

115TH CONGRESS
1ST SESSION

H. R. 3602

To provide for the overall health and well-being of young people, including the promotion of lifelong sexual health and healthy relationships, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2017

Ms. LEE (for herself, Ms. DEGETTE, Mr. ELLISON, Mr. TONKO, Mr. TAKANO, Mr. HUFFMAN, Ms. NORTON, Mr. MCNERNEY, Ms. SPEIER, Miss RICE of New York, Mr. DEUTCH, Ms. CLARK of Massachusetts, Mr. GRIJALVA, Mr. BLUMENAUER, Mr. AGUILAR, Ms. ROYBAL-ALLARD, Mr. LARSEN of Washington, Mr. KIHUEN, Ms. CLARKE of New York, Mr. KHANNA, Ms. TITUS, Mr. NADLER, Mr. MCGOVERN, Mr. RYAN of Ohio, Mr. PRICE of North Carolina, Ms. KELLY of Illinois, Mr. LOWENTHAL, Mr. SCHIFF, Ms. DELAURO, Mr. DANNY K. DAVIS of Illinois, Ms. HANABUSA, Mr. CARBAJAL, Ms. SCHAKOWSKY, Mr. EVANS, Mr. CONYERS, Mr. WELCH, Ms. BONAMICI, Ms. JUDY CHU of California, Ms. SLAUGHTER, Mr. LEWIS of Georgia, Ms. ADAMS, Mr. CICILLINE, Ms. FRANKEL of Florida, Mrs. CAROLYN B. MALONEY of New York, Mr. POCAN, and Mr. SERRANO) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the overall health and well-being of young people, including the promotion of lifelong sexual health and healthy relationships, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Real Education for
3 Healthy Youth Act of 2017”.

4 **SEC. 2. PURPOSES; FINDING; SENSE OF CONGRESS.**

5 (a) **PURPOSES.**—The purposes of this Act are to pro-
6 vide young people with comprehensive sex education pro-
7 grams that—

8 (1) promote and uphold the rights of young
9 people to information in order to make healthy deci-
10 sions about their sexual health;

11 (2) provide the information and skills all young
12 people need to make informed, responsible, and
13 healthy decisions in order to become sexually healthy
14 adults and have healthy relationships;

15 (3) provide information about the prevention of
16 unintended pregnancy, sexually transmitted infec-
17 tions, including HIV, dating violence, sexual assault,
18 bullying, and harassment; and

19 (4) provide resources and information on topics
20 ranging from gender stereotyping and gender roles
21 and stigma and socio-cultural influences surrounding
22 sex and sexuality.

23 (b) **FINDING ON REQUIRED RESOURCES.**—In order
24 to provide the comprehensive sex education described in
25 subsection (a), Congress finds that increased resources are
26 required for sex education programs that—

1 (1) substantially incorporate elements of evi-
2 dence-based programs or characteristics of effective
3 programs;

4 (2) cover a broad range of topics, including
5 medically accurate and complete information that is
6 age and developmentally appropriate about all the
7 aspects of sex, sexual health, and sexuality;

8 (3) are gender and gender identity-sensitive,
9 emphasizing the importance of equality and the so-
10 cial environment for achieving sexual and reproduc-
11 tive health and overall well-being;

12 (4) promote educational achievement, critical
13 thinking, decisionmaking, self-esteem, and self-effi-
14 cacy;

15 (5) help develop healthy attitudes and insights
16 necessary for understanding relationships between
17 oneself and others and society;

18 (6) foster leadership skills and community en-
19 gagement by—

20 (A) promoting principles of fairness,
21 human dignity, and respect; and

22 (B) engaging young people as partners in
23 their communities; and

1 (7) are culturally and linguistically appropriate,
2 reflecting the diverse circumstances and realities of
3 young people.

4 (c) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) federally funded sex education programs
7 should aim to—

8 (A) provide information about a range of
9 human sexuality topics, including—

10 (i) human development, healthy rela-
11 tionships, personal skills;

12 (ii) sexual behavior including absti-
13 nence;

14 (iii) sexual health including preventing
15 unintended pregnancy;

16 (iv) sexually transmitted infections in-
17 cluding HIV; and

18 (v) society and culture;

19 (B) promote safe and healthy relation-
20 ships;

21 (C) promote gender equity;

22 (D) use, and be informed by, the best sci-
23 entific information available;

1 (E) be culturally appropriate and inclusive
2 of youth with varying gender identities, gender
3 expressions, and sexual orientations;

4 (F) be built on characteristics of effective
5 programs;

6 (G) expand the existing body of research
7 on comprehensive sex education programs
8 through program evaluation;

9 (H) expand training programs for teachers
10 of comprehensive sex education;

11 (I) build on programs funded under section
12 513 of the Social Security Act (42 U.S.C. 713)
13 and the Office of Adolescent Health's Teen
14 Pregnancy Prevention Program, funded under
15 title II of the Consolidated Appropriations Act,
16 2010 (Public Law 111–117; 123 Stat. 3253),
17 and on programs supported through the Cen-
18 ters for Disease Control and Prevention (CDC);
19 and

20 (J) promote and uphold the rights of
21 young people to information in order to make
22 healthy and autonomous decisions about their
23 sexual health; and

24 (2) no Federal funds should be used for health
25 education programs that—

1 (A) withhold health-promoting or life-sav-
2 ing information about sexuality-related topics,
3 including HIV;

4 (B) are medically inaccurate or have been
5 scientifically shown to be ineffective;

6 (C) promote gender or racial stereotypes;

7 (D) are insensitive and unresponsive to the
8 needs of sexually active young people;

9 (E) are insensitive and unresponsive to the
10 needs of survivors of sexual violence;

11 (F) are insensitive and unresponsive to the
12 needs of youth of all physical, developmental,
13 and mental abilities;

14 (G) are insensitive and unresponsive to the
15 needs of youth with varying gender identities,
16 gender expressions, and sexual orientations; or

17 (H) are inconsistent with the ethical im-
18 peratives of medicine and public health.

19 **SEC. 3. GRANTS FOR COMPREHENSIVE SEX EDUCATION**
20 **FOR ADOLESCENTS.**

21 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
22 ordination with the Associate Commissioner of the Family
23 and Youth Services Bureau of the Administration on Chil-
24 dren, Youth, and Families of the Department of Health
25 and Human Services, the Director of the Office of Adoles-

1 cent Health, the Director of the Division of Adolescent
2 and School Health within the Centers for Disease Control
3 and Prevention and the Secretary of Education, shall
4 award grants, on a competitive basis, to eligible entities
5 to enable such eligible entities to carry out programs that
6 provide adolescents with comprehensive sex education, as
7 described in subsection (f).

8 (b) DURATION.—Grants awarded under this section
9 shall be for a period of 5 years.

10 (c) ELIGIBLE ENTITY.—In this section, the term “el-
11 ible entity” means a public or private entity that focuses
12 on adolescent health and education or has experience
13 working with adolescents.

14 (d) APPLICATIONS.—An eligible entity desiring a
15 grant under this section shall submit an application to the
16 Secretary at such time, in such manner, and containing
17 such information as the Secretary may require, including
18 an assurance to participate in the evaluation described in
19 section 6.

20 (e) PRIORITY.—In awarding grants under this sec-
21 tion, the Secretary shall give priority to eligible entities
22 that—

23 (1) are State or local public entities;

24 (2) are entities not currently receiving funds
25 under—

1 (A) section 513 of the Social Security Act
2 (42 U.S.C. 713);

3 (B) the Office of Adolescent Health’s Teen
4 Pregnancy Prevention Program, funded under
5 title II of the Consolidated Appropriations Act,
6 2010 (Public Law 111–117; 123 Stat. 3253),
7 or any substantially similar successive program;
8 or

9 (C) the Centers for Disease Control and
10 Prevention’s Division of Adolescent and School
11 Health; and

12 (3) address health inequities among young peo-
13 ple that face systemic barriers resulting in dis-
14 proportionate rates of not less than one of the fol-
15 lowing:

16 (A) Unintended pregnancies.

17 (B) Sexually transmitted infections, includ-
18 ing HIV.

19 (C) Dating violence and sexual violence.

20 (f) USE OF FUNDS.—

21 (1) IN GENERAL.—Each eligible entity that re-
22 ceives a grant under this section shall use the grant
23 funds to carry out an education program that pro-
24 vides adolescents with comprehensive sex education
25 that—

1 (A) is age and developmentally appro-
2 priate;

3 (B) is medically accurate and complete;

4 (C) substantially incorporates elements of
5 evidence-based sex education instruction; or

6 (D) creates a demonstration project based
7 on characteristics of effective programs.

8 (2) CONTENTS OF COMPREHENSIVE SEX EDU-
9 CATION PROGRAMS.—The comprehensive sex edu-
10 cation programs funded under this section shall in-
11 clude instruction and materials that address—

12 (A) the physical, social, and emotional
13 changes of human development including,
14 human anatomy, reproduction, and sexual de-
15 velopment;

16 (B) healthy relationships, including friend-
17 ships, within families, and society, that are
18 based on mutual respect, and the ability to dis-
19 tinguish between healthy and unhealthy rela-
20 tionships, including—

21 (i) effective communication, negotia-
22 tion and refusal skills, including the skills
23 to recognize and report inappropriate or
24 abusive sexual advances;

1 (ii) bodily autonomy, setting and re-
2 specting personal boundaries, practicing
3 personal safety, and consent; and

4 (iii) the limitations and harm of gen-
5 der-role stereotypes, violence, coercion, bul-
6 lying, harassment, and intimidation in re-
7 lationships;

8 (C) healthy decisionmaking skills about
9 sexuality and relationships that include—

10 (i) critical thinking, problem solving,
11 self-efficacy, stress-management, self-care,
12 and decisionmaking;

13 (ii) individual values and attitudes;

14 (iii) the promotion of positive body
15 images;

16 (iv) developing an understanding that
17 there are a range of body types and en-
18 couraging positive feeling about students'
19 own body types;

20 (v) information on how to respect oth-
21 ers and ensure safety on the internet and
22 when using other forms of digital commu-
23 nication;

24 (vi) information on local services and
25 resources where students can obtain addi-

1 tional information related to bullying, har-
2 assment, dating violence and sexual as-
3 sault, suicide prevention, and other related
4 care;

5 (vii) encouragement for youth to com-
6 municate with their parents or guardians,
7 health and social service professionals, and
8 other trusted adults about sexuality and
9 intimate relationships;

10 (viii) information on how to create a
11 safe environment for all students and oth-
12 ers in society;

13 (ix) examples of varying types of rela-
14 tionships, couples, and family structures;
15 and

16 (x) affirmative representation of vary-
17 ing gender identities, gender expressions,
18 and sexual orientations, including individ-
19 uals and relationships between same sex
20 couples and their families;

21 (D) abstinence, delaying age of first sexual
22 activity, the use of condoms, preventive medica-
23 tion, vaccination, birth control, and other sexu-
24 ally transmitted infection prevention measures,

1 and the options for pregnancy, including par-
2 enting, adoption, and abortion, including—

3 (i) the importance of effectively using
4 condoms, preventive medication, and appli-
5 cable vaccinations to protect against sexu-
6 ally transmitted infections, including HIV;

7 (ii) the benefits of effective contracep-
8 tive and condom use in avoiding unin-
9 tended pregnancy;

10 (iii) the relationship between sub-
11 stance use and sexual health and behav-
12 iors; and

13 (iv) information about local health
14 services where students can obtain addi-
15 tional information and services related to
16 sexual and reproductive health and other
17 related care;

18 (E) through affirmative recognition, the
19 roles that traditions, values, religion, norms,
20 gender roles, acculturation, family structure,
21 health beliefs, and political power play in how
22 students make decisions that affect their sexual
23 health, using examples of various types of races,
24 ethnicities, cultures, and families, including sin-
25 gle-parent households and young families;

1 (F) information about gender identity,
2 gender expression, and sexual orientation for all
3 students, including—

4 (i) affirmative recognition that people
5 have different gender identities, gender ex-
6 pressions, and sexual orientations; and

7 (ii) community resources that can pro-
8 vide additional support for individuals with
9 varying gender identities, gender expres-
10 sions, and sexual orientations; and

11 (G) opportunities to explore the roles that
12 race, ethnicity, immigration status, disability
13 status, economic status, homelessness, foster
14 care status, and language within different com-
15 munities affect sexual attitudes in society and
16 culture and how this may impact student sexual
17 health.

18 **SEC. 4. GRANTS FOR COMPREHENSIVE SEX EDUCATION AT**
19 **INSTITUTIONS OF HIGHER EDUCATION.**

20 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
21 ordination with the Secretary of Education, shall award
22 grants, on a competitive basis, to institutions of higher
23 education or consortia of such institutions to enable such
24 institutions to provide young people with comprehensive
25 sex education, described in subsection (e)(2).

1 (b) DURATION.—Grants awarded under this section
2 shall be for a period of 5 years.

3 (c) APPLICATIONS.—An institution of higher edu-
4 cation or consortia of such institutions desiring a grant
5 under this section shall submit an application to the Sec-
6 retary at such time, in such manner, and containing such
7 information as the Secretary may require, including an as-
8 surance to participate in the evaluation described in sec-
9 tion 6.

10 (d) PRIORITY.—In awarding grants under this sec-
11 tion, the Secretary shall give priority to an institution of
12 higher education that—

13 (1) has an enrollment of needy students as de-
14 fined in section 318(b) of the Higher Education Act
15 of 1965 (20 U.S.C. 1059e(b));

16 (2) is a Hispanic-serving institution, as defined
17 in section 502(a) of such Act (20 U.S.C. 1101a(a));

18 (3) is a Tribal College or University, as defined
19 in section 316(b) of such Act (20 U.S.C. 1059c(b));

20 (4) is an Alaska Native-serving institution, as
21 defined in section 317(b) of such Act (20 U.S.C.
22 1059d(b));

23 (5) is a Native Hawaiian-serving institution, as
24 defined in section 317(b) of such Act (20 U.S.C.
25 1059d(b));

1 (6) is a Predominately Black Institution, as de-
2 fined in section 318(b) of such Act (20 U.S.C.
3 1059e(b));

4 (7) is a Native American-serving, nontribal in-
5 stitution, as defined in section 319(b) of such Act
6 (20 U.S.C. 1059f(b));

7 (8) is an Asian American and Native American
8 Pacific Islander-serving institution, as defined in
9 section 320(b) of such Act (20 U.S.C. 1059g(b)); or

10 (9) is a minority institution, as defined in sec-
11 tion 365 of such Act (20 U.S.C. 1067k), with an en-
12 rollment of needy students, as defined in section 312
13 of such Act (20 U.S.C. 1058).

14 (e) USES OF FUNDS.—

15 (1) IN GENERAL.—An institution of higher edu-
16 cation receiving a grant under this section shall use
17 grant funds to integrate issues relating to com-
18 prehensive sex education into institution of higher
19 education in order to reach a large number of stu-
20 dents, by carrying out one or more of the following
21 activities:

22 (A) Developing or adopting educational
23 content for issues relating to comprehensive sex
24 education that will be incorporated into student
25 orientation, general education, or core courses.

1 (B) Developing or adopting, and imple-
2 menting schoolwide educational programming
3 outside of class that delivers elements of com-
4 prehensive sex education programs to students,
5 faculty, and staff.

6 (C) Developing or adopting innovative
7 technology-based approaches to deliver sex edu-
8 cation to students, faculty, and staff.

9 (D) Developing or adopting, and imple-
10 menting peer-outreach and education programs
11 to generate discussion, educate, and raise
12 awareness among students about issues relating
13 to comprehensive sex education.

14 (2) CONTENTS OF SEX EDUCATION PRO-
15 GRAMS.—Each institution of higher education’s pro-
16 gram of comprehensive sex education funded under
17 this section shall include instruction and materials
18 that address the requirements under section 3(f).

19 **SEC. 5. GRANTS FOR PRE-SERVICE AND IN-SERVICE TEACH-**
20 **ER TRAINING.**

21 (a) PROGRAM AUTHORIZED.—The Secretary, in co-
22 ordination with the Director of the Centers for Disease
23 Control and Prevention and the Secretary of Education,
24 shall award grants, on a competitive basis, to eligible enti-

1 ties to enable such eligible entities to carry out the activi-
2 ties described in subsection (e).

3 (b) DURATION.—Grants awarded under this section
4 shall be for a period of 5 years.

5 (c) ELIGIBLE ENTITY.—In this section, the term “el-
6 igible entity” means—

7 (1) a State educational agency;

8 (2) a local educational agency;

9 (3) a tribe or tribal organization, as defined in
10 section 4 of the Indian Self-Determination and Edu-
11 cation Assistance Act (25 U.S.C. 5304);

12 (4) a State or local department of health;

13 (5) a State or local department of education;

14 (6) an educational service agency;

15 (7) a nonprofit institution of higher education;

16 (8) a national or statewide nonprofit organiza-
17 tion that has as its primary purpose the improve-
18 ment of provision of comprehensive sex education
19 through training and effective teaching of com-
20 prehensive sex education; or

21 (9) a consortium of nonprofit organizations that
22 has as its primary purpose the improvement of pro-
23 vision of comprehensive sex education through train-
24 ing and effective teaching of comprehensive sex edu-
25 cation.

1 (d) APPLICATION.—An eligible entity desiring a
2 grant under this section shall submit an application to the
3 Secretary at such time, in such manner, and containing
4 such information as the Secretary may require, including
5 an assurance to participate in the evaluation described in
6 section 6.

7 (e) AUTHORIZED ACTIVITIES.—

8 (1) REQUIRED ACTIVITY.—Each eligible entity
9 receiving a grant under this section shall use grant
10 funds for professional development and training of
11 relevant faculty, school administrators, teachers, and
12 staff, in order to increase effective teaching of com-
13 prehensive sex education students.

14 (2) PERMISSIBLE ACTIVITIES.—Each eligible
15 entity receiving a grant under this section may use
16 grant funds to—

17 (A) provide research-based training of
18 teachers for comprehensive sex education for
19 adolescents as a means of broadening student
20 knowledge about issues related to human devel-
21 opment, healthy relationships, personal skills,
22 and sexual behavior, including abstinence, sex-
23 ual health, and society and culture;

24 (B) support the dissemination of informa-
25 tion on effective practices and research findings

1 concerning the teaching of comprehensive sex
2 education;

3 (C) support research on—

4 (i) effective comprehensive sex edu-
5 cation teaching practices; and

6 (ii) the development of assessment in-
7 struments and strategies to document—

8 (I) student understanding of
9 comprehensive sex education; and

10 (II) the effects of comprehensive
11 sex education;

12 (D) convene national conferences on com-
13 prehensive sex education, in order to effectively
14 train teachers in the provision of comprehensive
15 sex education; and

16 (E) develop and disseminate appropriate
17 research-based materials to foster comprehen-
18 sive sex education.

19 (3) SUBGRANTS.—Each eligible entity receiving
20 a grant under this section may award subgrants to
21 nonprofit organizations that possess a demonstrated
22 record of providing training to faculty, school admin-
23 istrators, teachers, and staff on comprehensive sex
24 education to—

1 (A) train teachers in comprehensive sex
2 education;

3 (B) support Internet or distance learning
4 related to comprehensive sex education;

5 (C) promote rigorous academic standards
6 and assessment techniques to guide and meas-
7 ure student performance in comprehensive sex
8 education;

9 (D) encourage replication of best practices
10 and model programs to promote comprehensive
11 sex education;

12 (E) develop and disseminate effective, re-
13 search-based comprehensive sex education
14 learning materials;

15 (F) develop academic courses on the peda-
16 gogy of sex education at institutions of higher
17 education; or

18 (G) convene State-based conferences to
19 train teachers in comprehensive sex education
20 and to identify strategies for improvement.

21 **SEC. 6. IMPACT EVALUATION AND REPORTING.**

22 (a) MULTI-YEAR EVALUATION.—

23 (1) IN GENERAL.—Not later than 6 months
24 after the date of the enactment of this Act, the Sec-
25 retary shall enter into a contract with a nonprofit

1 organization with experience in conducting impact
2 evaluations, to conduct a multi-year evaluation on
3 the impact of the grants under sections 3, 4, and 5,
4 and to report to Congress and the Secretary on the
5 findings of such evaluation.

6 (2) EVALUATION.—The evaluation conducted
7 under this subsection shall—

8 (A) be conducted in a manner consistent
9 with relevant, nationally recognized professional
10 and technical evaluation standards;

11 (B) use sound statistical methods and
12 techniques relating to the behavioral sciences,
13 including quasi-experimental designs, inferential
14 statistics, and other methodologies and tech-
15 niques that allow for conclusions to be reached;

16 (C) be carried out by an independent orga-
17 nization that has not received a grant under
18 section 3, 4, or 5; and

19 (D) be designed to provide information
20 on—

21 (i) output measures, such as the num-
22 ber of individuals served under the grant
23 and the number of hours of instruction;

24 (ii) outcome measures, including
25 measures relating to—

1 (I) the knowledge that individ-
2 uals participating in the grant pro-
3 gram have gained in each of the fol-
4 lowing age and developmentally appro-
5 priate areas—

6 (aa) growth and develop-
7 ment;

8 (bb) relationship dynamics;

9 (cc) ways to prevent unin-
10 tended pregnancy and sexually
11 transmitted infections, including
12 HIV; and

13 (dd) sexual health;

14 (II) the age and developmentally
15 appropriate skills that individuals par-
16 ticipating in the grant program have
17 gained regarding—

18 (aa) negotiation and commu-
19 nication;

20 (bb) decisionmaking and
21 goal-setting;

22 (cc) interpersonal skills and
23 healthy relationships; and

24 (dd) condom use; and

1 (III) the behaviors of adolescents
2 participating in the grant program,
3 including data about—
4 (aa) age of first intercourse;
5 (bb) condom and contracep-
6 tive use at first intercourse;
7 (cc) recent condom and con-
8 traceptive use;
9 (dd) substance use;
10 (ee) dating abuse and life-
11 time history of sexual assault,
12 dating violence, bullying, harass-
13 ment, stalking; and
14 (ff) academic performance;
15 and
16 (iii) other measures necessary to
17 evaluate the impact of the grant program.

18 (3) REPORT.—Not later than 6 years after the
19 date of enactment of this Act, the organization con-
20 ducting the evaluation under this subsection shall
21 prepare and submit to the appropriate committees of
22 Congress and the Secretary an evaluation report.
23 Such report shall be made publicly available, includ-
24 ing on the website of the Department of Health and
25 Human Services.

1 (b) SECRETARY’S REPORT TO CONGRESS.—Not later
2 than 1 year after the date of the enactment of this Act,
3 and annually thereafter for a period of 5 years, the Sec-
4 retary shall prepare and submit to the appropriate com-
5 mittees of Congress a report on the activities to provide
6 adolescents and young people with comprehensive sex edu-
7 cation and pre-service and in-service teacher training
8 funded under this Act. The Secretary’s report to Congress
9 shall include—

10 (1) a statement of how grants awarded by the
11 Secretary meet the purposes described in section
12 2(a); and

13 (2) information about—

14 (A) the number of eligible entities and in-
15 stitutions of higher education that are receiving
16 grant funds under sections 3, 4, and 5;

17 (B) the specific activities supported by
18 grant funds awarded under sections 3, 4, and
19 5;

20 (C) the number of adolescents served by
21 grant programs funded under section 3;

22 (D) the number of young people served by
23 grant programs funded under section 4;

1 (E) the number of faculty, school adminis-
2 trators, teachers, and staff trained under sec-
3 tion 5; and

4 (F) the status of the evaluation required
5 under subsection (a).

6 **SEC. 7. NONDISCRIMINATION.**

7 Programs funded under this Act shall not discrimi-
8 nate on the basis of actual or perceived sex, race, color,
9 ethnicity, national origin, disability, sexual orientation,
10 gender identity, or religion. Nothing in this Act shall be
11 construed to invalidate or limit rights, remedies, proce-
12 dures, or legal standards available under any other Fed-
13 eral law or any law of a State or a political subdivision
14 of a State, including the Civil Rights Act of 1964 (42
15 U.S.C. 2000a et seq.), title IX of the Education Amend-
16 ments of 1972 (20 U.S.C. 1681 et seq.), section 504 of
17 the Rehabilitation Act of 1973 (29 U.S.C. 794), the Amer-
18 icans with Disabilities Act of 1990 (42 U.S.C. 12101 et
19 seq.), and section 1557 of the Patient Protection and Af-
20 fordable Care Act (42 U.S.C. 18116).

21 **SEC. 8. LIMITATION.**

22 No Federal funds provided under this Act may be
23 used for health education programs that—

1 (1) withhold health-promoting or life-saving in-
2 formation about sexuality-related topics, including
3 HIV;

4 (2) are medically inaccurate or have been sci-
5 entifically shown to be ineffective;

6 (3) promote gender or racial stereotypes;

7 (4) are insensitive and unresponsive to the
8 needs of sexually active young people;

9 (5) are insensitive and unresponsive to the
10 needs of pregnant or parenting young people;

11 (6) are insensitive and unresponsive to the
12 needs of survivors of sexual abuse or assault;

13 (7) are insensitive and unresponsive to the
14 needs of youth of all physical, developmental, or
15 mental abilities;

16 (8) are insensitive and unresponsive to individ-
17 uals with varying gender identities, gender expres-
18 sions, and sexual orientations; or

19 (9) are inconsistent with the ethical imperatives
20 of medicine and public health.

21 **SEC. 9. AMENDMENTS TO OTHER LAWS.**

22 (a) AMENDMENT TO THE PUBLIC HEALTH SERVICE
23 ACT.—Section 2500 of the Public Health Service Act (42
24 U.S.C. 300ee) is amended by striking subsections (b)
25 through (d) and inserting the following:

1 “(b) CONTENTS OF PROGRAMS.—All programs of
2 education and information receiving funds under this sub-
3 chapter shall include information about the potential ef-
4 fects of intravenous substance abuse.”.

5 (b) AMENDMENTS TO THE ELEMENTARY AND SEC-
6 ONDARY EDUCATION ACT OF 1965.—Section 8526 of the
7 Elementary and Secondary Education Act of 1965 (20
8 U.S.C. 7906) is amended—

9 (1) by striking paragraph (3);

10 (2) by redesignating paragraphs (4) and (5) as
11 paragraphs (3) and (4), respectively;

12 (3) in paragraph (4), by inserting “or” after
13 the semicolon;

14 (4) in paragraph (5), by striking “; or” and in-
15 serting a period; and

16 (5) by striking paragraph (6).

17 **SEC. 10. DEFINITIONS.**

18 In this Act:

19 (1) ADOLESCENTS.—The term “adolescents”
20 means individuals who are ages 10 through 19 at
21 the time of commencement of participation in a pro-
22 gram supported under this Act.

23 (2) AGE AND DEVELOPMENTALLY APPRO-
24 PRIATE.—The term “age and developmentally appro-
25 priate” means topics, messages, and teaching meth-

1 ods suitable to particular age, age group of children
2 and adolescents, or developmental levels, based on
3 cognitive, emotional, social, and behavioral capacity
4 of most students at that age level.

5 (3) APPROPRIATE COMMITTEES OF CON-
6 GRESS.—The term “appropriate committees of Con-
7 gress” means the Committee on Health, Education,
8 Labor, and Pensions of the Senate, the Committee
9 on Appropriations of the Senate, the Committee on
10 Energy and Commerce of the House of Representa-
11 tives, the Committee on Education and the Work-
12 force of the House of Representatives, and the Com-
13 mittee on Appropriations of the House of Represent-
14 atives.

15 (4) CHARACTERISTICS OF EFFECTIVE PRO-
16 GRAMS.—The term “characteristics of effective pro-
17 grams” means the aspects of evidence-based pro-
18 grams, including development, content, and imple-
19 mentation of such programs, that—

20 (A) have been shown to be effective in
21 terms of increasing knowledge, clarifying values
22 and attitudes, increasing skills, and impacting
23 upon behavior; and

24 (B) are widely recognized by leading med-
25 ical and public health agencies to be effective in

1 changing sexual behaviors that lead to sexually
2 transmitted infections, including HIV, unin-
3 tended pregnancy, and dating violence and sex-
4 ual assault among young people.

5 (5) COMPREHENSIVE SEX EDUCATION.—The
6 term “comprehensive sex education” means instruc-
7 tional part of a comprehensive school health edu-
8 cation approach which addresses the physical, men-
9 tal, emotional, and social dimensions of human sexu-
10 ality; designed to motivate and assist students to
11 maintain and improve their sexual health, prevent
12 disease and reduce sexual health-related risk behav-
13 iors; and enable and empower students to develop
14 and demonstrate age and developmentally appro-
15 priate sexuality and sexual health-related knowledge,
16 attitudes, skills, and practices.

17 (6) CONSENT.—The term “consent” means af-
18 firmative, conscious, and voluntary agreement to en-
19 gage in interpersonal, physical, or sexual activity.

20 (7) CULTURALLY APPROPRIATE.—The term
21 “culturally appropriate” means materials and in-
22 struction that respond to culturally diverse individ-
23 uals, families and communities in an inclusive, re-
24 spectful and effective manner; including materials
25 and instruction that are inclusive of race, ethnicity,

1 languages, cultural background, religion, sex, gender
2 identity, sexual orientation, and different abilities.

3 (8) EVIDENCE-BASED.—The term “evidence-
4 based”, when used with respect to sex education in-
5 struction means a sex education program that has
6 been proven through rigorous evaluation to be effec-
7 tive in changing sexual behavior or incorporates ele-
8 ments of other programs that have been proven to
9 be effective in changing sexual behavior.

10 (9) GENDER EXPRESSION.—The term “gender
11 expression”, when used with respect to a sex edu-
12 cation program, means the expression of one’s gen-
13 der, such as through behavior, clothing, haircut, or
14 voice, and which may or may not conform to socially
15 defined behaviors and characteristics typically asso-
16 ciated with being either masculine or feminine.

17 (10) GENDER IDENTITY.—Except with respect
18 to section 7, the term “gender identity”, when used
19 with respect to a sex education program, means the
20 gender-related identity, appearance, mannerisms, or
21 other gender-related characteristics of an individual,
22 regardless of the individual’s designated sex at birth
23 including a person’s deeply held sense or knowledge
24 of their own gender; such as male, female, both or
25 neither.

1 (11) INCLUSIVE.—The term “inclusive”, when
2 used with respect to a sex education program, means
3 curriculum that ensures that students from histori-
4 cally marginalized communities are reflected in
5 classroom materials and lessons.

6 (12) INSTITUTION OF HIGHER EDUCATION.—
7 The term “institution of higher education” has the
8 meaning given the term in section 101 of the Higher
9 Education Act of 1965 (20 U.S.C. 1001).

10 (13) MEDICALLY ACCURATE AND COMPLETE.—
11 The term “medically accurate and complete”, when
12 used with respect to a sex education program, means
13 that—

14 (A) the information provided through the
15 program is verified or supported by the weight
16 of research conducted in compliance with ac-
17 cepted scientific methods and is published in
18 peer-reviewed journals, where applicable; or

19 (B)(i) the program contains information
20 that leading professional organizations and
21 agencies with relevant expertise in the field rec-
22 ognize as accurate, objective, and complete; and

23 (ii) the program does not withhold infor-
24 mation about the effectiveness and benefits of

1 correct and consistent use of condoms and
2 other contraceptives.

3 (14) SECRETARY.—The term “Secretary”
4 means the Secretary of Health and Human Services.

5 (15) SEXUAL DEVELOPMENT.—The term “sex-
6 ual development” means the lifelong process of phys-
7 ical, behavioral, cognitive, and emotional growth and
8 change as it relates to an individual’s sexuality and
9 sexual maturation, including puberty, identity devel-
10 opment, socio-cultural influences, and sexual behav-
11 iors.

12 (16) SEXUAL ORIENTATION.—Except with re-
13 spect to section 7, the term “sexual orientation”,
14 when used with respect to a sex education program,
15 means an individual’s attraction, including physical
16 or emotional, to the same or different gender.

17 (17) YOUNG PEOPLE.—The term “young peo-
18 ple” means individuals who are ages 10 through 24
19 at the time of commencement of participation in a
20 program supported under this Act.

21 **SEC. 11. FUNDING.**

22 (a) APPROPRIATION.—For the purpose of carrying
23 out this Act, there is appropriated \$75,000,000 for each
24 of fiscal years 2017 through 2022. Amounts appropriated

1 under this subsection shall remain available until ex-
2 pended.

3 (b) RESERVATIONS OF FUNDS.—

4 (1) The Secretary shall reserve 50 percent of
5 the amount appropriated under subsection (a) for
6 the purposes of awarding grants for comprehensive
7 sex education for adolescents under section 3.

8 (2) The Secretary shall reserve 25 percent of
9 the amount appropriated under subsection (a) for
10 the purposes of awarding grants for comprehensive
11 sex education at institutes of higher education under
12 section 4.

13 (3) The Secretary shall reserve 20 percent of
14 the amount appropriated under subsection (a) for
15 the purposes of awarding grants for pre-service and
16 in-service teacher training under section 5.

17 (4) The Secretary shall reserve 2 percent of the
18 amount appropriated under subsection (a) for the
19 purpose of carrying out the impact evaluation and
20 reporting required under section 6(a).

21 (c) SECRETARIAL RESPONSIBILITIES.—The Sec-
22 retary shall reserve 3 percent of the amount appropriated
23 under subsection (a) for each fiscal year for expenditures
24 by the Secretary to provide, directly or through a competi-
25 tive grant process, research, training, and technical assist-

1 ance, including dissemination of research and information
2 regarding effective and promising practices, providing con-
3 sultation and resources, and developing resources and ma-
4 terials to support the activities of recipients of grants. In
5 carrying out such functions, the Secretary shall collabo-
6 rate with a variety of entities that have expertise in adoles-
7 cent sexual health development, education, and promotion.

8 (d) REPROGRAMMING OF ABSTINENCE ONLY UNTIL
9 MARRIAGE PROGRAM FUNDING.—The unobligated bal-
10 ance of funds made available to carry out section 510 of
11 the Social Security Act (42 U.S.C. 710) (as in effect on
12 the day before the date of enactment of this Act) are here-
13 by transferred and shall be used by the Secretary to carry
14 out this Act. The amounts transferred and made available
15 to carry out this Act shall remain available until expended.

16 (e) REPEAL OF ABSTINENCE ONLY UNTIL MAR-
17 RIAGE PROGRAM.—Section 510 of the Social Security Act
18 (42 U.S.C. 710 et seq.) is repealed.

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