

(Pub. L. 100-77, title IV, § 416, formerly § 415, July 22, 1987, 101 Stat. 497; Pub. L. 100-628, title IV, § 424, Nov. 7, 1988, 102 Stat. 3232; Pub. L. 101-625, title VIII, § 832(e)(1), (2), (h), Nov. 28, 1990, 104 Stat. 4360, 4362; Pub. L. 102-550, title XIV, § 1402(b)-(d), Oct. 28, 1992, 106 Stat. 4012, 4013; Pub. L. 104-330, title V, § 506(a)(5), Oct. 26, 1996, 110 Stat. 4044; renumbered § 416 and amended Pub. L. 111-22, div. B, title II, §§ 1201(3), 1203, May 20, 2009, 123 Stat. 1678, 1680.)

REFERENCES IN TEXT

Section 11374 of this title, referred to in subsec. (c)(1)(C), was in the original a reference to section 414, meaning section 414 of Pub. L. 100-77, which has been translated as reading section 415 of Pub. L. 100-77 to reflect the probable intent of Congress and the renumbering of section 414 of Pub. L. 100-77 as section 415 by Pub. L. 111-22, div. B, title II, § 1201(3), May 20, 2009, 123 Stat. 1678.

PRIOR PROVISIONS

A prior section 416 of Pub. L. 100-77 was renumbered section 417 and is classified to section 11376 of this title.

AMENDMENTS

2009—Subsec. (f). Pub. L. 111-22, § 1203, added subsec. (f).

1996—Subsec. (c)(4). Pub. L. 104-330 struck out “Indian tribes,” after “local governments.”

1992—Subsec. (c). Pub. L. 102-550, § 1402(b), in par. (1), substituted a semicolon for period at end, in par. (3), struck out “and” at end, in par. (4), inserted “it will” after “State,” and struck out “and” at end, in par. (5), inserted “it will” before “develop” and substituted a semicolon for period at end, redesignated par. (4), relating to consistency of activities undertaken with assistance under this part, as (6) and substituted “; and” for period at end, and added par. (7).

Subsec. (d). Pub. L. 102-550, § 1402(c), added subsec. (d).

Subsec. (e). Pub. L. 102-550, § 1402(d), added subsec. (e).

1990—Subsec. (a)(1). Pub. L. 101-625, § 832(e)(1)(A), substituted “Except as provided in paragraph (2), each” for “Each”.

Subsec. (a)(2), (3). Pub. L. 101-625, § 832(e)(1)(B), (C), added par. (2) and redesignated former par. (2) as (3).

Subsec. (c)(2), (3). Pub. L. 101-625, § 832(e)(2)(A), (B), (h)(1), (2), amended subsec. (c) identically, striking “and” at end of par. (2) and substituting “; and” for period at end of par. (3).

Subsec. (c)(4). Pub. L. 101-625, § 832(h)(3), added (after par. (5)) par. (4) relating to consistency of activities undertaken with assistance under this part.

Pub. L. 101-625, § 832(e)(2)(C), added par. (4) relating to matching funds obtained by State recipients of assistance under this part.

Subsec. (c)(5). Pub. L. 101-625, § 832(e)(2)(C), added par. (5).

1988—Subsec. (c)(1). Pub. L. 100-628 amended par. (1) generally. Prior to amendment, par. (1) read as follows: “it will maintain any building for which assistance is used under this part as a shelter for homeless individuals for not less than a 3-year period or for not less than a 10-year period if such assistance is used for the major rehabilitation or conversion of such building;”.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-22 effective on the earlier of 18 months after May 20, 2009, or 3 months after publication of certain final regulations by Secretary of Housing and Urban Development, see section 1503 of Pub. L. 111-22, set out as a note under section 11302 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-330 effective Oct. 1, 1997, except as otherwise expressly provided, see section 107

of Pub. L. 104-330, set out as an Effective Date note under section 4101 of Title 25, Indians.

Amendment by Pub. L. 104-330 applicable with respect to amounts made available for assistance under this subchapter for fiscal year 1998 and fiscal years thereafter, see section 506(c) of Pub. L. 104-330, set out as a note under section 11371 of this title.

§ 11376. Administrative provisions

(a) Regulations

Not later than 60 days after July 22, 1987, the Secretary shall by notice establish such requirements as may be necessary to carry out the provisions of this part. Such requirements shall be subject to section 553 of title 5. The Secretary shall issue requirements based on the initial notice before the expiration of the 12-month period following July 22, 1987. Prior to the issuance of such requirements in final form, the requirements established by the Secretary implementing the provisions of the emergency shelter grants program under the provisions made effective by section 101(g) of Public Law 99-500 or Public Law 99-591 shall govern the emergency shelter grants program under this part.

(b) Initial allocation of assistance

Not later than the expiration of the 60-day period following the date of enactment of a law providing appropriations to carry out this part, the Secretary shall notify each State, metropolitan city, and urban county that is to receive a direct grant of its allocation of assistance under this part. Such assistance shall be allocated and may be used notwithstanding any failure of the Secretary to issue requirements under subsection (a).

(c) Minimum standards of habitability

The Secretary shall prescribe such minimum standards of habitability as the Secretary determines to be appropriate to ensure that emergency shelters assisted under this section are environments that provide appropriate privacy, safety, and sanitary and other health-related conditions for homeless persons and families. Grantees are authorized to establish standards of habitability in addition to those prescribed by the Secretary.

(Pub. L. 100-77, title IV, § 417, formerly § 416, July 22, 1987, 101 Stat. 498; Pub. L. 101-625, title VIII, § 832(f)(7), (g), Nov. 28, 1990, 104 Stat. 4361; Pub. L. 104-330, title V, § 506(a)(6), Oct. 26, 1996, 110 Stat. 4044; renumbered § 417, Pub. L. 111-22, div. B, title II, § 1201(3), May 20, 2009, 123 Stat. 1678.)

REFERENCES IN TEXT

The emergency shelter grants program under the provisions made effective by section 101(g) of Public Law 99-500 or Public Law 99-591, referred to in subsec. (a), means the emergency shelter grants program authorized by title V of H.R. 5313 [Department of Housing and Urban Development—Independent Agencies Appropriations Act, 1987], as incorporated by reference by section 101(g) of Pub. L. 99-500 and 99-591, and enacted into law by section 106 of Pub. L. 100-202, which is set out as a note under section 11361 of this title.

PRIOR PROVISIONS

A prior section 417 of Pub. L. 100-77 was classified to section 11377 of this title, prior to repeal by Pub. L. 111-22.

AMENDMENTS

1996—Subsec. (b). Pub. L. 104-330 struck out “Indian tribe,” after “State.”

1990—Subsec. (b). Pub. L. 101-625, § 832(f)(7), inserted “Indian tribe,” after “State.”

Subsec. (c). Pub. L. 101-625, § 832(g), added subsec. (c).

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-330 effective Oct. 1, 1997, except as otherwise expressly provided, see section 107 of Pub. L. 104-330, set out as an Effective Date note under section 4101 of Title 25, Indians.

Amendment by Pub. L. 104-330 applicable with respect to amounts made available for assistance under this subchapter for fiscal year 1998 and fiscal years thereafter, see section 506(c) of Pub. L. 104-330, set out as a note under section 11371 of this title.

§ 11377. Repealed. Pub. L. 111-22, div. B, title II, § 1201(2), May 20, 2009, 123 Stat. 1678

Section, Pub. L. 100-77, title IV, § 417, July 22, 1987, 101 Stat. 498; Pub. L. 100-628, title IV, § 425, Nov. 7, 1988, 102 Stat. 3232; Pub. L. 101-625, title VIII, § 832(a), Nov. 28, 1990, 104 Stat. 4359; Pub. L. 102-550, title XIV, § 1402(a), Oct. 28, 1992, 106 Stat. 4012, authorized appropriations for fiscal years 1993 and 1994.

EFFECTIVE DATE OF REPEAL

Repeal effective on the earlier of 18 months after May 20, 2009, or 3 months after publication of certain final regulations by Secretary of Housing and Urban Development, see section 1503 of Pub. L. 111-22, set out as an Effective Date of 2009 Amendment note under section 11302 of this title.

§ 11378. Administrative costs

A recipient may use up to 7.5 percent of any annual grant received under this part for administrative purposes. A recipient State shall share the amount available for administrative purposes pursuant to the preceding sentence with local governments funded by the State.

(Pub. L. 100-77, title IV, § 418, as added Pub. L. 101-625, title VIII, § 832(b)(1), Nov. 28, 1990, 104 Stat. 4359; amended Pub. L. 111-22, div. B, title II, § 1204, May 20, 2009, 123 Stat. 1680.)

AMENDMENTS

2009—Pub. L. 111-22 substituted “7.5 percent” for “5 percent”.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-22 effective on the earlier of 18 months after May 20, 2009, or 3 months after publication of certain final regulations by Secretary of Housing and Urban Development, see section 1503 of Pub. L. 111-22, set out as a note under section 11302 of this title.

PART C—CONTINUUM OF CARE PROGRAM

CODIFICATION

Pub. L. 111-22, div. B, title III, § 1301(1), May 20, 2009, 123 Stat. 1680, substituted “Continuum of Care Program” for “Supportive Housing Program” in heading.

§ 11381. Purposes

The purposes of this part are—

- (1) to promote community-wide commitment to the goal of ending homelessness;
- (2) to provide funding for efforts by non-profit providers and State and local governments to quickly rehouse homeless individuals

and families while minimizing the trauma and dislocation caused to individuals, families, and communities by homelessness;

(3) to promote access to, and effective utilization of, mainstream programs described in section 11313(a)(7) of this title and programs funded with State or local resources; and

(4) to optimize self-sufficiency among individuals and families experiencing homelessness.

(Pub. L. 100-77, title IV, § 421, as added Pub. L. 111-22, div. B, title III, § 1301(2), May 20, 2009, 123 Stat. 1680.)

PRIOR PROVISIONS

A prior section 11381, Pub. L. 100-77, title IV, § 421, as added Pub. L. 102-550, title XIV, § 1403(a), Oct. 28, 1992, 106 Stat. 4013, which related to the purpose of the supportive housing program, was repealed by Pub. L. 111-22, div. B, title III, § 1301(2), May 20, 2009, 123 Stat. 1680.

Another prior section 11381, Pub. L. 100-77, title IV, § 421, July 22, 1987, 101 Stat. 498, which related to establishment of a supportive housing demonstration program, was repealed by Pub. L. 102-550, title XIV, § 1403(a), Oct. 28, 1992, 106 Stat. 4013.

EFFECTIVE DATE

Section effective on the earlier of 18 months after May 20, 2009, or 3 months after publication of certain final regulations by Secretary of Housing and Urban Development, see section 1503 of Pub. L. 111-22, set out as an Effective Date of 2009 Amendment note under section 11302 of this title.

TRANSITIONAL PROVISION

Pub. L. 102-550, title XIV, § 1403(b), Oct. 28, 1992, 106 Stat. 4021, as amended by Pub. L. 106-400, § 2, Oct. 30, 2000, 114 Stat. 1675, provided that: “Notwithstanding the amendment made by subsection (a) [adding part C and repealing former parts C and D of this subchapter], before the date of the effectiveness of the regulations issued under section 427 of the McKinney-Vento Homeless Assistance Act [42 U.S.C. 11387] (as amended by subsection (a) of this section) the Secretary may make grants under the provisions of subtitles C and D of [title IV of] the McKinney-Vento Homeless Assistance Act [former parts C and D of this subchapter], as in effect immediately before the enactment of this Act [Oct. 28, 1992]. Any grants made before such effective date shall be subject to the provisions of such subtitles.”

DEMONSTRATION PROJECTS TO REDUCE NUMBER OF HOMELESS FAMILIES IN WELFARE HOTELS

Pub. L. 100-628, title IX, § 903, Nov. 7, 1988, 102 Stat. 3258, as amended by Pub. L. 104-193, title I, § 110(g), Aug. 22, 1996, 110 Stat. 2171, authorized Secretary of Health and Human Services to carry out 2 or 3 demonstration projects to provide housing in transitional facilities for homeless families who are recipients of assistance under a State program funded by part A of subchapter IV of chapter 7 of this title and who reside in commercial or similar transient facilities and authorized appropriations of not more than \$20,000,000 for the grants for fiscal year 1990.

DEFINITION

For provisions relating to definition of “local government” as used in this section, see section 100261 of Pub. L. 112-141, set out as a HEARTH Act Technical Corrections note under section 11360 of this title.

§ 11382. Continuum of care applications and grants

(a) Projects

The Secretary shall award grants, on a competitive basis, and using the selection criteria