



## SECTION-BY-SECTION

### **RUNAWAY AND HOMELESS YOUTH + TRAFFICKING PREVENTION ACT OF 2023**

([S.3125/H.R. 6041](#))

#### FINDINGS SECTION

- Youth who experience homelessness disproportionately experience trauma, serious health, behavioral, social, and emotional problems, and substance use disorders because they lack sufficient resources.
- Young people experiencing homelessness, because of their age and situation, are in urgent need of temporary shelter and services – including services that are socially, age, gender, developmentally, culturally, and linguistically appropriate, and that acknowledge the environment of youth seeking these services.
- Research has documented that youth experiences of homelessness are fluid, where many youth experience two to three different types of homelessness, including couch surfing, emergency shelters, and staying on the streets.
- Research has documented that persons who are members of historically marginalized and underserved communities of color, LGBTQ+ youth, who do not complete high school or achieve an equivalency, child welfare-involved youth, law enforcement, and criminal justice-involved youth, and pregnant and parenting youth are most likely to experience homelessness in America unaccompanied by a parent or adult.
- To successfully transition to adulthood, runaway youth and homeless youth, and other street youth, need a safe and stable place to live and a connection to caring adults.
- Positive youth development approaches ensure a young person's sense of self-worth, empowerment, voice, choice, and self-advocacy.
- Runaway and homeless youth are at high risk of substance use disorders and becoming victims of sexual abuse, sexual exploitation, trafficking in persons, and sex trafficking.
- Research has shown that the prevalence of homelessness among youth and young adults is similar in rural and urban communities. Runaway and homeless youth programs, such as those funded under RHYTPA, are critical services that every community should provide, regardless of size.
- Runaway and Homeless Youth programs are expert adolescent service providers and integral community partners for child welfare and juvenile justice systems as many youths exit these systems to homelessness and these community-based programs work to reunify youth with their family when safe and appropriate.

#### BASIC CENTER PROGRAM

**Basic Center Program (BCP)** provides temporary housing with crisis intervention services to minors (runaway youth, street youth, homeless youth, and youth at-risk of separation from their family), including counseling, family reunification, and aftercare.

- Services shall be provided to runaway youth, street youth, homeless youth, and youth at-risk of separation from their family, or at risk of becoming homeless.
- Increases allowable length of stay from 21 to 30 days, or the maximum allowed by state law, whichever is higher.
- Services must be trauma-informed and inclusive of the youth's family, including individuals identified by the youth as family.
- Programs must include a statistical summary in the annual report describing the number, characteristics, and demographics of the youth who participated in the project, including the prevalence of human trafficking.
- Services shall include age, gender, developmentally, culturally, and linguistically appropriate, as well as suicide prevention services.
- Services may include street-based services, trauma-informed services, prevention services, substance use disorder services, including youth who are victims of trafficking.
- Plan provisions shall use assistance to establish, strengthen, or fund a runaway and homeless youth center, site, or a locally controlled project providing temporary shelter with a maximum of not more than 20 youth. An exception is included where the applicant assures that the State where the center, site, or locally controlled project is located has a state or local law regulation that allows a higher maximum to comply with licensure requirements for child and youth serving facilities.
- State allocation of Basic Center Program funds to states will be based on their relative population of individuals between the ages of 13 and 17.
- An adequate plan for establishing and coordinating with outreach programs (which may include the use of online resources to reach and engage youth) that are designed to attract persons who are members of historically marginalized and underserved communities of color, persons with limited English proficiency, and runaway or homeless youth who are victims of trafficking.
- Programs must inform youth of their status as an independent student under section 480 of the Higher Education Act of 1965, provide verification of such status to complete the Free Application for Federal Student Aid (FAFSA), and assist youth complete the FAFSA.
- Grantees can serve a minimum of 4 youth and maximum of 20 youth per project, unless regulation allows a higher maximum.
- Grantees can have mixed project facilities with segregated access and programming, and allow more than 20 beds in a building.

## TRANSITIONAL LIVING PROGRAM

**Transitional Living Program (TLP)** provides longer-term housing with supportive services for homeless youth aged 16 to 25 years old, such as education support, job preparation, and health care needs—including **Maternity Group Homes (MGH)** to serve pregnant and parenting youth experiencing homelessness.

- Increases the eligible age for services to 25, at the option of each provider, for homeless and runaway youth.
- Shelter and such services provided to individual homeless youth throughout a continued period shall not exceed 540 days, or in exceptional circumstances 635 days. Youth in a program who have not reached the age of 23 on the last day of the 635-day period may, in exceptional circumstances and if otherwise qualified for the program, remain in the program until the youth's 23<sup>rd</sup> birthday.
- Provide counseling to homeless and runaway youth and encourage, as appropriate, the involvement of family as identified by the youth as family.

- Provide aftercare services, if possible, to homeless and runaway youth who received shelter and relocated to another state.
- An adequate plan will be developed to ensure proper referral of homeless and runaway youth to age, gender, developmentally, culturally, and linguistically appropriate, to the extent practicable, services, including substance use disorder treatment and programs for victims of sexual abuse, trafficking, and gender-based violence.
- Outreach programs must be established and designed to attract individuals eligible to participate in this project, which may include online and social media engagements, as appropriate.
- Programs must include a statistical summary in the annual report describing the number, characteristics, and demographics of the youth who participated in the project, including the prevalence of sexual abuse, and trafficking of such youth.
- Transitional living plans are written in partnership with youth and ensure proper referrals inclusive of age, gender, culturally, and linguistically appropriate services, including mental health services, health care, and substance use disorder treatment programs.
- Coordinate services with McKinney-Vento school district liaisons to assure runaway and homeless youth are provided with information about educational services.
- Programs must inform youth of their status as an independent student under section 480 of the Higher Education Act of 1965, provide verification of such status for purposes of completing the Free Application for Federal Student Aid (FAFSA), and assist youth with completing the FAFSA.
- Grantees can serve a minimum of 4 youth and a maximum of 20 youth per project, unless regulation allows a higher maximum.
- Grantees can have mixed project facilities with segregated access and programming, and allow more than 20 beds in a building.

### STREET OUTREACH PROGRAM - SEXUAL ABUSE & TRAFFICKING PREVENTION PROGRAM

**Street Outreach Program (SOP)— (Sexual Abuse Prevention of Street Youth Program)** provides outreach to runaway, homeless, and trafficked youth to build relationships and refer youth to vital services at street locations and/or drop-in centers.

- Updates existing language by adding trafficked youth to the populations that street-based services target.

### ACROSS BCP, TLP, MGH & SOP PROGRAMS

- Grants are to be made to public and nonprofit private entities every five years, staggered every two to three years, to increase quality, program sustainability, improved demonstrated outcomes, impact prevention evaluation, use of new technologies, long-term outreach, and engagement efforts to better serve underserved populations.
- Grants will be awarded at least 90 days in advance of the start day of the grant.
- The Secretary shall establish an appeal process for grantees.
- The Secretary shall consider equitable geographic distribution when issuing grants.
- Grants are for five years.
- Programs provide training to staff on human trafficking, trauma, sexual abuse, and assault.
- Improves the process for referring youth, including those who have been victims of human trafficking, to appropriate mental health services.
- Mandates non-discriminatory practices across all RHYA-funded programs.
- Facilities are now called projects.

## PREVENTION SERVICES PROGRAM

Creates a new **Prevention Services Program (PSP)** to prevent youth from running away and/or becoming a homeless or street youth.

- Eligible applicants can apply for a PSP when applying for a BCP, TLP, or MGH grant.
- Funding is for up to \$75,000 per year, in addition to the funding received for the underlying base grant.
- To receive a PSP grant, the applicant has to have successfully received the base BCP, TLP, or MGH grant.
- Priority will be given to organizations with experience in providing services to runaway and homeless youth, street youth, and youth at risk of separation from their family.

## NATIONAL COMMUNICATIONS SYSTEM

Grants are to be made every five years for a national communication system to assist runaway and homeless youth, including through online and social media.

## RUNAWAY HOMELESS YOUTH TRAINING AND TECHNICAL ASSISTANCE CENTER

Grants are awarded every five years to provide training and assistance, including onsite and web-based techniques such as on-demand and online learning.

## ADMINISTRATION AND ENFORCEMENT

The Secretary of HHS can waive, for no more than three years, RHYA grantee program requirements in extraordinary circumstances, such as natural disasters, public health emergencies, or financial crises.

## EVALUATION AND INFORMATION

A BCP, TLP, MGH, SOP, or PSP grantee for five consecutive fiscal years under the shall have a virtual or on-site evaluation.

## PERFORMANCE STANDARDS

No later than one year after the date of enactment, the Secretary of HHS shall issue performance standards for the following programs: BCP, TLP, MGH, SOP, or PSP. These performance standards shall be integrated into the grantmaking, monitoring, and evaluation of RHYA programs.

## NONDISCRIMINATION CLAUSE

A comprehensive nondiscrimination clause requires all RHYA grantees not to discriminate when serving youth.

## DEFINITIONS

The following definitions were modified or added:

### **Homeless Youth**

For TLP programs, it refers to an individual who is less than 26 years of age, in circumstances where it is not possible to live in an environment with a relative and has no other safe alternative living arrangements.

### **Culturally and Linguistically Appropriate Services**

Refers to services as listed in the National Standards for Culturally and Linguistically Appropriate Services in Health and Health Care issued in 2013 by the Office of Minority Health and Human Services.

### **Trafficking**

The term ‘trafficking’ has the meaning given the term ‘severe forms of trafficking in persons’ in section 103 of the Trafficking Victims Protection Act of 2000 (22 USC. 7102(11)) and ‘sex trafficking’ in section 103 of the Trafficking Victims Protection Act of 2000 (22 USC. 7102(12)).

### **Street-Based Services**

Refers to services provided to street youth, runaway youth, and homeless youth. It may include online methods of engagement, crisis intervention and counseling, information and referral for housing and transitional living, healthcare services, and advocacy and education of preventive services related to substance use disorders, trafficking, and violence, including physical assault, sexual assault, domestic violence, gender-based violence, and suicide.

### **Prevention Services**

Services to prevent youth from becoming a runaway youth, street youth, or homeless youth, and may include:

- individual, family, group, and peer counseling;
- family mediation;
- assessing the strengths, vulnerabilities, and needs of youth;
- connecting youth to public services and housing options;
- emergency respite care (provide parents and other caregivers with emergency services and temporary shelter that offer relief);
- connecting youth to education and employment programs;
- case management and resource navigation; and
- activities to improve access to local mental health and substance use treatment and prevention.

### **Trauma-Informed**

The term “trauma-informed” means—

- (A) understanding the impact that exposure to violence and trauma have on a youth’s physical, psychological, and psychosocial development;
- (B) recognizing when a youth has been exposed to violence and trauma and is in need of help to recover from the adverse impacts of trauma; and
- (C) responding in ways that resist re- traumatization.;

## **NATIONAL STUDY**

### **Periodic Estimate**

- The Family Youth Services Bureau will direct a periodic estimate at 3-year intervals.
- Research on demographic information on the characteristics of runaway and homeless youth 12 to 25 years of age, including youth who are victims of sexual abuse, sexual exploitation, trafficking in persons, or sex trafficking.

## **DEMONSTRATION PROJECTS – SERVICES TO YOUTH IN RURAL AREAS**

Competitive grants of \$200,000 per year are available to states, localities, and private entities working to provide services to runaway and homeless youth in rural areas.

## AUTHORIZATION OF APPROPRIATIONS

### Authorization Amount

- \$200,000,000 for BCP & TLP for fiscal year 2024 and such sums as may be necessary for fiscal years 2025 through 2028.
- \$50,000,000 for SOP for fiscal year 2024 and such sums as may be necessary for fiscal years 2025 through 2028.
- \$2,000,000 for the periodic estimate for fiscal years 2024, 2026, and 2028.
- \$67,500,000 for PSP for fiscal year 2024 and such sums as may be necessary for each fiscal year 2025 through 2028.

## APPROVAL OF APPLICATIONS

Applications for BCP, TLP, MGH, and SOP can apply for funding per year based on the following:

- If RHYA is funded at less than \$225 million, eligible applicants can apply for no more than \$275,000 per year and no less than \$200,000 per year.
- If RHYA is funded at more than \$200 million, eligible applicants can apply for no more than \$275,000 per year and no less than \$225,000 per year.