

COMMITTEE PRINT

Showing the text of H.R. 2873, as reported by the Subcommittee on Human Resources on September 25, 2001

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting Safe and
3 Stable Families Amendments of 2001”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

TITLE I—PROMOTING SAFE AND STABLE FAMILIES

- Sec. 101. Findings and purpose.
- Sec. 102. Definition of family support services.
- Sec. 103. Reallotments.
- Sec. 104. Payments to States.
- Sec. 105. Evaluations, research, and technical assistance.
- Sec. 106. Authorization of appropriations; reservation of certain amounts.
- Sec. 107. State court improvements.

TITLE II—EFFECTIVE DATE

- Sec. 201. Effective date.

6 **SEC. 3. REFERENCES.**

7 Except as otherwise specified in this Act, an amend-
8 ment made by this Act to a section or other provision shall
9 be considered an amendment to the section or other provi-
10 sion of the Social Security Act.



1 **TITLE I—PROMOTING SAFE AND**
2 **STABLE FAMILIES**

3 **SEC. 101. FINDINGS AND PURPOSE.**

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

6 **“SEC. 430. FINDINGS AND PURPOSE.**

7 “(a) FINDINGS.—The Congress finds that there is a
8 continuing urgent need to protect children and to
9 strengthen families as demonstrated by the following:

10 “(1) Family support programs directed at spe-
11 cific vulnerable populations have had positive effects
12 on parents, children, or both. The vulnerable popu-
13 lations for which programs have been shown to be
14 effective include teenage mothers with very young
15 children and families that have children with special
16 needs.

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

20 “(3) The time lines established by the Adoption
21 and Safe Families Act of 1997 have made the
22 prompt availability of services to address family
23 problems (and in particular the prompt availability
24 of appropriate services and treatment addressing



1 substance abuse) an important factor in successful
2 family reunification.

3 “(4) The rapid increases in the annual number
4 of adoptions since the enactment of the Adoption
5 and Safe Families Act of 1997 have created a grow-
6 ing need for postadoption services and for service
7 providers with the particular knowledge and skills
8 required to address the unique issues adoptive fami-
9 lies and children may face.

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

16 “(1) To prevent child maltreatment among fam-
17 ilies at risk through the provision of supportive fam-
18 ily services.

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

23 “(3) To address the problems of families whose
24 children have been placed in foster care so that re-
25 unification may occur in a safe and stable manner



1 in accordance with the Adoption and Safe Families
2 Act of 1997.

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

6 **SEC. 102. DEFINITIONS.**

7 (a) INCLUSION OF INFANT SAFE HAVEN PROGRAMS
8 AMONG FAMILY PRESERVATION SERVICES.—Section
9 431(a)(1) (42 U.S.C. 629a(a)(1)) is amended—

10 (1) by striking “and” at the end of subpara-
11 graph (D);

12 (2) by striking the period at the end of sub-
13 paragraph (E); and

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

15 “(F) infant safe haven programs to pro-
16 vide a way for a parent to safely relinquish a
17 newborn infant at a safe haven designated pur-
18 suant to a State law.”.

19 (b) FAMILY SUPPORT SERVICES.—Section 431(a)(2)
20 (42 U.S.C. 629a(a)(2)) is amended by inserting “to
21 strengthen parental relationships and promote healthy
22 marriages,” after “environment,”.

23 **SEC. 103. REALLOTMENTS.**

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



1 “(d) REALLOTMENTS.—The amount of any allotment
2 to a State under this section for any fiscal year that the
3 State certifies to the Secretary will not be required for
4 carrying out the State plan under section 432 shall be
5 available for reallocation using the allotment methodology
6 specified in this section. Any amount so reallocated to a
7 State is deemed part of the allotment of the State under
8 the preceding provisions of this section.”.

9 **SEC. 104. PAYMENTS TO STATES.**

10 (a) IN GENERAL.—Section 434(a) (42 U.S.C.
11 629d(a)) is amended—

12 (1) by striking paragraph (2);

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

15 “(a) ENTITLEMENT.—Each State that has a plan ap-
16 proved under section 432 shall be entitled to payment of
17 the lesser of—”; and

18 (3) by redesignating subparagraphs (A) and
19 (B) of paragraph (1) as paragraphs (1) and (2), re-
20 spectively, and by indenting the provisions 2 ems to
21 the left.

22 (b) CONFORMING AMENDMENTS.—Section 434(b)
23 (42 U.S.C. 629d(b)) is amended—

24 (1) in paragraph (1)—



1 (A) by striking “paragraph (1) or (2)(B)
2 of”; and

3 (B) by striking “described in this subpart”
4 and inserting “under the State plan under sec-
5 tion 432”; and

6 (2) in paragraph (2), by striking “subsection
7 (a)(1)” and inserting “subsection (a)”.

8 **SEC. 105. EVALUATIONS, RESEARCH, AND TECHNICAL AS-**
9 **SISTANCE.**

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

11 (1) by striking all that precedes “the effective-
12 ness” in paragraph (1) of subsection (a), including
13 the heading for section 435 and the caption for sub-
14 section (a), and inserting the following:

15 **“SEC. 435. EVALUATIONS; RESEARCH; TECHNICAL ASSIST-**
16 **ANCE.**

17 “(a) EVALUATIONS.—The Secretary shall evaluate
18 and report to the Congress annually on”;

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

21 “(3) TIMING OF REPORT.—Beginning in 2003,
22 the Secretary shall submit the annual report re-
23 quired by this subsection not later than January 15
24 of each year, and shall include in each such report
25 the funding level, the status of ongoing evaluations,



1 and the nature of any technical assistance provided
2 to States under subsection (d).”; and

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

4 “(c) RESEARCH.—The Secretary shall give priority
5 consideration to the following topics for research and eval-
6 uation under this subsection, using rigorous evaluation
7 methodologies where feasible:

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

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

15 “(3) The efficacy of approaches directed at
16 families with specific problems and with children of
17 specific age ranges.

18 “(4) The outcomes of adoptions finalized after
19 enactment of the Adoption and Safe Families Act of
20 1997.

21 “(d) TECHNICAL ASSISTANCE.—The Secretary shall
22 provide technical assistance that helps States and Indian
23 tribes to—



1 “(1) develop research-based protocols for identi-
2 fying families at risk of abuse and neglect of use in
3 the field;

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

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

10 “(4) establish mechanisms to ensure that serv-
11 ice provision matches the treatment model; and

12 “(5) establish mechanisms to ensure that
13 postadoption services meet the needs of the indi-
14 vidual families and develop models to reduce the dis-
15 ruption rates of adoption.”.

16 **SEC. 106. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**
17 **TION OF CERTAIN AMOUNTS.**

18 (a) IN GENERAL.—Subpart 2 of part B of title IV
19 (42 U.S.C. 629–629e) is amended by adding at the end
20 the following:

21 **“SEC. 436. AUTHORIZATION OF APPROPRIATIONS; RES-**
22 **ERVATION OF CERTAIN AMOUNTS.**

23 “(a) AUTHORIZATION.—There are authorized to be
24 appropriated to carry out the provisions of this subpart
25 \$305,000,000 for each of fiscal years 2002 and 2003.



1 “(b) RESERVATION OF CERTAIN AMOUNTS.—From
2 the amount specified in subsection (a) for each fiscal year,
3 the Secretary shall reserve amounts for use as follows:

4 “(1) EVALUATION, RESEARCH, TRAINING, AND
5 TECHNICAL ASSISTANCE.—The Secretary shall re-
6 serve \$6,000,000 for each of fiscal years 2002 and
7 2003, for expenditure by the Secretary—

8 “(A) for research, training, and technical
9 assistance costs related to the program under
10 this subpart; and

11 “(B) for evaluation of State programs
12 based on the plans approved under section 432
13 and funded under this subpart, and any other
14 Federal, State, or local program, regardless of
15 whether federally assisted, that is designed to
16 achieve the same purposes as the State pro-
17 grams.

18 “(2) STATE COURT IMPROVEMENTS.—The Sec-
19 retary shall reserve \$10,000,000 for grants under
20 section 437.

21 “(3) INDIAN TRIBES.—The Secretary shall re-
22 serve 1 percent of the amount described in sub-
23 section (a) of this section for allotment to Indian
24 tribes in accordance with section 433(a).”.



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

3 (1) in subsection (a), by striking “section
4 430(d)(3)” and inserting “section 436(b)(3)”;

5 (2) in subsection (b)—

6 (A) by striking “section 430(b)” and in-
7 serting “section 436(a)”;

8 (B) by striking “section 430(d)” and in-
9 serting “section 436(b)”;

10 (3) in subsection (c)—

11 (A) by striking “section 430(b)” and in-
12 serting “section 436(a); and

13 (B) by striking “section 430(d)” and in-
14 serting “section 436(b)”.

15 **SEC. 107. STATE COURT IMPROVEMENTS.**

16 (a) SCOPE OF ACTIVITIES.—Section 13712 of the
17 Omnibus Budget Reconciliation Act of 1993 (42 U.S.C.
18 670 note) is amended—

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

21 “(2) to implement improvements the highest
22 state courts deem necessary as a result of the as-
23 sessments, including—

24 “(A) to provide for the safety, well-being,
25 and permanence of children in foster care, as



1 set forth in the Adoption and Safe Families Act
2 of 1997 (Public Law 105–89); and

3 “(B) to implement a corrective action plan,
4 as necessary, resulting from reviews of child
5 and family service programs under section
6 1123A of this Act.”;

7 (2) in subsection (c)(1), in the matter preceding
8 subparagraph (A), by inserting “and improvement”
9 after “assessment”.

10 (b) ALLOTMENTS.—Section 13712(c)(1) of such Act
11 (42 U.S.C. 670 note) is amended by striking all that fol-
12 lows “shall be entitled to payment,” and inserting “for
13 each of fiscal years 2002 and 2003, from amounts re-
14 served pursuant to section 436(b)(2), of an amount equal
15 to the sum of \$85,000 plus the amount described in para-
16 graph (2) for the fiscal year.”.

17 (c) FEDERAL SHARE.—Section 13712(d) of such Act
18 (42 U.S.C. 670 note) is amended—

19 (1) in the heading, by striking “USE OF GRANT
20 FUNDS” and inserting “FEDERAL SHARE”; and

21 (2) by striking “to pay—” and all that follows
22 and inserting “to pay not more than 75 percent of
23 the cost of activities under this section in each of fis-
24 cal years 2002 and 2003.”.



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

3 (1) in subsection (a)—

4 (A) in the matter preceding paragraph (1),
5 by striking “of title IV of the Social Security
6 Act”; and

7 (B) in paragraph (1)(A), by striking “of
8 title IV of such Act”; and

9 (2) in subsection (c)(2), by striking “section
10 430(d)(2) of the Social Security Act” and inserting
11 “section 436(b)(2)”.

12 (e) TRANSFER AND REDESIGNATION.—Section
13 13712 of such Act (42 U.S.C. 670 note), as amended by
14 the preceding provisions of this section, is redesignated as
15 section 437 and is transferred to the end of subpart 2
16 of part B of title IV of the Social Security Act.

17 **TITLE II—EFFECTIVE DATE**

18 **SEC. 201. EFFECTIVE DATE.**

19 (a) IN GENERAL.—Subject to subsection (b), the
20 amendments made by this Act shall take effect October
21 1, 2001.

22 (b) DELAY PERMITTED IF STATE LEGISLATION RE-
23 QUIRED.—In the case of a State plan under subpart 2 of
24 part B of the Social Security Act that the Secretary of
25 Health and Human Services determines requires State



1 legislation (other than legislation appropriating funds) in
2 order for the plan to meet the additional requirements im-
3 posed by the amendments specified in subsection (a) of
4 this section, the State plan shall not be regarded as failing
5 to comply with the requirements of such part solely on
6 the basis of the failure of the plan to meet the additional
7 requirements before the first day of the first calendar
8 quarter beginning after the close of the first regular ses-
9 sion of the State legislature that begins after the date of
10 the enactment of this Act. For purposes of the preceding
11 sentence, in the case of a State that has a 2-year legisla-
12 tive session, each year of the session shall be deemed to
13 be a separate regular session of the State legislature.

