



## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Administration for Children and Families

#### 45 CFR Part 1351

#### RIN 0970-AD37

#### Reducing Bureaucracy and Burden for Children, Youth, and Family Programs

**AGENCY:** Family and Youth Services Bureau (FYSB), Administration on Children, Youth and Families (ACYF), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Department of Health and Human Services, Administration for Children and Families proposes to remove duplicative or unnecessary sections from the Runaway and Homeless Youth Program regulations (45 CFR Part 1351). These amendments will streamline the Runaway and Homeless Youth Program regulations to make them more accessible to the public. The docket on <https://www.regulations.gov> will include a plain language summary of the NPRM.

**DATES:** In order to be considered, written comments on this proposed rule must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may submit written comments, identified by docket number ACF-2026-0397 and/or RIN number **0970-AD37**, by one of the following methods:

- *Federal eRulemaking Portal:* Go to <https://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* [Deregulation@acf.hhs.gov](mailto:Deregulation@acf.hhs.gov). Include the docket number ACF-2026-0397 and/or RIN number **0970-AD37** in the subject line of the message.

*Instructions:* All submissions received must include the agency name and docket number or RIN number for this rulemaking. All comments received are a part of the public record and will be posted for public viewing on [www.regulations.gov](http://www.regulations.gov), without change. Please be advised that the substance of the comments and the identity of individuals or entities submitting the comments will be subject to public disclosure. Anonymous comments are accepted.

**FOR FURTHER INFORMATION CONTACT:** Adam N. Jones, Deputy Chief of Staff,  
Immediate Office of the Assistant Secretary, Administration for Children and Families,  
Department of Health and Human Services, Washington, D.C. 202-417-0115 or  
[Deregulation@acf.hhs.gov](mailto:Deregulation@acf.hhs.gov).

## **SUPPLEMENTARY INFORMATION:**

### **I. Statutory Authority**

This proposed NPRM is being issued under the authority granted to the Secretary of Health and Human Services by the Runaway and Homeless Youth Act of 1974, as amended, hereafter referred to as the “Act,” at 34 U.S.C. 11202.

### **II. Background**

The Runaway and Homeless Youth (RHY) Program, authorized under the Runaway and Homeless Youth Act (34 U.S.C. 11201 *et seq.*), enables HHS to provide grants to public and nonprofit private entities to deliver services to runaway and homeless youth and youth at risk of homelessness. The RHY program includes the Basic Center Program, the Transitional Living Program (including the Maternity Group Home Program), and the Street Outreach Program, which together support emergency shelter, transitional housing, outreach, counseling, and related services to promote youth safety, well-being, and long-term stability. The RHY program also funds a national communications system, grants for training and technical assistance, and grants for research, evaluation, training, and service projects. HHS has issued regulations for the RHY Program at 45 CFR part 1351.

HHS initially published regulations for the RHY Program on November 20, 1978. Office of Human Development Services, Department of Health, Education, and Welfare, 43 FR 55634 (Nov. 20, 1978) (codified at 45 CFR pt. 1351). The regulations were most recently amended in 2016. Runaway and Homeless Youth, 81 FR 93030 (Dec. 20, 2016). The most recent revisions added program performance standards and provided additional updates to reflect changes in the RHY Act made through the Reconnecting Homeless Youth Act of 2008 (Pub. L. 110-378). *See* Runaway and Homeless Youth, 81 FR 93030, 93030 (Dec. 20, 2016). HHS now proposes revisions to 45 CFR part 1351 to clarify program requirements, reduce unnecessary administrative burden, and better align the regulations with current statutory authority and language, while maintaining program operations and effective management of grant funds.

### **III. Executive Summary**

This NPRM proposes to rescind multiple regulation sections that are either duplicative or unnecessary. The regulation sections contained in this NPRM to be removed and reserved can be designated into two categories: those that are duplicative and those that are unnecessary because they are better suited for a different format other than regulation.

The sections of the RHY regulations proposed for removal because they are duplicative are 45 CFR 1351.11, 45 CFR 1351.12, 45 CFR 1351.13, and 45 CFR 1351.20. Duplicative regulations impose no new obligations and offer no new guidance because the authority and requirements are pulled directly from other statutes and regulations.

45 CFR 1351.11 is duplicative because it merely restates RHY grant eligibility requirements articulated in the Act at 34 U.S.C. 11211(a)(1), 34 U.S.C. 11221, and 34 U.S.C. 11261(a). The regulation section offers no information or clarification that is not otherwise found in the statute. Similarly, 45 CFR 1351.12 explains how the Secretary prioritizes awards for RHY grants but does not extend discussion beyond the associated statutory language. 45 CFR 1351.13 addresses grant matching requirements that are also found in the statute; here, the statute

includes even more detail than the regulation, leaving the regulation section without purpose. *Compare* 34 U.S.C. 11274 *with* 45 CFR 1351.13. Finally, 45 CFR 1351.20 lists Government-wide and HHS-wide regulations that apply to RHY grant programs. The cited regulations apply to grant recipients and subrecipients regardless of whether they are listed in the RHY regulations, so their inclusion in the RHY regulations creates no additional authority. Further, the list of authorities included at 45 CFR 1351.20 is not an exhaustive list of all Federal regulations that apply to grant recipients and subrecipients, making its inclusion in the RHY regulations not merely duplicative but potentially confusing. *See* Runaway and Homeless Youth, 81 FR 93030, 93044-45 (Dec. 20, 2016).

Several sections of the RHY regulations are proposed for removal because they are unnecessary and better suited for a different format, such as a Notice of Funding Opportunity (NOFO). The RHY regulation sections proposed as unnecessary are 45 CFR 1351.10, 45 CFR 1351.14, 45 CFR 1351.15, 45 CFR 1351.17, 45 CFR 1351.24, 45 CFR 1351.25, and 45 CFR 1351.27.

45 CFR 1351.10 articulates the general purpose of the RHY Program. This section merely summarizes the programs funded by the RHY Act and outlines ACF's goals for the RHY Program. It imposes no obligations on grant recipients or applicants, nor does it give any guidance on how to interpret relevant statutory language. We propose removal because the content in this regulation section could assist grant applicants and recipients more effectively in the introduction to a NOFO or in fact sheets distributed by ACF.

45 CFR 1351.14 is proposed for removal because its sole purpose is to provide RHY grant applicants recipients with information about project periods. NOFOs routinely provide grant applicants and recipients with identical information about grant project periods, making this regulation section unnecessary.

45 CFR 1351.15-16 include descriptions of allowable costs (45 CFR 1351.15) and unallowable costs (45 CFR 1351.16) and are also better suited for NOFOs than for regulations. The language in these sections also appears elsewhere in the RHY regulations, making such content duplicative as well as unnecessary. See, e.g., 45 CFR 1351.16(b) (prohibiting activities already listed as unallowable at 45 CFR 1351.1 under the definition of “counseling services”).

45 CFR 1351.17 purports to address RHY grant application requirements but includes no guidance on application requirements other than referral to NOFO content (referenced as a “funding opportunity announcement” in regulation). This regulation section serves no purpose for grant applicants seeking clarity on application requirements other than to point them to a document that they already understood that they would need to follow. As such, it is unnecessary, and we propose removal.

45 CFR 1351.24, 45 CFR 1351.25, and 45 CFR 1351.27 are unnecessary for the same reasons as the regulation sections described above. These three sections include a list of additional requirements for the Basic Center Program (45 CFR 1351.24), the Transitional Living Program and Maternity Group Home Program (45 CFR 1351.25), and the Street Outreach Program (45 CFR 1351.27). Each section discussed here includes a subsection indicating that the NOFOs (referenced in regulation as “funding opportunity announcement”) will include additional program requirements. See 45 CFR 1351.24(f), 45 CFR 1351.25(b), 45 CFR 1351.27(c). Grant applicants and recipients will therefore need to rely on the NOFO to gain a full understanding of grant requirements already, so removing these sections of the RHY regulations promotes clarity and reduces burdensome materials.

#### *Severability.*

The purpose of this section is to clarify ACF’s intent with respect to the severability of the provisions of this NPRM. As explained above, ACF proposes removing sections of the RHY regulations because it is determined that doing so would make the regulations clearer, less

burdensome, and more accessible to the public. To the extent that any portion of the proposed removals are declared invalid by a court, ACF intends for all other provisions of this proposed rule to remain in effect to the greatest extent possible to ensure that the RHY regulations remain as concise and accessible as possible. None of the provisions proposed for removal in this NPRM are dependent on the validity of other, separate provisions.

#### **IV. Discussion of Proposed Changes**

##### *45 CFR Part 1351 Runaway and Homeless Youth Program*

##### *Subpart B – Runaway and Homeless Youth Program Grants*

Section 1351.10 What is the purpose of Runaway and Homeless Youth Program grants?

This Section is proposed for removal because it is unnecessary. This Section explains the general purpose of Runaway and Homeless Youth Program grants but provides no instructions to grant applicants or recipients, nor does it impose any new obligations. Thus, this Section is not needed in regulation and would better serve grant applicants and recipients if it were moved into the opening of a Notice of Funding Opportunity (NOFO) and described elsewhere in sub-regulatory guidance.

Section 1351.11 Who is eligible to apply for a Runaway and Homeless Youth Program grant?

This Section discusses eligibility for RHY Program grants. It is proposed for removal because it generally duplicates statutory language. This Section is not needed in regulation because the statute that authorizes this Section (Sections 11211(a)(1), 11222, and 11261(a) of the RHY Act) is already prescriptive in terms of eligibility for grant funds and the regulatory language does not provide additional clarification.

Section 1351.12 Who gets priority for the award of a Runaway and Homeless Youth Program grant?

This Section discusses which applicants receive priority for the RHY Program grant awards. This Section is proposed for removal because it is largely duplicative of statutory text from the RHY Act. In most cases, the language used in this regulation section is identical to the language describing grant eligibility requirements in the statute. *See* 34 U.S.C. 11213(b) (priority requirements for the Basic Center Program); 34 U.S.C. 11222(b) (priority requirements for the Transitional Living Program); 34 U.S.C. 11261(b) (priority requirements for the Street Outreach Program); 34 U.S.C. 11231 (priority requirements for the national communications system) 34 U.S.C. 11243(b) (priority requirements for research, evaluation, demonstration and service projects).

Where the regulatory language has modified statutory language slightly, such as at 45 CFR 1351(d) (expanding the statutory requirement for the national communications grant to prioritize applicants with experience providing telephonic services to runaway and homeless youth to prioritize applicants who have experience providing “electronic communication services”), distinctions can be explained via NOFO. NOFOs can likewise appropriately articulate 45 CFR 1351.12(f), which requires the Secretary to incorporate program performance standards listed at 45 CFR 1351.30-32 into grantmaking, monitoring, and evaluation. This subsection already states that NOFOs will include such content.

Section 1351.13 What are the Federal and non-Federal match requirements under a Runaway and Homeless Youth Program grant?

This Section discusses match requirements for RHY Program grants. This Section is proposed for removal because it duplicates statutory match requirements almost exactly. *Compare* 34 U.S.C. 11274 *with* 45 CFR 1351.13. This section adds nothing to assist the public understand the statutory match requirement better than the statute and therefore serves no purpose.

Section 1351.14 What is the period for which a grant will be awarded?

This Section discusses the grant period for RHY Program grants. This Section is proposed for removal because it is unnecessary. Information about grant periods already appears in NOFOs and is better suited there. Furthermore, this Section is ambiguous because it states, “generally the grant will initially be for one year.” Corresponding language in NOFOs is therefore already necessary to inform grant applicants and recipients about the specific period of their grants.

Section 1351.15 What costs are supportable under a Runaway and Homeless Youth Program grant?

This Section discusses allowable costs for RHY Program grants. This Section is proposed for removal because grant terms and conditions, including allowable expenditures of a grant, are best suited for NOFOs and other grant documents and in most cases, already appear in those documents. Including them in regulation is unnecessary.

Section 1351.16 What costs are not allowable under a Runaway and Homeless Youth Program grant?

This Section discusses non-allowable costs for RHY Program grants. As with 45 CFR 1351.15, this Section is proposed for removal because grant terms and conditions, including lists of unallowable expenditures of a grant, are best suited for NOFOs and other grant documents. NOFOs already include lists of unallowable expenses, including those listed in this Section.

This Section is also duplicative in part. 45 CFR 1351.1 already prohibits the activities described in 45 CFR 1351.16(b); there is no need to include the same expense prohibition twice in the RHY regulations.

Section 1351.17 How is application made for a Runaway and Homeless Youth Program grant?

This Section discusses the process of applying for RHY Program grants. We propose removal because this section is unnecessary; it merely directs grant applicants to follow the

instructions in the NOFO (references in regulation as “funding opportunity announcements”) without further detail or clarification.

*Subpart C – Additional Requirements*

Section 1351.20 What Government-wide and HHS-wide regulations apply to these programs?

This Section is proposed for removal because it is duplicative. The Section restates a list of Federal regulations applicable to RHY grant recipients and subrecipients without explanation of why each regulation is flagged yet excludes other Federal regulations that apply to all grant recipients and subrecipients. *See Runaway and Homeless Youth*, 81 FR 93030, 93044-45 (Dec. 20, 2016) (“This new list does not attempt to list all of the Federal laws and regulations . . . that pertain to organizations that may be grant awardees.”). The listed regulations apply to RHY grant recipients and subrecipients (and in many cases, all HHS or Federal agency grant recipients and subrecipients) regardless of whether they are included in the RHY regulations, and the arbitrary nature by which the listed regulations were selected for inclusion demonstrates further that this section serves no purpose.

Section 1351.24 What are the additional requirements that the Basic Center Program grantees must meet?

This Section discusses requirements for the Basic Center Program. This Section is proposed for removal because it is unnecessary. Grant requirements are better suited for NOFOs or other grant documents, such as supplemental terms and conditions. Further, this Section already directs grant applicants and recipients to the NOFO (referred to as the “funding opportunity announcement”) for additional requirements, making any guidance provided by the regulation incomplete. *See* 45 CFR 1351.24(f).

Section 1351.25 What are the additional requirements that the Transitional Living Program and Maternity Group Home grantees must meet?

This Section discusses requirements for the Transitional Living Program and Maternity Group Home grant. This Section is proposed for removal because it is unnecessary. Grant requirements are better suited for NOFOs or other grant documents, such as supplemental terms and conditions. Further, this Section already directs grant applicants and recipients to the NOFO (referred to as the “funding opportunity announcement”) for additional requirements, making any guidance provided by the regulation incomplete. *See* 45 CFR 1351.25(b).

Section 1351.27 What are the additional requirements that the Street Outreach Program grantees must meet?

This Section discusses requirements for Street Outreach Program. This Section is proposed for removal because it is unnecessary. Grant requirements are better suited for NOFOs or other grant documents, such as supplemental terms and conditions. Further, this Section already directs grant applicants and recipients to the NOFO (referred to as the “funding opportunity announcement”) for additional requirements, making any guidance provided by the regulation is incomplete. *See* 45 CFR 1351.27(c).

## **V. Regulatory Process Matters**

### *Paperwork Reduction Act*

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*, as amended) (PRA), all Departments are required to submit to the Office of Management and Budget (OMB) for review and approval any reporting or recordkeeping requirements inherent in a proposed or final rule. This NPRM does not contain any information requiring OMB approval under the PRA and, therefore, will not create any new paperwork burdens or modify existing burdens subject to OMB review.

### *Executive Order 13132*

Executive Order 13132 requires federal agencies to consult with State and local government officials if they develop regulatory policies with federalism

implications. Federalism is rooted in the belief that issues that are not national in scope or significance are most appropriately addressed by the level of government close to the people. This proposed rule would not have substantial direct impact on the States, on the relationship between the federal government and the States, or on the distribution of power and responsibilities among the various levels of government. This NPRM would not pre-empt State law. The changes proposed in the NPRM are removing duplicative and unnecessary regulations from the Family and Youth Services Bureau rules. Therefore, in accordance with Section 6 of Executive Order 13132, it is determined that this action does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

#### *Assessment of Federal Regulations and Policies on Families*

Assessment of Federal Regulations and Policies on Families Section 654 of the Treasury and General Government Appropriations Act of 1999 (Pub. L. 105-277) requires federal agencies to determine whether a policy or regulation may negatively affect family well-being. If the agency determines a policy or regulation negatively affects family well-being, then the agency must prepare an impact assessment addressing seven criteria specified in the law. HHS believes it is not necessary to prepare a family policymaking assessment because the actions proposed in this NPRM will not have any impact on the autonomy or integrity of the family as an institution.

#### **VI. Regulatory Impact Analysis**

We have examined the impacts of the proposed rule under Executive Order 12866, Executive Order 13563, Executive Order 14192, the Regulatory Flexibility Act (5 U.S.C. 601-612), and the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4).

Executive Orders 12866 and 13563 direct us to assess all benefits and costs of available regulatory alternatives and, when regulation is necessary, to select regulatory approaches that maximize net benefits. Rules are “significant” under Executive Order 12866 Section 3(f)(1) if

they “have an annual effect on the economy of \$100 million or more; or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities.”

Executive Order 14192 requires that any new incremental costs associated with significant new regulations “shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least ten prior regulations.” The Office of Information and Regulatory Affairs (OIRA) has determined that this proposed rule is not a significant action under Executive Order 12866 Section 3(f). This analysis indicates that the proposed rule, if finalized would be a deregulatory action as defined by Section 3 of Executive Order 14192.

The Regulatory Flexibility Act (RFA) requires agencies to consider the impact of their regulatory proposals on small entities. Because this is simply repealing obsolete and unnecessary language, we propose to certify that the proposed rule would not have a significant economic impact on a substantial number of small entities.

The Unfunded Mandates Reform Act of 1995 (UMRA) generally requires that each agency conduct a cost-benefit analysis; identify and consider a reasonable number of regulatory alternatives; and select the least costly, most cost effective, or least burdensome alternative that achieves the objectives of the rule before promulgating any proposed or final rule that includes a Federal mandate that may result in expenditures of more than \$100 million (adjusted for inflation) in at least one year by State, local, and tribal governments, in the aggregate, or by the private sector. Each agency issuing a rule with relevant effects over that threshold must also seek input from State, local, and tribal governments. The current threshold after adjustment for inflation is \$193 million, using the most current (2005) Implicit Price Deflator for the Gross Domestic Product. This proposed rule would not result in an expenditure in any year that meets or exceeds this amount.

## **VII. Tribal Consultation Statement**

Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, requires agencies to consult with Indian Tribes when regulations have “substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes.” Similarly, ACF's Tribal Consultation Policy says that consultation is triggered for any legislative proposal, new rule adoption, or other policy change that significantly affects Tribes, meaning there exists a reasonable presumption that it has or may have substantial direct effects on one or more Indian Tribes, on the relationship between the Federal Government and Indian tribes, on the amount or duration of ACF program funding, on the delivery of ACF programs or services to one or more Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes. However, as this is a deregulatory action, per OMB M-25-36, *Streamlining the Review of Deregulatory Actions*, this action presumptively does not trigger the Tribal Consultation requirements of Executive Order 13175 nor does it meet ACF’s standard for consultation.

### **List of Subjects in 45 CFR Part 1351**

Administrative practice and procedure, Grant programs-social programs, Homeless, Reporting and recordkeeping requirements, Technical assistance, Youth.

For the reasons set forth in the preamble, ACF proposes to amend 45 CFR part 1351 as follows:

#### **PART 1351 – RUNAWAY AND HOMELESS YOUTH PROGRAM**

1. The authority citation for part 1351 continues to read as follows:

Authority: 34 U.S.C. 11201 *et seq.*

\* \* \* \* \*

§ 1351.10 [Removed and Reserved]

2. Remove and reserve § 1351.10.

§ 1351.11 [Removed and Reserved]

3. Remove and reserve § 1351.11.

§ 1351.12 [Removed and Reserved]

4. Remove and reserve § 1351.12.

§ 1351.13 [Removed and Reserved]

5. Remove and reserve § 1351.13.

§ 1351.14 [Removed and Reserved]

6. Remove and reserve § 1351.14.

§ 1351.15 [Removed and Reserved]

7. Remove and reserve § 1351.15.

§ 1351.16 [Removed and Reserved]

8. Remove and reserve § 1351.16.

§ 1351.17 [Removed and Reserved]

9. Remove and reserve § 1351.17.

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§ 1351.20 [Removed and Reserved]

10. Remove and reserve § 1351.20.

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§ 1351.24 [Removed and Reserved]

11. Remove and reserve § 1351.24.

§ 1351.25 [Removed and Reserved]

12. Remove and reserve § 1351.25.

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§ 1351.27 [Removed and Reserved]

13. Remove and reserve § 1351.27.

Dated: April 2, 2026

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**Robert F. Kennedy, Jr.,**

*Secretary,*

*Department of Health and Human Services.*

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