

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.

¹ See References in Text note below.

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 expenditures of grant for provisions relating to requirement of reports by States.

§ 290cc-28. Requirement of reports by States

(a) In general

The Secretary may not make payments under section 290cc-21 of this title unless the State involved agrees that, by not later than January 31 of each fiscal year, the State will prepare and submit to the Secretary a report in such form and containing such information as the Secretary determines (after consultation with the Assistant Secretary for Mental Health and Substance Use) to be necessary for—

(1) securing a record and a description of the purposes for which amounts received under section 290cc-21 of this title were expended during the preceding fiscal year and of the recipients of such amounts; and

(2) determining whether such amounts were expended in accordance with the provisions of this part.

(b) Availability to public of reports

The Secretary may not make payments under section 290cc-21 of this title unless the State involved agrees to make copies of the reports described in subsection (a) available for public inspection.

(c) Evaluations

The Assistant Secretary for Mental Health and Substance Use shall evaluate at least once every 3 years the expenditures of grants under this part by eligible entities in order to ensure that expenditures are consistent with the provisions of this part, and shall include in such evaluation recommendations regarding changes needed in program design or operations.

(July 1, 1944, ch. 373, title V, § 528, as added Pub. L. 100-77, title VI, § 611(3), July 22, 1987, 101 Stat. 520; amended Pub. L. 100-607, title VIII, § 812(b), Nov. 4, 1988, 102 Stat. 3170; Pub. L. 100-628, title VI, § 612(b), Nov. 7, 1988, 102 Stat. 3243; Pub. L. 100-690, title II, § 2614(a), Nov. 18, 1988, 102 Stat. 4239; Pub. L. 101-93, § 5(t)(1), Aug. 16, 1989, 103 Stat. 615; Pub. L. 101-645, title V, § 511, Nov. 29, 1990, 104 Stat. 4730; Pub. L. 102-321, title I, § 163(a)(1), formerly § 163(a)(2), July 10, 1992, 106 Stat. 375, renumbered § 163(a)(1), Pub. L. 102-352, § 2(b)(2), Aug. 26, 1992, 106 Stat. 939; Pub. L. 104-316, title I, § 122(c), Oct. 19, 1996, 110 Stat. 3836; Pub. L. 114-255, div. B, title VI, § 6001(c)(1), Dec. 13, 2016, 130 Stat. 1203.)

AMENDMENTS

2016—Subsecs. (a), (c). Pub. L. 114-255 substituted “Assistant Secretary for Mental Health and Substance