

out subsection (a), such entity shall be a non-governmental 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5714-25 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 345 of title III of Pub. L. 93-415, 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.

PART E—SEXUAL ABUSE PREVENTION PROGRAM

Editorial Notes

CODIFICATION

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

PRIOR PROVISIONS

A prior part E of title III of Pub. L. 93-415 was redesignated part F by Pub. L. 106-71, §3(n)(1)(B), Oct. 12, 1999, 113 Stat. 1040.

§ 11261. 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)¹ of title 22), or sex trafficking (as defined in section 7102(10)¹ of title 22).

(b) Priority

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

(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.)

Editorial Notes

REFERENCES IN TEXT

Section 7102(9) and (10) of title 22, referred to in subsec. (a), was redesignated section 7102(11) and (12), respectively, of title 22 by Pub. L. 115-427, §2(1), Jan. 9, 2019, 132 Stat. 5503.

CODIFICATION

Section was formerly classified to section 5714-41 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

¹ See References in Text note below.

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

Editorial Notes

CODIFICATION

Pub. L. 106-71, §3(n)(1)(B), Oct. 12, 1999, 113 Stat. 1040, redesignated part E as F.

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

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”.

§ 11271. 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5714a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

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”.

Statutory Notes and Related Subsidiaries

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 11101 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 11101 of this title.

§ 11272. 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5714b of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 381 of Pub. L. 93-415 was renumbered section 382 and is classified to section 11273 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).

Statutory Notes and Related Subsidiaries

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 11101 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 11101 of this title.

§ 11273. 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, with particular attention to—

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

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

(B) if applicable or appropriate, reuniting such youth with their families and encouraging 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—

(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), summaries of—

- (1) the evaluations performed by the Secretary under section 11277 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5715 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

PRIOR PROVISIONS

A prior section 382 of Pub. L. 93-415 was renumbered section 383 and is classified to section 11274 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”.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Education and the Workforce of House of Representatives changed to Committee on Education and Labor of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019.

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, set out as a note under section 11101 of this title.

§ 11274. 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5716 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 383 of Pub. L. 93-415 was renumbered section 384 and is classified to section 11275 of this title.

AMENDMENTS

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

Statutory Notes and Related Subsidiaries

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 11101 of this title.

§ 11275. 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.)

Editorial Notes

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 of 1974 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 5731 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 384 of Pub. L. 93-415 was renumbered section 386 and is classified to section 11277 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.

Statutory Notes and Related Subsidiaries

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 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

§ 11276. Consolidated review of applications

With respect to funds available to carry out parts A, B, C, D, and E, 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5731a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 385 of Pub. L. 93-415 was renumbered section 388 and is classified to section 11280 of this title.

§ 11277. Evaluation and information

(a) In general

If a grantee receives grants for 3 consecutive fiscal years under part A, B, C, D, or E (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 11275 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5732 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

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.”

Statutory Notes and Related Subsidiaries

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 11101 of this title.

§ 11278. 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 11211, 11221, and 11261 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 11211, 11221, and 11261 of this title.

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

Editorial Notes**CODIFICATION**

Section was formerly classified to section 5732-1 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 11279. 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, 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, 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 11222(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;

¹ So in original.

(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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5732a of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2008—Par. (3). Pub. L. 110–378, §10(a)(1), substituted “The term ‘homeless’, used with respect to a youth, 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, not more than 18 years of age” after “of age”.

§ 11280. Authorization of appropriations

(a) In general

(1) Authorization

There are authorized to be appropriated to carry out this subchapter (other than part E) \$127,421,000 for each of fiscal years 2019 through 2020.

(2) Allocation

(A) Parts A and B

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

(B) Part B

Of the amount reserved under subparagraph (A), 45 percent and, in those fiscal years in which continuation grant obligations and the quality and number of applicants for parts A and B warrant not more than 55 percent, shall be reserved to carry out part B.

(3) Parts C and D

(A) In general

In each fiscal year, after reserving the amounts required by paragraph (2), the Secretary shall use the remaining amount (if any) to carry out parts C and D (other than section 11245 of this title).

(B) Periodic estimate

Of the amount authorized to be appropriated under paragraph (1), such sums as may be necessary shall be made available to carry out section 11245 of this title for each of fiscal years 2019 through 2020.

(4) Part E

There are authorized to be appropriated to carry out part E \$25,000,000 for each of fiscal years 2019 through 2020.

(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; Pub. L. 115–385, title IV, §402(b), Dec. 21, 2018, 132 Stat. 5159.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5751 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section. Some section numbers or references in amendment notes below reflect the classification of such sections or references prior to editorial reclassification.

AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115–385, §402(b)(1), struck out “section 11245 of this title and” before “part E” and substituted “\$127,421,000 for each of fiscal years 2019 through 2020” for “\$140,000,000 for fiscal year 2009, and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013”.

Subsec. (a)(3)(B). Pub. L. 115–385, §402(b)(2), added subpar. (B) and struck out former subpar. (B). Prior to amendment, text read as follows: “There are authorized to be appropriated to carry out section 11245 of this title such sums as may be necessary for fiscal years 2009, 2010, 2011, 2012, and 2013.”

Subsec. (a)(4). Pub. L. 115–385, §402(b)(3), substituted “each of fiscal years 2019 through 2020” for “fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013”.

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 continuation grant obligations and the quality and number of applicants for parts A and B 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”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115-385 not applicable with respect to funds appropriated for any fiscal year that begins before Dec. 21, 2018, see section 3 of Pub. L. 115-385, set out as a note under section 11102 of this title.

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 11101 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 11101 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 and repealed by Pub. L. 100-690, title VII, §7266(2), Nov. 18, 1988, 102 Stat. 4449, formerly set out as a note under section 11101 of this title.

§ 11281. 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) 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5752 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

SUBCHAPTER IV—MISSING CHILDREN

§ 11291. Findings

The Congress finds that—