

/* 42 USC 5701, regarding Runaway and Homeless Youth Grants follows. Funding is included for training counselors regarding HIV and the need to educate runaway regarding the risks of AIDS. */

RUNAWAY AND HOMELESS YOUTH

Section 5701. Congressional statement of findings

The Congress hereby finds that:

(1) juveniles who have become homeless or who leave and remain away from home without parental permission, are at risk of developing serious health and other 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) the exact nature of the problem is not well defined because national statistics on the size and profile of the runaway youth population are not tabulated;

(3) many such young people, because of their age and situation, are urgently in need of temporary shelter and counseling services;

(4) the problem of locating, detaining, and returning runaway children should not be the responsibility of already overburdened police departments and juvenile justice authorities;

(5) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop accurate reporting of the problem nationally and to develop an effective system of care (including preventive services, emergency shelter services, and extended residential shelter) outside the welfare system and the law enforcement system;

(6) runaway and homeless youth have a disproportionate share of health, behavioral, and emotional problems compared to the general population of youth, but have less access to health care and other appropriate services and therefore may need access to longer periods of residential care, more intensive aftercare service, and other assistance;

(7) 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;

(8) 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;

(9) early intervention services (such as home-based services) are needed to prevent runaway and homeless youth from becoming involved in the juvenile justice system and other law enforcement systems; and

(10) street-based services that target runaway and homeless youth where they congregate are needed to reach youth who require assistance but who would not otherwise avail themselves of such assistance or services without street-based outreach.

(Sept. 7, 1974, P. L. 93-415, Title III, 302, 88 Stat. 1129.)
(As amended Nov. 4, 1992, P. L. 102-586, 3(a), 106 Stat. 5017.)

Section 5702. Rules

The Secretary of Health and Human Services (hereinafter in this title [42 USC 5701 et seq.] referred to as the "Secretary") may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this title [42 USC 5701 et seq.].

(Sept. 7, 1974, P. L. 93-415, Title III, 303, 88 Stat. 1130.)
(As amended Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 650, 98 Stat. 2122.)

RUNAWAY AND HOMELESS YOUTH GRANT PROGRAM

Section 5711. Authority to make grants

(a) 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.

(b) (1) Subject to paragraph (2) and in accordance with regulations promulgated under this title [42 USC 5601 et seq.], 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) Subject to paragraph (3), the amount allotted under paragraph (1)

with respect to each State for a fiscal year shall be not less than \$100,000, except that the amount allotted to the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands shall be not less than \$45,000 each.

(3) 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 [42 USC 5711 et seq.] 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 [42 USC 5711 et seq.] to recipients in such State for fiscal year 1992.

(4) 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.

(c) (1) If for a fiscal year the amount appropriated under section 385(a)(1) [42 USC 5751(a)(1)] exceeds \$50,000,000, the Secretary may make grants under this subsection for that fiscal year to entities that receive grants under subsection (a) to establish and operate street-based service projects for runaway and homeless youth.

/* Street based services includes HIV education. */

(2) For purposes of this part, the term "street-based services" includes:

(i) street-based crisis intervention and counseling;

(ii) information and referral for housing;

(iii) information and referral for transitional living and health care services; and

(iv) advocacy, education, and prevention services for:

(I) alcohol and drug abuse;

(II) sexually transmitted diseases including HIV/AIDS infection; and

(III) physical and sexual assault.

(d) (1) If for a fiscal year the amount appropriated under section 385(a)(1)

[42 USC 5751(a)(1)] exceeds \$50,000,000, the Secretary may make grants for that fiscal year to entities that receive grants under subsection (a) to establish and operate home-based service projects for families that are separated, or at risk of separation, as a result of the physical absence of a runaway youth or youth at risk of family separation.

(2) For purposes of this part [42 USC 5711 et seq.:

(A) the term "home-based service project" means a project that provides:

(i) case management; and

(ii) in the family residence (to the maximum extent practicable):

(I) intensive, time-limited, family and individual counseling;

(II) training relating to life skills and parenting; and

(III) other services; designed to prevent youth from running away from their families or to cause runaway youth to return to their families;

(B) the term "youth at risk of family separation" means an individual:

(i) who is less than 18 years of age; and

(ii) (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; and

(C) the term "time-limited" means for a period not to exceed 6 months.

(Sept. 7, 1974, P. L. 93-415, Title III, Part A, 311, 88 Stat. 1130; Oct. 3, 1977, P. L. 95-115, 7(a)(1), 91 Stat. 1058; Dec. 8, 1980, P. L. 96-509, 18(c), 94 Stat. 2762.)

(As amended Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C,

651, 98 Stat. 2123; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7271(a), (b), 102 Stat. 4452; Nov. 4, 1992, P. L. 102-586, 3(b), 106 Stat. 5018.)

Section 5712. Eligibility; plan requirements

(a) To be eligible for assistance under section 311(a) [42 USC 5711(a)], 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 juveniles who have left home without permission of their parents or guardians or to other homeless juveniles.

(b) In order to qualify for assistance under section 311(a) [42 USC 5711(a)], 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; 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 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; 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) 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 family members 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 house has been able to meet the goals of its plans and reporting the statistical summaries required by paragraph (6);

(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 house under this subsection; and

(11) shall supply such other information as the Secretary reasonably deems necessary.

(c) To be eligible for assistance under section 311(c) [42 USC 5711(c)], an applicant shall propose to establish, strengthen, or fund a street-based service project for runaway and homeless youth and shall submit to the Secretary a plan in which the applicant agrees, as part of the project:

(1) to provide qualified supervision of staff, including on-street supervision by appropriately trained staff;

- (2) to provide backup personnel for on-street staff;
- (3) to provide informational and health educational material to runaway and homeless youth in need of services;
- (4) to provide initial and periodic training of staff who provide services under the project;
- (5) to carry out outreach activities for runaway and homeless youth and to collect statistical information on runaway and homeless youth contacted through such activities;
- (6) to develop referral relationships with agencies and organizations that provide services or assistance to runaway and homeless youth, including law enforcement, education, social services, vocational education and training, public welfare, legal assistance, mental health and health care;
- (7) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds received under section 311(c) [42 USC 5711(c)], the achievements of the project under section 311(c) [42 USC 5711(c)] carried out by the applicant, and statistical summaries describing the number and the characteristics of the runaway and homeless youth who participate in such project in the year for which the report is submitted;
- (8) to implement such accounting procedures and fiscal control devices as the Secretary may require;
- (9) 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 subsection 311(c) [42 USC 5711(c)];
- (10) to keep adequate statistical records that profile runaway and homeless youth whom it serves and not to disclose the identity of such youth in reports or other documents based on such statistical records;
- (11) not to disclose records maintained on an individual runaway and homeless youth without the informed consent of the youth, to any person other than an agency compiling statistical records; and
- (12) to provide to the Secretary such other information as the Secretary may reasonably require.

(d) To be eligible for assistance under section 311(d) [42 USC 5711(d)], an applicant shall propose to establish, strengthen, or fund a home-based service project for runaway youth or youth at risk of family separation and shall submit to the Secretary a plan in which the applicant agrees, as part of

the project:

(1) to provide counseling and information services needed by runaway youth, youth at risk of family separation, and the family (including unrelated individuals in the family household) of such youth, including services relating to basic life skills, interpersonal skill building, educational advancement, job attainment skills, mental and physical health care, parent training, financial planning, and referral to sources of other needed services;

(2) to 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 youth and youth at risk of family separation affected by family crises);

(3) to establish in partnership with the families of runaway youth and youth at risk of family separation, objectives and measures of success to be achieved as a result of participating in such project;

(4) to provide informational and health educational material to runaway youth and youth at risk of family separation in need of services;

(5) to provide initial and periodic training of staff who provide services under the project;

(6) to carry out outreach activities for runaway youth and youth at risk of family separation, and to collect statistical information on runaway youth and youth at risk of family separation contacted through such activities;

(7) to ensure that:

(i) caseloads will remain sufficiently low to allow for intensive (5 to 20 hours per week) involvement with each family participating in such project; and

(ii) qualified supervision will be provided to staff who provide services under the project;

(8) to submit to the Secretary an annual report that includes information regarding the activities carried out with funds under section 311(d) [42 USC 5711(d)], the achievements of the project under this part carried out by the applicant and statistical summaries describing the number and the characteristics of the runaway youth and youth at risk of family separation who participate in such project in the year for which the report is submitted;

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

(10) 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 section 311(d) [42 USC 5711(d)];

(11) to keep adequate statistical records that profile runaway youth and youth at risk of family separation whom it serves and not to disclose the identity of such youth in reports or other documents based on such statistical records;

(12) not to disclose records maintained on an individual runaway youth or youth at risk of family separation without the informed consent of the youth, to any person other than an agency compiling statistical records; and

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

(Sept. 7, 1974, P. L. 93-415, Title III, Part A, 312, 88 Stat. 1130; Oct. 3, 1977, P. L. 95-115, 7(a)(2), (3), 91 Stat. 1058; Dec. 8, 1980, P. L. 96-509, 18(d), 94 Stat. 2762.)

(As amended Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 652, 98 Stat. 2123; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7271(c)(2), (3), 102 Stat. 4453; Nov. 4, 1992, P. L. 102-586, 3(c), 106 Stat. 5019.)

Section 5712aD5712c. [Repealed]

Section 5713. Approval of application by Secretary; priority

An application by a State, locality, or private entity for a grant under section 311(a), (c), or (d) [42 USC 5711(a), (c), or (d)] may be approved by the Secretary only if it is consistent with the applicable provisions of section 311(a), (c), or (d) [42 USC 5711(a), (c), or (d)] and meets the requirements set forth in section 312 [42 USC 5712]. Priority shall be given to grants smaller than \$200,000. In considering grant applications under section 311(a) [42 USC 5711(a)], priority shall be given to organizations which have a demonstrated experience in the provision of service to runaway and homeless youth and their families.

(Sept. 7, 1974, P. L. 93-415, Title III, Part A, 313 [316] [313], 88 Stat. 1131; Oct. 3, 1977, P. L. 95-115, 7(a)(4), 91 Stat. 1058; Dec. 8, 1980, P. L. 96-509, 18(e), 94 Stat. 2762; Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 653, 98 Stat. 2123; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7271(c)(1), 7275(a), 102 Stat. 4453, 4457; Nov. 4, 1992, P. L. 102-586, 3(d), (g)(2)(D), 106 Stat. 5022, 5025.)

Section 5714. Grants to private entities; staffing

Nothing in this title [42 USC 5711 et seq.] 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 title [42 USC 5711 et seq.] 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 title [42 USC 5711 et seq.]. Nothing in this title [42 USC 5711 et seq.] shall give the Federal Government control over the staffing and personnel decisions of facilities receiving Federal funds under this title [42 USC 5711 et seq.].

(Sept. 7, 1974, P. L. 93-415, Title III, Part A, 314 [317] [314], 88 Stat. 1131; Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 654, 98 Stat. 2123; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7271(c)(4), 7275(a), 102 Stat. 4453, 4457; Nov. 4, 1992, P. L. 102-586, 3(e), (g)(2)(D), 106 Stat. 5022, 5025.)

Section 5714-1. Purpose and authority for program

(a) 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.

(b) For purposes of this part [42 USC 5714-1 et seq.]:

(1) the term "homeless youth" means any individual:

(A) who is not less than 16 years of age and not more than 21 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; and

(2) 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.

(Sept. 7, 1974, P. L. 93-415, Title III, Part B, 321, as added Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7273(f), 102 Stat. 4455.)

Section 5714-2. Eligibility

(a) To be eligible for assistance under this part [42 USC 5714-1 et seq.], 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, directly or indirectly, shelter (such as group homes, host family homes, and supervised apartments) and services (including information and counseling services in basic life skills which shall include money management, budgeting, consumer education, and use of credit, 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;

(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, vocational, training, welfare, 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 [42 USC 5714-1 et seq.], the achievements of the project under this part [42 USC 5714-1 et seq.] carried out by the applicant and statistical summaries describing the number and the characteristics of the homeless youth who participate in 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 [42 USC 5714-1 et seq.];

(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;

(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; and

(14) to provide to the Secretary such other information as the Secretary may reasonably require.

(b) In selecting eligible applicants to receive grants under this part [42 USC 5714-1 et seq.], 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).

(Sept. 7, 1974, P. L. 93-415, Title III, Part B, 322, as added Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7273(f), 102 Stat. 4456; Nov. 4, 1992, P. L. 102-586, 3(f), 106 Stat. 5022.)

NATIONAL COMMUNICATIONS SYSTEM

Section 5714-11. Authority to make grants

With funds reserved under section 385(a)(3) [42 USC 5751(a)(3)], 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.

(Sept. 7, 1974, P. L. 93-415, Title III, Part C, 331, as added Nov. 4, 1992, P. L. 102-586, 3(g)(1)(C), 106 Stat. 5023.)

COORDINATING, TRAINING, RESEARCH, AND OTHER ACTIVITIES

Section 5714-21. Coordination

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 title [42 USC 5701 et seq.].

(Sept. 7, 1974, P. L. 93-415, Title III, Part C, 341, as added Nov. 4, 1992, P. L.

102-586, 3(g)(1)(C), 106 Stat. 5023.)

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 title [42 USC 5701 et seq.], for the purpose of carrying out the programs, projects, or activities for which such grants are made.

(Sept. 7, 1974, P. L. 93-415, Title III, Part C, 342, as added Nov. 4, 1992, P. L. 102-586, 3(g)(1)(C), 106 Stat. 5023.)

Section 5714-23. Authority to make grants for research, demonstration, and service projects

(a) The Secretary may make grants to States, localities, and private entities (and combinations of such entities) to carry out research, demonstration, and service projects designed to increase knowledge concerning, and to improve services for, runaway youth and homeless youth.

(b) In selecting among applications for grants under subsection (a), the Secretary shall give special consideration to proposed projects relating to:

- (1) youth who repeatedly leave and remain away from their homes;
- (2) home-based and street-based services for, and outreach to, runaway youth and homeless youth;
- (3) transportation of runaway youth and homeless youth in connection with services authorized to be provided under this title [42 USC 5701 et seq.];
- (4) the special needs of runaway youth and homeless youth programs in rural areas;
- (5) the special needs of programs that place runaway youth and homeless youth in host family homes;
- (6) staff training in:
 - (A) the behavioral and emotional effects of sexual abuse and assault;
 - (B) responding to youth who are showing effects of sexual abuse and assault; and

(C) agency-wide strategies for working with runaway and homeless youth who have been sexually victimized;

(7) innovative methods of developing resources that enhance the establishment or operation of runaway and homeless youth centers;

/* Training requirement for HIV: */

(8) training for runaway youth and homeless youth, and staff training, related to preventing and obtaining treatment for infection by the human immunodeficiency virus (HIV);

(9) increasing access to health care (including mental health care) for runaway youth and homeless youth; and

(10) increasing access to education for runaway youth and homeless youth.

(c) In selecting among applicants for grants under subsection (a), the Secretary shall give priority to applicants who have experience working with runaway youth or homeless youth.

(Sept. 7, 1974, P. L. 93-415, Title III, Part C, 343, as added Nov. 4, 1992, P. L. 102-586, 3(g)(1)(C), 106 Stat. 5023.)

Section 5714-24. Temporary demonstration projects to provide services to youth in rural areas

(a) (1) With funds appropriated under section 385(c) [42 USC 5751(c)], 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 [42 USC 5711 et seq.], 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), 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 [42 USC 5711 et seq.] 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.

(Sept. 7, 1974, P. L. 93-415, Title III, Part C, 344, as added Nov. 4, 1992, P. L. 102-586, 3(g)(1)(C), 106 Stat. 5024.)

GENERAL PROVISIONS

Section 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. 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 title [42 USC 5701 et seq.]; and

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

(Sept. 7, 1974, P. L. 93-415, Title III, Part E [C] [A], 371 [341] [315], as added Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 655(2) in part, 98 Stat. 2124; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7273(a), (e), 102 Stat. 4454, 4455; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(B), 106 Stat. 5022.)

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

(a) 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 title [42 USC 5701 et seq.];

(2) the applicant is able to demonstrate the program expertise required to operate such center in compliance with this title [42 USC 5701 et seq.], whether or not the applicant is receiving a grant under this part; [42 USC 5711 et seq.]; and

(3) the applicant has consulted with and obtained the approval of the chief executive officer of the unit of general local government in which the facility is located.

(b) (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.

(Sept. 7, 1974, P. L. 93-415, Title III, Part E [C] [A], 372 [342] [316], as added

Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 655(2) in part, 98 Stat. 2124; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7273(b), (e), 102 Stat. 4454, 4455; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(B), 106 Stat. 5022.)

ADMINISTRATIVE PROVISIONS

Section 5715. Reports

(a) 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 on the status, activities, and accomplishments of the runaway and homeless youth centers that are funded under parts A, B, C, D, and E [42 USC 5711 et seq.], with particular attention to:

(1) in the case of centers funded under part A [42 USC 5711 et seq.]:

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

(B) their ability to reunite children with their families and to encourage the resolution of intrafamily problems through counseling and other services;

(C) their effectiveness in strengthening family relationships and encouraging stable living conditions for children; and

(D) their effectiveness in helping youth decide upon a future course of action; and

(2) in the case of centers funded under part B [42 USC 5714-1 et seq.]:

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

(B) describing the types of activities carried out under such projects;

(C) the effectiveness of such projects in alleviating the immediate problems of homeless youth;

(D) the effectiveness of such projects in preparing homeless youth for self-sufficiency;

(E) the effectiveness of such projects in helping youth decide

upon future education, employment, and independent living;

(F) the ability of such projects to strengthen family relationships, and encourage the resolution of intrafamily problems through counseling and the development of self-sufficient living skills; and

(G) plans for the following fiscal year.

(b) (1) The Secretary shall include in the report required by subsection (a) an evaluation of the results of Federal evaluation of the programs, projects, and activities carried out under this title and a description of the training provided to the persons who carry out the evaluation.

(2) As part of the evaluation described in paragraph (1), the Secretary shall require the persons who carry out the evaluation to visit each grantee on-site not less frequently than every 3 years.

(Sept. 7, 1974, P. L. 93-415, Title III, Part F [D] [A], 381 [361] [317] [315], 88 Stat. 1131; Dec. 8, 1980, P. L. 96-509, 18(f), 94 Stat. 2762; Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 655(1) in part, 98 Stat. 2124; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7271(c)(5), 7272(e), 7273(e)(2), 7274, 102 Stat. 4453-4455, 4457; Dec. 7, 1989, P. L. 101-204, Title X, 1003(1), (2), 103 Stat. 1827; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(A), (h), 106 Stat. 5022, 5025.)

Section 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.

(Sept. 7, 1974, P. L. 93-415, Title III, Part F [D] [A], 382 [362] [318] [316], 88 Stat. 1132; Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 655(1) in part, 98 Stat. 2124; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7271(c)(6), 7272(3), 7273(e), 102 Stat. 4454, 4455; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(A), 106 Stat. 5022.)

Section 5731. Restrictions on disclosure and transfer

Records containing the identity of individual youths pursuant to this Act may

under no circumstances be disclosed or transferred to any individual or to any public or private agency.

(Sept. 7, 1974, P. L. 93-415, Title III, Part F [D], 383 [363] [321], 88 Stat. 1132; Oct. 3, 1977, P. L. 95-115, 7(b), 91 Stat. 1058; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7272(2), (3), 7273(e)(2), 102 Stat. 4454, 4455; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(A), 106 Stat. 5022.)

Section 5732. Annual program priorities

(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 title [42 USC 5701 et seq.] 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).

(Sept. 7, 1974, P. L. 93-415, Title III, Part F [D], 384 [364], as added Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7278, 102 Stat. 4458; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(A), 106 Stat. 5022.)

Section 5733. [Repealed]

Section 5741. [Repealed]

Section 5751. Authorization of appropriations

(a) (1) There are authorized to be appropriated to carry out this title [42 USC 5701 et seq.] (other than part B and section 344 [42 USC 5714-1 et seq., 5714-24]) \$75,000,000 for fiscal year 1993 and such sums as may be necessary for fiscal years 1994, 1995, and 1996.

(2) Not less than 90 percent of the funds appropriated under paragraph (1) for a fiscal year shall be available to carry out section 311(a) [42 USC 5711(a) in such fiscal year.

(3) After making the allocation required by paragraph (2), the Secretary shall reserve for the purpose of carrying out section 331:

(A) for fiscal year 1993 not less than \$912,500, of which \$125,000 shall be available for the acquisition of communications equipment;

(B) for fiscal year 1994 not less than \$826,900;

(C) for fiscal year 1995 not less than \$868,300; and

(D) for fiscal year 1996 not less than \$911,700.

(4) In the use of funds appropriated under paragraph (1) that are in excess of \$38,000,000 but less than \$42,600,000, priority may be given to awarding enhancement grants to programs (with priority to programs that receive grants of less than \$85,000), for the purpose of allowing such programs to achieve higher performance standards, including:

(A) increasing and retaining trained staff;

(B) strengthening family reunification efforts;

(C) improving aftercare services;

(D) fostering better coordination of services with public and private entities;

(E) providing comprehensive services, including health and mental health care, education, prevention and crisis intervention, and vocational services; and

(F) improving data collection efforts.

(5) In the use of funds appropriated under paragraph (1) that are in excess of \$42,599,999:

(A) 50 percent may be targeted at developing new programs in unserved or underserved communities; and

(B) 50 percent may be targeted at program enhancement activities described in paragraph (3).

(b) (1) Subject to paragraph (2), there are authorized to be appropriated to carry out (B) [part B of this title (42 USC 5714-1 et seq.)] \$25,000,000 for fiscal year 1993 and such sums as may be necessary for fiscal years 1994, 1995, and 1996.

(2) No funds may be appropriated to carry out part B of this title [42 USC 5714-1 et seq.] for a fiscal year unless the aggregate amount appropriated for such fiscal year to carry out part A of this title [42 USC 5711 et seq.] exceeds \$26,900,000.

(c) There is authorized to be appropriated to carry out section 344 [42 USC 5714-24] \$1,000,000 for each of fiscal years 1993, 1994, 1995, and 1996.

(d) The Secretary (through the Office of Youth Development which shall

administer this title [42 USC 5701 et seq.]) shall consult with the Attorney General (through the Administrator of the Office of Juvenile Justice and Delinquency Prevention) for the purpose of coordinating the development and implementation of programs and activities funded under this title with those related programs and activities funded under title II of this Act and under the Omnibus Crime Control and Safe Streets Act of 1968, as amended [42 USC 3701 et seq.].

(e) No funds appropriated to carry out the purposes of this title [42 USC 5701 et seq.]:

(1) may be used for any program or activity which is not specifically authorized by this title [42 USC 5701 et seq.]; or

(2) 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 title [42 USC 5701 et seq.].

(Sept. 7, 1974, P. L. 93-415, Title III, Part F [D] [C] [D] [C], 385 [366] [331] [341] [331], 88 Stat. 1132; Apr. 21, 1976, P. L. 94-273, 32(c), 90 Stat. 380; Oct. 3, 1977, P. L. 95-115, 7(c), (d), 91 Stat. 1059, 1060; Dec. 8, 1980, P. L. 96-509, 2(b), 94 Stat. 2750; Oct. 12, 1984, P. L. 98-473, Title II, Ch VI, Division II, Subdiv C, 657(a)-(d), (f), 98 Stat. 2124; Nov. 18, 1988, P. L. 100-690, Title VII, Subtitle F, Ch 2, 7272(2), (3), 7273(d), (e), 7280, 102 Stat. 4454, 4455, 4459; Dec. 7, 1989, P. L. 101-204, Title X, 1001(e)(2), 1003(3), 103 Stat. 1827; Nov. 4, 1992, P. L. 102-586, 3(g)(1)(A), (i), 106 Stat. 5022, 5026.)