

115TH CONGRESS
2D SESSION

H. R. 5339

To reauthorize the Runaway and Homeless Youth Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 20, 2018

Mr. YARMUTH (for himself, Mr. DENHAM, and Mr. REICHERT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To reauthorize the Runaway and Homeless Youth Act, 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 and Trafficking Prevention Act of 2018”.

6 **SEC. 2. REFERENCES.**

7 Except as otherwise specifically provided, whenever in
8 this Act an amendment or repeal is expressed in terms
9 of an amendment to, or repeal of, a provision, the amend-
10 ment or repeal shall be considered to be made to a provi-

1 sion of the Runaway and Homeless Youth Act (34 U.S.C.
2 11201 et seq.).

3 **SEC. 3. FINDINGS.**

4 Section 302 (34 U.S.C. 11201) is amended—

5 (1) in paragraph (2), by inserting “age, gender,
6 and culturally and” before “linguistically appro-
7 priate”;

8 (2) in paragraph (4), by striking “outside the
9 welfare system and the law enforcement system”
10 and inserting “, in collaboration with public assist-
11 ance systems, the law enforcement system, and the
12 child welfare system”;

13 (3) in paragraph (5)—

14 (A) by inserting “a safe place to live and”
15 after “youth need”; and

16 (B) by striking “and” at the end;

17 (4) in paragraph (6), by striking the period and
18 inserting “; and”; and

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

20 “(7) runaway and homeless youth are at a high
21 risk of becoming victims of sexual exploitation and
22 trafficking in persons.”.

23 **SEC. 4. BASIC CENTER GRANT PROGRAM.**

24 (a) GRANTS FOR CENTERS AND SERVICES.—Section
25 311(a) (34 U.S.C. 11211(a)) is amended—

1 (1) in paragraph (1), by striking “services” and
2 all that follows through the period and inserting
3 “safe shelter and services, including trauma-in-
4 formed services, for runaway and homeless youth
5 and, if appropriate, services for the families of such
6 youth, including (if appropriate) individuals identi-
7 fied by such youth as family.”; and

8 (2) in paragraph (2)—

9 (A) in subparagraph (A), by striking
10 “mental health,”;

11 (B) in subparagraph (B)—

12 (i) in clause (i), by striking “21 days;
13 and” and inserting “30 days,”;

14 (ii) in clause (ii)—

15 (I) by inserting “age, gender, and
16 culturally and linguistically appro-
17 priate, to the extent practicable,” be-
18 fore “individual”;

19 (II) by inserting “, as appro-
20 priate,” after “group”; and

21 (III) by striking “as appropriate”
22 and inserting “including (if appro-
23 priate) counseling for individuals iden-
24 tified by such youth as family”; and

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

3 “(iii) suicide prevention services;
4 and”; and

5 (C) in subparagraph (C)—

6 (i) in clause (ii), by inserting “age,
7 gender, and culturally and linguistically
8 appropriate, to the extent practicable,” be-
9 fore “home-based services”;

10 (ii) in clause (iii), by striking “and”
11 at the end;

12 (iii) in clause (iv), by striking “dis-
13 eases.” and inserting “infections;”; and

14 (iv) by adding at the end the fol-
15 lowing:

16 “(v) trauma-informed and gender-re-
17 sponsive services for runaway or homeless
18 youth, including such youth who are vic-
19 tims of trafficking in persons or sexual ex-
20 ploitation; and

21 “(vi) an assessment of family engage-
22 ment in support and reunification (if re-
23 unification is appropriate), interventions,
24 and services for parents or legal guardians

1 of such youth, or (if appropriate) individ-
2 uals identified by such youth as family.”.

3 (b) ELIGIBILITY; PLAN REQUIREMENTS.—Section
4 312 (34 U.S.C. 11212) is amended—

5 (1) in subsection (b)—

6 (A) in paragraph (5), by inserting “, or (if
7 appropriate) individuals identified by such
8 youth as family,” after “parents or legal guard-
9 ians”;

10 (B) in paragraph (6), by striking “cultural
11 minority and persons with limited ability to
12 speak English” and inserting “cultural minor-
13 ity, persons with limited ability to speak
14 English, and runaway or homeless youth who
15 are victims of trafficking in persons or sexual
16 exploitation”;

17 (C) by striking paragraph (7) and insert-
18 ing the following:

19 “(7) shall keep adequate statistical records
20 profiling the youth and family members of such
21 youth whom the applicant serves, including demo-
22 graphic information on and the number of—

23 “(A) such youth who are not referred to
24 out-of-home shelter services;

1 “(B) such youth who are members of vul-
2 nerable or underserved populations;

3 “(C) such youth who are victims of traf-
4 ficking in persons or sexual exploitation,
5 disaggregated by—

6 “(i) such youth who have been coerced
7 or forced into a commercial sex act, as de-
8 fined in section 103 of the Trafficking Vic-
9 tims Protection Act of 2000 (22 U.S.C.
10 7102);

11 “(ii) such youth who have been co-
12 erced or forced into other forms of labor;
13 and

14 “(iii) such youth who have engaged in
15 a commercial sex act, as so defined, for
16 any reason other than by coercion or force;

17 “(D) such youth who are pregnant or par-
18 enting;

19 “(E) such youth who have been involved in
20 the child welfare system; and

21 “(F) such youth who have been involved in
22 the juvenile justice system;”;

23 (D) by redesignating paragraphs (8)
24 through (13) as paragraphs (9) through (14);

1 (E) by inserting after paragraph (7) the
2 following:

3 “(8) shall ensure that—

4 “(A) the records described in paragraph
5 (7), on an individual runaway or homeless
6 youth, shall not be disclosed without the con-
7 sent of the individual youth and of the parent
8 or legal guardian of such youth or (if appro-
9 priate) an individual identified by such youth as
10 family, to anyone other than another agency
11 compiling statistical records or a government
12 agency involved in the disposition of criminal
13 charges against an individual runaway or home-
14 less youth; and

15 “(B) reports or other documents based on
16 the statistics described in paragraph (7) shall
17 not disclose the identity of any individual run-
18 away or homeless youth;”;

19 (F) in paragraph (9), as so redesignated,
20 by striking “statistical summaries” and insert-
21 ing “statistics”;

22 (G) in paragraph (13)(C), as so redesign-
23 ated—

24 (i) by striking clause (i) and inserting:

1 “(i) the number and characteristics of
2 runaway and homeless youth, and youth at
3 risk of family separation, who participate
4 in the project, including such information
5 on—

6 “(I) such youth (including both
7 types of such participating youth) who
8 are victims of trafficking in persons or
9 sexual exploitation, disaggregated
10 by—

11 “(aa) such youth who have
12 been coerced or forced into a
13 commercial sex act, as defined in
14 section 103 of the Trafficking
15 Victims Protection Act of 2000
16 (22 U.S.C. 7102);

17 “(bb) such youth who have
18 been coerced or forced into other
19 forms of labor; and

20 “(cc) such youth who have
21 engaged in a commercial sex act,
22 as so defined, for any reason
23 other than by coercion or force;

24 “(II) such youth who are preg-
25 nant or parenting;

1 “(III) such youth who have been
2 involved in the child welfare system;
3 and

4 “(IV) such youth who have been
5 involved in the juvenile justice system;
6 and”;

7 (ii) in clause (ii), by striking “and” at
8 the end;

9 (H) in paragraph (14), as so redesignated,
10 by striking the period and inserting “for nat-
11 ural disasters, inclement weather, and mental
12 health emergencies;”;

13 (I) by adding at the end the following:

14 “(15) shall provide age, gender, and culturally
15 and linguistically appropriate, to the extent prac-
16 ticable, services to runaway and homeless youth; and

17 “(16) shall assist youth in completing the Free
18 Application for Federal Student Aid described in
19 section 483 of the Higher Education Act of 1965
20 (20 U.S.C. 1090).”;

21 (2) in subsection (d)—

22 (A) in paragraph (1)—

23 (i) by inserting “age, gender, and cul-
24 turally and linguistically appropriate, to
25 the extent practicable,” after “provide”;

1 (ii) by striking “families (including
2 unrelated individuals in the family house-
3 holds) of such youth” and inserting “fami-
4 lies of such youth (including unrelated in-
5 dividuals in the family households of such
6 youth and, if appropriate, individuals iden-
7 tified by such youth as family)”; and

8 (iii) by inserting “suicide prevention,”
9 after “physical health care,”; and

10 (B) in paragraph (4), by inserting “, in-
11 cluding training on trauma-informed and youth-
12 centered care” after “home-based services”.

13 (c) APPROVAL OF APPLICATIONS.—Section 313(b)
14 (34 U.S.C. 11213(b)) is amended—

15 (1) by striking “priority to” and all that follows
16 through “who” and inserting “priority to eligible ap-
17 plicants who”;

18 (2) by striking “; and” and inserting a period;
19 and

20 (3) by striking paragraph (2).

21 **SEC. 5. TRANSITIONAL LIVING GRANT PROGRAM.**

22 Section 322(a) (34 U.S.C. 11222(a)) is amended—

23 (1) in paragraph (1)—

24 (A) by inserting “age, gender, and cul-
25 turally and linguistically appropriate, to the ex-

1 tent practicable,” before “information and
2 counseling services”; and

3 (B) by striking “job attainment skills, and
4 mental and physical health care” and inserting
5 “job attainment skills, mental and physical
6 health care, and suicide prevention services”;

7 (2) by redesignating paragraphs (3) through
8 (8) and (9) through (16) as paragraphs (5) through
9 (10) and (12) through (19), respectively;

10 (3) by inserting after paragraph (2) the fol-
11 lowing:

12 “(3) to provide counseling to homeless youth
13 and to encourage, if appropriate, the involvement in
14 such counseling of their parents or legal guardians,
15 or (if appropriate) individuals identified by such
16 youth as family;

17 “(4) to provide aftercare services, if possible, to
18 homeless youth who have received shelter and serv-
19 ices from a transitional living youth project, includ-
20 ing (to the extent practicable) such youth who, after
21 receiving such shelter and services, relocate to a
22 State other than the State in which such project is
23 located;”;

24 (4) in paragraph (9), as so redesignated—

1 (A) by inserting “age, gender, and cul-
2 turally and linguistically appropriate, to the ex-
3 tent practicable,” after “referral of homeless
4 youth to”;

5 (B) by striking “and health care pro-
6 grams” and inserting “mental health service
7 and health care programs, including programs
8 providing wrap-around services to victims of
9 trafficking in persons or sexual exploitation,”;
10 and

11 (C) by striking “such services for youths;”
12 and inserting “such programs described in this
13 paragraph;”;

14 (5) by inserting after paragraph (10), as so re-
15 designated, the following:

16 “(11) to develop a plan to provide age, gender,
17 and culturally and linguistically appropriate services
18 to the extent practicable that address the needs of
19 homeless and street youth;”;

20 (6) in paragraph (12), as so redesignated, by
21 striking “the applicant and statistical” and all that
22 follows through “who participate in such project,”
23 and inserting “the applicant, statistical summaries
24 describing the number, the characteristics, and the
25 demographic information of the homeless youth who

1 participate in such project, including the prevalence
2 of trafficking in persons and sexual exploitation of
3 such youth,”; and

4 (7) in paragraph (19), as so redesignated, by
5 inserting “regarding responses to natural disasters,
6 inclement weather, and mental health emergencies”
7 after “management plan”.

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

10 (a) COORDINATION.—Section 341 (34 U.S.C. 11241)
11 is amended—

12 (1) in the matter preceding paragraph (1), by
13 inserting “safety, well-being,” after “health,”; and

14 (2) in paragraph (2), by striking “other Federal
15 entities” and inserting “the Department of Housing
16 and Urban Development, the Department of Edu-
17 cation, the Department of Labor, and the Depart-
18 ment of Justice”.

19 (b) GRANTS FOR TECHNICAL ASSISTANCE AND
20 TRAINING.—Section 342 (34 U.S.C. 11242) is amended
21 by inserting “, including onsite and web-based techniques,
22 such as on-demand and online learning,” before “to public
23 and private entities”.

1 (c) GRANTS FOR RESEARCH, EVALUATION, DEM-
2 ONSTRATION, AND SERVICE PROJECTS.—Section 343 (34
3 U.S.C. 11243) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (5)—

6 (i) in subparagraph (A), by inserting
7 “violence, trauma, and” before “sexual
8 abuse and assault”;

9 (ii) in subparagraph (B), by striking
10 “sexual abuse and assault; and” and in-
11 sserting “sexual abuse or assault, traf-
12 ficking in persons, or sexual exploitation;
13 or”;

14 (iii) in subparagraph (C)—

15 (I) by striking “who have been
16 sexually victimized, including such
17 youth who are victims of” and insert-
18 ing “who are victims of sexual abuse
19 or assault,”; and

20 (II) by inserting “, or sexual ex-
21 ploitation” before the semicolon; and

22 (iv) by adding at the end the fol-
23 lowing:

24 “(D) best practices for identifying and pro-
25 viding age, gender, and culturally and linguis-

1 tically appropriate services to the extent prac-
2 ticable to—

3 “(i) vulnerable and underserved youth
4 populations; and

5 “(ii) youth who are victims of traf-
6 ficking in persons or sexual exploitation;
7 and

8 “(E) verifying youth as runaway or home-
9 less to complete the Free Application for Fed-
10 eral Student Aid described in section 483 of the
11 Higher Education Act of 1965 (20 U.S.C.
12 1090);”;

13 (B) in paragraph (9), by striking “and” at
14 the end;

15 (C) in paragraph (10), by striking the pe-
16 riod and inserting “; and”; and

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

18 “(11) examining the intersection between the
19 runaway and homeless youth populations and traf-
20 ficking in persons, including noting whether such
21 youth who are victims of trafficking in persons were
22 previously involved in the child welfare or juvenile
23 justice systems.”; and

24 (2) in subsection (c)(2)(B), by inserting “, in-
25 cluding such youth who are victims of trafficking in

1 persons or sexual exploitation” after “runaway or
2 homeless youth”.

3 (d) PERIODIC ESTIMATE OF INCIDENCE AND PREVA-
4 LENCE OF YOUTH HOMELESSNESS.—Section 345 (34
5 U.S.C. 11245) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1)—

8 (i) by striking “13” and inserting
9 “12”; and

10 (ii) by striking “and” at the end;

11 (B) in paragraph (2), by striking the pe-
12 riod and inserting a semicolon; and

13 (C) by adding at the end the following:

14 “(3) that includes demographic information
15 about and characteristics of runaway or homeless
16 youth, including such youth who are victims of traf-
17 ficking in persons or sexual exploitation; and

18 “(4) that does not disclose the identity of any
19 runaway or homeless youth.”; and

20 (2) in subsection (b)(1)—

21 (A) in the matter preceding subparagraph
22 (A), by striking “13” and inserting “12”;

23 (B) in subparagraph (A), by striking
24 “and” at the end;

1 (C) by redesignating subparagraph (B) as
2 subparagraph (C);

3 (D) by inserting after subparagraph (A)
4 the following:

5 “(B) incidences, if any, of—

6 “(i) such individuals who are victims
7 of trafficking in persons; or

8 “(ii) such individuals who are victims
9 of sexual exploitation; and”; and

10 (E) in subparagraph (C), as so redesi-
11 gnated—

12 (i) in clause (ii), by striking “; and”
13 and inserting “, including mental health
14 services;”; and

15 (ii) by adding at the end the fol-
16 lowing:

17 “(iv) access to education and job
18 training; and”.

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

20 Section 351 (34 U.S.C. 11261) is amended—

21 (1) in subsection (a)—

22 (A) by inserting “public and” before “non-
23 profit”; and

24 (B) by striking “prostitution,” and insert-
25 ing “violence;”; and

1 (2) by adding at the end the following:

2 “(c) **ELIGIBILITY REQUIREMENTS.**—To be eligible to
3 receive a grant under subsection (a), an applicant shall
4 certify to the Secretary that such applicant has systems
5 in place to ensure that such applicant can provide age,
6 gender, and culturally and linguistically appropriate, to
7 the extent practicable, services to all youth described in
8 subsection (a).”.

9 **SEC. 8. GENERAL PROVISIONS.**

10 (a) **REPORTS.**—Section 382(a) (34 U.S.C. 11273(a))
11 is amended—

12 (1) in paragraph (1)—

13 (A) by redesignating subparagraphs (B)
14 through (D) as subparagraphs (C) through (E),
15 respectively; and

16 (B) by inserting after subparagraph (A)
17 the following:

18 “(B) collecting data on trafficking in per-
19 sons and sexual exploitation of runaway and
20 homeless youth;”; and

21 (2) in paragraph (2)—

22 (A) by striking subparagraph (A) and in-
23 serting the following:

1 “(A) the number and characteristics of
2 homeless youth served by such projects, includ-
3 ing—

4 “(i) such youth who are victims of
5 trafficking in persons or sexual exploi-
6 tation;

7 “(ii) such youth who are pregnant or
8 parenting;

9 “(iii) such youth who have been in-
10 volved in the child welfare system; and

11 “(iv) such youth who have been in-
12 volved in the juvenile justice system;”;

13 (B) in subparagraph (F), by striking
14 “intrafamily problems” and inserting “problems
15 within the family, including (if appropriate) in-
16 dividuals identified by such youth as family,”.

17 (b) NONDISCRIMINATION.—Part F is amended by in-
18 serting after section 386A (34 U.S.C. 11278) the fol-
19 lowing:

20 **“SEC. 386B. NONDISCRIMINATION.**

21 “(a) IN GENERAL.—No person in the United States
22 shall, on the basis of actual or perceived race, color, reli-
23 gion, national origin, sex, gender identity (as defined in
24 section 249(c)(4) of title 18, United States Code), sexual
25 orientation, or disability, be excluded from participation

1 in, denied the benefits of, or subjected to discrimination
2 under any program or activity receiving Federal financial
3 assistance under title III of the Juvenile Justice and De-
4 linquency Prevention Act of 1974.

5 “(b) EXCEPTION.—

6 “(1) ESSENTIAL SEX-SEGREGATED OR SEX-SPE-
7 CIFIC PROGRAMMING.—If programming that is seg-
8 regated by or specific to sex is necessary to the es-
9 sential operation of a program, nothing in this sec-
10 tion shall be construed to prevent the entity carrying
11 out any such program or activity from consideration
12 of an individual’s sex.

13 “(2) EXCEPTIONS.—In such a circumstance,
14 the entity may meet the requirements of this sec-
15 tion—

16 “(A) by providing comparable services to
17 individuals who cannot be provided with the
18 sex-segregated or sex-specific programming; or

19 “(B) by providing sex-specific program-
20 ming in accordance with an approved applica-
21 tion describing such programming, for the
22 grant, contract, or other agreement involved.

23 “(c) DISQUALIFICATION.—The authority provided for
24 the Secretary to enforce this section shall be the same as
25 the authority provided for the Secretary to enforce sub-

1 section (a) or (b) of section 654 of the Head Start Act
2 (42 U.S.C. 9849). The procedures provided for review of
3 an action to enforce this section shall be the same as the
4 procedures provided for review of an action to enforce sub-
5 section (b) of that section.

6 “(d) CONSTRUCTION.—Nothing in this section shall
7 be construed, interpreted, or applied to supplant, displace,
8 preempt, or otherwise limit the responsibilities and liabil-
9 ities under other Federal or State laws with respect to
10 discrimination on a basis described in subsection (a).”.

11 (c) DEFINITIONS.—Section 387 (34 U.S.C. 11279)
12 is amended—

13 (1) by redesignating paragraphs (1) through
14 (6), and paragraphs (7) and (8), as paragraphs (2)
15 through (7), and paragraphs (9) and (10), respec-
16 tively;

17 (2) by inserting before paragraph (2), the fol-
18 lowing:

19 “(1) CULTURALLY AND LINGUISTICALLY AP-
20 PROPRIATE.—The term ‘culturally and linguistically
21 appropriate’, with respect to services, has the mean-
22 ing given the term ‘culturally and linguistically ap-
23 propriate services’ in the ‘National Standards for
24 Culturally and Linguistically Appropriate Services in
25 Health and Health Care’, issued in April 2013, by

1 the Office of Minority Health of the Department of
2 Health and Human Services.”;

3 (3) in paragraph (4)(A)(ii) (as so redesignated),
4 by striking “and either” and all that follows and in-
5 serting “but less than 25 years of age;”;

6 (4) in paragraph (6)(B)(v) (as so redesign-
7 nated)—

8 (A) by redesignating subclauses (II)
9 through (IV) as subclauses (III) through (V),
10 respectively;

11 (B) by inserting after subclause (I), the
12 following:

13 “(II) trafficking in persons;”;

14 (C) in subclause (IV) (as so redesign-
15 nated)—

16 (i) by striking “diseases” and insert-
17 ing “infections”; and

18 (ii) by striking “and” at the end;

19 (D) in subclause (V) (as so redesignated),
20 by striking the period and inserting “; and”;
21 and

22 (E) by adding at the end the following:

23 “(VI) suicide.”;

1 (5) in paragraph (7)(B) (as so redesignated),
2 by striking “prostitution,” and inserting “trafficking
3 in persons,”;

4 (6) by inserting after paragraph (7) (as so re-
5 designated), the following:

6 “(8) **TRAFFICKING IN PERSONS.**—The term
7 ‘trafficking in persons’ has the meaning given the
8 term ‘severe forms of trafficking in persons’ in sec-
9 tion 103 of the Trafficking Victims Protection Act
10 of 2000 (22 U.S.C. 7102).”;

11 (7) in paragraph (9) (as so redesignated)—

12 (A) by inserting “to homeless youth” after
13 “provides”; and

14 (B) by inserting “, to establish a stable
15 family or community supports,” after “self-suf-
16 ficient living”; and

17 (8) in paragraph (10)(B) (as so redesign-
18 nated)—

19 (A) in clause (ii)—

20 (i) by inserting “or able” after “will-
21 ing”; and

22 (ii) by striking “or” at the end;

23 (B) in clause (iii), by striking the period
24 and inserting “; or”; and

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

1 “(iv) who is involved in the child wel-
2 fare or juvenile justice system, but who is
3 not receiving government-funded hous-
4 ing.”.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
6 388(a) (34 U.S.C. 11280(a)) is amended—

7 (1) in paragraph (1), by striking “for fiscal
8 year 2009,” and all that follows through the period
9 and inserting “for each of fiscal years 2019 through
10 2023.”;

11 (2) in paragraph (3)(B), by striking “such
12 sums as may be necessary for fiscal years 2009,
13 2010, 2011, 2012, and 2013.” and inserting
14 “\$2,000,000 for each of fiscal years 2019 through
15 2023.”; and

16 (3) in paragraph (4), by striking “for fiscal
17 year 2009” and all that follows through the period
18 and inserting “for each of fiscal years 2019 through
19 2023.”.

○