

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).

Statutory Notes and Related Subsidiaries

SHORT TITLE

For short title of title III of Pub. L. 93-415, which is classified to this subchapter, as the “Runaway and Homeless Youth Act”, see section 301 of Pub. L. 93-415, set out as a Short Title of 1974 Act note under section 10101 of this title.

§ 11202. 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 5702 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

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”.

Statutory Notes and Related Subsidiaries

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 11101 of this title.

PART A—BASIC CENTER GRANT PROGRAM

Editorial Notes

CODIFICATION

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”.

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”.

§ 11211. 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 combina-

tions 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) shall be allotted annually with respect to the States on the basis of their relative population of individuals who are less than 18 years of age.

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

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

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

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

(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.)

Editorial Notes**CODIFICATION**

Section was formerly classified to section 5711 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

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.

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 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 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.

§ 11212. Eligibility; plan requirements**(a) Runaway and homeless youth center; project providing temporary shelter; counseling services**

To be eligible for assistance under section 11211(a) of this title, an applicant shall propose