
H.R.2873

Promoting Safe and Stable Families Amendments of 2001 (Enrolled Bill
(Sent to President))

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Promoting Safe and Stable Families Amendments of 2001'.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

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TITLE I--PROMOTING SAFE AND STABLE FAMILIES

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- Sec. 101. Findings and purpose.
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- Sec. 106. Authorization of appropriations; reservation of certain amounts.
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TITLE II--FOSTER CARE AND INDEPENDENT LIVING

- Sec. 201. Educational and training vouchers for youths aging out of foster care.
- Sec. 202. Reallocation and extension of funds.

TITLE III--EFFECTIVE DATE

- Sec. 301. Effective date.

SEC. 3. REFERENCES.

Except as otherwise specified in this Act, an amendment made by this Act to a section or other provision shall be considered an amendment to the section or other provision of the Social Security Act.

TITLE I--PROMOTING SAFE AND STABLE FAMILIES

Subtitle A--Grants to States for Promoting Safe and Stable Families

SEC. 101. FINDINGS AND PURPOSE.

Section 430 (42 U.S.C. 629) is amended to read as follows:

SEC. 430. FINDINGS AND PURPOSE.

(a) FINDINGS- The Congress finds that there is a continuing urgent need to protect children and to strengthen families as demonstrated by the following:

(1) Family support programs directed at specific vulnerable populations have had positive effects on parents, children, or both. The vulnerable populations for which programs have been shown to be effective include teenage mothers with very young children and families that have children with special needs.

(2) Family preservation programs have been shown to provide extensive and intensive services to families in crisis.

(3) The time lines established by the Adoption and Safe Families Act of 1997 have made the prompt availability of services to address family problems (and in particular the prompt availability of appropriate services and treatment addressing substance abuse) an important factor in successful family reunification.

(4) The rapid increases in the annual number of adoptions since the enactment of the Adoption and Safe Families Act of 1997 have created a growing need for postadoption services and for service providers with the particular knowledge and skills required to address the unique issues adoptive families and children may face.

(b) PURPOSE- The purpose of this program is to enable States to develop and establish, or expand, and to operate coordinated programs of community-based family support services, family preservation services, time-limited family reunification services, and adoption promotion and support services to accomplish the following objectives:

(1) To prevent child maltreatment among families at risk through the provision of supportive family services.

(2) To assure children's safety within the home and preserve intact families in which children have been maltreated, when the family's problems can be addressed effectively.

(3) To address the problems of families whose children have been placed in foster care so that reunification may occur in a safe and stable manner in accordance with the Adoption and Safe Families Act of 1997.

(4) To support adoptive families by providing support services as necessary so that they can make a lifetime commitment to their children.'

SEC. 102. DEFINITIONS.

(a) INCLUSION OF INFANT SAFE HAVEN PROGRAMS AMONG FAMILY PRESERVATION SERVICES- Section 431(a)(1) (42 U.S.C. 629a(a)(1)) is amended--

(1) by striking 'and' at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting '; and'; and

(3) by adding at the end the following:

`(F) infant safe haven programs to provide a way for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to a State law.'

(b) FAMILY SUPPORT SERVICES- Section 431(a)(2) (42 U.S.C. 629a(a)(2)) is amended by inserting `to strengthen parental relationships and promote healthy marriages,' after `environment,'.

SEC. 103. REALLOTMENTS.

Section 433 (42 U.S.C. 629c) is amended by adding at the end the following:

`(d) REALLOTMENTS- The amount of any allotment to a State under this section for any fiscal year that the State certifies to the Secretary will not be required for carrying out the State plan under section 432 shall be available for reallocation using the allotment methodology specified in this section. Any amount so reallocated to a State is deemed part of the allotment of the State under the preceding provisions of this section.'

SEC. 104. PAYMENTS TO STATES.

(a) IN GENERAL- Section 434(a) (42 U.S.C. 629d(a)) is amended--

(1) by striking paragraph (2);

(2) by striking all that precedes subparagraph (A) of paragraph (1) and inserting the following:

`(a) ENTITLEMENT- Each State that has a plan approved under section 432 shall be entitled to payment of the lesser of--'

(3) by redesignating subparagraphs (A) and (B) of paragraph (1) as paragraphs (1) and (2), respectively, and by indenting the provisions 2 ems to the left.

(b) CONFORMING AMENDMENTS- Section 434(b) (42 U.S.C. 629d(b)) is amended--

(1) in paragraph (1)--

(A) by striking `paragraph (1) or (2)(B) of'; and

(B) by striking `described in this subpart' and inserting `under the State plan under section 432'; and

(2) in paragraph (2), by striking `subsection (a)(1)' and inserting `subsection (a)'.

SEC. 105. EVALUATIONS, RESEARCH, AND TECHNICAL ASSISTANCE.

Section 435 (42 U.S.C. 629e) is amended--

(1) by striking all that precedes `the effectiveness' in paragraph (1) of subsection (a), including the heading for section 435 and the caption for subsection (a), and inserting the following:

SEC. 435. EVALUATIONS; RESEARCH; TECHNICAL ASSISTANCE.

`(a) EVALUATIONS-

`(1) IN GENERAL- The Secretary shall evaluate and report to the Congress biennially on';

(2) by adding at the end of subsection (a) the following:

`(3) TIMING OF REPORT- Beginning in 2003, the Secretary shall submit the biennial report required by this subsection not later than April 1 of every other year, and shall include in

each such report the funding level, the status of ongoing evaluations, findings to date, and the nature of any technical assistance provided to States under subsection (d).'; and (3) by adding at the end the following:

`(c) RESEARCH- The Secretary shall give priority consideration to the following topics for research and evaluation under this subsection, using rigorous evaluation methodologies where feasible:

`(1) Promising program models in the service categories specified in section 430(b), particularly time-limited reunification services and postadoption services.

`(2) Multi-disciplinary service models designed to address parental substance abuse and to reduce its impacts on children.

`(3) The efficacy of approaches directed at families with specific problems and with children of specific age ranges.

`(4) The outcomes of adoptions finalized after enactment of the Adoption and Safe Families Act of 1997.

`(d) TECHNICAL ASSISTANCE- To the extent funds are available therefor, the Secretary shall provide technical assistance that helps States and Indian tribes to--

`(1) develop research-based protocols for identifying families at risk of abuse and neglect of use in the field;

`(2) develop treatment models that address the needs of families at risk, particularly families with substance abuse issues;

`(3) implement programs with well-articulated theories of how the intervention will result in desired changes among families at risk;

`(4) establish mechanisms to ensure that service provision matches the treatment model; and

`(5) establish mechanisms to ensure that postadoption services meet the needs of the individual families and develop models to reduce the disruption rates of adoption.'.

SEC. 106. AUTHORIZATION OF APPROPRIATIONS; RESERVATION OF CERTAIN AMOUNTS.

(a) MANDATORY FUNDING-

(1) IN GENERAL- Subpart 2 of part B of title IV (42 U.S.C. 629-629e) is amended by adding at the end the following:

`SEC. 436. AUTHORIZATION OF APPROPRIATIONS; RESERVATION OF CERTAIN AMOUNTS.

`(a) AUTHORIZATION- There are authorized to be appropriated to carry out the provisions of this subpart \$305,000,000 for each of fiscal years 2002 through 2006.

`(b) RESERVATION OF CERTAIN AMOUNTS- From the amount specified in subsection (a) for a fiscal year, the Secretary shall reserve amounts as follows:

`(1) EVALUATION, RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE- The Secretary shall reserve \$6,000,000 for expenditure by the Secretary--

`(A) for research, training, and technical assistance costs related to the program under this subpart; and
`(B) for evaluation of State programs based on the plans approved under section 432 and funded under this subpart, and any other Federal, State, or local program, regardless of whether federally assisted, that is designed to achieve the same purposes as the State programs.

`(2) STATE COURT IMPROVEMENTS- The Secretary shall reserve \$10,000,000 for grants under section 438.

`(3) INDIAN TRIBES- The Secretary shall reserve 1 percent for allotment to Indian tribes in accordance with section 433(a).'

(2) CONFORMING AMENDMENTS- Section 433 (42 U.S.C. 629c) is amended--

(A) in subsection (a), by striking `section 430(d)(3)' and inserting `section 436(b)(3)';

(B) in subsection (b)--

(i) by striking `section 430(b)' and inserting `section 436(a)'; and

(ii) by striking `section 430(d)' and inserting `section 436(b)'; and

(C) in subsection (c)(1)--

(i) by striking `section 430(b)' and inserting `section 436(a)'; and

(ii) by striking `section 430(d)' and inserting `section 436(b)'.

(b) DISCRETIONARY FUNDING- Subpart 2 of part B of title IV (42 U.S.C. 629-629e) is further amended by adding at the end the following:

`SEC. 437. DISCRETIONARY GRANTS.

`(a) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS- In addition to any amount appropriated pursuant to section 436, there are authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years 2002 through 2006.

`(b) RESERVATION OF CERTAIN AMOUNTS- From the amount (if any) appropriated pursuant to subsection (a) for a fiscal year, the Secretary shall reserve amounts as follows:

`(1) EVALUATION, RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE- The Secretary shall reserve 3.3 percent for expenditure by the Secretary for the activities described in section 436(b)(1).

`(2) STATE COURT IMPROVEMENTS- The Secretary shall reserve 3.3 percent for grants under section 438.

`(3) INDIAN TRIBES- The Secretary shall reserve 2 percent for allotment to Indian tribes in accordance with subsection (c)(1).

`(c) ALLOTMENTS-

`(1) INDIAN TRIBES- From the amount (if any) reserved pursuant to subsection (b)(3) for any fiscal year, the Secretary shall allot to each Indian tribe with a plan approved under this subpart an amount that bears the same ratio to such reserved

amount as the number of children in the Indian tribe bears to the total number of children in all Indian tribes with State plans so approved, as determined by the Secretary on the basis of the most current and reliable information available to the Secretary.

`(2) TERRITORIES- From the amount (if any) appropriated pursuant to subsection (a) for any fiscal year that remains after applying subsection (b) for the fiscal year, the Secretary shall allot to each of the jurisdictions of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, and American Samoa an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 421.

`(3) OTHER STATES- From the amount (if any) appropriated pursuant to subsection (a) for any fiscal year that remains after applying subsection (b) and paragraph (2) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) which is not specified in paragraph (2) of this subsection an amount equal to such remaining amount multiplied by the food stamp percentage (as defined in section 433(c)(2)) of the State for the fiscal year.

`(d) GRANTS- The Secretary may make a grant to a State which has a plan approved under this subpart in an amount equal to the lesser of--

`(1) 75 percent of the total expenditures by the State for activities under the plan during the fiscal year or the immediately succeeding fiscal year; or

`(2) the allotment of the State under subsection (c) for the fiscal year.

`(e) APPLICABILITY OF CERTAIN RULES- The rules of subsections (b) and (c) of section 434 shall apply in like manner to the amounts made available pursuant to this section.'

SEC. 107. STATE COURT IMPROVEMENTS.

(a) SCOPE OF ACTIVITIES- Section 13712 of the Omnibus Budget Reconciliation Act of 1993 (42 U.S.C. 670 note) is amended--

(1) in subsection (a), by striking paragraph (2) and inserting the following:

`(2) to implement improvements the highest state courts deem necessary as a result of the assessments, including--

`(A) to provide for the safety, well-being, and permanence of children in foster care, as set forth in the Adoption and Safe Families Act of 1997 (Public Law 105-89); and

`(B) to implement a corrective action plan, as necessary, resulting from reviews of child and family service programs under section 1123A of this Act.'; and

(2) in subsection (c)(1), in the matter preceding subparagraph (A), by inserting 'and improvement' after 'assessment'.

(b) ALLOTMENTS- Section 13712(c)(1) of such Act (42 U.S.C. 670 note) is amended by striking all that follows 'shall be entitled to

payment,' and inserting `for each of fiscal years 2002 through 2006, from the amount reserved pursuant to section 436(b)(2) (and the amount, if any, reserved pursuant to section 437(b)(2)), of an amount equal to the sum of \$85,000 plus the amount described in paragraph (2) of this subsection for the fiscal year.'

(c) FEDERAL SHARE- Section 13712(d) of such Act (42 U.S.C. 670 note) is amended--

(1) in the heading, by striking `USE OF GRANT FUNDS' and inserting `FEDERAL SHARE'; and

(2) by striking `to pay--' and all that follows and inserting `to pay not more than 75 percent of the cost of activities under this section in each of fiscal years 2002 through 2006.'

(d) CONFORMING AMENDMENTS- Section 13712 of such Act (42 U.S.C. 670 note) is amended--

(1) in subsection (a)--

(A) in the matter preceding paragraph (1), by striking `of title IV of the Social Security Act'; and

(B) in paragraph (1)(A), by striking `of title IV of such Act'; and

(2) in subsection (c)(2), by striking `section 430(d)(2) of the Social Security Act' and inserting `section 436(b)(2) (and the amount, if any, reserved pursuant to section 437(b)(2))'.

(e) TRANSFER AND REDESIGNATION- Section 13712 of such Act (42 U.S.C. 670 note), as amended by the preceding provisions of this section, is redesignated as section 438 and is transferred to the end of subpart 2 of part B of title IV of the Social Security Act.

Subtitle B--Mentoring Children of Prisoners

SEC. 121. PROGRAM AUTHORIZED.

Subpart 2 of part B of title IV (42 U.S.C. 629-629e) is further amended by adding at the end the following:

`SEC. 439. GRANTS FOR PROGRAMS FOR MENTORING CHILDREN OF PRISONERS.

`(a) FINDINGS AND PURPOSE-

`(1) FINDINGS-

`(A) In the period between 1991 and 1999, the number of children with a parent incarcerated in a Federal or State correctional facility increased by more than 100 percent, from approximately 900,000 to approximately 2,000,000. In 1999, 2.1 percent of all children in the United States had a parent in Federal or State prison.

`(B) Prior to incarceration, 64 percent of female prisoners and 44 percent of male prisoners in State facilities lived with their children.

`(C) Nearly 90 percent of the children of incarcerated fathers live with their mothers, and 79 percent of the children of incarcerated mothers live with a grandparent or other relative.

`(D) Parental arrest and confinement lead to stress, trauma, stigmatization, and separation problems for

children. These problems are coupled with existing problems that include poverty, violence, parental substance abuse, high-crime environments, intrafamilial abuse, child abuse and neglect, multiple care givers, and/or prior separations. As a result, these children often exhibit a broad variety of behavioral, emotional, health, and educational problems that are often compounded by the pain of separation.

`(E) Empirical research demonstrates that mentoring is a potent force for improving children's behavior across all risk behaviors affecting health. Quality, one-on-one relationships that provide young people with caring role models for future success have profound, life-changing potential. Done right, mentoring markedly advances youths' life prospects. A widely cited 1995 study by Public/Private Ventures measured the impact of one Big Brothers Big Sisters program and found significant effects in the lives of youth--cutting first-time drug use by almost half and first-time alcohol use by about a third, reducing school absenteeism by half, cutting assaultive behavior by a third, improving parental and peer relationships, giving youth greater confidence in their school work, and improving academic performance.
