

Calendar No. 470

109TH CONGRESS
2D SESSION**S. 3525**

To amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2006

Mr. GRASSLEY, from the Committee on Finance, reported the following original bill; which was read twice and placed on the calendar

A BILL

To amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Improving Outcomes for Children Affected by Meth Act
6 of 2006”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Grants for regional partnerships to increase the well-being of, and improve the permanency outcomes for, children affected by methamphetamine abuse and addiction.
- Sec. 3. Reauthorization of the promoting safe and stable families program.
- Sec. 4. Reauthorization and expansion of mentoring children of prisoners program.
- Sec. 5. Allotments and grants to Indian tribes.
- Sec. 6. Additional State plan amendments.
- Sec. 7. Effective date.

3 **SEC. 2. GRANTS FOR REGIONAL PARTNERSHIPS TO IN-**
 4 **CREASE THE WELL-BEING OF, AND IMPROVE**
 5 **THE PERMANENCY OUTCOMES FOR, CHIL-**
 6 **DREN AFFECTED BY METHAMPHETAMINE**
 7 **ABUSE AND ADDICTION.**

8 (a) RESERVATION OF FUNDS.—Section 436(b) of the
 9 Social Security Act (42 U.S.C. 629f(b)) is amended by
 10 adding at the end the following new paragraph:

11 “(4) IMPROVED OUTCOMES FOR CHILDREN AF-
 12 FECTED BY METHAMPHETAMINE ABUSE AND ADDIC-
 13 TION.—With respect to each of fiscal years 2007
 14 through 2011, if the amount appropriated to carry
 15 out this subpart for any such fiscal year is at least
 16 \$345,000,000, the Secretary shall reserve
 17 \$40,000,000 of the amount appropriated for that
 18 fiscal year for grants under section 440.”.

19 (b) REGIONAL PARTNERSHIP GRANTS.—Subpart 2
 20 of part B of title IV of the Social Security Act (42 U.S.C.

1 629 et seq.) is amended by adding at the end the following
 2 new section:

3 **“SEC. 440. GRANTS FOR REGIONAL PARTNERSHIPS TO IN-**
 4 **CREASE THE WELL-BEING OF, AND IMPROVE**
 5 **THE PERMANENCY OUTCOMES FOR, CHIL-**
 6 **DREN AFFECTED BY METHAMPHETAMINE**
 7 **ABUSE AND ADDICTION.**

8 “(a) PURPOSE.—The purpose of this section is to au-
 9 thorize the Secretary to make competitive grants to eligi-
 10 ble applicants to provide, through interagency collabora-
 11 tion and integration of programs and services, services and
 12 activities that are designed to increase the well-being of,
 13 and improve permanency outcomes for, children who are
 14 in an out-of-home placement or are at risk of being placed
 15 in an out-of-home placement as a result of a parent’s or
 16 caretaker’s abuse of methamphetamines.

17 “(b) ELIGIBLE APPLICANTS DEFINED.—In this sec-
 18 tion, the term ‘eligible applicant’ means a regional part-
 19 nership (which may be established on an interstate or
 20 intrastate basis) and that shall include any one or more
 21 of the following:

- 22 “(1) Nonprofit child welfare service providers.
- 23 “(2) For-profit child welfare service providers.
- 24 “(3) Community health service providers.
- 25 “(4) Community mental health providers.

1 “(5) Local law enforcement agencies.

2 “(6) Judges and court personnel.

3 “(7) Juvenile justice officials.

4 “(8) School personnel.

5 “(9) The State child welfare agency that is re-
6 sponsible for the administration of the State plan
7 under this part and part E.

8 “(10) The State agency responsible for admin-
9 istering the substance abuse prevention and treat-
10 ment block grant provided under subpart II of part
11 B of title XIX of the Public Health Service Act.

12 “(11) Tribal child welfare agencies (or a con-
13 sortium of such agencies).

14 “(12) Any other providers, agencies, personnel,
15 officials, or entities that are related to the provision
16 of child and family services under this subpart.

17 “(c) PROGRAM AUTHORIZED.—

18 “(1) IN GENERAL.—From the amounts (if any)
19 reserved for each of fiscal years 2007 through 2011
20 under section 436(b)(4), the Secretary shall award
21 grants under this section for each such fiscal year
22 to eligible applicants that satisfy the requirements of
23 this section, in amounts that are not less than
24 \$500,000 and not more than \$1,000,000 per grant
25 per fiscal year.

1 “(2) REQUIRED MINIMUM PERIOD OF AP-
2 PROVAL.—An eligible applicant shall be approved to
3 receive a grant under this section for a period of not
4 less than 2, and not more than 5, fiscal years.

5 “(d) APPLICATION REQUIREMENTS.—To be eligible
6 for a grant under this section, an eligible applicant shall
7 submit to the Secretary a written application containing
8 the following:

9 “(1) Recent evidence that methamphetamine
10 abuse has increased the number of out-of-home
11 placements for children, or the number of children
12 who are at risk of being placed in an out-of-home
13 placement, in the partnership region.

14 “(2) A description of the goals and outcomes to
15 be achieved during the funding period for the grant
16 that will enhance the well-being of children receiving
17 services or taking part in activities conducted with
18 funds provided under the grant and lead to safety
19 and permanence for such children.

20 “(3) A description of the joint activities to be
21 funded in whole or in part with the funds provided
22 under the grant, including the sequencing of the ac-
23 tivities proposed to be conducted under the funding
24 period for the grant.

1 “(4) A description of the strategies for inte-
2 grating programs and services determined to be ap-
3 propriate for the child and where appropriate, the
4 child’s family.

5 “(5) A description of the strategies for—

6 “(A) collaborating with the State agency
7 responsible for the administration of this part
8 and part E (unless the lead agency for the re-
9 gional partnership of the eligible applicant is
10 such agency); and

11 “(B) consulting, as appropriate, with the
12 State agency responsible for administering sub-
13 stance abuse treatment and prevention services,
14 and the State law enforcement and judicial
15 agencies.

16 To the extent the Secretary determines that a re-
17 quirement of this paragraph would be inappropriate
18 to apply to an eligible applicant that includes a trib-
19 al child welfare agency or a consortium of such
20 agencies, the Secretary may exempt the eligible ap-
21 plicant from satisfying such requirement.

22 “(6) Such other information as the Secretary
23 may require.

24 “(e) USE OF FUNDS.—Funds made available under
25 a grant made under this section shall only be used for

1 services or activities that are consistent with the purpose
 2 of this section and may include the following:

3 “(1) Family-based comprehensive long-term
 4 drug treatment services.

5 “(2) Early intervention and preventative serv-
 6 ices.

7 “(3) Children and family counseling.

8 “(4) Mental health services.

9 “(5) Parenting skills training.

10 “(f) MATCHING REQUIREMENT.—

11 “(1) FEDERAL SHARE.—A grant awarded
 12 under this section shall be available to pay a per-
 13 centage share of the costs of services provided or ac-
 14 tivities conducted under such grant, not to exceed—

15 “(A) 85 percent for the first and second
 16 fiscal years for which the grant is awarded to
 17 an eligible applicant;

18 “(B) 80 percent for the third and fourth
 19 such fiscal years; and

20 “(C) 75 percent for the fifth such fiscal
 21 year.

22 “(2) NON-FEDERAL SHARE.—The non-Federal
 23 share of the cost of services provided or activities
 24 conducted under a grant awarded under this section
 25 may be in cash or in kind. In determining the

1 amount of the non-Federal share, the Secretary may
2 attribute fair market value to goods, services, and
3 facilities contributed from non-Federal sources.

4 “(g) CONSIDERATIONS IN AWARDING AND AMOUNT
5 OF GRANTS.—In awarding grants under this section and
6 determining the amount of such grants, the Secretary
7 shall—

8 “(1) consider the demonstrated need of an eligi-
9 ble applicant for assistance;

10 “(2) ensure that grants are awarded to a di-
11 verse number of the eligible applicants described in
12 subsection (b); and

13 “(3) give priority to awarding grants to eligible
14 applicants located in rural areas that—

15 “(A) have been significantly affected by
16 methamphetamine abuse and addiction by par-
17 ents or caretakers;

18 “(B) have limited resources for addressing
19 the needs of children affected by such abuse
20 and addiction; and

21 “(C) have a lack of capacity for access to
22 comprehensive family treatment services.

23 “(h) PERFORMANCE INDICATORS.—Not later than 18
24 months after the date of enactment of this section, the
25 Secretary shall establish indicators that will be used to as-

1 sess periodically the performance of the eligible applicants
 2 awarded grants under this section in using funds made
 3 available under such grants to achieve the purpose of this
 4 section. In establishing such indicators, the Secretary shall
 5 consult with the Assistant Secretary for the Administra-
 6 tion for Children and Families, the Administrator of the
 7 Substance Abuse and Mental Health Services Administra-
 8 tion, the chief executive officers of the States or territories
 9 in which eligible applicants awarded a grant under this
 10 section are located, legislators of such States and terri-
 11 tories, State and local public officials responsible for ad-
 12 ministering child welfare and alcohol and drug abuse pre-
 13 vention and treatment programs in such States and terri-
 14 tories, court staff in such States and territories, con-
 15 sumers of the services or activities in such States and ter-
 16 ritories, advocates for children, parents, and caretakers
 17 who come to the attention of the child welfare system, and
 18 tribal officials of tribal child welfare agencies (or a consor-
 19 tium of such agencies) awarded a grant under this section.

20 “(i) REPORTS.—

21 “(1) GRANTEE REPORTS.—

22 “(A) ANNUAL REPORT.—Not later than
 23 September 30 of the first fiscal year in which
 24 an eligible applicant receives funds under a
 25 grant awarded under this section, and annually

1 thereafter until September 30 of the last fiscal
2 year in which an eligible applicant receives
3 funds under a grant awarded under this sec-
4 tion, the eligible applicant shall submit to the
5 Secretary a report on the activities carried out
6 during that fiscal year with such funds. The re-
7 port shall contain such information as the Sec-
8 retary determines is necessary to provide an ac-
9 curate description of the activities conducted
10 with such funds and of any changes in the use
11 of such funds that are planned for the suc-
12 ceeding fiscal year.

13 “(B) INCORPORATION OF INFORMATION
14 RELATED TO PERFORMANCE INDICATORS.—Not
15 later than 12 months after the establishment of
16 performance indicators under subsection (h),
17 each eligible applicant awarded a grant under
18 this section shall incorporate into the annual re-
19 port required under subparagraph (A) informa-
20 tion required in relation to such indicators.

21 “(2) REPORTS TO CONGRESS.—On the basis of
22 the reports submitted under paragraph (1), the Sec-
23 retary annually shall submit to the Committee on
24 Ways and Means of the House of Representatives

1 and the Committee on Finance of the Senate a re-
2 port on—

3 “(A) the services provided and activities
4 conducted with funds provided under grants
5 awarded under this section;

6 “(B) the performance indicators estab-
7 lished under subsection (h); and

8 “(C) the progress that has been made in
9 addressing the needs of families with meth-
10 amphetamine abuse problems who come to the
11 attention of the child welfare system and in
12 achieving the goals of child safety, permanence,
13 and family stability.”.

14 **SEC. 3. REAUTHORIZATION OF THE PROMOTING SAFE AND**
15 **STABLE FAMILIES PROGRAM.**

16 (a) IN GENERAL.—Section 436(a) of the Social Secu-
17 rity Act (42 U.S.C. 629f(a)) is amended by striking “for
18 fiscal year 2006.” and all that follows through the end
19 of the second sentence and inserting “for each of fiscal
20 years 2007 through 2011.”.

21 (b) DISCRETIONARY GRANTS.—Section 437(a) of the
22 Social Security Act (42 U.S.C. 629g(a)) is amended by
23 striking “2002 through 2006” and inserting “2007
24 through 2011”.

1 (c) STATE COURTS ASSESSMENT AND IMPROVEMENT
 2 GRANTS.—Subsections (c)(1)(A) and (d) of section 438
 3 of the Social Security Act (42 U.S.C. 629h) are each
 4 amended by striking “2002 through 2006” and inserting
 5 “2007 through 2011”.

6 (d) TECHNICAL CORRECTION OF FUNDING FOR FIS-
 7 CAL YEAR 2006.—Effective February 8, 2006, title II of
 8 the Departments of Labor, Health and Human Services,
 9 and Education, and Related Agencies Appropriations Act,
 10 2006 (Public Law 109–149, 119 Stat. 2833) is amended
 11 under the heading relating to “PROMOTING SAFE AND STA-
 12 BLE FAMILIES” under the heading “ADMINISTRATION FOR
 13 CHILDREN AND FAMILIES”, by striking “\$305,000,000”
 14 and inserting “\$345,000,000”.

15 **SEC. 4. REAUTHORIZATION AND EXPANSION OF MEN-**
 16 **TORING CHILDREN OF PRISONERS PRO-**
 17 **GRAM.**

18 (a) IN GENERAL.—Section 439 of the Social Security
 19 Act (42 U.S.C. 629i) is amended—

20 (1) in the section heading, by striking
 21 “**GRANTS**” and inserting “**FUNDING**”;

22 (2) in subsection (a)—

23 (A) in the subsection heading, by striking
 24 “PURPOSE” and inserting “PURPOSES”; and

25 (B) in paragraph (2)—

1 (i) in the paragraph heading, by strik-
 2 ing “PURPOSE” and inserting “PUR-
 3 POSES”;

4 (ii) by striking “The purpose of this
 5 section is to authorize the Secretary to
 6 make competitive” and inserting “The pur-
 7 poses of this section are to authorize the
 8 Secretary—

9 “(A) to make competitive”;

10 (iii) by striking the period at the end
 11 and inserting “; and”; and

12 (iv) by adding at the end the following
 13 new subparagraph:

14 “(B) to enter into a cooperative agreement
 15 with a national mentoring support organization
 16 to provide greater flexibility nationwide to in-
 17 crease the number of children of prisoners re-
 18 ceiving mentoring services.”;

19 (3) in subsection (c)—

20 (A) by striking “2002 through 2006” and
 21 inserting “2007 through 2011”;

22 (B) by striking “(h)” and inserting “(i)”;
 23 and

24 (C) by striking “(h)(2)” and inserting
 25 “(i)(2)”;

1 (4) by redesignating subsections (g) and (h) as
2 subsections (h) and (i), respectively;

3 (5) by inserting after subsection (f), the fol-
4 lowing new subsection:

5 “(g) INCREASED ACCESS TO MENTORING SERV-
6 ICES.—

7 “(1) IN GENERAL.—The Secretary shall award,
8 on a competitive basis, a cooperative agreement with
9 an eligible entity (as specified in paragraph (2)) for
10 the purposes of—

11 “(A) identifying and approving mentoring
12 programs in all 50 States and the District of
13 Columbia that meet certain quality program
14 standards;

15 “(B) organizing outreach activities, includ-
16 ing making publicly available a list of such ap-
17 proved programs, to appropriate public and pri-
18 vate entities described in subsection (d)(2) to
19 increase awareness of the availability of vouch-
20 ers for mentoring services among families of
21 children of prisoners; and

22 “(C) distributing vouchers directly to such
23 approved programs that have been selected by
24 families of children of prisoners to provide men-
25 toring services for their children.

1 “(2) ELIGIBLE ENTITY.—For purposes of para-
2 graph (1), an entity eligible for a cooperative agree-
3 ment under this subsection shall be a national men-
4 toring support organization that has substantial ex-
5 perience—

6 “(A) in mentoring and mentoring services
7 for children; and

8 “(B) in developing quality program stand-
9 ards for the planning and assessment of men-
10 toring programs for children.

11 “(3) APPLICATION REQUIREMENTS.—To be eli-
12 gible for a cooperative agreement under this sub-
13 section, an entity shall submit to the Secretary an
14 application that includes the following:

15 “(A) QUALIFICATIONS.—A demonstration
16 that the entity meets the experience require-
17 ments of paragraph (2).

18 “(B) PLAN DESCRIPTION.—A detailed de-
19 scription of the proposed voucher distribution
20 program, which shall—

21 “(i) include the quality program
22 standards for mentoring developed by the
23 entity;

24 “(ii) describe how the entity will orga-
25 nize and implement such quality program

standards and distribution program, including how the entity plans to ensure that—

“(I) children in urban and rural communities and children with other geographic, linguistic, or cultural barriers to receipt of mentoring services will have access to such services; and

“(II) if the entity usually provides gender-specific programs or services, both girls and boys will be appropriately served by the program;

“(iii) identify those organizations known by the entity to comply with such quality program standards;

“(iv) describe the strategic plan of the entity to work with families of prisoners to develop the list of mentoring programs that accept vouchers distributed under the program for mentoring services; and

“(v) describe the methods to be used by the entity to evaluate the program and the extent to which the program is achieving the purposes described in paragraph (1) and subsection (a)(2)(A).

1 “(C) CRIMINAL BACKGROUND CHECKS.—

2 An agreement to include in any quality program
3 standards for approved mentoring programs the
4 requirement for criminal background checks for
5 mentors.

6 “(D) RECORDS, REPORTS, AND AUDITS.—

7 An agreement to maintain such records, make
8 such reports, and cooperate with such reviews
9 and audits as the Secretary may find necessary
10 for purposes of oversight of the cooperative
11 agreement and expenditures.

12 “(E) EVALUATION.—A commitment to co-

13 operate fully with the Secretary’s ongoing and
14 final evaluation of the voucher distribution pro-
15 gram, including providing the Secretary with
16 access to the program and program-related
17 records and documents, staff, and the men-
18 toring programs to which vouchers were distrib-
19 uted.

20 “(F) OTHER.—Such other information as

21 the Secretary may find necessary to dem-
22 onstrate the entity’s capacity to carry out the
23 cooperative agreement under this subsection.

24 “(4) FEDERAL ASSISTANCE ELIGIBILITY.—The

25 amount of a voucher under this subsection may be

1 disregarded for purposes of determining the eligi-
2 bility for, or the amount of, any other Federal or
3 Federally supported assistance for the recipient fam-
4 ily.”;

5 (6) by amending subsection (h) (as redesignated
6 by paragraph (4)) to read as follows:

7 “(h) EVALUATION; REPORTS.—

8 “(1) EVALUATION.—The Secretary shall con-
9 duct an evaluation of the programs authorized under
10 this section, including the program for increasing ac-
11 cess to mentoring services authorized under sub-
12 section (g).

13 “(2) REPORTS.—Not later than 12 months
14 after the date of enactment of the Improving Out-
15 comes for Children Affected by Meth Act of 2006,
16 the Secretary shall submit a report to Congress that
17 includes the following:

18 “(A) The characteristics of the mentoring
19 programs funded under this section.

20 “(B) The plans for implementation of the
21 cooperative agreement for the program author-
22 ized under subsection (g).

23 “(C) A description of the outcome-based
24 evaluation of the programs authorized under
25 this section that the Secretary is conducting as

of such date of enactment and how such evaluation has been expanded to include an evaluation of the program authorized under subsection (g).

“(D) The date on which the Secretary shall submit a final report on such evaluation to Congress.”; and

(7) in subsection (i) (as so redesignated)—

(A) by striking “2002 and 2003,” and all that follows through the period and inserting “2007 through 2011.”; and

(B) in paragraph (2)—

(i) by amending the paragraph heading to read as follows: “RESERVATIONS”;

(ii) by striking “The” and inserting the following:

“(A) RESEARCH, TECHNICAL ASSISTANCE, AND EVALUATION.—The”; and

(iii) by adding at the end the following new subparagraph:

“(B) INCREASED ACCESS TO MENTORING SERVICES.—

“(i) IN GENERAL.—Subject to clauses (ii) and (iii), the Secretary shall reserve not more than 50 percent of the amount appropriated for each fiscal year under

1 paragraph (1) for purposes of carrying out
2 the program for increasing access to men-
3 toring services authorized under subsection
4 (g).

5 “(ii) ASSURANCE OF FUNDING FOR
6 GENERAL PROGRAM GRANTS.—With re-
7 spect to each fiscal year for which amounts
8 are appropriated to carry out this section,
9 not less than \$25,000,000 of such amounts
10 (or, if the amount appropriated for a fiscal
11 year is less than that amount, the amount
12 appropriated for that fiscal year that re-
13 mains after applying subparagraph (A))
14 shall be used by the Secretary for purposes
15 of making grants under subsection (c).

16 “(iii) CONTINGENT PERCENTAGE RE-
17 Duction.—If the amount appropriated for
18 a fiscal year is not sufficient for the Sec-
19 retary to satisfy the requirements of
20 clauses (i) and (ii), the Secretary shall re-
21 duce the percentage described in clause (i)
22 by such number of percentage points as is
23 necessary for the Secretary to satisfy the
24 requirement of clause (ii).”.

1 (b) GAO EVALUATION AND REPORT.—Not later than
 2 3 years after the date of enactment of this Act, the Comp-
 3 troller General of the United States shall submit to Con-
 4 gress a report evaluating the implementation and effec-
 5 tiveness of the program for increasing access to mentoring
 6 services authorized under subsection (g) of section 439 of
 7 the Social Security Act (42 U.S.C. 629i) (as added by the
 8 amendments made by subsection (a)).

9 **SEC. 5. ALLOTMENTS AND GRANTS TO INDIAN TRIBES.**

10 (a) INCREASED RESERVED FUNDING.—

11 (1) IN GENERAL.—Section 436(b)(3) of the So-
 12 cial Security Act (42 U.S.C. 629f(b)(3)) is amended
 13 by striking “1” and inserting “3”.

14 (2) DISCRETIONARY GRANTS.—Section
 15 437(b)(3) of the Social Security Act (42 U.S.C.
 16 629g(b)(3)) is amended by striking “2” and insert-
 17 ing “3”.

18 (b) AUTHORITY FOR TRIBAL CONSORTIA TO RE-
 19 CEIVE ALLOTMENTS.—

20 (1) ALLOTMENT OF MANDATORY FUNDS.—

21 (A) IN GENERAL.—Section 433(a) of the
 22 Social Security Act (42 U.S.C. 629c(a)) is
 23 amended—

(i) in the subsection heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by adding at the end the following new sentence: “If a consortium of Indian tribes submits a plan approved under this subpart, the Secretary shall allot to the consortium an amount equal to the sum of the allotments determined for each Indian tribe that is part of the consortium.”.

(B) CONFORMING AMENDMENT.—Section 436(b)(3) of such Act (42 U.S.C. 629f(b)(3)), as amended by subsection (a)(1), is amended—

(i) in the paragraph heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by inserting “or tribal consortia” after “Indian tribes”.

(2) ALLOTMENT OF ANY DISCRETIONARY FUNDS.—Section 437 of the Social Security Act (42 U.S.C. 629g) is amended—

(A) in subsection (b)(3)—

(i) in the paragraph heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

1 (ii) by inserting “or tribal consortia”
 2 after “Indian tribes”; and

3 (B) in subsection (c)(1)—

4 (i) in the paragraph heading, by in-
 5 serting “OR TRIBAL CONSORTIA” after
 6 “TRIBES”; and

7 (ii) by adding at the end the following
 8 new sentence: “If a consortium of Indian
 9 tribes applies and is approved for a grant
 10 under this section, the Secretary shall allot
 11 to the consortium an amount equal to the
 12 sum of the allotments determined for each
 13 Indian tribe that is part of the consor-
 14 tium.”.

15 (3) ADDITIONAL CONFORMING AMENDMENTS.—

16 (A) PLANS OF INDIAN TRIBES.—Section
 17 432(b)(2) of the Social Security Act (42 U.S.C.
 18 629b(b)(2)) is amended—

19 (i) in the paragraph heading, by in-
 20 serting “OR TRIBAL CONSORTIA” after
 21 “TRIBES”; and

22 (ii) in subparagraphs (A) and (B), by
 23 inserting “or tribal consortium” after “In-
 24 dian tribe” each place it appears.

(B) DIRECT PAYMENTS TO TRIBAL ORGANIZATIONS.—Section 434(c) of such Act (42 U.S.C. 629d(c)) is amended—

(i) in the subsection heading, by inserting “OR TRIBAL CONSORTIA” after “TRIBES”; and

(ii) by inserting “or tribal consortium” after “Indian tribe”; and

(iii) by inserting “(or in the case of a payment to a tribal consortium, such tribal organizations of the Indian tribes that are part of the consortium as the consortium shall designate)” before the period.

(C) EVALUATIONS; RESEARCH; TECHNICAL ASSISTANCE.—Section 435(d) of such Act (42 U.S.C. 629e(d)) is amended in the matter preceding paragraph (1), by inserting “or tribal consortia” after “Indian tribes”.

SEC. 6. ADDITIONAL STATE PLAN AMENDMENTS.

(a) ADDITIONAL MONITORING AND EVALUATION OF FAMILIES ADOPTING OR FOSTERING SIGNIFICANT NUMBERS OF CHILDREN.—

(1) IN GENERAL.—Section 432(a)(5) of the Social Security Act (42 U.S.C. 629b(a)(5)) is amended—

1 (A) in subparagraph (A)(iii), by striking
2 “and” after the semicolon; and

3 (B) by adding at the end the following new
4 subparagraphs:

5 “(C) establish procedures to provide for
6 the additional evaluation of any family that pro-
7 poses to provide foster care for more than 4
8 children or more than 1 group of siblings (or
9 more than such number of children and groups
10 of siblings as the State, upon demonstration of
11 good cause and approval by the Secretary, may
12 establish), prior to permitting the family to pro-
13 vide foster care to such children or siblings, and
14 to provide for ongoing monitoring of the family
15 (prior to and during the provision of such foster
16 care), to fully assess whether the family has the
17 ability to care for such children or siblings; and

18 “(D) establish procedures to provide for
19 the additional evaluation of any family that pro-
20 poses to adopt more than 4 children or more
21 than 1 group of siblings (or more than such
22 number of children and groups of siblings as
23 the State, upon demonstration of good cause
24 and approval by the Secretary, may establish),
25 prior to permitting the family to adopt such

1 children or siblings, and to provide pre-adoption
2 monitoring of the family, to fully assess wheth-
3 er the family has the ability to care for such
4 children or siblings before permitting such
5 adoption;”.

6 (2) DEADLINE FOR SUBMISSION AND APPROVAL
7 OR MODIFICATION OF IMPLEMENTATION PLAN.—

8 (A) STATE SUBMISSIONS.—Not later than
9 18 months after the date of enactment of this
10 Act, each State with a plan approved under
11 subpart 2 of part B of title IV of the Social Se-
12 curity Act, as a condition of continued approval
13 of such plan, shall submit to the Secretary of
14 Health and Human Services a plan for the im-
15 plementation of the procedures required under
16 subparagraphs (C) and (D) of section 432(a)(5)
17 of the Social Security Act, as added by para-
18 graph (1).

19 (B) APPROVAL OR MODIFICATION.—Not
20 later than 60 days after the date on which a
21 State submits the implementation plan required
22 under subparagraph (A) to the Secretary of
23 Health and Human Services, the Secretary
24 shall approve such plan or notify the State of

1 additions or modifications to such plan that are
2 required before it can be approved.

3 (b) ANNUAL BUDGET REQUESTS, SUMMARIES, AND
4 EXPENDITURE REPORTS.—

5 (1) IN GENERAL.—Section 432(a)(8) of the So-
6 cial Security Act (42 U.S.C. 629b(a)(8)) is amend-
7 ed—

8 (A) by inserting “(A)” after “(8)”;

9 (B) by striking “and” after the semicolon;
10 and

11 (C) by adding at the end the following new
12 subparagraph:

13 “(B) provides that, not later than June 30 of
14 each year, the State agency will submit to the Sec-
15 retary—

16 “(i) copies of forms CFS 101-Part I and
17 CFS 101-Part II (or any successor forms) that
18 report on planned child and family services ex-
19 penditures by the agency for the immediately
20 succeeding fiscal year; and

21 “(ii) copies of forms CFS 101-Part I and
22 CFS-101, Part II (or any successor forms) that
23 provide, only with respect to the programs au-
24 thorized under this subpart and subpart 1, ac-

1 tual expenditures by the State agency for the
2 immediately preceding fiscal year; and”.

3 (2) ANNUAL SUBMISSION OF STATE REPORTS
4 TO CONGRESS.—Section 432 of the Social Security
5 Act (42 U.S.C. 629b) is amended by adding at the
6 end the following new subsection:

7 “(c) ANNUAL SUBMISSION OF STATE REPORTS TO
8 CONGRESS.—The Secretary shall compile the reports re-
9 quired under subsection (a)(8)(B) and, not later than Sep-
10 tember 30 of each year, submit such compilation to the
11 Committee on Ways and Means of the House of Rep-
12 resentatives and the Committee on Finance of the Sen-
13 ate.”.

14 (3) EFFECTIVE DATE; INITIAL DEADLINES FOR
15 SUBMISSIONS.—The amendments made by this sub-
16 section take effect on the date of enactment of this
17 Act. Each State with an approved plan under sub-
18 part 1 or 2 of part B of title IV of the Social Secu-
19 rity Act shall make its initial submission of the
20 forms required under section 432(a)(8)(B) of the
21 Social Security Act to the Secretary of Health and
22 Human Services by June 30, 2007, and the Sec-
23 retary of Health and Human Services shall submit
24 the first compilation required under section 432(c)
25 of such Act by September 30, 2007.

1 **SEC. 7. EFFECTIVE DATE.**

2 (a) IN GENERAL.—Except as otherwise provided in
3 this Act, the amendments made by this Act shall take ef-
4 fect on October 1, 2006, and shall apply to payments
5 under subpart 2 of part B of title IV of the Social Security
6 Act for calendar quarters beginning on or after such date,
7 without regard to whether regulations to implement the
8 amendments are promulgated by such date.

9 (b) DELAY PERMITTED IF STATE LEGISLATION RE-
10 QUIRED.—If the Secretary of Health and Human Services
11 determines that State legislation (other than legislation
12 appropriating funds) is required in order for a State plan
13 under subpart 2 of part B of title IV of the Social Security
14 Act to meet the additional requirements imposed by the
15 amendments made by a provision of this Act, the plan
16 shall not be regarded as failing to meet any of the addi-
17 tional requirements before the 1st day of the 1st calendar
18 quarter beginning after the first regular session of the
19 State legislature that begins after the date of the enact-
20 ment of this Act. If the State has a 2-year legislative ses-
21 sion, each year of the session is deemed to be a separate
22 regular session of the State legislature.

Calendar No. 470

109TH CONGRESS
2^D Session

S. 3525

A BILL

To amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, and for other purposes.

JUNE 15, 2006

Read twice and placed on the calendar