

§ 290cc-23. Requirement of matching funds**(a) In general**

The Secretary may not make payments under section 290cc-21 of this title unless, with respect to the costs of providing services pursuant to section 290cc-22 of this title, the State involved agrees to make available, directly or through donations from public or private entities, non-Federal contributions toward such costs in an amount that is not less than \$1 for each \$3 of Federal funds provided in such payments.

(b) Determination of amount

Non-Federal contributions required in subsection (a) may be in cash or in kind, fairly evaluated, including plant, equipment, or services. Amounts provided by the Federal Government, or services assisted or subsidized to any significant extent by the Federal Government, shall not be included in determining the amount of such non-Federal contributions.

(c) Limitation regarding grants by States

The Secretary may not make payments under section 290cc-21 of this title unless the State involved agrees that the State will not require the entities to which grants are provided pursuant to section 290cc-22(a) of this title to provide non-Federal contributions in excess of the non-Federal contributions described in subsection (a).

(July 1, 1944, ch. 373, title V, §523, as added Pub. L. 100-77, title VI, §611(3), July 22, 1987, 101 Stat. 517; amended Pub. L. 101-645, title V, §511, Nov. 29, 1990, 104 Stat. 4728.)

PRIOR PROVISIONS

A prior section 523 of act July 1, 1944, was renumbered section 544 by section 611(2) of Pub. L. 100-77 and is classified to section 290dd-3 of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting present provisions for provisions which related to: in subsec. (a), general requirements; and in subsec. (b), determination of amount of non-Federal contribution.

§ 290cc-24. Determination of amount of allotment**(a) Minimum allotment**

The allotment for a State under section 290cc-21 of this title for a fiscal year shall be the greater of—

(1) \$300,000 for each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico, and \$50,000 for each of Guam, the Virgin Islands, American Samoa, and the Commonwealth of the Northern Mariana Islands; and

(2) an amount determined in accordance with subsection (b).

(b) Determination under formula

The amount referred to in subsection (a)(2) is the product of—

(1) an amount equal to the amount appropriated under section 290cc-35(a) of this title for the fiscal year; and

(2) a percentage equal to the quotient of—

(A) an amount equal to the population living in urbanized areas of the State involved,

as indicated by the most recent data collected by the Bureau of the Census; and

(B) an amount equal to the population living in urbanized areas of the United States, as indicated by the sum of the respective amounts determined for the States under subparagraph (A).

(July 1, 1944, ch. 373, title V, §524, as added Pub. L. 100-77, title VI, §611(3), July 22, 1987, 101 Stat. 517; amended Pub. L. 101-645, title V, §511, Nov. 29, 1990, 104 Stat. 4728.)

PRIOR PROVISIONS

A prior section 524 of act July 1, 1944, was renumbered section 545 by section 611(2) of Pub. L. 100-77 and is classified to section 290ee of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to determination of amount of allotment for provisions relating to requiring provision of certain mental health services.

§ 290cc-25. Conversion to categorical program in event of failure of State regarding expenditure of grants**(a) In general**

Subject to subsection (c), the Secretary shall, from the amounts specified in subsection (b), make grants to public and nonprofit private entities for the purpose of providing to eligible homeless individuals the services specified in section 290cc-22(b) of this title.

(b) Specification of funds

The amounts referred to in subsection (a) are any amounts made available in appropriations Acts for allotments under section 290cc-21 of this title that are not paid to a State as a result of—

(A) the failure of the State to submit an application under section 290cc-29 of this title;

(B) the failure of the State, in the determination of the Secretary, to prepare the application in accordance with such section or to submit the application within a reasonable period of time; or

(C) the State informing the Secretary that the State does not intend to expend the full amount of the allotment made to the State.

(c) Requirement of provision of services in State involved

With respect to grants under subsection (a), amounts made available under subsection (b) as a result of the State involved shall be available only for grants to provide services in such State.

(July 1, 1944, ch. 373, title V, §525, as added Pub. L. 100-77, title VI, §611(3), July 22, 1987, 101 Stat. 518; amended Pub. L. 101-645, title V, §511, Nov. 29, 1990, 104 Stat. 4729.)

PRIOR PROVISIONS

A prior section 525 of act July 1, 1944, was renumbered section 546 by section 611(2) of Pub. L. 100-77 and is classified to section 290ee-1 of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to conversion to categorical program in event of failure of State regarding expenditure of grants for provisions relating to restrictions on use of payments.

§ 290cc-26. Provision of certain information from State

The Secretary may not make payments under section 290cc-21 of this title to a State unless, as part of the application required in section 290cc-29 of this title, the State submits to the Secretary a statement—

(1) identifying existing programs providing services and housing to eligible homeless individuals and identify gaps in the delivery systems of such programs;

(2) containing a plan for providing services and housing to eligible homeless individuals, which plan—

(A) describes the coordinated and comprehensive means of providing services and housing to homeless individuals; and

(B) includes documentation that suitable housing for eligible homeless individuals will accompany the provision of services to such individuals;

(3) describes the source of the non-Federal contributions described in section 290cc-23 of this title;

(4) contains assurances that the non-Federal contributions described in section 290cc-23 of this title will be available at the beginning of the grant period;

(5) describe any voucher system that may be used to carry out this part; and

(6) contain such other information or assurances as the Secretary may reasonably require.

(July 1, 1944, ch. 373, title V, § 526, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 519; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4729.)

PRIOR PROVISIONS

A prior section 526 of act July 1, 1944, was renumbered section 547 by section 611(2) of Pub. L. 100-77 and is classified to section 290ee-2 of this title.

AMENDMENTS

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to providing certain information from State for provisions relating to requirement of submission of description of intended use of block grant.

§ 290cc-27. Description of intended expenditures of grant

(a) In general

The Secretary may not make payments under section 290cc-21 of this title unless—

(1) as part of the application required in section 290cc-29 of this title, the State involved submits to the Secretary a description of the intended use for the fiscal year of the amounts for which the State is applying pursuant to such section;

(2) such description identifies the geographic areas within the State in which the greatest numbers of homeless individuals with a need for mental health, substance use disorder, and housing services are located;

(3) such description provides information relating to the programs and activities to be supported and services to be provided, including information relating to coordinating such

programs and activities with any similar programs and activities of public and private entities; and

(4) the State agrees that such description will be revised throughout the year as may be necessary to reflect substantial changes in the programs and activities assisted by the State pursuant to section 290cc-22 of this title.

(b) Opportunity for public comment

The Secretary may not make payments under section 290cc-21 of this title unless the State involved agrees that, in developing and carrying out the description required in subsection (a), the State will provide public notice with respect to the description (including any revisions) and such opportunities as may be necessary to provide interested persons, such as family members, consumers, and mental health, substance use disorder, and housing agencies, an opportunity to present comments and recommendations with respect to the description.

(c) Relationship to State comprehensive mental health services plan

(1) In general

The Secretary may not make payments under section 290cc-21 of this title unless the services to be provided pursuant to the description required in subsection (a) are consistent with the State comprehensive mental health services plan required in subpart 2¹ of part B of subchapter XVII.

(2) Special rule

The Secretary may not make payments under section 290cc-21 of this title unless the services to be provided pursuant to the description required in subsection (a) have been considered in the preparation of, have been included in, and are consistent with, the State comprehensive mental health services plan referred to in paragraph (1).

(July 1, 1944, ch. 373, title V, § 527, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 520; amended Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4730; Pub. L. 114-255, div. B, title IX, § 9004(c), Dec. 13, 2016, 130 Stat. 1238.)

REFERENCES IN TEXT

Subpart 2 of part B of subchapter XVII, referred to in subsec. (c)(1), which related to State comprehensive mental health services plans and which was classified to section 300x-10 et seq. of this title, was repealed by Pub. L. 102-321, title II, § 201(2), July 10, 1992, 106 Stat. 378, and a new subpart 2 of part B of subchapter XVII of this chapter, relating to block grants for prevention and treatment of substance abuse, was added by section 202 of Pub. L. 102-321 and classified to section 300x-21 et seq. of this title.

PRIOR PROVISIONS

A prior section 527 of act July 1, 1944, was renumbered section 548 by section 611(2) of Pub. L. 100-77 and is classified to section 290ee-3 of this title.

AMENDMENTS

2016—Subsecs. (a)(2), (b). Pub. L. 114-255 substituted “substance use disorder” for “substance abuse”.

1990—Pub. L. 101-645 amended section generally, substituting provisions relating to description of intended

¹ See References in Text note below.