

110TH CONGRESS
2D SESSION

S. 2982

To amend the Runaway and Homeless Youth Act to authorize appropriations,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2008

Mr. LEAHY (for himself and Mr. SPECTER) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Runaway and Homeless Youth Act to
authorize appropriations, 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 Protection Act”.

6 **SEC. 2. FINDINGS.**

7 Section 302 of the Runaway and Homeless Youth Act
8 (42 U.S.C. 5701) is amended—

9 (1) by redesignating paragraphs (3), (4), and
10 (5) as paragraphs (4), (5), and (6), respectively; and

1 (2) by inserting after paragraph (2) the fol-
 2 lowing:

3 “(3) services to such young people should be de-
 4 veloped and provided using a positive youth develop-
 5 ment approach that ensures a young person a sense
 6 of—

7 “(A) safety and structure;

8 “(B) belonging and membership;

9 “(C) self-worth and social contribution;

10 “(D) independence and control over one’s
 11 life; and

12 “(E) closeness in interpersonal relation-
 13 ships.”.

14 **SEC. 3. BASIC CENTER PROGRAM.**

15 (a) SERVICES PROVIDED.—Section 311 of the Run-
 16 away and Homeless Youth Act (42 U.S.C. 5711) is
 17 amended—

18 (1) in subsection (a)(2)(B), by striking clause
 19 (i) and inserting the following:

20 “(i) safe and appropriate shelter pro-
 21 vided for not to exceed 21 days; and”; and

22 (2) in subsection (b)(2)—

23 (A) by striking “\$100,000” and inserting
 24 “\$200,000”;

1 (B) by striking “\$45,000” and inserting
 2 “\$70,000”; and

3 (C) by adding at the end the following:
 4 “Whenever the Secretary determines that any
 5 part of the amount allotted under paragraph
 6 (1) to a State for a fiscal year will not be obli-
 7 gated before the end of the fiscal year, the Sec-
 8 retary shall reallocate such part to the remaining
 9 States for obligation for the fiscal year.”.

10 (b) ELIGIBILITY.—Section 312(b) of the Runaway
 11 and Homeless Youth Act (42 U.S.C. 5712(b)) is amend-
 12 ed—

13 (1) in paragraph (11) by striking “and” at the
 14 end;

15 (2) in paragraph (12) by striking the period
 16 and inserting “; and”; and

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

18 “(13) shall develop an adequate emergency pre-
 19 paredness and management plan.”.

20 **SEC. 4. TRANSITIONAL LIVING GRANT PROGRAM.**

21 (a) ELIGIBILITY.—Section 322(a) of the Runaway
 22 and Homeless Youth Act (42 U.S.C. 5714–2(a)) is amend-
 23 ed—

24 (1) in paragraph (1)—

1 (A) by striking “indirectly” and inserting
2 “by contract”; and

3 (B) by striking “services” the first place it
4 appears and inserting “provide, directly or indi-
5 rectly, services,”;

6 (2) in paragraph (2), by striking “a continuous
7 period not to exceed 540 days, except that” and all
8 that follows and inserting the following: “a contin-
9 uous period not to exceed 635 days, except that a
10 youth in a program under this part who has not
11 reached 18 years of age on the last day of the 635-
12 day period may, if otherwise qualified for the pro-
13 gram, remain in the program until the earlier of the
14 youth’s 18th birthday or the 180th day after the end
15 of the 635-day period;”;

16 (3) in paragraph (14), by striking “and” at the
17 end;

18 (4) in paragraph (15), by striking the period
19 and inserting “; and”; and

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

21 “(16) to develop an adequate emergency pre-
22 paredness and management plan.”.

1 **SEC. 5. GRANTS FOR RESEARCH EVALUATION, DEM-**
2 **ONSTRATION, AND SERVICE PROJECTS.**

3 Section 343 of the Runaway and Homeless Youth Act
4 (42 U.S.C. 5714–23) is amended—

5 (1) in subsection (b)—

6 (A) in the matter preceding paragraph (1),
7 by striking “give special consideration to” and
8 inserting “prioritize”;

9 (B) by redesignating paragraphs (2)
10 through (9) as paragraphs (3) through (10), re-
11 spectively; and

12 (C) by inserting after paragraph (1) the
13 following:

14 “(2) positive youth development service delivery
15 methods, providing links to community services, pro-
16 moting mental and physical health development, ena-
17 bling youth to obtain and maintain housing after
18 program completion, and developing self-sufficiency
19 competencies;”

20 (2) in subsection (c)—

21 (A) by inserting “for eligibility and selec-
22 tion” after “priority”;

23 (B) by striking “shall give” and inserting
24 the following: “shall—”

25 “(A) give”;

1 (C) by striking the period and inserting “;
2 and”; and

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

4 “(B) ensure that the applicants selected—

5 “(i) are geographically representative of re-
6 gions of the United States; and

7 “(ii) carry out projects that serve diverse
8 populations of homeless youth.”.

9 **SEC. 6. COORDINATING, TRAINING, RESEARCH, AND OTHER**
10 **ACTIVITIES.**

11 Part D of the Runaway and Homeless Youth Act (42
12 U.S.C. 5714–21 et seq.) is amended by adding at the end
13 the following:

14 **“SEC. 345. PERIODIC ESTIMATE OF INCIDENCE AND PREVA-**
15 **LENCE OF YOUTH HOMELESSNESS.**

16 “(a) PERIODIC ESTIMATE.—Not later than 2 years
17 after the date of enactment of the Runaway and Homeless
18 Youth Protection Act, and at 5-year intervals thereafter,
19 the Secretary shall prepare, and submit to the Speaker
20 of the House of Representatives and the President pro
21 tempore of the Senate, a written report that—

22 “(1) contains an estimate, obtained by using
23 the best quantitative and qualitative social science
24 research methods available, of the incidence and
25 prevalence of runaway and homeless individuals who

1 are not less than 13 years of age but less than 26
2 years of age; and

3 “(2) includes with such estimate an assessment
4 of the characteristics of such individuals.

5 “(b) CONTENT.—Each assessment required by sub-
6 section (a) shall include—

7 “(1) the results of conducting a survey of, and
8 direct interviews with, a representative sample of
9 runaway and homeless individuals who are not less
10 than 13 years of age but less than 26 years of age
11 to determine past and current—

12 “(A) socioeconomic characteristics of such
13 individuals; and

14 “(B) barriers to such individuals obtain-
15 ing—

16 “(i) safe, quality, and affordable hous-
17 ing;

18 “(ii) comprehensive and affordable
19 health insurance and health services; and

20 “(iii) incomes, public benefits, sup-
21 portive services, and connections to caring
22 adults; and

23 “(2) such other information as the Secretary
24 determines, in consultation with States, units of
25 local government, and national nongovernmental or-

1 organizations concerned with homelessness, may be
2 useful.

3 “(c) IMPLEMENTATION.—If the Secretary enters into
4 any agreement with a non-Federal entity for purposes of
5 carrying out subsection (a), such entity shall be a non-
6 governmental organization, or an individual, determined
7 by the Secretary to have appropriate expertise in quan-
8 titative and qualitative social science research.”.

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

10 Section 351(b) of the Runaway and Homeless Youth
11 Act (42 U.S.C. 5714–41(b)) is amended by inserting
12 “public and” after “priority to”.

13 **SEC. 8. NATIONAL HOMELESS YOUTH AWARENESS CAM-**
14 **PAIGN.**

15 The Runaway and Homeless Youth Act (42 U.S.C.
16 5701 et seq.) is amended—

17 (1) by redesignating part F as part G; and

18 (2) by inserting after part E the following:

19 **“PART F—NATIONAL HOMELESS YOUTH**
20 **AWARENESS CAMPAIGN**

21 **“SEC. 361. NATIONAL HOMELESS YOUTH AWARENESS CAM-**
22 **PAIGN.**

23 “(a) IN GENERAL.—The Secretary shall, directly or
24 through grants or contracts, conduct a national homeless
25 youth awareness campaign (referred to in this section as

1 the ‘national awareness campaign’) in accordance with
 2 this section for purposes of—

3 “(1) increasing awareness of individuals of all
 4 ages, socioeconomic backgrounds, and geographic lo-
 5 cations, of the issues facing runaway and homeless
 6 youth (including youth considering running away);
 7 and

8 “(2) encouraging parents and guardians, edu-
 9 cators, health care professionals, social service pro-
 10 fessionals, law enforcement officials, stakeholders,
 11 and other community members to assist youth de-
 12 scribed in paragraph (1) in averting or resolving
 13 runaway and homeless situations.

14 “(b) USE OF FUNDS.—Amounts made available to
 15 carry out this section for the national awareness campaign
 16 may only be used for the following:

17 “(1) Dissemination of educational information
 18 and materials through various media, including tele-
 19 vision, radio, the Internet and related technologies,
 20 and emerging technologies.

21 “(2) Evaluation of the effectiveness of the ac-
 22 tivities described in paragraphs (1) and (5).

23 “(3) Development of partnerships with national
 24 organizations concerned with youth homelessness,
 25 community-based youth service organizations, in-

1 including faith-based organizations, and Government
 2 organizations to carry out the national awareness
 3 campaign.

4 “(4) Conducting outreach activities to stake-
 5 holders and potential stakeholders in the national
 6 awareness campaign.

7 “(5) In accordance with applicable laws (includ-
 8 ing regulations), development and placement in tele-
 9 communications media (including the Internet and
 10 related technologies, and emerging technologies) of
 11 public service announcements that educate the pub-
 12 lic on—

13 “(A) the issues facing runaway and home-
 14 less youth (including youth considering running
 15 away); and

16 “(B) the opportunities that adults have to
 17 assist youth described in subparagraph (A).

18 “(c) PROHIBITIONS.—None of the amounts made
 19 available to carry out this section may be obligated or ex-
 20 pended for any of the following:

21 “(1) To fund public service time that supplants
 22 pro bono public service time donated by national or
 23 local broadcasting networks, advertising agencies, or
 24 production companies for the national awareness

1 campaign, or to fund activities that supplant pro
2 bono work for the national awareness campaign.

3 “(2) To carry out partisan political purposes, or
4 express advocacy in support of or opposition to any
5 clearly identified candidate, clearly identified ballot
6 initiative, or clearly identified legislative or regu-
7 latory proposal.

8 “(3) To fund advertising that features any
9 elected official, person seeking elected office, cabinet
10 level official, or other Federal employee employed
11 pursuant to section 213.3301 or 213.3302 of title 5,
12 Code of Federal Regulations (or any corresponding
13 similar regulation or ruling).

14 “(4) To fund advertising that does not contain
15 a primary message intended to educate the public on
16 the issues and opportunities described in subsection
17 (b)(5).

18 “(5) To fund advertising that solicits contribu-
19 tions from both public and private sources to sup-
20 port the national awareness campaign.

21 “(d) FINANCIAL AND PERFORMANCE ACCOUNT-
22 ABILITY.—The Secretary shall cause to be performed—

23 “(1) audits and examinations of records, relat-
24 ing to the costs of the national awareness campaign,
25 pursuant to section 304C of the Federal Property

1 and Administrative Services Act of 1949 (41 U.S.C.
2 254d); and

3 “(2) audits to determine whether the costs of
4 the national awareness campaign are allowable
5 under section 306 of such Act (41 U.S.C. 256).

6 “(e) REPORT.—The Secretary shall include in each
7 report submitted under section 382(a) a summary of in-
8 formation about the national awareness campaign that de-
9 scribes—

10 “(1) the strategy of the national awareness
11 campaign and whether specific objectives of the cam-
12 paign were accomplished;

13 “(2) steps taken to ensure that the national
14 awareness campaign operated in an effective and ef-
15 ficient manner consistent with the overall strategy
16 and focus of the national awareness campaign; and

17 “(3) all grants or contracts entered into with a
18 corporation, partnership, or individual working on
19 the national awareness campaign.”.

20 **SEC. 9. CONFORMING AMENDMENTS.**

21 (a) REPORTS.—Section 382(a) of the Runaway and
22 Homeless Youth Act (42 U.S.C. 5715(a)) is amended by
23 striking “, and E” and inserting “, E, and F”.

24 (b) CONSOLIDATED REVIEW.—Section 385 of the
25 Runaway and Homeless Youth Act (42 U.S.C. 5731a) is

1 amended by striking “, and E” and inserting “, E, and
2 F”.

3 (c) EVALUATION AND INFORMATION.—Section
4 386(a) of the Runaway and Homeless Youth Act (42
5 U.S.C. 5732(a)) is amended by striking “, or E” and in-
6 serting “, E, or F”.

7 **SEC. 10. PERFORMANCE STANDARDS.**

8 Part G of the Runaway and Homeless Youth Act (42
9 U.S.C. 5714a et seq.), as redesignated by section 8, is
10 amended by inserting after section 386 the following:

11 **“SEC. 386A. PERFORMANCE STANDARDS.**

12 “(a) ESTABLISHMENT OF PERFORMANCE STAND-
13 ARDS.—Not later than 1 year after the date of enactment
14 of the Runaway and Homeless Youth Protection Act, the
15 Secretary shall issue rules that specify performance stand-
16 ards for public and nonprofit private entities that receive
17 grants under sections 311, 321, and 351.

18 “(b) CONSULTATION.—The Secretary shall consult
19 with representatives of public and nonprofit private enti-
20 ties that receive grants under this title, including state-
21 wide and regional nonprofit organizations (including com-
22 binations of such organizations) that receive grants under
23 this title, and national nonprofit organizations concerned
24 with youth homelessness, in developing the performance
25 standards required by subsection (a).

1 “(c) IMPLEMENTATION OF PERFORMANCE STAND-
 2 ARDS.—The Secretary shall integrate the performance
 3 standards into the processes of the Department of Health
 4 and Human Services for grantmaking, monitoring, and
 5 evaluation for programs under parts A, B, and E.”.

6 **SEC. 11. APPEALS.**

7 Part G of the Runaway and Homeless Youth Act (42
 8 U.S.C. 5714a et seq.) as amended by section 10, is further
 9 amended by inserting after section 386A the following:

10 **“SEC. 386B. APPEALS.**

11 “(a) ESTABLISHMENT OF APPEAL PROCEDURE.—
 12 Not later than 6 months after the date of enactment of
 13 the Runaway and Homeless Youth Protection Act, the
 14 Secretary shall establish by rule an appeal procedure to
 15 enable applicants to obtain timely reviews of the amounts
 16 of grants made, and the denials of grants requested, under
 17 this title.

18 “(b) CONSULTATION.—The Secretary shall consult
 19 with representatives of public and nonprofit private enti-
 20 ties that receive grants under this title, including state-
 21 wide and regional nonprofit organizations (including com-
 22 binations of such organizations) that receive grants under
 23 this title, and national nonprofit organizations concerned
 24 with youth homelessness, in developing the appeal proce-
 25 dure required by subsection (a).”.

1 **SEC. 12. DEFINITIONS.**

2 (a) HOMELESS YOUTH.—Section 387(3) of the Run-
 3 away and Homeless Youth Act (42 U.S.C. 5732a(3)) is
 4 amended—

5 (1) in the matter preceding subparagraph (A),
 6 by striking “The” and all that follows through
 7 “means” and inserting “The term ‘homeless’, used
 8 with respect to a youth, means”; and

9 (2) in subparagraph (A)(ii), by striking “not
 10 less than 16 years of age” and inserting “not less
 11 than 16 years of age and not more than 21 years
 12 of age, except that nothing in this clause shall pre-
 13 vent a participant who enters the program carried
 14 out under part B prior to reaching 22 years of age
 15 from being eligible for the 635-day length of stay
 16 authorized by section 322(a)(2); and”.

17 (b) RUNAWAY YOUTH.—Section 387 of the Runaway
 18 and Homeless Youth Act (42 U.S.C. 5732a) is amended—

19 (1) by redesignating paragraphs (4), (5), (6),
 20 and (7) as paragraphs (5), (6), (7), and (8), respec-
 21 tively; and

22 (2) by inserting after paragraph (3) the fol-
 23 lowing:

24 “(4) RUNAWAY YOUTH.—The term ‘runaway’,
 25 used with respect to a youth, means an individual
 26 who is less than 18 years of age and who absents

1 himself or herself from home or a place of legal resi-
 2 dence without the permission of a parent or legal
 3 guardian.”.

4 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

5 Section 388(a) of the Runaway and Homeless Youth
 6 Act (42 U.S.C. 5751(a)) is amended—

7 (1) in paragraph (1)—

8 (A) by striking “is authorized” and insert-
 9 ing “are authorized”;

10 (B) by striking “part E) \$105,000,000 for
 11 fiscal year 2004” and inserting “parts E and
 12 F) \$150,000,000 for fiscal year 2009”; and

13 (C) by striking “2005, 2006, 2007, and
 14 2008” and inserting “2010, 2011, 2012, and
 15 2013”; and

16 (2) in paragraph (4)—

17 (A) by striking “is authorized” and insert-
 18 ing “are authorized”; and

19 (B) by striking “such sums as may be nec-
 20 essary for fiscal years 2004, 2005, 2006, 2007,
 21 and 2008” and inserting “\$30,000,000 for fis-
 22 cal year 2009 and such sums as may be nec-
 23 essary for fiscal years 2010, 2011, 2012, and
 24 2013”; and

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

1 “(5) PART F.—There is authorized to be appro-
2 priated to carry out part F \$3,000,000 for fiscal
3 year 2009 and such sums as may be necessary for
4 fiscal years 2010, 2011, 2012, and 2013.”.

○