

Stat. 1109, known as the Juvenile Justice and Delinquency Prevention Act of 1974, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title of 1974 Act note set out under section 10101 of this title and Tables.

CODIFICATION

Section was formerly classified to section 5681 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

EFFECTIVE DATE

Section effective on the first day of the first fiscal year that begins after Nov. 2, 2002, and applicable only with respect to fiscal years beginning on or after the first day of the first fiscal year that begins after Nov. 2, 2002, see section 12223 of Pub. L. 107-273, set out as an Effective Date of 2002 Amendment note under section 11101 of this title.

SUBCHAPTER III—RUNAWAY AND HOMELESS YOUTH

§ 11201. Findings

The Congress finds that—

(1) youth who have become homeless or who leave and remain away from home without parental permission, are at risk of developing, and have a disproportionate share of, serious health, behavioral, and emotional problems because they lack sufficient resources to obtain care and may live on the street for extended periods thereby endangering themselves and creating a substantial law enforcement problem for communities in which they congregate;

(2) many such young people, because of their age and situation, are urgently in need of temporary shelter and services, including services that are linguistically appropriate and acknowledge the environment of youth seeking these services;

(3) services to such young people should be developed and provided using a positive youth development approach that ensures a young person a sense of—

- (A) safety and structure;
- (B) belonging and membership;
- (C) self-worth and social contribution;
- (D) independence and control over one's life; and
- (E) closeness in interpersonal relationships.¹

(4) in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop an accurate national reporting system to report the problem, and to assist in the development of an effective system of care (including preventive and after-care services, emergency shelter services, extended residential shelter, and street outreach services) outside the welfare system and the law enforcement system;

(5) to make a successful transition to adulthood, runaway youth, homeless youth, and other street youth need opportunities to complete high school or earn a general equivalency degree, learn job skills, and obtain employment; and

(6) improved coordination and collaboration between the Federal programs that serve run-

away and homeless youth are necessary for the development of a long-term strategy for responding to the needs of this population.

(Pub. L. 93-415, title III, §302, Sept. 7, 1974, 88 Stat. 1129; Pub. L. 102-586, §3(a), Nov. 4, 1992, 106 Stat. 5017; Pub. L. 106-71, §3(a), Oct. 12, 1999, 113 Stat. 1035; Pub. L. 108-96, title I, §101, Oct. 10, 2003, 117 Stat. 1167; Pub. L. 110-378, §2, Oct. 8, 2008, 122 Stat. 4068.)

CODIFICATION

Section was formerly classified to section 5701 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2008—Pars. (3) to (6). Pub. L. 110-378 added par. (3) and redesignated former pars. (3) to (5) as (4) to (6), respectively.

2003—Pub. L. 108-96 amended section generally. Prior to amendment, section contained congressional statement of findings.

1999—Par. (5). Pub. L. 106-71, §3(a)(1), substituted “an accurate national reporting system to report the problem, and to assist in the development of” for “accurate reporting of the problem nationally and to develop”.

Par. (8). Pub. L. 106-71, §3(a)(2), added par. (8) and struck out former par. (8) which read as follows: “in view of the interstate nature of the problem, it is the responsibility of the Federal Government to develop an accurate national reporting system and to develop an effective system of care including prevention, emergency shelter services, and longer residential care outside the public welfare and law enforcement structures;”.

1992—Par. (1). Pub. L. 102-586, §3(a)(1), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “the number of juveniles who leave and remain away from home without parental permission has increased to alarming proportions, creating a substantial law enforcement problem for the communities inundated, and significantly endangering the young people who are without resources and live on the street;”.

Par. (5). Pub. L. 102-586, §3(a)(3), substituted “care (including preventive services, emergency shelter services, and extended residential shelter) outside the welfare system and the law enforcement system;” for “temporary care outside the law enforcement structure.”

Pars. (6) to (10). Pub. L. 102-586, §3(a)(2), (4), added pars. (6) to (10).

§ 11202. Promulgation of rules

The Secretary of Health and Human Services (hereinafter in this subchapter referred to as the “Secretary”) may issue such rules as the Secretary considers necessary or appropriate to carry out the purposes of this subchapter.

(Pub. L. 93-415, title III, §303, Sept. 7, 1974, 88 Stat. 1130; Pub. L. 98-473, title II, §650, Oct. 12, 1984, 98 Stat. 2122.)

CODIFICATION

Section was formerly classified to section 5702 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1984—Pub. L. 98-473 substituted “Health and Human Services” for “Health, Education, and Welfare” and “issue such rules as the Secretary” for “prescribe such rules as he”.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 670(a) of Pub. L. 98-473, set out as a note under section 11101 of this title.

¹ So in original. The period probably should be a semicolon.

PART A—BASIC CENTER GRANT PROGRAM

CODIFICATION

Pub. L. 108–96, title I, §102, Oct. 10, 2003, 117 Stat. 1168, substituted in part A heading “BASIC CENTER” for “RUNAWAY AND HOMELESS YOUTH”.

Pub. L. 100–690, title VII, §7272(1), Nov. 18, 1988, 102 Stat. 4454, substituted in part A heading “RUNAWAY AND HOMELESS YOUTH GRANT PROGRAM” for “GRANTS PROGRAM”.

§ 11211. Authority to make grants**(a) Grants for centers and services****(1) In general**

The Secretary shall make grants to public and nonprofit private entities (and combinations of such entities) to establish and operate (including renovation) local centers to provide services for runaway and homeless youth and for the families of such youth.

(2) Services provided

Services provided under paragraph (1)—

(A) shall be provided as an alternative to involving runaway and homeless youth in the law enforcement, child welfare, mental health, and juvenile justice systems;

(B) shall include—

- (i) safe and appropriate shelter provided for not to exceed 21 days; and
- (ii) individual, family, and group counseling, as appropriate; and

(C) may include—

- (i) street-based services;
- (ii) home-based services for families with youth at risk of separation from the family;
- (iii) drug abuse education and prevention services; and
- (iv) at the request of runaway and homeless youth, testing for sexually transmitted diseases.

(b) Allotment of funds for grants; priority given to certain private entities

(1) Subject to paragraph (2) and in accordance with regulations promulgated under this subchapter, funds for grants under subsection (a) shall be allotted annually with respect to the States on the basis of their relative population of individuals who are less than 18 years of age.

(2)(A) Except as provided in subparagraph (B), the amount allotted under paragraph (1) with respect to each State for a fiscal year shall be not less than \$200,000, except that the amount allotted to the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands shall be not less than \$70,000 each.

(B) For fiscal years 2009 and 2010, the amount allotted under paragraph (1) with respect to a State for a fiscal year shall be not less than the amount allotted under paragraph (1) with respect to such State for fiscal year 2008.

(C) Whenever the Secretary determines that any part of the amount allotted under paragraph (1) to a State for a fiscal year will not be obligated before the end of the fiscal year, the Secretary shall reallocate such part to the remaining States for obligation for the fiscal year.

(3) In selecting among applicants for grants under subsection (a), the Secretary shall give

priority to private entities that have experience in providing the services described in such subsection.

(Pub. L. 93–415, title III, §311, Sept. 7, 1974, 88 Stat. 1130; Pub. L. 95–115, §7(a)(1), Oct. 3, 1977, 91 Stat. 1058; Pub. L. 96–509, §18(c), Dec. 8, 1980, 94 Stat. 2762; Pub. L. 98–473, title II, §651, Oct. 12, 1984, 98 Stat. 2123; Pub. L. 100–690, title VII, §7271(a), (b), Nov. 18, 1988, 102 Stat. 4452; Pub. L. 102–586, §3(b), Nov. 4, 1992, 106 Stat. 5018; Pub. L. 106–71, §3(b), Oct. 12, 1999, 113 Stat. 1035; Pub. L. 108–96, title I, §§103, 104, Oct. 10, 2003, 117 Stat. 1168; Pub. L. 110–378, §3(a), Oct. 8, 2008, 122 Stat. 4068.)

CODIFICATION

Section was formerly classified to section 5711 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2008—Subsec. (a)(2)(B)(i). Pub. L. 110–378, §3(a)(1), added cl. (i) and struck out former cl. (i) which read as follows: “safe and appropriate shelter; and”.

Subsec. (b)(2). Pub. L. 110–378, §3(a)(2), designated existing provisions as subpar. (A), substituted “Except as provided in subparagraph (B), the” for “The”, “\$200,000” for “\$100,000”, and “\$70,000” for “\$45,000”, and added subpars. (B) and (C).

2003—Subsec. (a)(2)(C)(iv). Pub. L. 108–96, §103, added cl. (iv).

Subsec. (b)(2). Pub. L. 108–96, §104(1), substituted “The” for “Subject to paragraph (3), the”.

Subsec. (b)(3), (4). Pub. L. 108–96, §104(2), (3), redesignated par. (4) as (3) and struck out former par. (3) which read as follows: “If, as a result of paragraph (2), the amount allotted under paragraph (1) with respect to a State for a fiscal year would be less than the aggregate amount of grants made under this part to recipients in such State for fiscal year 1992, then the amounts allotted to satisfy the requirements of such paragraph shall be reduced pro rata to the extent necessary to allot under paragraph (1) with respect to such State for the fiscal year an amount equal to the aggregate amount of grants made under this part to recipients in such State for fiscal year 1992.”

1999—Subsec. (a). Pub. L. 106–71, §3(b)(1), added heading and text of subsec. (a) and struck out former subsec. (a) which read as follows: “The Secretary shall make grants to public and private entities (and combinations of such entities) to establish and operate (including renovation) local runaway and homeless youth centers to provide services to deal primarily with the immediate needs of runaway or otherwise homeless youth, and their families, in a manner which is outside the law enforcement system, the child welfare system, the mental health system, and the juvenile justice system.”

Subsec. (b)(2). Pub. L. 106–71, §3(b)(2), struck out “the Trust Territory of the Pacific Islands,” after “American Samoa,”.

Subsecs. (c), (d). Pub. L. 106–71, §3(b)(3), struck out subsecs. (c) and (d) which related to street-based services and home-based services, respectively.

1992—Subsec. (a). Pub. L. 102–586, §3(b)(1), substituted “system, the child welfare system, the mental health system, and” for “structure and”.

Subsec. (b)(2). Pub. L. 102–586, §3(b)(2)(A), substituted “\$100,000” for “\$75,000” and “\$45,000” for “\$30,000”.

Subsec. (b)(3). Pub. L. 102–586, §3(b)(2)(B), substituted “1992” for “1988” in two places.

Subsecs. (c), (d). Pub. L. 102–586, §3(b)(3), added subsecs. (c) and (d) and struck out former subsec. (c) which read as follows: “The Secretary is authorized to provide on-the-job training to local runaway and homeless youth center personnel and coordinated networks of local law enforcement, social service, and welfare per-