particular attention to—

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

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

(B) if applicable or appropriate, reuniting such youth with their families and encourag-

ing the resolution of intrafamily problems through counseling and other services;

(C) strengthening family relationships and encouraging stable living conditions for such youth; and

(D) assisting such youth to decide upon a future course of action; and

(2) in the case of projects funded under part B of this subchapter—

(A) the number and characteristics of homeless youth served by such projects;

(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 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) of this section, summaries of—

(1) the evaluations performed by the Secretary under section 5732 of this title; and

(2) descriptions of the qualifications of, and training provided to, individuals involved in carrying out such evaluations.

(Pub. L. 93-415, title III, §382, formerly §315, Sept. 7, 1974, 88 Stat. 1131; Pub. L. 96-509, §18(f), Dec. 8, 1980, 94 Stat. 2762; renumbered §317, Pub. L. 98-473, title II, §655(1), Oct. 12, 1984, 98 Stat. 2124; renumbered §361 and amended Pub. L. 100-690, title VII, §§7271(c)(5), 7273(c), (e)(2), 7274, Nov. 18, 1988, 102 Stat. 4453-4455, 4457; Pub. L. 101-204, title X, §1003(1), (2), Dec. 7, 1989, 103 Stat. 1827; renumbered §381 and amended Pub. L. 102-586, §3(g)(1)(A)(ii), (h), Nov. 4, 1992, 106 Stat. 5022, 5025; renumbered §382 and amended Pub. L. 106-71, §3(k), (q), Oct. 12, 1999, 113 Stat. 1039, 1042.)

PRIOR PROVISIONS

A prior section 382 of Pub. L. 93-415 was renumbered section 383 and is classified to section 5716 of this title.

AMENDMENTS

1999—Pub. L. 106-71 amended section generally, making reporting requirements biennial rather than annual and adding subsec. headings.

1992—Pub. L. 102-586, §3(h), which directed the amendment of section “361 of the Juvenile Justice and Delinquency Act of 1974 (42 U.S.C. 5715)” by amending it generally and adding subsec. (b), was executed to this section, which is section 381 of the Juvenile Justice and Delinquency Prevention Act of 1974 (Pub. L. 93-415), to reflect the probable intent of Congress and the intervening renumbering of section 361 of Pub. L. 93-415 as section 381 by section 3(g)(1)(A)(ii) of Pub. L. 102-586. Prior to amendment, this section consisted of subsecs. (a) and (b) which required annual reports to Congress on the status and accomplishments of the runaway and

homeless youth centers funded under part A of this subchapter and of the transitional living youth projects funded under part B of this subchapter.

1989—Subsec. (a). Pub. L. 101-204, §1003(1), substituted “submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate” for “report to the Congress”.

Subsec. (b). Pub. L. 101-204, §1003(2), substituted “Not later than 180 days after the end of each fiscal year, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on the Judiciary of the Senate” for “The Secretary shall annually report to the Congress”.

1988—Subsec. (a). Pub. L. 100-690, §§7271(c)(5), 7273(c)(1), (2), 7274, designated existing provisions as subsec. (a), in introductory provisions substituted “Not later than 180 days after the end of each fiscal year, the Secretary shall” for “The Secretary shall annually”, “runaway and homeless youth centers” for “runaway centers”, and “part A of this subchapter” for “this part”, and in par. (1) substituted “runaway and homeless youth” for “runaway youth”.

Subsec. (b). Pub. L. 100-690, §7273(c)(3), added subsec. (b).

1980—Pub. L. 96-509 substituted “centers” for “houses”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, with the report required by this section with respect to fiscal year 1988 to be submitted not later than Aug. 1, 1989, notwithstanding the 180-day period provided in this section, see section 7296(a), (b)(3) of Pub. L. 100-690, as amended, set out as a note under section 5601 of this title.

§5716. Federal and non-Federal share; methods of payment

(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 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.

(Pub. L. 93-415, title III, §383, formerly §316, Sept. 7, 1974, 88 Stat. 1132; renumbered §318, Pub. L. 98-473, title II, §655(1), Oct. 12, 1984, 98 Stat. 2124; renumbered §362 and amended Pub. L. 100-690, title VII, §§7271(c)(6), 7273(e)(2), Nov. 18, 1988, 102 Stat. 4454, 4455; renumbered §382, Pub. L. 102-586, §3(g)(1)(A)(ii), Nov. 4, 1992, 106 Stat. 5022; renumbered §383, Pub. L. 106-71, §3(q), Oct. 12, 1999, 113 Stat. 1042.)

PRIOR PROVISIONS

A prior section 383 of Pub. L. 93-415 was renumbered section 384 and is classified to section 5731 of this title.

AMENDMENTS

1988—Subsec. (a). Pub. L. 100-690, §7271(c)(6), struck out “acquisition and” before “renovation”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

§5731. Restrictions on disclosure and transfer

Records containing the identity of individual youths pursuant to this chapter may under no

circumstances be disclosed or transferred to any individual or to any public or private agency.

(Pub. L. 93-415, title III, §384, formerly §321, Sept. 7, 1974, 88 Stat. 1132; Pub. L. 95-115, §7(b), Oct. 3, 1977, 91 Stat. 1058; renumbered §363, Pub. L. 100-690, title VII, §7273(e)(2), Nov. 18, 1988, 102 Stat. 4455; renumbered §383, Pub. L. 102-586, §3(g)(1)(A)(ii), Nov. 4, 1992, 106 Stat. 5022; renumbered §384, Pub. L. 106-71, §3(q), Oct. 12, 1999, 113 Stat. 1042.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, known as the Juvenile Justice and Delinquency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 5601 of this title and Tables.

PRIOR PROVISIONS

A prior section 384 of Pub. L. 93-415 was renumbered section 386 and is classified to section 5732 of this title.

AMENDMENTS

1977—Pub. L. 95-115 substituted provisions relating to restrictions on disclosure and transfer of records, for provisions relating to scope, etc., of statistical report to Congress.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of this title.

§ 5731a. Consolidated review of applications

With respect to funds available to carry out parts A, B, C, D, and E of this subchapter, nothing in this subchapter shall be construed to prohibit the Secretary from—

- (1) announcing, in a single announcement, the availability of funds for grants under 2 or more of such parts; and
- (2) reviewing applications for grants under 2 or more of such parts in a single, consolidated application review process.

(Pub. L. 93-415, title III, §385, as added Pub. L. 106-71, §3(o), Oct. 12, 1999, 113 Stat. 1041.)

PRIOR PROVISIONS

A prior section 385 of Pub. L. 93-415 was renumbered section 388 and is classified to section 5751 of this title.

§ 5732. Evaluation and information

(a) In general

If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E of this subchapter (in the alternative), then the Secretary shall evaluate such grantee on-site, not less frequently than once in the period of such 3 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 5731 of this title; 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 subchapter shall cooperate with the Secretary's efforts to carry out evaluations, and to collect information, under this subchapter.

(Pub. L. 93-415, title III, §386, formerly §364, as added Pub. L. 100-690, title VII, §7278, Nov. 18, 1988, 102 Stat. 4458; renumbered §384, Pub. L. 102-586, §3(g)(1)(A)(ii), Nov. 4, 1992, 106 Stat. 5022; renumbered §386 and amended Pub. L. 106-71, §3(l), Oct. 12, 1999, 113 Stat. 1039.)

PRIOR PROVISIONS

A prior section 5732, Pub. L. 93-415, title III, §322, Sept. 7, 1974, 88 Stat. 1132, set forth restrictions on disclosure and transfer of records, prior to repeal by Pub. L. 95-115, §7(b), Oct. 3, 1977, 91 Stat. 1058, eff. Oct. 1, 1977.

AMENDMENTS

1999—Pub. L. 106-71 amended section catchline and text generally. Prior to amendment, text read as follows:

"(a) The Secretary shall develop for each fiscal year, and publish annually in the Federal Register for public comment a proposed plan specifying the subject priorities the Secretary will follow in making grants under this subchapter for such fiscal year.

"(b) Taking into consideration comments received in the 45-day period beginning on the date the proposed plan is published, the Secretary shall develop and publish, before December 31 of such fiscal year, a final plan specifying the priorities referred to in subsection (a) of this section."

EFFECTIVE DATE

Section effective Oct. 1, 1988, but not applicable with respect to fiscal year 1989, see section 7296(a), (b)(2) of Pub. L. 100-690, set out as an Effective Date of 1988 Amendment note under section 5601 of this title.

§ 5732-1. Performance standards

(a) Establishment of performance standards

Not later than 1 year after October 8, 2008, the Secretary shall issue rules that specify performance standards for public and nonprofit private entities and agencies that receive grants under sections 5711, 5714-1, and 5714-41 of this title.

(b) Consultation

The Secretary shall consult with representatives of public and nonprofit private entities and agencies that receive grants under this subchapter, including statewide and regional nonprofit organizations (including combinations of such organizations) that receive grants under this subchapter, 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 5711, 5714-1, and 5714-41 of this title.

(Pub. L. 93-415, title III, §386A, as added Pub. L. 110-378, §8, Oct. 8, 2008, 122 Stat. 4071.)

§ 5732a. Definitions

In this subchapter:

(1) 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) 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) Homeless youth

The term “homeless”, used with respect to a youth, means an individual—

(A) who is—

(i) less than 21 years of age, or, in the case of a youth seeking shelter in a center under part A of this subchapter, 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-serving¹ facilities; and

(ii) for the purposes of part B of this subchapter, 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 5714-2(a)(2) of this title if such individual commences such stay before reaching 22 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) 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) 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;

(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.

(6) 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.

(7) Transitional living youth project

The term “transitional living youth project” means a project that provides shelter and services designed to promote a transition to self-sufficient living and to prevent long-term dependency on social services.

(8) 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 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.

(Pub. L. 93-415, title III, §387, as added Pub. L. 106-71, §3(p), Oct. 12, 1999, 113 Stat. 1041; amended Pub. L. 108-96, title I, §116, Oct. 10, 2003, 117 Stat. 1170; Pub. L. 110-378, §10, Oct. 8, 2008, 122 Stat. 4072.)

AMENDMENTS

2008—Par. (3). Pub. L. 110-378, §10(a)(1), substituted “The term ‘homeless’, used with respect to a youth,

¹ So in original.

means” for “The term ‘homeless youth’ means” in introductory provisions.

Par. (3)(A)(i). Pub. L. 110-378, §10(a)(2)(A), substituted “less than” for “not more than” in two places and inserted “, 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” after “18 years of age”.

Par. (3)(A)(ii). Pub. L. 110-378, §10(a)(2)(B), substituted “age and either—” for “age;” and added subcls. (I) and (II).

Pars. (4) to (8). Pub. L. 110-378, §10(b), added par. (4) and redesignated former pars. (4) to (7) as (5) to (8), respectively.

2003—Subsec. (3)(A)(i). Pub. L. 108-96 inserted “, or, in the case of a youth seeking shelter in a center under part A of this subchapter, not more than 18 years of age” after “of age”.

§ 5733. Repealed. Pub. L. 102-586, §3(g)(2)(E), Nov. 4, 1992, 106 Stat. 5025

Section, Pub. L. 93-415, title III, §365, as added Pub. L. 100-690, title VII, §7279, Nov. 18, 1988, 102 Stat. 4458, related to Secretary’s obligation to coordinate activities of health agencies with activities of entities eligible to receive grants.

§ 5741. Repealed. Pub. L. 98-473, title II, §656, Oct. 12, 1984, 98 Stat. 2124

Section, Pub. L. 93-415, title III, §331, as added Pub. L. 95-115, §7(c), Oct. 3, 1977, 91 Stat. 1059; amended Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695, authorized President to submit to Congress after April 30, 1978, a reorganization plan for establishment of an Office of Youth Assistance, subject to Congressional resolution of disapproval.

Prior to repeal by Pub. L. 98-473, section 5741 of this title comprised part C of this subchapter. Section 657(e) of Pub. L. 98-473 redesignated former part D, consisting of section 5751 of this title, as part C. Previously, part C was redesignated part D by Pub. L. 95-115, §7(c), Oct. 3, 1977, 91 Stat. 1059.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as an Effective Date of 1984 Amendment note under section 5601 of this title.

§ 5751. Authorization of appropriations

(a) In general

(1) Authorization

There are authorized to be appropriated to carry out this subchapter (other than section 5714-25 of this title and part E) \$140,000,000 for fiscal year 2009, and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013.

(2) Allocation

(A) Parts A and B of this subchapter

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 of this subchapter.

(B) Part B of this subchapter

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 of this subchapter warrant not more than 55 percent, shall be reserved to carry out part B of this subchapter.

(3) Parts C and D of this subchapter

(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 of this subchapter (other than section 5714-25 of this title).

(B) Periodic estimate

There are authorized to be appropriated to carry out section 5714-25 of this title such sums as may be necessary for fiscal years 2009, 2010, 2011, 2012, and 2013.

(4) Part E of this subchapter

There are authorized to be appropriated to carry out part E of this subchapter \$25,000,000 for fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013.

(b) Separate identification required

No funds appropriated to carry out this subchapter 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 subchapter.

(Pub. L. 93-415, title III, §388, formerly §331, Sept. 7, 1974, 88 Stat. 1132; Pub. L. 94-273, §32(c), Apr. 21, 1976, 90 Stat. 380; renumbered §341 and amended Pub. L. 95-115, §7(c), (d), Oct. 3, 1977, 91 Stat. 1059, 1060; Pub. L. 96-509, §2(b), Dec. 8, 1980, 94 Stat. 2750; renumbered §331 and amended Pub. L. 98-473, title II, §657(a)-(d), (f), Oct. 12, 1984, 98 Stat. 2124, 2125; renumbered §366 and amended Pub. L. 100-690, title VII, §§7273(d), (e)(2), 7280, Nov. 18, 1988, 102 Stat. 4455, 4459; Pub. L. 101-204, title X, §§1001(e)(2), 1003(3), Dec. 7, 1989, 103 Stat. 1827; renumbered §385 and amended Pub. L. 102-586, §3(g)(1)(A)(ii), (i), Nov. 4, 1992, 106 Stat. 5022, 5026; renumbered §388 and amended Pub. L. 106-71, §3(m), (n)(2), Oct. 12, 1999, 113 Stat. 1040, 1041; Pub. L. 108-96, title I, §117, Oct. 10, 2003, 117 Stat. 1170; Pub. L. 110-378, §11, Oct. 8, 2008, 122 Stat. 4073.)

AMENDMENTS

2008—Subsec. (a)(1). Pub. L. 110-378, §11(1), substituted “are authorized” for “is authorized”, “section 5714-25 of this title and part E) \$140,000,000 for fiscal year 2009” for “part E of this subchapter) \$105,000,000 for fiscal year 2004”, and “2010, 2011, 2012, and 2013” for “2005, 2006, 2007, and 2008”.

Subsec. (a)(3). Pub. L. 110-378, §11(2), designated existing provisions as subpar. (A), inserted heading, inserted “(other than section 5714-25 of this title)” before period, and added subpar. (B).

Subsec. (a)(4). Pub. L. 110-378, §11(3), substituted “are authorized” for “is authorized” and “\$25,000,000 for fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013” for “such sums as may be necessary for fiscal years 2004, 2005, 2006, 2007, and 2008”.

2003—Subsec. (a)(1). Pub. L. 108-96, §117(a), substituted “\$105,000,000 for fiscal year 2004, and such sums as may be necessary for fiscal years 2005, 2006, 2007, and 2008” for “such sums as may be necessary for fiscal years 2000, 2001, 2002, and 2003”.

Subsec. (a)(2)(B). Pub. L. 108-96, §117(c), substituted “45 percent and, in those fiscal years in which continu-

ation grant obligations and the quality and number of applicants for parts A and B of this subchapter warrant not more than 55 percent” for “not less than 20 percent, and not more than 30 percent”.

Subsec. (a)(4). Pub. L. 108-96, §117(b), substituted “2004, 2005, 2006, 2007, and 2008” for “2000, 2001, 2002, and 2003”.

1999—Pub. L. 106-71, §3(m), amended section catchline and text generally, substituting provisions relating to appropriations for fiscal years 2000 to 2003 for provisions relating to appropriations for fiscal years 1993 to 1996.

Subsec. (a)(4). Pub. L. 106-71, §3(n)(2), added par. (4). 1992—Pub. L. 102-586, §3(i), which directed the amendment of section “366 of the Juvenile Justice and Delinquency Act of 1974 (42 U.S.C. 5751)”, was executed to this section, which is section 385 of the Juvenile Justice and Delinquency Prevention Act of 1974 (Pub. L. 93-415), to reflect the probable intent of Congress and the intervening renumbering of section 366 of Pub. L. 93-415 as section 385 by section 3(g)(1)(A)(ii) of Pub. L. 102-586. See notes below.

Subsec. (a)(1). Pub. L. 102-586, §3(i)(1)(A), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “To carry out the purposes of part A of this subchapter there are authorized to be appropriated such sums as may be necessary for fiscal years 1989, 1990, 1991, and 1992.”

Subsec. (a)(3) to (5). Pub. L. 102-586, §3(i)(1)(B), added pars. (3) to (5).

Subsec. (b)(1). Pub. L. 102-586, §3(i)(2), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “Subject to paragraph (2), to carry out the purposes of part B of this subchapter, there are authorized to be appropriated \$5,000,000 for fiscal year 1989 and such sums as may be necessary for each of the fiscal years 1990, 1991, and 1992.”

Subsecs. (c) to (e). Pub. L. 102-586, §3(i)(3), (4), added subsec. (c) and redesignated former subsecs. (c) and (d) as (d) and (e), respectively.

1989—Subsec. (a). Pub. L. 101-204, §1001(e)(2), amended directory language of Pub. L. 100-690, §7280(2), see 1988 Amendment note below.

Subsec. (a)(1). Pub. L. 101-204, §1003(3), substituted “are authorized” for “is authorized”.

1988—Subsec. (a). Pub. L. 100-690, §7280, as amended by Pub. L. 101-204, §1001(e)(2), designated existing provisions as par. (1), struck out “1985, 1986, 1987, and 1988” after “fiscal years”, inserted “1989, 1990, 1991, and 1992”, and added par. (2).

Subsecs. (b) to (d). Pub. L. 100-690, §7273(d), added subsec. (b) and redesignated former subsecs. (b) and (c) as (c) and (d), respectively.

1984—Pub. L. 98-473, §657(a), amended section catchline.

Subsec. (a). Pub. L. 98-473, §657(b), substituted “such sums as may be necessary for fiscal years 1985, 1986, 1987, and 1988” for “for each of the fiscal years ending September 30, 1981, September 30, 1982, September 30, 1983, and September 30, 1984 the sum of \$25,000,000”.

Subsec. (b). Pub. L. 98-473, §657(c), struck out “Associate” before “Administrator”.

Subsec. (c). Pub. L. 98-473, §657(d), added subsec. (c).

1980—Subsec. (a). Pub. L. 96-509 substituted provisions authorizing appropriations of \$25,000,000 for each of fiscal years ending Sept. 30, 1981, 1982, 1983, and 1984, for provisions that had authorized appropriations of \$10,000,000 for each of fiscal years ending Sept. 30, 1975, 1976, and 1977, and \$25,000,000 for each of fiscal years ending Sept. 30, 1978, 1979, and 1980.

1977—Subsec. (a). Pub. L. 95-115, §7(d)(1), inserted provisions authorizing appropriations for fiscal years ending Sept. 30, 1978, 1979, and 1980.

Subsec. (b). Pub. L. 95-115, §7(d)(2), substituted provisions relating to consultative and coordinating requirements for funded programs and activities, for provisions relating to authorization for funding surveys under part B of this subchapter.

1976—Pub. L. 94-273 substituted “June 30, 1975, and 1976, and September 30, 1977” for “June 30, 1975, 1976, and 1977”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-690 effective Oct. 1, 1988, see section 7296(a) of Pub. L. 100-690, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, except that subsec. (c)(2), as enacted by section 657(d) of Pub. L. 98-473, not applicable with respect to any grant or payment made before Oct. 12, 1984, see section 670 of Pub. L. 98-473, set out as a note under section 5601 of this title.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-115 effective Oct. 1, 1977, see section 263(c) of Pub. L. 93-415, as added by Pub. L. 95-115, set out as a note under section 5601 of this title.

§ 5752. Restriction on use of funds

(a) In general

None of the funds contained in this subchapter may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Separate accounting

Any individual or entity who receives any funds contained in this subchapter and who carries out any program described in subsection (a) of this section shall account for all funds used for such program separately from any funds contained in this subchapter.

(Pub. L. 93-415, title III, §389, as added Pub. L. 108-96, title I, §120, Oct. 10, 2003, 117 Stat. 1171.)

SUBCHAPTER IV—MISSING CHILDREN

§ 5771. Findings

The Congress finds that—

(1) each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place the child in grave danger;

(2) many missing children are at great risk of both physical harm and sexual exploitation;

(3) many missing children are runaways;

(4) in many cases, parents and local law enforcement officials have neither the resources nor the expertise to mount expanded search efforts;

(5) abducted children are frequently moved from one locality to another, requiring the cooperation and coordination of local, State, and Federal law enforcement efforts;

(6) growing numbers of children are the victims of child sexual exploitation, increasingly involving the use of new technology to access the Internet;

(7) children may be separated from their parents or legal guardians as a result of national disasters such as hurricanes and floods;

(8) sex offenders pose a threat to children;

(9) the Office of Juvenile Justice and Delinquency Prevention administers programs under this chapter through the Child Protection Division, including programs which prevent or address offenses committed against vulnerable children and which support missing children's organizations; and

(10) a key component of such programs is the National Center for Missing and Exploited Children, which—