

114TH CONGRESS
1ST SESSION

S. 256

To amend the definition of “homeless person” under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 27, 2015

Mrs. FEINSTEIN (for herself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the definition of “homeless person” under the McKinney-Vento Homeless Assistance Act to include certain homeless children and youth, 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 “Homeless Children and
5 Youth Act of 2015”.

6 **SEC. 2. AMENDMENTS TO THE MCKINNEY-VENTO HOME-**
7 **LESS ASSISTANCE ACT.**

8 The McKinney-Vento Homeless Assistance Act (42
9 U.S.C. 11301 et seq.) is amended—

1 (1) in section 103—

2 (A) in subsection (a)—

3 (i) in paragraph (5)(A)—

4 (I) by striking “are sharing” and
5 all that follows through “charitable
6 organizations,”;

7 (II) by striking “14 days” each
8 place that term appears and inserting
9 “30 days”;

10 (III) in clause (i), by inserting
11 “or” after the semicolon;

12 (IV) by striking clause (ii); and

13 (V) by redesignating clause (iii)
14 as clause (ii); and

15 (ii) by amending paragraph (6) to
16 read as follows:

17 “(6) unaccompanied youth and homeless fami-
18 lies with children and youth defined as homeless
19 under other Federal statutes who—

20 “(A) are certified as homeless by the direc-
21 tor or designee of a director of a program fund-
22 ed under any other Federal statute; or

23 “(B) have been certified by a director or
24 designee of a director of a program funded
25 under this Act or a director or designee of a di-

1 rector of a public housing agency as lacking a
 2 fixed, regular, and adequate nighttime resi-
 3 dence, which shall include—

4 “(i) temporarily sharing the housing
 5 of another person due to loss of housing,
 6 economic hardship, or other similar reason;
 7 or

8 “(ii) living in a room in a motel or
 9 hotel.”; and

10 (B) by adding at the end the following:

11 “(f) OTHER DEFINITIONS.—In this section—

12 “(1) the term ‘other Federal statute’ has the
 13 meaning given that term in section 401; and

14 “(2) the term ‘public housing agency’ means an
 15 agency described in section 3(b)(6) of the United
 16 States Housing Act of 1937 (42 U.S.C.
 17 1437a(b)(6)).”;

18 (2) in section 401—

19 (A) in paragraph (1)(C)—

20 (i) by striking clause (iv); and

21 (ii) by redesignating clauses (v), (vi),

22 and (vii) as clauses (iv), (v), and (vi);

23 (B) in paragraph (7)—

1 (i) by striking “Federal statute other
2 than this subtitle” and inserting “other
3 Federal statute”; and

4 (ii) by inserting “of” before “this
5 Act”;

6 (C) by redesignating paragraphs (14)
7 through (33) as paragraphs (15) through (34),
8 respectively; and

9 (D) by inserting after paragraph (13) the
10 following:

11 “(14) OTHER FEDERAL STATUTE.—The term
12 ‘other Federal statute’ includes—

13 “(A) the Runaway and Homeless Youth
14 Act (42 U.S.C. 5701 et seq.);

15 “(B) the Head Start Act (42 U.S.C. 9831
16 et seq.);

17 “(C) subtitle N of the Violence Against
18 Women Act of 1994 (42 U.S.C. 14043e et
19 seq.);

20 “(D) section 330(h) of the Public Health
21 Service Act (42 U.S.C. 254b(h));

22 “(E) section 17 of the Child Nutrition Act
23 of 1966 (42 U.S.C. 1786);

24 “(F) the Higher Education Act of 1965
25 (20 U.S.C. 1001 et seq.); and

1 “(G) subtitle B of title VII of this Act.”;

2 (3) by inserting after section 408 the following:

3 **“SEC. 409. AVAILABILITY OF HMIS REPORT.**

4 “(a) IN GENERAL.—The information provided to the
5 Secretary under section 402(f)(3) shall be made publically
6 available on the Internet website of the Department of
7 Housing and Urban Development in aggregate, non-per-
8 sonally identifying reports.

9 “(b) REQUIRED DATA.—Each report made publically
10 available under subsection (a) shall be updated on at least
11 an annual basis and shall include—

12 “(1) a cumulative count of the number of indi-
13 viduals and families experiencing homelessness;

14 “(2) a cumulative assessment of the patterns of
15 assistance provided under subtitles B and C for the
16 each geographic area involved; and

17 “(3) a count of the number of individuals and
18 families experiencing homelessness that are docu-
19 mented through the HMIS by each collaborative ap-
20 plicant.”;

21 (4) in section 422—

22 (A) in subsection (a)—

23 (i) by striking “The Secretary” and
24 inserting the following:

25 “(1) IN GENERAL.—The Secretary”; and

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

3 “(2) RESTRICTION.—In awarding grants under
 4 paragraph (1), the Secretary may not consider or
 5 prioritize the specific homeless populations intended
 6 to be served by the applicant if the applicant dem-
 7 onstrates that the project—

8 “(A) would meet the priorities identified in
 9 the plan submitted under section 427(b)(1)(B);
 10 and

11 “(B) is cost-effective in meeting the overall
 12 goals and objectives identified in that plan.”;
 13 and

14 (B) by striking subsection (j);

15 (5) in section 424(d), by striking paragraph
 16 (5);

17 (6) in section 427(b)—

18 (A) in paragraph (1)—

19 (i) in subparagraph (A)—

20 (I) in clause (vi), by adding
 21 “and” at the end;

22 (II) in clause (vii), by striking
 23 “and” at the end; and

24 (III) by striking clause (viii);

25 (ii) in subparagraph (B)—

1 (I) in clause (iii), by adding
2 “and” at the end;

3 (II) in clause (iv)(VI), by striking
4 “and” at the end; and

5 (III) by striking clause (v);

6 (iii) in subparagraph (E), by adding
7 “and” at the end;

8 (iv) by striking subparagraph (F); and

9 (v) by redesignating subparagraph (G)
10 as subparagraph (F); and

11 (B) by striking paragraph (3); and

12 (7) by amending section 433 to read as follows:

13 **“SEC. 433. REPORTS TO CONGRESS.**

14 “(a) IN GENERAL.—The Secretary shall submit to
15 Congress an annual report, which shall—

16 “(1) summarize the activities carried out under
17 this subtitle and set forth the findings, conclusions,
18 and recommendations of the Secretary as a result of
19 the activities; and

20 “(2) include, for the year preceding the date on
21 which the report is submitted—

22 “(A) data required to be made publically
23 available in the report under section 409; and

1 “(B) data on programs funded under any
2 other Federal statute, as such term is defined
3 in section 401.

4 “(b) TIMING.—A report under subsection (a) shall be
5 submitted not later than 4 months after the end of each
6 fiscal year.”.

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