

114TH CONGRESS
1ST SESSION

S. 262

To reauthorize the Runaway and Homeless Youth Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2015

Mr. LEAHY (for himself, Ms. COLLINS, Ms. AYOTTE, and Mr. BOOKER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To reauthorize the Runaway and Homeless Youth Act, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Runaway and Home-
5 less Youth and Trafficking Prevention Act”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise specifically provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a provision, the amend-
10 ment or repeal shall be considered to be made to a provi-

1 sion of the Runaway and Homeless Youth Act (42 U.S.C.
2 5701 et seq.).

3 **SEC. 3. FINDINGS.**

4 Section 302 (42 U.S.C. 5701) is amended—

5 (1) in paragraph (2), by inserting “age, gender,
6 and culturally and” before “linguistically appro-
7 priate”;

8 (2) in paragraph (4), by striking “outside the
9 welfare system and the law enforcement system”
10 and inserting “, in collaboration with public assist-
11 ance systems, the law enforcement system, and the
12 child welfare system”;

13 (3) in paragraph (5)—

14 (A) by inserting “a safe place to live and”
15 after “youth need”; and

16 (B) by striking “and” at the end;

17 (4) in paragraph (6), by striking the period and
18 inserting “; and”; and

19 (5) by adding at the end the following:

20 “(7) runaway and homeless youth are at a high
21 risk of becoming victims of sexual exploitation and
22 trafficking in persons.”.

23 **SEC. 4. BASIC CENTER GRANT PROGRAM.**

24 (a) GRANTS FOR CENTERS AND SERVICES.—Section
25 311(a) (42 U.S.C. 5711(a)) is amended—

(1) in paragraph (1), by striking “services” and all that follows through the period and inserting “safe shelter and services, including trauma-informed services, for runaway and homeless youth and, if appropriate, services for the families of such youth, including (if appropriate) individuals identified by such youth as family.”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “mental health,”;

(B) in subparagraph (B)—

(i) in clause (i), by striking “21 days; and” and inserting “30 days;”;

(ii) in clause (ii)—

(I) by inserting “age, gender, and culturally and linguistically appropriate” before “individual”;

(II) by inserting “, as appropriate,” after “group”; and

(III) by striking “as appropriate” and inserting “including (if appropriate) counseling for individuals identified by such youth as family”; and

(iii) by adding at the end the following:

1 “(iii) suicide prevention services;
2 and”; and

3 (C) in subparagraph (C)—

4 (i) in clause (ii), by inserting “age,
5 gender, and culturally and linguistically
6 appropriate” before “home-based services”;

7 (ii) in clause (iii), by striking “and”
8 at the end;

9 (iii) in clause (iv), by striking “dis-
10 eases.” and inserting “infections;”; and

11 (iv) by adding at the end the fol-
12 lowing:

13 “(v) trauma-informed and gender-re-
14 sponsive services for runaway or homeless
15 youth, including such youth who are vic-
16 tims of trafficking in persons or sexual ex-
17 ploitation; and

18 “(vi) an assessment of family engage-
19 ment in support and reunification (if re-
20 unification is appropriate), interventions,
21 and services for parents or legal guardians
22 of such youth, or (if appropriate) individ-
23 uals identified by such youth as family.”.

24 (b) ELIGIBILITY; PLAN REQUIREMENTS.—Section
25 312 (42 U.S.C. 5712) is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (5), by inserting “, or (if
3 appropriate) individuals identified by such
4 youth as family,” after “parents or legal guard-
5 ians”;

6 (B) in paragraph (6), by striking “cultural
7 minority and persons with limited ability to
8 speak English” and inserting “cultural minor-
9 ity, persons with limited ability to speak
10 English, and runaway or homeless youth who
11 are victims of trafficking in persons or sexual
12 exploitation”;

13 (C) by striking paragraph (7) and insert-
14 ing the following:

15 “(7) shall keep adequate statistical records
16 profiling the youth and family members of such
17 youth whom the applicant serves, including demo-
18 graphic information on and the number of—

19 “(A) such youth who are not referred to
20 out-of-home shelter services;

21 “(B) such youth who are members of vul-
22 nerable or underserved populations;

23 “(C) such youth who are victims of traf-
24 ficking in persons or sexual exploitation,
25 disaggregated by—

1 “(i) such youth who have been coerced
 2 or forced into a commercial sex act, as de-
 3 fined in section 103 of the Trafficking Vic-
 4 tims Protection Act of 2000 (22 U.S.C.
 5 7102);

6 “(ii) such youth who have been co-
 7 erced or forced into other forms of labor;
 8 and

9 “(iii) such youth who have engaged in
 10 a commercial sex act, as so defined, for
 11 any reason other than by coercion or force;

12 “(D) such youth who are pregnant or par-
 13 enting;

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

16 “(F) such youth who have been involved in
 17 the juvenile justice system;”;

18 (D) by redesignating paragraphs (8)
 19 through (13) as paragraphs (9) through (14);

20 (E) by inserting after paragraph (7) the
 21 following:

22 “(8) shall ensure that—

23 “(A) the records described in paragraph
 24 (7), on an individual runaway or homeless
 25 youth, shall not be disclosed without the con-

sent of the individual youth and of the parent or legal guardian of such youth or (if appropriate) an individual identified by such youth as family, to anyone other than another agency compiling statistical records or a government agency involved in the disposition of criminal charges against an individual runaway or homeless youth; and

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

(F) in paragraph (9), as so redesignated, by striking “statistical summaries” and inserting “statistics”;

(G) in paragraph (13)(C), as so redesignated—

(i) by striking clause (i) and inserting:

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

“(I) such youth (including both types of such participating youth) who

1 are victims of trafficking in persons or
2 sexual exploitation, disaggregated
3 by—

4 “(aa) such youth who have
5 been coerced or forced into a
6 commercial sex act, as defined in
7 section 103 of the Trafficking
8 Victims Protection Act of 2000
9 (22 U.S.C. 7102);

10 “(bb) such youth who have
11 been coerced or forced into other
12 forms of labor; and

13 “(cc) such youth who have
14 engaged in a commercial sex act,
15 as so defined, for any reason
16 other than by coercion or force;

17 “(II) such youth who are preg-
18 nant or parenting;

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

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

1 (ii) in clause (ii), by striking “and” at
 2 the end;

3 (H) in paragraph (14), as so redesignated,
 4 by striking the period and inserting “for nat-
 5 ural disasters, inclement weather, and mental
 6 health emergencies;”; and

7 (I) by adding at the end the following:

8 “(15) shall provide age, gender, and culturally
 9 and linguistically appropriate services to runaway
 10 and homeless youth; and

11 “(16) shall assist youth in completing the Free
 12 Application for Federal Student Aid described in
 13 section 483 of the Higher Education Act of 1965
 14 (20 U.S.C. 1090).”; and

15 (2) in subsection (d)—

16 (A) in paragraph (1)—

17 (i) by inserting “age, gender, and cul-
 18 turally and linguistically appropriate” after
 19 “provide”;

20 (ii) by striking “families (including
 21 unrelated individuals in the family house-
 22 holds) of such youth” and inserting “fami-
 23 lies of such youth (including unrelated in-
 24 dividuals in the family households of such

1 youth and, if appropriate, individuals iden-
 2 tified by such youth as family)’’; and

3 (iii) by inserting ‘‘suicide prevention,’’
 4 after ‘‘physical health care,’’; and

5 (B) in paragraph (4), by inserting ‘‘, in-
 6 cluding training on trauma-informed and youth-
 7 centered care’’ after ‘‘home-based services’’.

8 (c) APPROVAL OF APPLICATIONS.—Section 313(b)
 9 (42 U.S.C. 5713(b)) is amended—

10 (1) by striking ‘‘priority to’’ and all that follows
 11 through ‘‘who’’ and inserting ‘‘priority to eligible ap-
 12 plicants who’’;

13 (2) by striking ‘‘; and’’ and inserting a period;
 14 and

15 (3) by striking paragraph (2).

16 **SEC. 5. TRANSITIONAL LIVING GRANT PROGRAM.**

17 Section 322(a) (42 U.S.C. 5714–2(a)) is amended—

18 (1) in paragraph (1)—

19 (A) by inserting ‘‘age, gender, and cul-
 20 turally and linguistically appropriate’’ before
 21 ‘‘information and counseling services’’; and

22 (B) by striking ‘‘job attainment skills, and
 23 mental and physical health care’’ and inserting
 24 ‘‘job attainment skills, mental and physical
 25 health care, and suicide prevention services’’;

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

4 (3) by inserting after paragraph (2) the fol-
 5 lowing:

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

11 “(4) to provide aftercare services, if possible, to
 12 homeless youth who have received shelter and serv-
 13 ices from a transitional living youth project, includ-
 14 ing (to the extent practicable) such youth who, after
 15 receiving such shelter and services, relocate to a
 16 State other than the State in which such project is
 17 located;”;

18 (4) in paragraph (9), as so redesignated—

19 (A) by inserting “age, gender, and cul-
 20 turally and linguistically appropriate” after “re-
 21 ferral of homeless youth to”;

22 (B) by striking “and health care pro-
 23 grams” and inserting “mental health service
 24 and health care programs, including programs
 25 providing comprehensive services to victims of

1 trafficking in persons or sexual exploitation,”;
2 and

3 (C) by striking “such services for youths;”
4 and inserting “such programs described in this
5 paragraph;”;

6 (5) by inserting after paragraph (10), as so re-
7 designated, the following:

8 “(11) to develop a plan to provide age, gender,
9 and culturally and linguistically appropriate services
10 that address the needs of homeless and street
11 youth;”;

12 (6) in paragraph (12), as so redesignated, by
13 striking “the applicant and statistical” through
14 “who participate in such project,” and inserting
15 “the applicant, statistical summaries describing the
16 number, the characteristics, and the demographic in-
17 formation of the homeless youth who participate in
18 such project, including the prevalence of trafficking
19 in persons and sexual exploitation of such youth,”;
20 and

21 (7) in paragraph (19), as so redesignated, by
22 inserting “regarding responses to natural disasters,
23 inclement weather, and mental health emergencies”
24 after “management plan”.

1 **SEC. 6. COORDINATING, TRAINING, RESEARCH, AND OTHER**
 2 **ACTIVITIES.**

3 (a) COORDINATION.—Section 341 (42 U.S.C. 5714–
 4 21) is amended—

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

7 (2) in paragraph (2), by striking “other Federal
 8 entities” and inserting “the Department of Housing
 9 and Urban Development, the Department of Edu-
 10 cation, the Department of Labor, and the Depart-
 11 ment of Justice”.

12 (b) GRANTS FOR TECHNICAL ASSISTANCE AND
 13 TRAINING.—Section 342 (42 U.S.C. 5714–22) is amended
 14 by inserting “, including onsite and web-based techniques,
 15 such as on-demand and online learning,” before “to public
 16 and private entities”.

17 (c) GRANTS FOR RESEARCH, EVALUATION, DEM-
 18 ONSTRATION, AND SERVICE PROJECTS.—Section 343 (42
 19 U.S.C. 5714–23) is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (5)—

22 (i) in subparagraph (A), by inserting
 23 “violence, trauma, and” before “sexual
 24 abuse and assault”;

25 (ii) in subparagraph (B), by striking
 26 “sexual abuse and assault; and” and in-

serting “sexual abuse or assault, trafficking in persons, or sexual exploitation;”;

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

(iv) by adding at the end the following:

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

“(i) vulnerable and underserved youth populations; and

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

“(E) verifying youth as runaway or homeless to complete the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090);”;

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

1 (C) in paragraph (10), by striking the pe-
 2 riod and inserting “; and”; and

3 (D) by adding at the end the following:

4 “(11) examining the intersection between the
 5 runaway and homeless youth populations and traf-
 6 ficking in persons, including noting whether such
 7 youth who are victims of trafficking in persons were
 8 previously involved in the child welfare or juvenile
 9 justice systems.”; and

10 (2) in subsection (c)(2)(B), by inserting “, in-
 11 cluding such youth who are victims of trafficking in
 12 persons or sexual exploitation” after “runaway or
 13 homeless youth”.

14 (d) PERIODIC ESTIMATE OF INCIDENCE AND PREVA-
 15 LENCE OF YOUTH HOMELESSNESS.—Section 345 (42
 16 U.S.C. 5714–25) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1)—

19 (i) by striking “13” and inserting
 20 “12”; and

21 (ii) by striking “and” at the end;

22 (B) in paragraph (2), by striking the pe-
 23 riod and inserting a semicolon; and

24 (C) by adding at the end the following:

1 “(3) that includes demographic information
 2 about and characteristics of runaway or homeless
 3 youth, including such youth who are victims of traf-
 4 ficking in persons or sexual exploitation; and

5 “(4) that does not disclose the identity of any
 6 runaway or homeless youth.”; and

7 (2) in subsection (b)(1)—

8 (A) in the matter preceding subparagraph
 9 (A), by striking “13” and inserting “12”;

10 (B) in subparagraph (A), by striking
 11 “and” at the end;

12 (C) by redesignating subparagraph (B) as
 13 subparagraph (C);

14 (D) by inserting after subparagraph (A)
 15 the following:

16 “(B) incidences, if any, of—

17 “(i) such individuals who are victims
 18 of trafficking in persons; or

19 “(ii) such individuals who are victims
 20 of sexual exploitation; and”; and

21 (E) in subparagraph (C), as so redesign-
 22 nated—

23 (i) in clause (ii), by striking “; and”
 24 and inserting “, including mental health
 25 services;”; and

1 (ii) by adding at the end the fol-
 2 lowing:

3 “(iv) access to education and job
 4 training; and”.

5 **SEC. 7. SEXUAL ABUSE PREVENTION PROGRAM.**

6 Section 351 (42 U.S.C. 5714–41) is amended—

7 (1) in subsection (a)—

8 (A) by inserting “public and” before “non-
 9 profit”; and

10 (B) by striking “prostitution, or sexual ex-
 11 ploitation.” and inserting “violence, trafficking
 12 in persons, or sexual exploitation.”; and

13 (2) by adding at the end the following:

14 “(c) **ELIGIBILITY REQUIREMENTS.**—To be eligible to
 15 receive a grant under subsection (a), an applicant shall
 16 certify to the Secretary that such applicant has systems
 17 in place to ensure that such applicant can provide age,
 18 gender, and culturally and linguistically appropriate serv-
 19 ices to all youth described in subsection (a).”.

20 **SEC. 8. GENERAL PROVISIONS.**

21 (a) **REPORTS.**—Section 382(a) (42 U.S.C. 5715(a))
 22 is amended—

23 (1) in paragraph (1)—

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

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

6 “(B) collecting data on trafficking in per-
 7 sons and sexual exploitation of runaway and
 8 homeless youth;”; and

9 (2) in paragraph (2)—

10 (A) by striking subparagraph (A) and in-
 11 serting the following:

12 “(A) the number and characteristics of
 13 homeless youth served by such projects, includ-
 14 ing—

15 “(i) such youth who are victims of
 16 trafficking in persons or sexual exploi-
 17 tation;

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

20 “(iii) such youth who have been in-
 21 volved in the child welfare system; and

22 “(iv) such youth who have been in-
 23 volved in the juvenile justice system;”; and

24 (B) in subparagraph (F), by striking
 25 “intrafamily problems” and inserting “problems

1 within the family, including (if appropriate) in-
 2 dividuals identified by such youth as family,”.

3 (b) NONDISCRIMINATION.—Part F is amended by in-
 4 serting after section 386A (42 U.S.C. 5732–1) the fol-
 5 lowing:

6 **“SEC. 386B. NONDISCRIMINATION.**

7 “(a) IN GENERAL.—No person in the United States
 8 shall, on the basis of actual or perceived race, color, reli-
 9 gion, national origin, sex, gender identity (as defined in
 10 section 249(c)(4) of title 18, United States Code), sexual
 11 orientation, or disability, be excluded from participation
 12 in, denied the benefits of, or subjected to discrimination
 13 under any program or activity funded in whole or in part
 14 with funds made available under this title, or any other
 15 program or activity funded in whole or in part with
 16 amounts appropriated for grants, cooperative agreements,
 17 or other assistance administered by the Administration for
 18 Children and Families of the Department of Health and
 19 Human Services.

20 “(b) DISQUALIFICATION.—Any State, locality, orga-
 21 nization, agency, or entity that violates the requirements
 22 of subsection (a) shall not be eligible to receive any grant,
 23 assistance, or funding provided under this title.”.

24 (c) DEFINITIONS.—Section 387 (42 U.S.C. 5732a) is
 25 amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively;

(2) in paragraph (5)(B)(v)—

(A) by redesignating subclauses (II) through (IV) as subclauses (III) through (V), respectively;

(B) by inserting after subclause (I), the following:

“(II) trafficking in persons;”;

(C) in subclause (IV), as so redesignated—

(i) by striking “diseases” and inserting “infections”; and

(ii) by striking “and” at the end;

(D) in subclause (V), as so redesignated, by striking the period and inserting “; and”; and

(E) by adding at the end the following:

“(VI) suicide.”;

(3) in paragraph (6)(B), by striking “prostitution,” and inserting “trafficking in persons,”;

(4) by inserting after paragraph (6), the following:

“(7) TRAFFICKING IN PERSONS.—The term ‘trafficking in persons’ has the meaning given the term ‘severe forms of trafficking in persons’ in sec-

tion 103 of the Trafficking Victims Protection Act
of 2000 (22 U.S.C. 7102).”;

(5) in paragraph (8), as so redesignated—

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

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

(6) in paragraph (9)(B), as so redesignated—

(A) in clause (ii)—

(i) by inserting “or able” after “will-
ing”; and

(ii) by striking “or” at the end;

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

(C) by adding at the end the following:

“(iv) who is involved in the child wel-
fare or juvenile justice system, but who is
not receiving government-funded hous-
ing.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section
388(a) (42 U.S.C. 5751(a)) is amended—

(1) in paragraph (1), by striking “for fiscal
year 2009,” and all that follows through the period

1 and inserting “for each of fiscal years 2016 through
2 2020.”;

3 (2) in paragraph (3)(B), by striking “such
4 sums as may be necessary for fiscal years 2009,
5 2010, 2011, 2012, and 2013.” and inserting
6 “\$2,000,000 for each of fiscal years 2016 through
7 2020.”; and

8 (3) in paragraph (4), by striking “for fiscal
9 year 2009” and all that follows through the period
10 and inserting “for each of fiscal years 2016 through
11 2020.”.

○