

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a) and (b), was in the original “this Act”, meaning Pub. L. 101-336, July 26, 1990, 104 Stat. 327, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 12101 of this title and Tables.

The Controlled Substances Act, referred to in subsec. (d)(1), is title II of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1242, as amended, which is classified principally to subchapter I (§801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

PRIOR PROVISIONS

A prior section 511 of Pub. L. 101-336 was renumbered section 512 and is classified to section 12211 of this title.

AMENDMENTS

2008—Subsec. (c). Pub. L. 110-325, §6(a)(3), made technical amendment to reference in original act which appears in text as reference to section 12211(b)(3) of this title.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment by Pub. L. 110-325 effective Jan. 1, 2009, see section 8 of Pub. L. 110-325, set out as a note under section 705 of Title 29, Labor.

§ 12211. Definitions

(a) Homosexuality and bisexuality

For purposes of the definition of “disability” in section 12102(2)¹ of this title, homosexuality and bisexuality are not impairments and as such are not disabilities under this chapter.

(b) Certain conditions

Under this chapter, the term “disability” shall not include—

- (1) transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;
- (2) compulsive gambling, kleptomania, or pyromania; or
- (3) psychoactive substance use disorders resulting from current illegal use of drugs.

(Pub. L. 101-336, title V, §512, formerly §511, July 26, 1990, 104 Stat. 376; renumbered §512, Pub. L. 110-325, §6(a)(2), Sept. 25, 2008, 122 Stat. 3558.)

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Section 12102 of this title, referred to in subsec. (a), was amended generally by Pub. L. 110-325, §4(a), Sept. 25, 2008, 122 Stat. 3555, and, as so amended, provisions formerly appearing in par. (2) are now contained in par. (1).

PRIOR PROVISIONS

A prior section 512 of Pub. L. 101-336, which amended former section 706 of Title 29, Labor, was renumbered section 513.

§ 12212. Alternative means of dispute resolution

Where appropriate and to the extent authorized by law, the use of alternative means of dis-

pute resolution, including settlement negotiations, conciliation, facilitation, mediation, fact-finding, minitrials, and arbitration, is encouraged to resolve disputes arising under this chapter.

(Pub. L. 101-336, title V, §514, formerly §513, July 26, 1990, 104 Stat. 377; renumbered §514, Pub. L. 110-325, §6(a)(2), Sept. 25, 2008, 122 Stat. 3558.)

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PRIOR PROVISIONS

A prior section 514 of Pub. L. 101-336 was renumbered section 515 and is classified to section 12213 of this title.

§ 12213. Severability

Should any provision in this chapter be found to be unconstitutional by a court of law, such provision shall be severed from the remainder of the chapter, and such action shall not affect the enforceability of the remaining provisions of the chapter.

(Pub. L. 101-336, title V, §515, formerly §514, July 26, 1990, 104 Stat. 378; renumbered §515, Pub. L. 110-325, §6(a)(2), Sept. 25, 2008, 122 Stat. 3558.)

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CHAPTER 127—COORDINATED SERVICES FOR CHILDREN, YOUTH, AND FAMILIES

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§ 12301. Findings

Congress finds that—

- (1) children and youth are inherently the most valuable resource of the United States;
- (2) the welfare, protection, healthy development, and positive role of children and youth in society are essential to the United States;
- (3) children and youth deserve love, respect, and guidance, as well as good health, shelter, food, education, productive employment opportunities, and preparation for responsible participation in community life;
- (4) children and youth have increasing opportunities to participate in the decisions that affect their lives;
- (5) the family is the primary caregiver and source of social learning and must be supported and strengthened;
- (6) when a family is unable to ensure the satisfaction of basic needs of children and youth it is the responsibility of society to assist such family; and
- (7) it is the joint and several responsibility of the Federal Government, each State, and the political subdivisions of each State to assist children and youth to secure, to the maximum extent practicable, equal opportunity to full and free access to—
 - (A) the best possible physical and mental health;
 - (B) adequate and safe physical shelter;
 - (C) a high level of educational opportunity;
 - (D) effective training, apprenticeships, opportunities for community service, and productive employment and participation in decisions affecting their lives;
 - (E) a wide range of civic, cultural, and recreational activities that recognize young Americans as resources and promote self-esteem and a stake in the communities of such Americans; and
 - (F) comprehensive community services that are efficient, coordinated, readily available, and involve families of young individuals.

(Pub. L. 101-501, title IX, §902, Nov. 3, 1990, 104 Stat. 1262.)

EFFECTIVE DATE

Chapter effective Oct. 1, 1990, see section 1001(a) of Pub. L. 101-501, set out as an Effective Date of 1990 Amendment note under section 8621 of this title.

SHORT TITLE

Pub. L. 101-501, title IX, §901, Nov. 3, 1990, 104 Stat. 1262, provided that: “This title [enacting this chapter]

may be cited as the ‘Claude Pepper Young Americans Act of 1990.’”

Pub. L. 101-501, title IX, §955, Nov. 3, 1990, 104 Stat. 1278, provided that: “This chapter [chapter 3 (§§955-960) of subtitle A of title IX of Pub. L. 101-501, enacting part C of subchapter I of this chapter] may be cited as the ‘Family Resource Act.’”

Pub. L. 101-501, title IX, §981, Nov. 3, 1990, 104 Stat. 1280, provided that: “This subtitle [subtitle B (§§981-988) of title IX of Pub. L. 101-501, enacting subchapter II of this chapter] may be cited as the ‘1993 White House Conference on Children, Youth, and Families.’”

PERFORMANCE PARTNERSHIP PILOTS

Pub. L. 113-76, div. H, title V, §526, Jan. 17, 2014, 128 Stat. 413, provided that:

“(a) DEFINITIONS.—In this section,

“(1) ‘Performance Partnership Pilot’ (or ‘Pilot’) is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the State, regional, or local level that—

“(A) involve two or more Federal programs (administered by one or more Federal agencies)—

“(i) which have related policy goals, and

“(ii) at least one of which is administered (in whole or in part) by a State, local, or tribal government; and

“(B) achieve better results for regions, communities, or specific at-risk populations through making better use of the budgetary resources that are available for supporting such programs.

“(2) ‘To improve outcomes for disconnected youth’ means to increase the rate at which individuals between the ages of 14 and 24 (who are low-income and either homeless, in foster care, involved in the juvenile justice system, unemployed, or not enrolled in or at risk of dropping out of an educational institution) achieve success in meeting educational, employment, or other key goals.

“(3) The ‘lead Federal administering agency’ is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot), that will enter into and administer the particular Performance Partnership Agreement on behalf of that agency and the other participating Federal agencies.

“(b) USE OF DISCRETIONARY FUNDS IN FISCAL YEAR 2014.—Federal agencies may use Federal discretionary funds that are made available in this Act [div. H of Pub. L. 113-76, see Tables for classification] to carry out up to 10 Performance Partnership Pilots. Such Pilots shall:

“(1) be designed to improve outcomes for disconnected youth, and

“(2) involve Federal programs targeted on disconnected youth, or designed to prevent youth from disconnecting from school or work, that provide education, training, employment, and other related social services.

“(c) PERFORMANCE PARTNERSHIP AGREEMENTS.—Federal agencies may use Federal discretionary funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a Performance Partnership Agreement that—

“(1) is entered into between—

“(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the Agreement), and

“(B) the respective representatives of all of the State, local, or tribal governments that are participating in the Agreement; and