

(2) the payments will not be expended—

(A) to support emergency shelters or construction of housing facilities;

(B) for inpatient psychiatric treatment costs or inpatient substance use disorder treatment costs; or

(C) to make cash payments to intended recipients of mental health or substance use disorder services.

(h) Waiver for territories

With respect to the United States Virgin Islands, Guam, American Samoa, Palau, the Marshall Islands, and the Commonwealth of the Northern Mariana Islands, the Secretary may waive the provisions of this part that the Secretary determines to be appropriate.

(July 1, 1944, ch. 373, title V, § 522, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 516; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4726; Pub. L. 106-310, div. B, title XXXII, § 3203(a), Oct. 17, 2000, 114 Stat. 1191; Pub. L. 110-234, title IV, § 4002(b)(1)(E), (2)(U), May 22, 2008, 122 Stat. 1096, 1097; Pub. L. 110-246, § 4(a), title IV, § 4002(b)(1)(E), (2)(U), June 18, 2008, 122 Stat. 1664, 1857, 1858; Pub. L. 114-255, div. B, title IX, § 9004(b), Dec. 13, 2016, 130 Stat. 1238.)

Editorial Notes

REFERENCES IN TEXT

The Social Security Act, referred to in subsec. (b)(7)(E), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Title XVI of the Act is classified generally to subchapter XVI (§1381 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 1305 of this title and Tables.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 522 of act July 1, 1944, was renumbered section 543 by section 611(2) of Pub. L. 100-77 and is classified to section 290dd-2 of this title.

AMENDMENTS

2016—Subsec. (a)(1)(B). Pub. L. 114-255, § 9004(b)(1), substituted “a substance use disorder” for “substance abuse”.

Subsec. (b)(6). Pub. L. 114-255, § 9004(b)(2), substituted “substance use disorder” for “substance abuse”.

Subsec. (c). Pub. L. 114-255, § 9004(b)(3), substituted “a substance use disorder” for “substance abuse”.

Subsec. (e)(1). Pub. L. 114-255, § 9004(b)(4)(A), substituted “a substance use disorder” for “substance abuse”.

Subsec. (e)(2). Pub. L. 114-255, § 9004(b)(4)(B), substituted “substance use disorder” for “substance abuse”.

Subsec. (g). Pub. L. 114-255, § 9004(b)(5), redesignated subsec. (h) as (g) and struck out former subsec. (g). Prior to amendment, text of subsec. (g) read as follows: “The Secretary may not make payments under section 290cc-21 of this title unless the State involved agrees that the State will maintain State expenditures for services specified in subsection (b) at a level that is not less than the average level of such expenditures maintained by the State for the 2-year period preceding the fiscal year for which the State is applying to receive such payments.”

Subsec. (g)(2)(B), (C). Pub. L. 114-255, § 9004(b)(6), substituted “substance use disorder” for “substance abuse”.

Subsecs. (h), (i). Pub. L. 114-255, § 9004(b)(5), redesignated subsec. (i) as (h). Former subsec. (h) redesignated (g).

2008—Subsec. (b)(7)(C). Pub. L. 110-246, § 4002(b)(1)(E), (2)(U), substituted “supplemental nutrition assistance program benefits” for “food stamps”.

2000—Subsec. (i). Pub. L. 106-310 added subsec. (i).

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to purpose of grants for provisions relating to requirement of submission of application containing certain agreements.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of Title 7, Agriculture.

Amendment by section 4002(b)(1)(E), (2)(U) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

§ 290cc-23. Requirement of matching funds

(a) In general

The Secretary may not make payments under section 290cc-21 of this title unless, with respect to the costs of providing services pursuant to section 290cc-22 of this title, the State involved agrees to make available, directly or through donations from public or private entities, non-Federal contributions toward such costs in an amount that is not less than \$1 for each \$3 of Federal funds provided in such payments.

(b) Determination of amount

Non-Federal contributions required in subsection (a) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, shall not be included in determining the amount of such non-Federal contributions.

(c) Limitation regarding grants by States

The Secretary may not make payments under section 290cc-21 of this title unless the State involved agrees that the State will not require the entities to which grants are provided pursuant to section 290cc-22(a) of this title to provide non-Federal contributions in excess of the non-Federal contributions described in subsection (a).

(July 1, 1944, ch. 373, title V, § 523, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 517; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4728.)

Editorial Notes

PRIOR PROVISIONS

A prior section 523 of act July 1, 1944, was renumbered section 544 by section 611(2) of Pub. L. 100-77 and is classified to section 290dd-3 of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting present provisions for provisions which related to: in subsec. (a), general requirements; and in subsec. (b), determination of amount of non-Federal contribution.

§ 290cc-24. Determination of amount of allotment**(a) Minimum allotment**

The allotment for a State under section 290cc-21 of this title for a fiscal year shall be the greater of—

(1) \$300,000 for each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, and \$50,000 for each of Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands; and

(2) an amount determined in accordance with subsection (b).

(b) Determination under formula

The amount referred to in subsection (a)(2) is the product of—

(1) an amount equal to the amount appropriated under section 290cc-35(a) of this title for the fiscal year; and

(2) a percentage equal to the quotient of—

(A) an amount equal to the population living in urbanized areas of the State involved, as indicated by the most recent data collected by the Bureau of the Census; and

(B) an amount equal to the population living in urbanized areas of the United States, as indicated by the sum of the respective amounts determined for the States under subparagraph (A).

(July 1, 1944, ch. 373, title V, § 524, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 517; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4728.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 524 of act July 1, 1944, was renumbered section 545 by section 611(2) of Pub. L. 100-77 and is classified to section 290ee of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to determination of amount of allotment for provisions relating to requiring provision of certain mental health services.

§ 290cc-25. Conversion to categorical program in event of failure of State regarding expenditure of grants**(a) In general**

Subject to subsection (c), the Secretary shall, from the amounts specified in subsection (b), make grants to public and nonprofit private entities for the purpose of providing to eligible homeless individuals the services specified in section 290cc-22(b) of this title.

(b) Specification of funds

The amounts referred to in subsection (a) are any amounts made available in appropriations Acts for allotments under section 290cc-21 of this title that are not paid to a State as a result of—

(A) the failure of the State to submit an application under section 290cc-29 of this title;

(B) the failure of the State, in the determination of the Secretary, to prepare the application in accordance with such section or to

submit the application within a reasonable period of time; or

(C) the State informing the Secretary that the State does not intend to expend the full amount of the allotment made to the State.

(c) Requirement of provision of services in State involved

With respect to grants under subsection (a), amounts made available under subsection (b) as a result of the State involved shall be available only for grants to provide services in such State.

(July 1, 1944, ch. 373, title V, § 525, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 518; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4729.)

Editorial Notes**PRIOR PROVISIONS**

A prior section 525 of act July 1, 1944, was renumbered section 546 by section 611(2) of Pub. L. 100-77 and is classified to section 290ee-1 of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to conversion to categorical program in event of failure of State regarding expenditure of grants for provisions relating to restrictions on use of payments.

§ 290cc-26. Provision of certain information from State

The Secretary may not make payments under section 290cc-21 of this title to a State unless, as part of the application required in section 290cc-29 of this title, the State submits to the Secretary a statement—

(1) identifying existing programs providing services and housing to eligible homeless individuals and identify gaps in the delivery systems of such programs;

(2) containing a plan for providing services and housing to eligible homeless individuals, which plan—

(A) describes the coordinated and comprehensive means of providing services and housing to homeless individuals; and

(B) includes documentation that suitable housing for eligible homeless individuals will accompany the provision of services to such individuals;

(3) describes the source of the non-Federal contributions described in section 290cc-23 of this title;

(4) contains assurances that the non-Federal contributions described in section 290cc-23 of this title will be available at the beginning of the grant period;

(5) describe any voucher system that may be used to carry out this part; and

(6) contain such other information or assurances as the Secretary may reasonably require.

(July 1, 1944, ch. 373, title V, § 526, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 519; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4729.)