

108TH CONGRESS  
2D SESSION

# H. R. 4504

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2004

Received

---

## AN ACT

To improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe and Timely Inter-  
3 state Placement of Foster Children Act of 2004”.

4 **SEC. 2. SENSE OF THE CONGRESS.**

5 (a) FINDING.—The Congress finds that the Inter-  
6 state Compact on the Placement of Children (ICPC) was  
7 drafted more than 40 years ago, is outdated, and is a bar-  
8 rier to the timely placement of children across State lines.

9 (b) SENSE OF THE CONGRESS.—It is the sense of  
10 the Congress that the States should expeditiously revise  
11 the ICPC to better serve the interests of children and re-  
12 duce unnecessary work, and that the revision should in-  
13 clude—

14 (1) limiting its applicability to children in foster  
15 care under the responsibility of a State, except those  
16 seeking placement in a licensed residential facility  
17 primarily to access clinical mental health services;  
18 and

19 (2) providing for deadlines for the completion  
20 and approval of home studies as set forth in section  
21 4.

22 **SEC. 3. ORDERLY AND TIMELY PROCESS FOR INTERSTATE**  
23 **PLACEMENT OF CHILDREN.**

24 Section 471(a) of the Social Security Act (42 U.S.C.  
25 671(a)) is amended—

1 (1) by striking “and” at the end of paragraph  
2 (23);

3 (2) by striking the period at the end of para-  
4 graph (24) and inserting “; and”; and

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

6 “(25) provide that the State shall have in effect  
7 procedures for the orderly and timely interstate  
8 placement of children; and procedures implemented  
9 in accordance with an interstate compact approved  
10 by the Secretary, if incorporating with the proce-  
11 dures prescribed by paragraph (26), shall be consid-  
12 ered to satisfy the requirement of this paragraph.”.

13 **SEC. 4. HOME STUDIES.**

14 (a) ORDERLY PROCESS.—

15 (1) IN GENERAL.—Section 471(a) of the Social  
16 Security Act (42 U.S.C. 671(a)) is further amend-  
17 ed—

18 (A) by striking “and” at the end of para-  
19 graph (24);

20 (B) by striking the period at the end of  
21 paragraph (25) and inserting “; and”; and

22 (C) by adding at the end the following:

23 “(26) provides that—

24 “(A)(i) within 60 days after the State re-  
25 ceives from another State a request to conduct

1 a study of a home environment for purposes of  
2 assessing the appropriateness of placing a child  
3 in the home, the State shall, directly or by con-  
4 tract—

5 “(I) conduct and complete the study;  
6 and

7 “(II) return to the other State a re-  
8 port on the results of the study, which  
9 shall address the extent to which place-  
10 ment in the home would meet the needs of  
11 the child; and

12 “(ii) in the case of a home study begun on  
13 or before September 30, 2006, if the State fails  
14 to comply with clause (i) within the 60-day pe-  
15 riod as a result of circumstances beyond the  
16 control of the State (such as a failure by a Fed-  
17 eral agency to provide the results of a back-  
18 ground check, or the failure by any entity to  
19 provide completed medical forms, requested by  
20 the State at least 45 days before the end of the  
21 60-day period), the State shall have 75 days to  
22 comply with clause (i) if the State documents  
23 the circumstances involved and certifies that  
24 completing the home study is in the best inter-  
25 ests of the child; except that

1           “(iii) this subparagraph shall not be con-  
2           strued to require the State to have completed,  
3           within the applicable period, the parts of the  
4           home study involving the education and train-  
5           ing of the prospective foster or adoptive par-  
6           ents;

7           “(B) the State shall treat any report de-  
8           scribed in subparagraph (A) that is received  
9           from another State or an Indian tribe (or from  
10          a private agency under contract with another  
11          State) as meeting any requirements imposed by  
12          the State for the completion of a home study  
13          before placing a child in the home, unless, with-  
14          in 14 days after receipt of the report, the State  
15          determines, based on grounds that are specific  
16          to the content of the report, that making a de-  
17          cision in reliance on the report would be con-  
18          trary to the welfare of the child; and

19          “(C) the State shall not impose any re-  
20          striction on the ability of a State agency admin-  
21          istering, or supervising the administration of, a  
22          State program operated under a State plan ap-  
23          proved under this part to contract with a pri-  
24          vate agency for the conduct of a home study de-  
25          scribed in subparagraph (A).”.

1           (2) SENSE OF THE CONGRESS.—It is the sense  
2       of the Congress that each State should—

3           (A) use private agencies to conduct home  
4       studies when doing so is necessary to meet the  
5       requirements of section 471(a)(26) of the Social  
6       Security Act; and

7           (B) give full faith and credit to any home  
8       study report completed by any other State or  
9       an Indian tribe with respect to the placement of  
10      a child in foster care or for adoption.

11      (b) TIMELY INTERSTATE HOME STUDY INCENTIVE  
12      PAYMENTS.—Part E of title IV of the Social Security Act  
13      (42 U.S.C. 670–679b) is amended by inserting after sec-  
14      tion 473A the following:

15      **“SEC. 473B. TIMELY INTERSTATE HOME STUDY INCENTIVE**  
16              **PAYMENTS.**

17           “(a) GRANT AUTHORITY.—The Secretary shall make  
18      a grant to each State that is a home study incentive-eli-  
19      gible State for a fiscal year in an amount equal to the timely  
20      interstate home study incentive payment payable to the  
21      State under this section for the fiscal year, which shall  
22      be payable in the immediately succeeding fiscal year.

23           “(b) HOME STUDY INCENTIVE-ELIGIBLE STATE.—  
24      A State is a home study incentive-eligible State for a fiscal  
25      year if—

1 “(1) the State has a plan approved under this  
2 part for the fiscal year;

3 “(2) the State is in compliance with subsection  
4 (c) for the fiscal year; and

5 “(3) based on data submitted and verified pur-  
6 suant to subsection (c), the State has completed a  
7 timely interstate home study during the fiscal year.

8 “(c) DATA REQUIREMENTS.—

9 “(1) IN GENERAL.—A State is in compliance  
10 with this subsection for a fiscal year if the State has  
11 provided to the Secretary a written report, covering  
12 the preceding fiscal year, that specifies—

13 “(A) the total number of interstate home  
14 studies requested by the State with respect to  
15 children in foster care under the responsibility  
16 of the State, and with respect to each such  
17 study, the identity of the other State involved;  
18 and

19 “(B) the total number of timely interstate  
20 home studies completed by the State with re-  
21 spect to children in foster care under the re-  
22 sponsibility of other States, and with respect to  
23 each such study, the identity of the other State  
24 involved.

1           “(2) VERIFICATION OF DATA.—In determining  
2           the number of timely interstate home studies to be  
3           attributed to a State under this section, the Sec-  
4           retary shall check the data provided by the State  
5           under paragraph (1) against complementary data so  
6           provided by other States.

7           “(d) TIMELY INTERSTATE HOME STUDY INCENTIVE  
8           PAYMENTS.—

9           “(1) IN GENERAL.—The timely interstate home  
10          study incentive payment payable to a State for a fis-  
11          cal year shall be \$1,500, multiplied by the number  
12          of timely interstate home studies attributed to the  
13          State under this section during the fiscal year, sub-  
14          ject to paragraph (2).

15          “(2) PRO RATA ADJUSTMENT IF INSUFFICIENT  
16          FUNDS AVAILABLE.—If the total amount of timely  
17          interstate home study incentive payments otherwise  
18          payable under this section for a fiscal year exceeds  
19          the total of the amounts made available pursuant to  
20          subsection (h) for the fiscal year (reduced (but not  
21          below zero) by the total of the amounts (if any) pay-  
22          able under paragraph (3) of this subsection with re-  
23          spect to the preceding fiscal year), the amount of  
24          each such otherwise payable incentive payment shall  
25          be reduced by a percentage equal to—



1           “(A) the total of the amounts so made  
2           available (as so reduced); divided by

3           “(B) the total of such otherwise payable  
4           incentive payments.

5           “(3) APPROPRIATIONS AVAILABLE FOR UNPAID  
6           INCENTIVE PAYMENTS FOR PRIOR FISCAL YEARS.—

7           “(A) IN GENERAL.—If payments under  
8           this section are reduced under paragraph (2) or  
9           subparagraph (B) of this paragraph for a fiscal  
10          year, then, before making any other payment  
11          under this section for the next fiscal year, the  
12          Secretary shall pay each State whose payment  
13          was so reduced an amount equal to the total  
14          amount of the reductions which applied to the  
15          State, subject to subparagraph (B) of this para-  
16          graph.

17          “(B) PRO RATA ADJUSTMENT IF INSUFFI-  
18          CIENT FUNDS AVAILABLE.—If the total amount  
19          of payments otherwise payable under subpara-  
20          graph (A) of this paragraph for a fiscal year ex-  
21          ceeds the total of the amounts made available  
22          pursuant to subsection (h) for the fiscal year,  
23          the amount of each such payment shall be re-  
24          duced by a percentage equal to—

1 “(i) the total of the amounts so made  
2 available; divided by

3 “(ii) the total of such otherwise pay-  
4 able payments.

5 “(e) TWO-YEAR AVAILABILITY OF INCENTIVE PAY-  
6 MENTS.—Payments to a State under this section in a fis-  
7 cal year shall remain available for use by the State  
8 through the end of the next fiscal year.

9 “(f) LIMITATIONS ON USE OF INCENTIVE PAY-  
10 MENTS.—A State shall not expend an amount paid to the  
11 State under this section except to provide to children or  
12 families any service (including post-adoption services) that  
13 may be provided under part B or E. Amounts expended  
14 by a State in accordance with the preceding sentence shall  
15 be disregarded in determining State expenditures for pur-  
16 poses of Federal matching payments under sections 423,  
17 434, and 474.

18 “(g) DEFINITIONS.—In this section:

19 “(1) HOME STUDY.—The term ‘home study’  
20 means a study of a home environment, conducted in  
21 accordance with applicable requirements of the State  
22 in which the home is located, for the purpose of as-  
23 sessing whether placement of a child in the home  
24 would be appropriate for the child.

1           “(2) INTERSTATE HOME STUDY.—The term  
2           ‘interstate home study’ means a home study con-  
3           ducted by a State at the request of another State,  
4           to facilitate an adoptive or relative placement in the  
5           State.

6           “(3) TIMELY INTERSTATE HOME STUDY.—The  
7           term ‘timely interstate home study’ means an inter-  
8           state home study completed by a State if the State  
9           provides to the State that requested the study, with-  
10          in 30 days after receipt of the request, a report on  
11          the results of the study. The preceding sentence  
12          shall not be construed to require the State to have  
13          completed, within the 30-day period, the parts of the  
14          home study involving the education and training of  
15          the prospective foster or adoptive parents.

16          “(h) LIMITATIONS ON AUTHORIZATION OF APPRO-  
17          PRIATIONS.—

18                 “(1) IN GENERAL.—For payments under this  
19                 section, there are authorized to be appropriated to  
20                 the Secretary—

21                         “(A) \$10,000,000 for fiscal year 2005;

22                         “(B) \$10,000,000 for fiscal year 2006;

23                         “(C) \$10,000,000 for fiscal year 2007; and

24                         “(D) \$10,000,000 for fiscal year 2008.

1           “(2) AVAILABILITY.—Amounts appropriated  
2           under paragraph (1) are authorized to remain avail-  
3           able until expended.”.

4           (c) REPEALER.—Effective October 1, 2008, section  
5           473B of the Social Security Act is repealed.

6   **SEC. 5. REQUIREMENT TO COMPLETE BACKGROUND**  
7                           **CHECKS BEFORE APPROVAL OF ANY FOSTER**  
8                           **OR ADOPTIVE PLACEMENT AND TO CHECK**  
9                           **CHILD ABUSE REGISTRIES; SUSPENSION AND**  
10                          **SUBSEQUENT ELIMINATION OF OPT-OUT.**

11           (a) REQUIREMENT TO COMPLETE BACKGROUND  
12           CHECKS BEFORE APPROVAL OF ANY FOSTER OR ADOP-  
13           TIVE PLACEMENT AND TO CHECK CHILD ABUSE REG-  
14           ISTRIES; SUSPENSION OF OPT-OUT.—

15                       (1) REQUIREMENT TO CHECK CHILD ABUSE  
16           REGISTRIES.—Section 471(a)(20) of the Social Se-  
17           curity Act (42 U.S.C. 671(a)(20)) is amended—

18                               (A) in subparagraph (A)—

19                                       (i) in the matter preceding clause (i),  
20                               by striking “on whose behalf foster care  
21                               maintenance payments or adoption assist-  
22                               ance payments are to be made” and insert-  
23                               ing “regardless of whether foster care  
24                               maintenance payments or adoption assist-

1           ance payments are to be made on behalf of  
2           the child”;

3           (ii) in each of clauses (i) and (ii), by  
4           inserting “involving a child on whose be-  
5           half such payments are to be so made”  
6           after “in any case”; and

7           (iii) by striking “and” at the end of  
8           clause (ii); and

9           (B) by adding “and” at the end of sub-  
10          paragraph (B); and

11          (C) by adding at the end the following:

12          “(C) provides that the State shall—

13               “(i) check any child abuse and neglect  
14               registry maintained by the State for infor-  
15               mation on any prospective foster or adop-  
16               tive parent and on any other adult living in  
17               the home of such a prospective parent, and  
18               request any other State in which any such  
19               prospective parent or other adult has re-  
20               sided in the preceding 5 years, to enable  
21               the State to check any child abuse and ne-  
22               glect registry maintained by such other  
23               State for such information, before the pro-  
24               spective foster or adoptive parent may be  
25               finally approved for placement of a child,

1           regardless of whether foster care mainte-  
2           nance payments or adoption assistance  
3           payments are to be made on behalf of the  
4           child under the State plan under this part;

5           “(ii) comply with any request de-  
6           scribed in clause (i) that is received from  
7           another State; and

8           “(iii) have in place safeguards to pre-  
9           vent the unauthorized disclosure of infor-  
10          mation in any child abuse and neglect reg-  
11          istry maintained by the State, and to pre-  
12          vent any such information obtained pursu-  
13          ant to this subparagraph from being used  
14          for a purpose other than the conducting of  
15          background checks in foster or adoptive  
16          placement cases;”.

17          (2)   SUSPENSION    OF    OPT-OUT.—Section  
18          471(a)(20)(B)   of   such   Act   (42   U.S.C.  
19          671(a)(20)(B)) is amended—

20                (A) by inserting “, on or before September  
21                30, 2004,” after “plan if”; and

22                (B) by inserting “, on or before such  
23                date,” after “or if”.

1 (b) ELIMINATION OF OPT-OUT.—Section 471(a)(20)  
2 of such Act (42 U.S.C. 671(a)(20)), as amended by sub-  
3 section (a) of this section, is amended—

4 (1) in subparagraph (A)—

5 (A) in the matter preceding clause (i), by  
6 striking “unless an election provided for in sub-  
7 paragraph (B) is made with respect to the  
8 State,”; and

9 (B) by adding “and” at the end of clause  
10 (ii); and

11 (2) by striking subparagraph (B) and redesign-  
12 ating subparagraph (C) as subparagraph (B).

13 **SEC. 6. COURTS ALLOWED ACCESS TO THE FEDERAL PAR-**  
14 **ENT LOCATOR SERVICE TO LOCATE PARENTS**  
15 **IN FOSTER CARE OR ADOPTIVE PLACEMENT**  
16 **CASES.**

17 Section 453(c) of the Social Security Act (42 U.S.C.  
18 653(c)) is amended—

19 (1) by striking “and” at the end of paragraph  
20 (3);

21 (2) by striking the period and inserting “;  
22 and”; and

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

24 “(5) any court which has authority with respect  
25 to the placement of a child in foster care or for

1 adoption, but only for the purpose of locating a par-  
 2 ent of the child.”.

3 **SEC. 7. CASEWORKER VISITS.**

4 (a) PURCHASE OF SERVICES IN INTERSTATE PLACE-  
 5 MENT CASES.—Section 475(5)(A)(ii) of the Social Secu-  
 6 rity Act (42 U.S.C. 675(5)(A)(ii)) is amended by striking  
 7 “or of the State in which the child has been placed” and  
 8 inserting “of the State in which the child has been placed,  
 9 or of a private agency under contract with either such  
 10 State”.

11 (b) INCREASED VISITS.—Section 475(5)(A)(ii) of  
 12 such Act (42 U.S.C. 675(5)(A)(ii)) is amended by striking  
 13 “12” and inserting “6”.

14 **SEC. 8. HEALTH AND EDUCATION RECORDS.**

15 Section 475 of the Social Security Act (42 U.S.C.  
 16 675) is amended—

17 (1) in paragraph (1)(C)—

18 (A) by striking “To the extent available  
 19 and accessible, the” and inserting “The”; and

20 (B) by inserting “the most recent informa-  
 21 tion available regarding” after “including”; and

22 (2) in paragraph (5)(D)—

23 (A) by inserting “a copy of the record is”  
 24 before “supplied”; and



1 (B) by inserting “, and is supplied to the  
 2 child at no cost at the time the child leaves fos-  
 3 ter care if the child is leaving foster care by  
 4 reason of having attained the age of majority  
 5 under State law” before the semicolon.

6 **SEC. 9. RIGHT TO BE HEARD IN FOSTER CARE PRO-**  
 7 **CEEDINGS.**

8 (a) IN GENERAL.—Section 475(5)(G) of the Social  
 9 Security Act (42 U.S.C. 675(5)(G)) is amended—

10 (1) by striking “an opportunity” and inserting  
 11 “a right”;

12 (2) by striking “and opportunity” and inserting  
 13 “and right”; and

14 (3) by striking “review or hearing” each place  
 15 it appears and inserting “proceeding”.

16 (b) NOTICE OF PROCEEDING.—Section 438(b) of  
 17 such Act (42 U.S.C. 638(b)) is amended by inserting  
 18 “shall have in effect a rule requiring State courts to notify  
 19 foster parents, pre-adoptive parents, and relative care-  
 20 givers of a child in foster care under the responsibility of  
 21 the State of any proceeding to be held with respect to the  
 22 child, and” after “highest State court”.

23 **SEC. 10. COURT IMPROVEMENT.**

24 Section 438(a)(1) of the Social Security Act (42  
 25 U.S.C. 629h(a)(1)) is amended—

1           (1) by striking “and” at the end of subpara-  
2 graph (C); and

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

4           “(E) that determine the best strategy to  
5 use to expedite the interstate placement of chil-  
6 dren, including—

7           “(i) requiring courts in different  
8 States to cooperate in the sharing of infor-  
9 mation;

10           “(ii) authorizing courts to obtain in-  
11 formation and testimony from agencies  
12 and parties in other States without requir-  
13 ing interstate travel by the agencies and  
14 parties; and

15           “(iii) permitting the participation of  
16 parents, children, other necessary parties,  
17 and attorneys in cases involving interstate  
18 placement without requiring their inter-  
19 state travel; and”.

20 **SEC. 11. REASONABLE EFFORTS.**

21           (a) IN GENERAL.—Section 471(a)(15)(C) of the So-  
22 cial Security Act (42 U.S.C. 671(a)(15)(C)) is amended  
23 by inserting “(including, if appropriate, through an inter-  
24 state placement)” after “accordance with the permanency  
25 plan”.

1           (b)           PERMANENCY           HEARING.—Section  
 2 471(a)(15)(E)(i) of such Act (42 U.S.C. 671(a)(15)(E)(i))  
 3 is amended by inserting “, which considers in-State and  
 4 out-of-State permanent placement options for the child,”  
 5 before “shall”.

6           (c)           CONCURRENT           PLANNING.—Section  
 7 471(a)(15)(F) of such Act (42 U.S.C. 671(a)(15)(F)) is  
 8 amended by inserting “, including identifying appropriate  
 9 out-of-State relatives and placements” before “may”.

10 **SEC. 12. CASE PLANS.**

11       Section 475(1)(E) of the Social Security Act (42  
 12 U.S.C. 675(1)(E)) is amended by inserting “to facilitate  
 13 orderly and timely in-State and interstate placements” be-  
 14 fore the period.

15 **SEC. 13. CASE REVIEW SYSTEM.**

16       Section 475(5)(C) of the Social Security Act (42  
 17 U.S.C. 675(5)(C)) is amended—

18           (1) by inserting “, in the case of a child who  
 19 will not be returned to the parent, the hearing shall  
 20 consider in-State and out-of-State placement op-  
 21 tions,” after “living arrangement”; and

22           (2) by inserting “the hearing shall determine”  
 23 before “whether the”.

1 **SEC. 14. USE OF INTERJURISDICTIONAL RESOURCES.**

2 Section 422(b)(12) of the Social Security Act (42  
3 U.S.C. 622(b)(12)) is amended—

4 (1) by striking “develop plans for the” and in-  
5 serting “make”;

6 (2) by inserting “(including through contracts  
7 for the purchase of services)” after “resources”; and

8 (3) by inserting “, and shall eliminate legal bar-  
9 riers,” before “to facilitate”.

10 **SEC. 15. GAO STUDY ON CHILD WELFARE BACKGROUND**  
11 **CHECKS.**

12 (a) STUDY.—The Comptroller General of the United  
13 States shall conduct a study of background checks that  
14 are performed for the purpose of determining the appro-  
15 priateness of placing in a foster or adoptive home a child  
16 who is under the custody of a State. The study shall re-  
17 view the policies and practices of States in order to—

18 (1) identify the most common delays in the  
19 background clearance process and where in the proc-  
20 ess the delays occur;

21 (2) describe when background checks are initi-  
22 ated;

23 (3) determine which of local, State, or Federal  
24 (such as FBI) background checks are used, how  
25 long it takes, on average, for each kind of check to  
26 be processed, which crimes or other events are in-

1       cluded in each kind of check, how the States differ  
2       in classifying the crimes and other events checked,  
3       and how the information revealed by the checks is  
4       used in determining eligibility to act as a foster or  
5       adoptive parent;

6           (4) examine the barriers child welfare agencies  
7       face in accessing criminal background check infor-  
8       mation;

9           (5) examine the use of the latest information-  
10      sharing technology, including electronic  
11      fingerprinting and participation in the Integrated  
12      Automated Fingerprinting Information System;

13          (6) identify the varied uses of such technology  
14      for child welfare purposes as opposed to criminal  
15      justice purposes; and

16          (7) recommend best practices that can increase  
17      the speed, efficiency, and accuracy of child welfare  
18      background checks at all levels of government.

19      (b) REPORT TO THE CONGRESS.—Within 12 months  
20   after the date of the enactment of this Act, the Comp-  
21   troller General of the United States shall submit to the  
22   Committees on Ways and Means and on Education and  
23   the Workforce of the House of Representatives and the  
24   Committees on Finance and on Health, Education, Labor,

1 and Pensions of the Senate a report which contains the  
2 results of the study required by subsection (a).

3 **SEC. 16. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Except as otherwise provided in  
5 this section, the amendments made by this Act shall take  
6 effect on October 1, 2004, and shall apply to payments  
7 under parts B and E of title IV of the Social Security  
8 Act for calendar quarters beginning on or after such date,  
9 without regard to whether regulations to implement the  
10 amendments are promulgated by such date.

11 (b) ELIMINATION OF OPT-OUT.—The amendments  
12 made by section 5(b) shall take effect on October 1, 2006,  
13 and shall apply to payments under part E of title IV of  
14 the Social Security Act for calendar quarters beginning  
15 on or after such date, without regard to whether regula-  
16 tions to implement the amendments are promulgated by  
17 such date.

18 (c) DELAY PERMITTED IF STATE LEGISLATION RE-  
19 QUIRED.—If the Secretary of Health and Human Services  
20 determines that State legislation (other than legislation  
21 appropriating funds) is required in order for a State plan  
22 under part B or E of title IV of the Social Security Act  
23 to meet the additional requirements imposed by the  
24 amendments made by a provision of this Act, the plan  
25 shall not be regarded as failing to meet any of the addi-

1 tional requirements before the 1st day of the 1st calendar  
2 quarter beginning after the first regular session of the  
3 State legislature that begins after the date of the enact-  
4 ment of this Act (or, in the case of the amendments made  
5 by section 5(b), the 1st day of the 1st calendar quarter  
6 beginning after the first such regular session that begins  
7 after the effective date of such section). If the State has  
8 a 2-year legislative session, each year of the session is  
9 deemed to be a separate regular session of the State legis-  
10 lature.

Passed the House of Representatives October 5,  
2004.

Attest:

JEFF TRANDAHL,  
*Clerk.*