

113TH CONGRESS
1ST SESSION

H. R. 2955

To amend the Runaway and Homeless Youth Act to ensure that recipients of assistance under that Act provide services to sexual and gender minority youth in a manner that is culturally competent, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 1, 2013

Ms. MOORE (for herself and Mr. POCAN) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Runaway and Homeless Youth Act to ensure that recipients of assistance under that Act provide services to sexual and gender minority youth in a manner that is culturally competent, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Runaway and Home-
5 less Youth Inclusion Act of 2013”.

1 **SEC. 2. CULTURAL COMPETENCY OF SERVICE PROVIDERS.**

2 (a) BASIC CENTERS.—Section 312(b) of the Run-
3 away and Homeless Youth Act (42 U.S.C. 5712(b)) is
4 amended—

5 (1) in paragraph (6) by inserting after “cul-
6 tural minority” the following: “, persons who are in
7 a minority category related to sexual orientation or
8 gender identity or expression,”;

9 (2) in paragraph (7) by inserting after “serv-
10 ices),” the following: “including demographics on the
11 sexual orientation and gender identity or expression
12 of the youth it serves,”;

13 (3) in paragraph (12)(C)(ii) by striking “and”
14 at the end;

15 (4) in paragraph (13) by striking the period at
16 the end and inserting “; and”; and

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

18 “(14) shall serve youth in a manner that is cul-
19 turally competent.”.

20 (b) TRANSITIONAL LIVING PROGRAMS.—Section
21 322(a) of such Act (42 U.S.C. 5714–2(a)) is amended—

22 (1) in paragraph (15) by striking “and” at the
23 end;

24 (2) in paragraph (16) by striking the period at
25 the end and inserting “; and”; and

26 (3) by adding at the end the following:

1 “(17) to serve youth in a manner that is cul-
2 turally competent.”.

3 (c) SEXUAL ABUSE PREVENTION PROGRAMS.—Sec-
4 tion 351 of such Act (42 U.S.C. 5714–41) is amended
5 by adding at the end the following:

6 “(c) QUALIFICATION REQUIREMENT.—To be eligible
7 to receive grants under subsection (a), an applicant shall
8 certify to the Secretary that the applicant has systems in
9 place to ensure that the applicant provides services to all
10 youth in a culturally competent manner.”.

11 **SEC. 3. ADDITIONAL FINDING.**

12 (a) FINDING.—Section 302 of the Runaway and
13 Homeless Youth Act (42 U.S.C. 5701) is amended—

14 (1) in paragraph (5) by striking “and” at the
15 end;

16 (2) by redesignating paragraph (6) as para-
17 graph (7); and

18 (3) by inserting after paragraph (5) the fol-
19 lowing:

20 “(6) lesbian, gay, bisexual, and transgender
21 youth comprise an estimated 3 to 5 percent of the
22 youth population of the United States but such
23 youth account for up to 40 percent of the homeless
24 youth population of the United States; and”.

1 **SEC. 4. ADDITIONAL PURPOSES.**

2 Section 311(a)(2)(C) of the Runaway and Homeless
3 Youth Act (42 U.S.C. 5711(a)(2)(C)) is amended—

4 (1) in clause (iii) by striking “and” at the end;

5 (2) in clause (iv) by striking the period at the
6 end and inserting a semicolon; and

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

8 “(v) family assessment, intervention,
9 and reunification services for families of
10 sexual and gender minority youth; and

11 “(vi) providing resources for families
12 of sexual and gender minority youth who
13 may be struggling with understanding or
14 accepting the sexual orientation or gender
15 identity or expression of the individual.”.

16 **SEC. 5. REPORT REQUIREMENT.**

17 Section 345(a) of the Runaway and Homeless Youth
18 Act (42 U.S.C. 5714–25(a)) is amended—

19 (1) in paragraph (1) by striking “and” at the
20 end; and

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

22 “(3) that includes data on the demographics of
23 such individuals, including whether such individuals
24 are sexual and gender minority youth; and

25 “(4) that does not disclose the identity of indi-
26 vidual runaway or homeless youth.”.

1 **SEC. 6. INCLUSION OF NONDISCRIMINATION STATEMENT**
2 **IN RUNAWAY AND HOMELESS YOUTH ACT.**

3 Part F of title III of the Runaway and Homeless
4 Youth Act (42 U.S.C. 5714a et seq.) is amended by add-
5 ing at the end the following:

6 **“SEC. 390. NONDISCRIMINATION.**

7 “(a) IN GENERAL.—No person in the United States
8 shall, on the basis of actual or perceived race, color, reli-
9 gion, national origin, sex, sexual orientation, gender iden-
10 tity or expression, or disability, be excluded from partici-
11 pation in, be denied the benefits of, or be subjected to dis-
12 crimination under—

13 “(1) any program or activity funded in whole or
14 in part with funds made available under this title; or

15 “(2) any program or activity funded in whole or
16 in part with funds appropriated for grants, agree-
17 ments, and other assistance administered with funds
18 made available under this title.

19 “(b) DISCRIMINATION.—The authority of the Attor-
20 ney General and the Office of Justice Programs to enforce
21 this section shall be the same as it is under section 809
22 of the Omnibus Crime Control and Safe Streets Act of
23 1968 (42 U.S.C. 3789d).

24 “(c) LIMITATION ON STATUTORY CONSTRUCTION.—
25 Nothing in this section may be construed, interpreted, or
26 applied to supplant, displace, preempt, or otherwise dimin-

1 ish the responsibilities and liabilities under other State or
2 Federal civil rights law, whether statutory or common.”.

3 **SEC. 7. DEFINITIONS.**

4 Section 387 of the Runaway and Homeless Youth Act
5 (42 U.S.C. 5732a) is amended—

6 (1) by redesignating paragraphs (5) through
7 (8) as paragraphs (9) through (12), respectively;

8 (2) by redesignating paragraphs (2) through
9 (4) as paragraphs (4) through (6), respectively;

10 (3) by redesignating paragraph (1) as para-
11 graph (2);

12 (4) by inserting after “In this title:” the fol-
13 lowing:

14 “(1) CULTURALLY COMPETENT.—The term
15 ‘culturally competent’ means—

16 “(A) having a defined set of values and
17 principles and demonstrate behaviors, attitudes,
18 policies, and structures that enable effective
19 working relationships with individuals of diverse
20 backgrounds, including sexual and gender mi-
21 nority youth; and

22 “(B) having the demonstrated capacity
23 to—

24 “(i) value diversity;

25 “(ii) conduct self-assessment;

1 “(iii) manage the dynamics of dif-
2 ference;

3 “(iv) acquire and institutionalize cul-
4 tural knowledge; and

5 “(v) adapt to diversity and cultural
6 contexts of a community.”;

7 (5) by inserting after paragraph (2) (as redesign-
8 nated by paragraph (3) of this section) the fol-
9 lowing:

10 “(3) GENDER IDENTITY OR EXPRESSION.—The
11 term ‘gender identity or expression’ means an indi-
12 vidual’s gender-related identity, appearance, or be-
13 havior, whether or not that identity, appearance, or
14 behavior differs from that which is traditionally as-
15 sociated with the individual’s physiology or assigned
16 sex at birth.”; and

17 (6) by inserting after paragraph (6) (as redesign-
18 nated by paragraph (2) of this section) the fol-
19 lowing:

20 “(7) SEXUAL AND GENDER MINORITY
21 YOUTH.—The term ‘sexual and gender minority
22 youth’ means a runaway or homeless youth covered
23 under this Act who is in a minority category related
24 to sexual orientation or gender identity or expres-
25 sion.

1 “(8) SEXUAL ORIENTATION.—The term ‘sexual
2 orientation’ means homosexuality, heterosexuality, or
3 bisexuality.”.

○