

AMENDMENT NO. _____ Calendar No. _____

Purpose: To reauthorize the Runaway and Homeless Youth Act.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 178

To provide justice for the victims of trafficking.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LEAHY

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . RUNAWAY AND HOMELESS YOUTH AND TRAF-**
3 **FICKING PREVENTION.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Runaway and Homeless Youth and Trafficking Preven-
6 tion Act”.

7 (b) **REFERENCES.**—Except as otherwise specifically
8 provided, whenever in this section an amendment or repeal
9 is expressed in terms of an amendment to, or repeal of,
10 a provision, the amendment or repeal shall be considered
11 to be made to a provision of the Runaway and Homeless
12 Youth Act (42 U.S.C. 5701 et seq.).

1 (c) FINDINGS.—Section 302 (42 U.S.C. 5701) is
2 amended—

3 (1) in paragraph (2), by inserting “age, gender,
4 and culturally and” before “linguistically appro-
5 priate”;

6 (2) in paragraph (4), by striking “outside the
7 welfare system and the law enforcement system”
8 and inserting “, in collaboration with public assist-
9 ance systems, the law enforcement system, and the
10 child welfare system”;

11 (3) in paragraph (5)—

12 (A) by inserting “a safe place to live and”
13 after “youth need”; and

14 (B) by striking “and” at the end;

15 (4) in paragraph (6), by striking the period and
16 inserting “; and”; and

17 (5) by adding at the end the following:

18 “(7) runaway and homeless youth are at a high
19 risk of becoming victims of sexual exploitation and
20 trafficking in persons.”.

21 (d) BASIC CENTER GRANT PROGRAM.—

22 (1) GRANTS FOR CENTERS AND SERVICES.—
23 Section 311(a) (42 U.S.C. 5711(a)) is amended—

24 (A) in paragraph (1), by striking “serv-
25 ices” and all that follows through the period

1 and inserting “safe shelter and services, includ-
2 ing trauma-informed services, for runaway and
3 homeless youth and, if appropriate, services for
4 the families of such youth, including (if appro-
5 priate) individuals identified by such youth as
6 family.”; and

7 (B) in paragraph (2)—

8 (i) in subparagraph (A), by striking
9 “mental health,”;

10 (ii) in subparagraph (B)—

11 (I) in clause (i), by striking “21
12 days; and” and inserting “30 days;”;

13 (II) in clause (ii)—

14 (aa) by inserting “age, gen-
15 der, and culturally and linguis-
16 tically appropriate to the extent
17 practicable” before “individual”;

18 (bb) by inserting “, as ap-
19 propriate,” after “group”; and

20 (cc) by striking “as appro-
21 priate” and inserting “including
22 (if appropriate) counseling for in-
23 dividuals identified by such youth
24 as family”; and

1 (III) by adding at the end the
2 following:

3 “(iii) suicide prevention services;
4 and”; and

5 (iii) in subparagraph (C)—

6 (I) in clause (ii), by inserting
7 “age, gender, and culturally and lin-
8 guistically appropriate to the extent
9 practicable” before “home-based serv-
10 ices”;

11 (II) in clause (iii), by striking
12 “and” at the end;

13 (III) in clause (iv), by striking
14 “diseases.” and inserting “infec-
15 tions;”; and

16 (IV) by adding at the end the fol-
17 lowing:

18 “(v) trauma-informed and gender-re-
19 sponsive services for runaway or homeless
20 youth, including such youth who are vic-
21 tims of trafficking in persons or sexual ex-
22 ploitation; and

23 “(vi) an assessment of family engage-
24 ment in support and reunification (if re-
25 unification is appropriate), interventions,

1 and services for parents or legal guardians
2 of such youth, or (if appropriate) individ-
3 uals identified by such youth as family.”.

4 (2) ELIGIBILITY; PLAN REQUIREMENTS.—Sec-
5 tion 312 (42 U.S.C. 5712) is amended—

6 (A) in subsection (b)—

7 (i) in paragraph (5), by inserting “, or
8 (if appropriate) individuals identified by
9 such youth as family,” after “parents or
10 legal guardians”;

11 (ii) in paragraph (6), by striking “cul-
12 tural minority and persons with limited
13 ability to speak English” and inserting
14 “cultural minority, persons with limited
15 ability to speak English, and runaway or
16 homeless youth who are victims of traf-
17 ficking in persons or sexual exploitation”;

18 (iii) by striking paragraph (7) and in-
19 serting the following:

20 “(7) shall keep adequate statistical records
21 profiling the youth and family members of such
22 youth whom the applicant serves, including demo-
23 graphic information on and the number of—

24 “(A) such youth who are not referred to
25 out-of-home shelter services;

1 “(B) such youth who are members of vul-
2 nerable or underserved populations;

3 “(C) such youth who are victims of traf-
4 ficking in persons or sexual exploitation,
5 disaggregated by—

6 “(i) such youth who have been coerced
7 or forced into a commercial sex act, as de-
8 fined in section 103 of the Trafficking Vic-
9 tims Protection Act of 2000 (22 U.S.C.
10 7102);

11 “(ii) such youth who have been co-
12 erced or forced into other forms of labor;
13 and

14 “(iii) such youth who have engaged in
15 a commercial sex act, as so defined, for
16 any reason other than by coercion or force;

17 “(D) such youth who are pregnant or par-
18 enting;

19 “(E) such youth who have been involved in
20 the child welfare system; and

21 “(F) such youth who have been involved in
22 the juvenile justice system;”;

23 (iv) by redesignating paragraphs (8)
24 through (13) as paragraphs (9) through
25 (14);

1 (v) by inserting after paragraph (7)
2 the following:

3 “(8) shall ensure that—

4 “(A) the records described in paragraph
5 (7), on an individual runaway or homeless
6 youth, shall not be disclosed without the con-
7 sent of the individual youth and of the parent
8 or legal guardian of such youth or (if appro-
9 priate) an individual identified by such youth as
10 family, to anyone other than another agency
11 compiling statistical records or a government
12 agency involved in the disposition of criminal
13 charges against an individual runaway or home-
14 less youth; and

15 “(B) reports or other documents based on
16 the statistics described in paragraph (7) shall
17 not disclose the identity of any individual run-
18 away or homeless youth;”;

19 (vi) in paragraph (9), as so redesign-
20 nated, by striking “statistical summaries”
21 and inserting “statistics”;

22 (vii) in paragraph (13)(C), as so re-
23 designated—

24 (I) by striking clause (i) and in-
25 serring:

1 “(i) the number and characteristics of
2 runaway and homeless youth, and youth at
3 risk of family separation, who participate
4 in the project, including such information
5 on—

6 “(I) such youth (including both
7 types of such participating youth) who
8 are victims of trafficking in persons or
9 sexual exploitation, disaggregated
10 by—

11 “(aa) such youth who have
12 been coerced or forced into a
13 commercial sex act, as defined in
14 section 103 of the Trafficking
15 Victims Protection Act of 2000
16 (22 U.S.C. 7102);

17 “(bb) such youth who have
18 been coerced or forced into other
19 forms of labor; and

20 “(cc) such youth who have
21 engaged in a commercial sex act,
22 as so defined, for any reason
23 other than by coercion or force;

24 “(II) such youth who are preg-
25 nant or parenting;

1 priate to the extent practicable” after
2 “provide”;

3 (II) by striking “families (includ-
4 ing unrelated individuals in the family
5 households) of such youth” and in-
6 serting “families of such youth (in-
7 cluding unrelated individuals in the
8 family households of such youth and,
9 if appropriate, individuals identified
10 by such youth as family)”;

11 (III) by inserting “suicide pre-
12 vention,” after “physical health
13 care,”; and

14 (ii) in paragraph (4), by inserting “,
15 including training on trauma-informed and
16 youth-centered care” after “home-based
17 services”.

18 (3) APPROVAL OF APPLICATIONS.—Section
19 313(b) (42 U.S.C. 5713(b)) is amended—

20 (A) by striking “priority to” and all that
21 follows through “who” and inserting “priority
22 to eligible applicants who”;

23 (B) by striking “; and” and inserting a pe-
24 riod; and

25 (C) by striking paragraph (2).

1 (e) TRANSITIONAL LIVING GRANT PROGRAM.—Sec-
2 tion 322(a) (42 U.S.C. 5714–2(a)) is amended—

3 (1) in paragraph (1)—

4 (A) by inserting “age, gender, and cul-
5 turally and linguistically appropriate to the ex-
6 tent practicable” before “information and coun-
7 seling services”; and

8 (B) by striking “job attainment skills, and
9 mental and physical health care” and inserting
10 “job attainment skills, mental and physical
11 health care, and suicide prevention services”;

12 (2) by redesignating paragraphs (3) through
13 (8) and (9) through (16) as paragraphs (5) through
14 (10) and (12) through (19), respectively;

15 (3) by inserting after paragraph (2) the fol-
16 lowing:

17 “(3) to provide counseling to homeless youth
18 and to encourage, if appropriate, the involvement in
19 such counseling of their parents or legal guardians,
20 or (if appropriate) individuals identified by such
21 youth as family;

22 “(4) to provide aftercare services, if possible, to
23 homeless youth who have received shelter and serv-
24 ices from a transitional living youth project, includ-
25 ing (to the extent practicable) such youth who, after

1 receiving such shelter and services, relocate to a
2 State other than the State in which such project is
3 located;”;

4 (4) in paragraph (9), as so redesignated—

5 (A) by inserting “age, gender, and cul-
6 turally and linguistically appropriate to the ex-
7 tent practicable” after “referral of homeless
8 youth to”;

9 (B) by striking “and health care pro-
10 grams” and inserting “mental health service
11 and health care programs, including programs
12 providing wrap-around services to victims of
13 trafficking in persons or sexual exploitation,”;
14 and

15 (C) by striking “such services for youths;”
16 and inserting “such programs described in this
17 paragraph;”;

18 (5) by inserting after paragraph (10), as so re-
19 designated, the following:

20 “(11) to develop a plan to provide age, gender,
21 and culturally and linguistically appropriate services
22 to the extent practicable that address the needs of
23 homeless and street youth;”;

24 (6) in paragraph (12), as so redesignated, by
25 striking “the applicant and statistical” through

1 “who participate in such project,” and inserting
2 “the applicant, statistical summaries describing the
3 number, the characteristics, and the demographic in-
4 formation of the homeless youth who participate in
5 such project, including the prevalence of trafficking
6 in persons and sexual exploitation of such youth,”;
7 and

8 (7) in paragraph (19), as so redesignated, by
9 inserting “regarding responses to natural disasters,
10 inclement weather, and mental health emergencies”
11 after “management plan”.

12 (f) COORDINATING, TRAINING, RESEARCH, AND
13 OTHER ACTIVITIES.—

14 (1) COORDINATION.—Section 341 (42 U.S.C.
15 5714–21) is amended—

16 (A) in the matter preceding paragraph (1),
17 by inserting “safety, well-being,” after
18 “health,”; and

19 (B) in paragraph (2), by striking “other
20 Federal entities” and inserting “the Depart-
21 ment of Housing and Urban Development, the
22 Department of Education, the Department of
23 Labor, and the Department of Justice”.

24 (2) GRANTS FOR TECHNICAL ASSISTANCE AND
25 TRAINING.—Section 342 (42 U.S.C. 5714–22) is

1 amended by inserting “, including onsite and web-
2 based techniques, such as on-demand and online
3 learning,” before “to public and private entities”.

4 (3) GRANTS FOR RESEARCH, EVALUATION,
5 DEMONSTRATION, AND SERVICE PROJECTS.—Section
6 343 (42 U.S.C. 5714–23) is amended—

7 (A) in subsection (b)—

8 (i) in paragraph (5)—

9 (I) in subparagraph (A), by in-
10 sserting “violence, trauma, and” before
11 “sexual abuse and assault”;

12 (II) in subparagraph (B), by
13 striking “sexual abuse and assault;
14 and” and inserting “sexual abuse or
15 assault, trafficking in persons, or sex-
16 ual exploitation;”;

17 (III) in subparagraph (C), by
18 striking “who have been sexually vic-
19 timized” and inserting “who are vic-
20 tims of sexual abuse or assault, traf-
21 ficking in persons, or sexual exploi-
22 tation”; and

23 (IV) by adding at the end the fol-
24 lowing:

1 “(D) best practices for identifying and pro-
2 viding age, gender, and culturally and linguis-
3 tically appropriate services to the extent prac-
4 ticable to—

5 “(i) vulnerable and underserved youth
6 populations; and

7 “(ii) youth who are victims of traf-
8 ficking in persons or sexual exploitation;
9 and

10 “(E) verifying youth as runaway or home-
11 less to complete the Free Application for Fed-
12 eral Student Aid described in section 483 of the
13 Higher Education Act of 1965 (20 U.S.C.
14 1090);”;

15 (ii) in paragraph (9), by striking
16 “and” at the end;

17 (iii) in paragraph (10), by striking the
18 period and inserting “; and”; and

19 (iv) by adding at the end the fol-
20 lowing:

21 “(11) examining the intersection between the
22 runaway and homeless youth populations and traf-
23 ficking in persons, including noting whether such
24 youth who are victims of trafficking in persons were

1 previously involved in the child welfare or juvenile
2 justice systems.”; and

3 (B) in subsection (c)(2)(B), by inserting “,
4 including such youth who are victims of traf-
5 ficking in persons or sexual exploitation” after
6 “runaway or homeless youth”.

7 (4) PERIODIC ESTIMATE OF INCIDENCE AND
8 PREVALENCE OF YOUTH HOMELESSNESS.—Section
9 345 (42 U.S.C. 5714–25) is amended—

10 (A) in subsection (a)—

11 (i) in paragraph (1)—

12 (I) by striking “13” and insert-
13 ing “12”; and

14 (II) by striking “and” at the end;

15 (ii) in paragraph (2), by striking the
16 period and inserting a semicolon; and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(3) that includes demographic information
20 about and characteristics of runaway or homeless
21 youth, including such youth who are victims of traf-
22 ficking in persons or sexual exploitation; and

23 “(4) that does not disclose the identity of any
24 runaway or homeless youth.”; and

25 (B) in subsection (b)(1)—

1 (i) in the matter preceding subpara-
2 graph (A), by striking “13” and inserting
3 “12”;

4 (ii) in subparagraph (A), by striking
5 “and” at the end;

6 (iii) by redesignating subparagraph
7 (B) as subparagraph (C);

8 (iv) by inserting after subparagraph
9 (A) the following:

10 “(B) incidences, if any, of—

11 “(i) such individuals who are victims
12 of trafficking in persons; or

13 “(ii) such individuals who are victims
14 of sexual exploitation; and”;

15 (v) in subparagraph (C), as so reded-
16 igned—

17 (I) in clause (ii), by striking “;
18 and” and inserting “, including men-
19 tal health services;”; and

20 (II) by adding at the end the fol-
21 lowing:

22 “(iv) access to education and job
23 training; and”.

24 (g) SEXUAL ABUSE PREVENTION PROGRAM.—Sec-
25 tion 351 (42 U.S.C. 5714–41) is amended—

1 (1) in subsection (a)—

2 (A) by inserting “public and” before “non-
3 profit”; and

4 (B) by striking “prostitution, or sexual ex-
5 ploitation.” and inserting “violence, trafficking
6 in persons, or sexual exploitation.”; and

7 (2) by adding at the end the following:

8 “(c) ELIGIBILITY REQUIREMENTS.—To be eligible to
9 receive a grant under subsection (a), an applicant shall
10 certify to the Secretary that such applicant has systems
11 in place to ensure that such applicant can provide age,
12 gender, and culturally and linguistically appropriate serv-
13 ices to the extent practicable to all youth described in sub-
14 section (a).”.

15 (h) GENERAL PROVISIONS.—

16 (1) REPORTS.—Section 382(a) (42 U.S.C.
17 5715(a)) is amended—

18 (A) in paragraph (1)—

19 (i) by redesignating subparagraphs
20 (B) through (D) as subparagraphs (C)
21 through (E), respectively; and

22 (ii) by inserting after subparagraph
23 (A) the following:

1 “(B) collecting data on trafficking in per-
2 sons and sexual exploitation of runaway and
3 homeless youth;” and

4 (B) in paragraph (2)—

5 (i) by striking subparagraph (A) and
6 inserting the following:

7 “(A) the number and characteristics of
8 homeless youth served by such projects, includ-
9 ing—

10 “(i) such youth who are victims of
11 trafficking in persons or sexual exploi-
12 tation;

13 “(ii) such youth who are pregnant or
14 parenting;

15 “(iii) such youth who have been in-
16 volved in the child welfare system; and

17 “(iv) such youth who have been in-
18 volved in the juvenile justice system;” and

19 (ii) in subparagraph (F), by striking
20 “intrafamily problems” and inserting
21 “problems within the family, including (if
22 appropriate) individuals identified by such
23 youth as family,”.

1 (2) NONDISCRIMINATION.—Part F is amended
2 by inserting after section 386A (42 U.S.C. 5732–1)
3 the following:

4 **“SEC. 386B. NONDISCRIMINATION.**

5 “(a) IN GENERAL.—No person in the United States
6 shall, on the basis of actual or perceived race, color, reli-
7 gion, national origin, sex, gender identity (as defined in
8 section 249(c)(4) of title 18, United States Code), sexual
9 orientation, or disability, be excluded from participation
10 in, be denied the benefits of, or be subjected to discrimina-
11 tion under any program or activity funded in whole or in
12 part with funds made available under this title, or any
13 other program or activity funded in whole or in part with
14 amounts appropriated for grants, cooperative agreements,
15 or other assistance administered under this title.

16 “(b) EXCEPTION.—If sex segregation or sex-specific
17 programming is necessary to the essential operation of a
18 program, nothing in this section shall prevent any such
19 program or activity from consideration of an individual’s
20 sex. In such circumstances, grantees may meet the re-
21 quirements of this section by providing comparable serv-
22 ices to individuals who cannot be provided with the sex-
23 segregated or sex-specific programming.

24 “(c) DISQUALIFICATION.—The authority of the Sec-
25 retary to enforce this section shall be the same as that

1 provided for with respect to section 654 of the Head Start
2 Act (42 U.S.C. 9849).

3 “(d) CONSTRUCTION.—Nothing in this section shall
4 be construed, interpreted, or applied to supplant, displace,
5 preempt, or otherwise limit the responsibilities and liabil-
6 ities under other Federal or State civil rights laws.”.

7 (3) DEFINITIONS.—Section 387 (42 U.S.C.
8 5732a) is amended—

9 (A) by redesignating paragraphs (1)
10 through (6), and paragraphs (7) and (8), as
11 paragraphs (2) through (7), and paragraphs (9)
12 and (10), respectively;

13 (B) by inserting before paragraph (2), as
14 so redesignated, the following:

15 “(1) CULTURALLY AND LINGUISTICALLY AP-
16 PROPRIATE.—The term ‘culturally and linguistically
17 appropriate’, with respect to services, has the mean-
18 ing given the term ‘culturally and linguistically ap-
19 propriate services’ in the ‘National Standards for
20 Culturally and Linguistically Appropriate Services in
21 Health and Health Care’, issued in April 2013, by
22 the Office of Minority Health of the Department of
23 Health and Human Services.”;

24 (C) in paragraph (6)(B)(v), as so redesign-
25 nated—

1 (i) by redesignating subclauses (II)
2 through (IV) as subclauses (III) through
3 (V), respectively;

4 (ii) by inserting after subclause (I),
5 the following:

6 “(II) trafficking in persons;”;

7 (iii) in subclause (IV), as so redesign-
8 nated—

9 (I) by striking “diseases” and in-
10 sserting “infections”; and

11 (II) by striking “and” at the end;

12 (iv) in subclause (V), as so redesign-
13 nated, by striking the period and inserting
14 “; and”; and

15 (v) by adding at the end the following:

16 “(VI) suicide.”;

17 (D) in paragraph (7)(B), as so redesign-
18 nated, by striking “prostitution,” and inserting
19 “trafficking in persons,”;

20 (E) by inserting after paragraph (7), as so
21 redesignated, the following:

22 “(8) **TRAFFICKING IN PERSONS.**—The term
23 ‘trafficking in persons’ has the meaning given the
24 term ‘severe forms of trafficking in persons’ in sec-

1 tion 103 of the Trafficking Victims Protection Act
2 of 2000 (22 U.S.C. 7102).”;

3 (F) in paragraph (9), as so redesignated—

4 (i) by inserting “to homeless youth”
5 after “provides”; and

6 (ii) by inserting “, to establish a sta-
7 ble family or community supports,” after
8 “self-sufficient living”; and

9 (G) in paragraph (10)(B), as so redesign-
10 nated—

11 (i) in clause (ii)—

12 (I) by inserting “or able” after
13 “willing”; and

14 (II) by striking “or” at the end;

15 (ii) in clause (iii), by striking the pe-
16 riod and inserting “; or”; and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(iv) who is involved in the child wel-
20 fare or juvenile justice system, but who is
21 not receiving government-funded hous-
22 ing.”.

23 (4) AUTHORIZATION OF APPROPRIATIONS.—

24 Section 388(a) (42 U.S.C. 5751(a)) is amended—

1 (A) in paragraph (1), by striking “for fis-
2 cal year 2009,” and all that follows through the
3 period and inserting “for each of fiscal years
4 2016 through 2020.”;

5 (B) in paragraph (3)(B), by striking “such
6 sums as may be necessary for fiscal years 2009,
7 2010, 2011, 2012, and 2013.” and inserting
8 “\$2,000,000 for each of fiscal years 2016
9 through 2020.”; and

10 (C) in paragraph (4), by striking “for fis-
11 cal year 2009” and all that follows through the
12 period and inserting “for each of fiscal years
13 2016 through 2020.”.

14 **SEC. ____ . RESPONSE TO MISSING CHILDREN AND VICTIMS**
15 **OF CHILD SEX TRAFFICKING.**

16 (a) **MISSING CHILDREN’S ASSISTANCE ACT.**—Section
17 404(b)(1)(P)(iii) of the Missing Children’s Assistance Act
18 (42 U.S.C. 5773(b)(1)(P)(iii)) is amended by striking
19 “child prostitution” and inserting “child sex trafficking”.

20 (b) **CRIME CONTROL ACT OF 1990.**—Section 3702
21 of the Crime Control Act of 1990 (42 U.S.C. 5780) is
22 amended—

23 (1) in paragraph (2), by striking “and” at the
24 end;

25 (2) in paragraph (3)—

1 (A) by redesignating subparagraphs (B)
2 and (C) as subparagraphs (C) and (D), respec-
3 tively; and

4 (B) by inserting after subparagraph (A)
5 the following:

6 “(B) a recent photograph of the child, if
7 available;” and

8 (3) in paragraph (4)—

9 (A) in subparagraph (A), by striking “60
10 days” and inserting “30 days”;

11 (B) in subparagraph (B), by striking
12 “and” at the end;

13 (C) in subparagraph (C)—

14 (i) by inserting “State and local child
15 welfare systems and” before “the National
16 Center for Missing and Exploited Chil-
17 dren”; and

18 (ii) by striking the period at the end
19 and inserting “; and”; and

20 (D) by adding at the end the following:

21 “(D) grant permission to the National
22 Crime Information Center Terminal Contractor
23 for the State to update the missing person
24 record in the National Crime Information Cen-
25 ter computer networks with additional informa-

1 tion learned during the investigation relating to
2 the missing person.”.