

110TH CONGRESS
1ST SESSION

S. 2407

To provide for programs that reduce the need for abortion, help women bear healthy children, and support new parents.

IN THE SENATE OF THE UNITED STATES

DECEMBER 4, 2007

Mr. CASEY introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide for programs that reduce the need for abortion, help women bear healthy children, and support new parents.

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 “Pregnant Women Support Act”.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—PUBLIC AWARENESS AND ASSISTANCE FOR PREGNANT
WOMEN AND NEW PARENTS

Sec. 101. Grants for increasing public awareness of resources available to assist pregnant women in carrying their pregnancies to term and to assist new parents.

TITLE II—INCREASING WOMEN’S KNOWLEDGE ABOUT THEIR PREGNANCY

Sec. 201. Grants to health centers for purchase of ultrasound equipment.
Sec. 202. Report on reasons why women choose to have an abortion.

TITLE III—PREGNANCY AS A PREEXISTING CONDITION

Sec. 301. Individual health insurance coverage for pregnant women.
Sec. 302. Continuation of health insurance coverage for newborns.

TITLE IV—MEDICAID AND SCHIP COVERAGE OF PREGNANT WOMEN AND UNBORN CHILDREN

Sec. 401. Codification of optional SCHIP coverage of unborn children.
Sec. 402. Coordination with the maternal and child health program.

TITLE V—DISCLOSURE OF INFORMATION ON ABORTION SERVICES

Sec. 501. Disclosure of information on abortion services.

TITLE VI—SERVICES TO PATIENTS RECEIVING POSITIVE TEST DIAGNOSIS OF DOWN SYNDROME OR OTHER PRENATALLY DIAGNOSED CONDITIONS

Sec. 601. Services to patients receiving positive test diagnosis for down syndrome or other prenatally diagnosed conditions.

TITLE VII—SUPPORT FOR PREGNANT AND PARENTING COLLEGE STUDENTS

Sec. 701. Sense of Congress.
Sec. 702. Definitions.
Sec. 703. Pregnant and parenting student services pilot program.
Sec. 704. Application; number of grants.
Sec. 705. Matching Requirement.
Sec. 706. Use of funds.
Sec. 707. Reporting.
Sec. 708. Authorization of appropriations.

TITLE VIII—SUPPORT FOR PREGNANT AND PARENTING TEENS

Sec. 801. Grants to States.

TITLE IX—IMPROVING SERVICES FOR PREGNANT WOMEN WHO ARE VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

Sec. 901. Findings.
Sec. 902. Program to support pregnant women who are victims of domestic violence.

Sec. 903. Homicide death certificates of certain female victims.

**TITLE X—FEDERALLY-FUNDED HOMES FOR PREGNANT AND
PARENTING WOMEN; ADOPTION COUNSELING; PARENTING
SKILLS**

Sec. 1001. Counseling requirements.

**TITLE XI—EXPANSION OF ADOPTION CREDIT AND ADOPTION
ASSISTANCE PROGRAMS**

Sec. 1101. Expansion of adoption credit and adoption assistance programs.

TITLE XII—PROVIDING SUPPORT TO NEW PARENTS

Sec. 1201. Increased support for WIC program.

Sec. 1202. Nutritional support for low-income parents.

Sec. 1203. Increased funding for the Child Care and Development Block Grant program.

Sec. 1204. Teenage or first-time mothers; free home visits by registered nurses for education on health needs of infants.

TITLE XIII—COLLECTING AND REPORTING ABORTION DATA

Sec. 1301. Grants for collection and reporting of abortion data.

1 SEC. 2. FINDINGS.

2 The Congress finds as follows:

3 (1) In 2004, 839,226 abortions were reported
4 to the Centers for Disease Control and Prevention.

5 (2) 48 percent of all pregnancies in America are
6 unintended. Excluding miscarriages, 54 percent of
7 unintended pregnancies end in abortion.

8 (3) 57 percent of women who have abortions
9 have incomes below 200 percent of the poverty level.

10 (4) “Cannot afford a baby” is the second most
11 frequently cited reason women choose to have an
12 abortion; 73 percent of women having abortions
13 cited this reason as a contributing factor.

1 (5) This Act is an initiative to gather more
2 complete information about abortion, to reduce the
3 abortion rate by helping women carry their preg-
4 nancies to term and bear healthy children, and by
5 affirming the right of women to be fully informed
6 about their other options when they seek an abor-
7 tion.

8 (6) The initiative will work to support women
9 facing unplanned pregnancies, new parents and their
10 children by providing comprehensive measures for
11 health care needs, supportive services and helpful
12 prenatal information and postnatal services.

13 **SEC. 3. DEFINITIONS.**

14 For purposes of this Act:

15 (1) The term “Secretary” means the Secretary
16 of Health and Human Services.

17 (2) The term “State” includes the 50 States,
18 the District of Columbia, the Commonwealth of
19 Puerto Rico, the Commonwealth of the Northern
20 Mariana Islands, American Samoa, Guam, the Vir-
21 gin Islands, and any other territory or possession of
22 the United States.

1 **TITLE I—PUBLIC AWARENESS**
2 **AND ASSISTANCE FOR PREG-**
3 **NANT WOMEN AND NEW PAR-**
4 **ENTS**

5 **SEC. 101. GRANTS FOR INCREASING PUBLIC AWARENESS**
6 **OF RESOURCES AVAILABLE TO ASSIST PREG-**
7 **NANT WOMEN IN CARRYING THEIR PREG-**
8 **NANCIES TO TERM AND TO ASSIST NEW PAR-**
9 **ENTS.**

10 (a) GRANTS.—The Secretary may make grants to
11 States to increase public awareness of resources available
12 to pregnant women to carry their pregnancy to term and
13 to new parents.

14 (b) USE OF FUNDS.—The Secretary may make a
15 grant to a State under this section only if the State agrees
16 to use the grant for the following:

17 (1) Identification of resources available to assist
18 pregnant women to carry their pregnancy to term or
19 to assist new parents, or both.

20 (2) Conducting an advertising campaign to in-
21 crease public awareness of such resources.

22 (3) Establishing and maintaining a toll-free
23 telephone line to direct people to—

1 (A) organizations that provide support
2 services for pregnant women to carry their
3 pregnancy to term;

4 (B) adoption centers; and

5 (C) organizations that provide support
6 services to new parents.

7 (c) PROHIBITION.—The Secretary shall prohibit each
8 State receiving a grant under this section from using the
9 grant to direct people to an organization or adoption cen-
10 ter that is for-profit.

11 (d) IDENTIFICATION OF RESOURCES.—The Secretary
12 shall require each State receiving a grant under this sec-
13 tion to make publicly available by means of the Internet
14 (electronic and paper form) a list of the following:

15 (1) The resources identified pursuant to sub-
16 section (b)(1).

17 (2) The organizations and adoption centers to
18 which people are directed pursuant to an advertising
19 campaign or telephone line funded under this sec-
20 tion.

21 (e) AUTHORIZATION OF APPROPRIATIONS.—The Sec-
22 retary shall make such funds available as may be nec-
23 essary to carry out the activities of this section.

1 **TITLE II—INCREASING WOMEN’S**
 2 **KNOWLEDGE ABOUT THEIR**
 3 **PREGNANCY**

4 **SEC. 201. GRANTS TO HEALTH CENTERS FOR PURCHASE OF**
 5 **ULTRASOUND EQUIPMENT.**

6 Part B of title III of the Public Health Service Act
 7 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
 8 tion 317L the following:

9 **“SEC. 317L–1. GRANTS FOR THE PURCHASE OR UPGRADE**
 10 **OF ULTRASOUND EQUIPMENT.**

11 “(a) IN GENERAL.—The Secretary may make grants
 12 for the purchase of ultrasound equipment. Such
 13 ultrasound equipment shall be used by the recipients of
 14 such grants to provide, under the direction and super-
 15 vision of a licensed medical physician, ultrasound examina-
 16 tions to pregnant women consenting to such services.

17 “(b) ELIGIBILITY REQUIREMENTS.—An entity may
 18 receive a grant under subsection (a) only if the entity
 19 meets the following conditions:

20 “(1) The entity is a health center eligible to re-
 21 ceive a grant under section 330 of the Public Health
 22 Service Act (relating to community health centers,
 23 migrant health centers, homeless health centers, and
 24 public-housing health centers).

1 “(2) The entity agrees to comply with the fol-
2 lowing medical procedures:

3 “(A) The entity will inform each pregnant
4 woman upon whom the ultrasound equipment is
5 used that she has the right to view the visual
6 image of the unborn child from the ultrasound
7 examination and that she has the right to hear
8 a general anatomical and physiological descrip-
9 tion of the characteristics of the unborn child.

10 “(B) The entity will inform each pregnant
11 woman that she has the right to learn, accord-
12 ing to the best medical judgment of the physi-
13 cian performing the ultrasound examination or
14 the physician’s agent performing such exam,
15 the approximate age of the embryo or unborn
16 child considering the number of weeks elapsed
17 from the probable time of the conception of the
18 embryo or unborn child, based upon the infor-
19 mation provided by the client as to the time of
20 her last menstrual period, her medical history,
21 a physical examination, or appropriate labora-
22 tory tests.

23 “(c) APPLICATION FOR GRANT.—A grant may be
24 made under subsection (a) only if an application for the
25 grant is submitted to the Secretary and the application

1 is in such form, is made in such manner, and contains
2 such agreements, assurances, and information as the Sec-
3 retary determines to be necessary to carry out this section.

4 “(d) ANNUAL REPORT TO SECRETARY.—A grant
5 may be made under subsection (a) only if the applicant
6 for the grant agrees to report on an annual basis to the
7 Secretary, in such form and manner as the Secretary may
8 require, on the ongoing compliance of the applicant with
9 the eligibility conditions established in subsection (b).

10 “(e) AUTHORIZATION OF APPROPRIATIONS.—For the
11 purpose of carrying out this section, there are authorized
12 to be appropriated \$3,000,000 for fiscal year 2009, and
13 such sums as may be necessary for each of the fiscal years
14 2010 through 2013.”.

15 **SEC. 202. REPORT ON REASONS WHY WOMEN CHOOSE TO**
16 **HAVE AN ABORTION.**

17 The Secretary shall enter into an agreement with the
18 Institute of Medicine to study the reasons why women
19 choose to have an abortion. The Secretary shall ensure
20 that a report from the Institute describing the findings
21 of the study is submitted to the Congress not later than
22 January 10, 2011.

1 **TITLE III—PREGNANCY AS A**
2 **PREEXISTING CONDITION**

3 **SEC. 301. INDIVIDUAL HEALTH INSURANCE COVERAGE FOR**
4 **PREGNANT WOMEN.**

5 (a) LIMITATION ON IMPOSITION OF PRE-EXISTING
6 CONDITION EXCLUSIONS AND WAITING PERIODS FOR
7 WOMEN WITH PRIOR COVERAGE.—Title XXVII of the
8 Public Health Service Act is amended by inserting after
9 section 2752 the following new section:

10 **“SEC. 2753. PROVIDING INDIVIDUAL HEALTH INSURANCE**
11 **COVERAGE WITHOUT REGARD TO PRE-**
12 **EXISTING CONDITION EXCLUSION AND WAIT-**
13 **ING PERIODS FOR PREGNANT WOMEN WITH-**
14 **IN ONE YEAR OF CONTINUOUS PRIOR COV-**
15 **ERAGE.**

16 “In the case of a woman who has had at least 12
17 months of creditable coverage before seeking individual
18 health insurance coverage, such individual health insur-
19 ance coverage, and the health insurance issuer offering
20 such coverage, may not impose any preexisting condition
21 exclusion relating to pregnancy as a preexisting condition,
22 any waiting period, or otherwise discriminate in coverage
23 or premiums against the woman on the basis that she is
24 pregnant.”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) shall take effect on October 1, 2008, and
 3 shall apply to women who become pregnant on or after
 4 such date.

5 **SEC. 302. CONTINUATION OF HEALTH INSURANCE COV-**
 6 **ERAGE FOR NEWBORNS.**

7 (a) GROUP HEALTH PLAN COVERAGE.—Title XXVII
 8 of the Public Health Service Act is amended by inserting
 9 after section 2706 the following new section:

10 **“SEC. 2707. CONTINUATION OF COVERAGE FOR NEWBORNS.**

11 “(a) NOTIFICATION.—In the case of a pregnant
 12 woman who is covered under a group health plan, or under
 13 group health insurance coverage, for other than family
 14 coverage, the plan or issuer of the insurance shall provide
 15 notice to the woman during the 5th month of pregnancy,
 16 during the 8th month of pregnancy, and within 2 weeks
 17 after delivery, of the woman’s option to provide continuing
 18 coverage of the newborn child under the group health plan
 19 or health insurance coverage under subsection (b).

20 “(b) OPTION OF CONTINUED COVERAGE FOR
 21 NEWBORNS.—In the case of a pregnant woman described
 22 in subsection (a) who has a newborn child under a group
 23 health plan or under group health insurance coverage, the
 24 plan or issuer offering the coverage shall provide the
 25 woman with the option of electing coverage of the newborn

1 child at least through the end of the 30-day period begin-
2 ning on the date of birth of the child and no waiting period
3 or preexisting condition exclusion shall apply with respect
4 to the coverage of such a newborn child under such plan
5 or coverage. Such continuation coverage shall remain in
6 effect, subject to payment of applicable premiums, for at
7 least such period as the Secretary specifies.”.

8 (b) INDIVIDUAL HEALTH INSURANCE COVERAGE.—

9 Such title is further amended by inserting after section
10 2753, as added by section 301, the following new section:

11 **“SEC. 2754. CONTINUATION OF COVERAGE FOR NEWBORNS.**

12 “The provisions of section 2707 shall apply with re-
13 spect to individual health insurance coverage and the
14 issuer of such coverage in the same manner as they apply
15 to group health insurance coverage and the issuer of such
16 coverage.”.

17 (c) EFFECTIVE DATE.—The amendments made by
18 this section shall take effect on January 1, 2009, and shall
19 apply to women who become pregnant on or after such
20 date and children who are born of such women.

1 **TITLE IV—MEDICAID AND SCHIP**
 2 **COVERAGE OF PREGNANT**
 3 **WOMEN AND UNBORN CHIL-**
 4 **DREN**

5 **SEC. 401. CODIFICATION OF OPTIONAL SCHIP COVERAGE**
 6 **OF UNBORN CHILDREN.**

7 (a) IN GENERAL.—Section 2110(b) of the Social Se-
 8 curity Act (42 U.S.C. 1397jj(b)) is amended by adding
 9 at the end the following new paragraph:

10 “(5) COVERAGE OF UNBORN CHILDREN.—The
 11 terms ‘child’ and ‘individual’ include, at the State
 12 option, an unborn child.”.

13 (b) CONSTRUCTION.—Subsection (a) shall be con-
 14 strued as codifying the regulation promulgated at Federal
 15 Register 61956 (October 2, 2002), relating to eligibility
 16 for prenatal care and other health services for unborn chil-
 17 dren under SCHIP.

18 **SEC. 402. COORDINATION WITH THE MATERNAL AND CHILD**
 19 **HEALTH PROGRAM.**

20 (a) IN GENERAL.—Section 2102(b)(3) of the Social
 21 Security Act (42 U.S.C. 1397bb(b)(3)) is amended—

22 (1) in subparagraph (D), by striking “and” at
 23 the end;

24 (2) in subparagraph (E), by striking the period
 25 and inserting “; and”; and

1 (3) by adding at the end the following new sub-
2 paragraph:

3 “(F) that operations and activities under
4 this title are developed and implemented in con-
5 sultation and coordination with the program op-
6 erated by the State under title V in areas in-
7 cluding outreach and enrollment, benefits and
8 services, service delivery standards, public
9 health and social service agency relationships,
10 and quality assurance and data reporting.”.

11 (b) CONFORMING MEDICAID AMENDMENT.—Section
12 1902(a)(11) of such Act (42 U.S.C. 1396a(a)(11)) is
13 amended—

14 (1) by striking “and” before “(C)”; and

15 (2) by inserting before the semicolon at the end
16 the following: “, and (D) provide that operations and
17 activities under this title are developed and imple-
18 mented in consultation and coordination with the
19 program operated by the State under title V in areas
20 including outreach and enrollment, benefits and
21 services, service delivery standards, public health
22 and social service agency relationships, and quality
23 assurance and data reporting”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section take effect on October 1, 2008.

1 **TITLE V—DISCLOSURE OF IN-**
2 **FORMATION ON ABORTION**
3 **SERVICES**

4 **SEC. 501. DISCLOSURE OF INFORMATION ON ABORTION**
5 **SERVICES.**

6 (a) IN GENERAL.—Health facilities that perform
7 abortions in or affecting interstate commerce shall obtain
8 informed consent from the pregnant woman seeking to
9 have the abortion. Informed consent shall exist only after
10 a woman has voluntarily completed or opted not to com-
11 plete pre-abortion counseling sessions.

12 (b) ACCURATE INFORMATION.—Counseling sessions
13 under subsection (a) shall include the following informa-
14 tion:

15 (1) The probable gestational age and character-
16 istics of the unborn child at the time the abortion
17 will be performed.

18 (2) How the abortion procedure is performed.

19 (3) Possible short-term and long-term risks and
20 complications of the procedure to be performed.

21 (4) Options or alternatives to abortion, includ-
22 ing, but not limited to, adoption, and the resources
23 available in the community to assist women choosing
24 these options.

1 (5) The availability of post-procedure medical
2 services to address the risks and complications of
3 the procedure.

4 (c) EXCEPTION.—This section shall not apply when
5 the pregnant woman is herself incapable, under State law,
6 of making medical decisions. This section does not affect
7 or modify any requirement under State law for making
8 medical decisions for such patients.

9 (d) CIVIL REMEDIES.—

10 (1) CIVIL ACTION.—Any female upon whom an
11 abortion has been performed or attempted without
12 complying with the informed consent requirements
13 may bring a civil action in an appropriate district
14 court of the United States against the person who
15 performed the abortion in knowing or reckless viola-
16 tion of this section for actual and punitive damages.

17 (2) CERTAIN AUTHORITIES AND REQUIRE-
18 MENTS.—With respect to an action under paragraph
19 (1):

20 (A) The court may award attorney's fees
21 to the plaintiff if judgment is rendered in favor
22 of the plaintiff, and may award attorney's fees
23 to the defendant if judgment is rendered in
24 favor of the defendant and the court finds that

1 the plaintiff's case was frivolous and brought in
2 bad faith.

3 (B) The court shall determine whether the
4 anonymity of the female involved will be pre-
5 served from public disclosure if the female has
6 not consented to her identity being disclosed. If
7 the female's identity is to be shielded, the court
8 shall issue an order sealing the record and ex-
9 cluding individuals from the courtroom to pre-
10 serve her identity.

11 (C) In the absence of the female's written
12 consent, anyone other than a public official who
13 brings the action shall do so under a pseu-
14 donym.

15 (3) RULE OF CONSTRUCTION.—Nothing in this
16 subsection may be construed to conceal the identity
17 of the plaintiff or of the witnesses from the defend-
18 ant.

19 (e) SEVERABILITY.—If any provision of this section
20 requiring informed consent for abortions is found uncon-
21 stitutional, the unconstitutional provision is severable and
22 the other provisions of this section remain in effect.

23 (f) PREEMPTION.—Nothing in this section shall pre-
24 vent a State from enacting and enforcing additional re-
25 quirements with respect to informed consent.

1 **TITLE VI—SERVICES TO PA-**
 2 **TIENTS RECEIVING POSITIVE**
 3 **TEST DIAGNOSIS OF DOWN**
 4 **SYNDROME OR OTHER PRE-**
 5 **NATALLY DIAGNOSED CONDI-**
 6 **TIONS**

7 **SEC. 601. SERVICES TO PATIENTS RECEIVING POSITIVE**
 8 **TEST DIAGNOSIS FOR DOWN SYNDROME OR**
 9 **OTHER PRENATALLY DIAGNOSED CONDI-**
 10 **TIONS.**

11 (a) FINDINGS AND PURPOSES.—

12 (1) FINDINGS.—The Congress finds as follows:

13 (A) Pregnant women who choose to under-
 14 go prenatal genetic testing should have access
 15 to timely, scientific, and nondirective counseling
 16 about the conditions being tested for and the
 17 accuracy of such tests, from health care profes-
 18 sionals qualified to provide and interpret these
 19 tests. Informed consent is a critical component
 20 of all genetic testing.

21 (B) A recent, peer-reviewed study and two
 22 reports from the Centers for Disease Control
 23 and Prevention on prenatal testing found a de-
 24 ficiency in the data needed to understand the
 25 epidemiology of prenatally diagnosed conditions,

1 to monitor trends accurately, and to increase
2 the effectiveness of health intervention.

3 (2) PURPOSES.—It is the purpose of this sec-
4 tion, after the diagnosis of an unborn child with
5 Down syndrome or other prenatally diagnosed condi-
6 tions, to—

7 (A) increase patient referrals to providers
8 of key support services to assist parents in the
9 care, or placement for adoption, of a child with
10 Down syndrome, or other prenatally diagnosed
11 conditions, as well as to provide up-to-date,
12 science-based information about life-expectancy
13 and development potential for a child born with
14 Down syndrome or other prenatally diagnosed
15 condition;

16 (B) provide networks of support services
17 described in subparagraph (A) through a Cen-
18 ters for Disease Control and Prevention patient
19 and provider outreach program;

20 (C) improve available data by incor-
21 porating information directly revealed by pre-
22 natal testing into existing State-based surveil-
23 lance programs for birth defects and prenatally
24 diagnosed conditions; and

1 (D) ensure that patients receive up-to-date,
 2 scientific information about the accuracy of the
 3 test.

4 (b) AMENDMENT TO THE PUBLIC HEALTH SERVICE
 5 ACT.—Part P of title III of the Public Health Service Act
 6 (42 U.S.C. 280g et seq.) is amended by adding at the end
 7 the following:

8 **“SEC. 399R. SUPPORT FOR PATIENTS RECEIVING A POSI-**
 9 **TIVE TEST DIAGNOSIS OF DOWN SYNDROME**
 10 **OR OTHER PRENATALLY DIAGNOSED CONDI-**
 11 **TIONS.**

12 “(a) DEFINITIONS.—In this section:

13 “(1) DOWN SYNDROME.—The term ‘Down syn-
 14 drome’ refers to a chromosomal disorder caused by
 15 an error in cell division that results in the presence
 16 of an extra whole or partial copy of chromosome 21.

17 “(2) HEALTH CARE PROVIDER.—The term
 18 ‘health care provider’ means any person or entity re-
 19 quired by State or Federal law or regulation to be
 20 licensed, registered, or certified to provide health
 21 care services, and who is so licensed, registered, or
 22 certified.

23 “(3) PRENATALLY DIAGNOSED CONDITION.—
 24 The term ‘prenatally diagnosed condition’ means any

1 fetal health condition identified by prenatal genetic
2 testing or prenatal screening procedures.

3 “(4) PRENATAL TEST.—The term ‘prenatal
4 test’ means diagnostic or screening tests offered to
5 pregnant women seeking routine prenatal care that
6 are administered by a health care provider based on
7 medical history, family background, ethnic back-
8 ground, previous test results, or other risk factors.

9 “(5) SUPPORT.—The terms ‘support’ and ‘sup-
10 portive services’ mean services to assist parents to
11 care for, and prepare to care for, a child with Down
12 Syndrome or another prenatally diagnosed condition,
13 and to facilitate the adoption of such children as ap-
14 propriate.

15 “(b) INFORMATION AND SUPPORT SERVICES.—The
16 Secretary, acting through the Director of the National In-
17 stitutes of Health, the Director of the Centers for Disease
18 Control and Prevention, or the Administrator of the
19 Health Resources and Services Administration, may au-
20 thorize and oversee certain activities, including the award-
21 ing of grants, contracts, or cooperative agreements, to—

22 “(1) collect, synthesize, and disseminate current
23 scientific information relating to Down syndrome or
24 other prenatally diagnosed conditions;

1 “(2) coordinate the provision of, and access to,
2 new or existing supportive services for patients re-
3 ceiving a positive test diagnosis for Down syndrome
4 or other prenatally diagnosed conditions, including—

5 “(A) the establishment of a resource tele-
6 phone hotline and Internet Website accessible
7 to patients receiving a positive test result;

8 “(B) the establishment of national and
9 local peer-support programs; and

10 “(C) the establishment of a national reg-
11 istry, or network of local registries, of families
12 willing to adopt newborns with Down syndrome
13 or other prenatally diagnosed conditions, and
14 links to adoption agencies willing to place ba-
15 bies with Down syndrome or other prenatally
16 diagnosed conditions, with families willing to
17 adopt;

18 “(3) establish a clearinghouse of information
19 regarding the scientific facts, clinical course, life ex-
20 pectancy, and development potential relating to
21 Down syndrome or other prenatally diagnosed condi-
22 tions; and

23 “(4) establish awareness and education pro-
24 grams for health care providers who provide the re-
25 sults of prenatal tests for Down syndrome or other

1 prenatally diagnosed conditions, to patients, con-
2 sistent with the purpose described in section
3 601(a)(2)(A) of the Pregnant Women Support Act.

4 “(c) DATA COLLECTION.—

5 “(1) PROVISION OF ASSISTANCE.—The Sec-
6 retary, acting through the Director of the Centers
7 for Disease Control and Prevention, shall provide as-
8 sistance to State and local health departments to in-
9 tegrate the results of prenatal testing into State-
10 based vital statistics and birth defects surveillance
11 programs.

12 “(2) ACTIVITIES.—The Secretary shall ensure
13 that activities carried out under paragraph (1) are
14 sufficient to extract population-level data relating to
15 national rates and results of prenatal testing.

16 “(d) PROVISION OF INFORMATION BY PROVIDERS.—
17 Upon receipt of a positive test result from a prenatal test
18 for Down syndrome or other prenatally diagnosed condi-
19 tions performed on a patient, the health care provider in-
20 volved (or his or her designee) shall provide the patient
21 with the following:

22 “(1) Up-to-date, scientific, written information
23 concerning the life expectancy, clinical course, and
24 intellectual and functional development and treat-
25 ment options for an unborn child diagnosed with or

1 child born with Down syndrome or other prenatally
2 diagnosed conditions.

3 “(2) Referral to supportive services providers,
4 including information hotlines specific to Down syn-
5 drome or other prenatally diagnosed conditions, re-
6 source centers or clearinghouses, and other edu-
7 cation and support programs described in subsection
8 (b).

9 “(e) PRIVACY.—

10 “(1) IN GENERAL.—Notwithstanding sub-
11 sections (c) and (d), nothing in this section shall be
12 construed to permit or require the collection, mainte-
13 nance, or transmission, without the health care pro-
14 vider obtaining the prior, written consent of the pa-
15 tient, of—

16 “(A) health information or data that iden-
17 tify a patient, or with respect to which there is
18 a reasonable basis to believe the information
19 could be used to identify the patient (including
20 a patient’s name, address, healthcare provider,
21 or hospital); and

22 “(B) data that are not related to the epi-
23 demiology of the condition being tested for.

24 “(2) GUIDANCE.—Not later than 180 days
25 after the date of enactment of this section, the Sec-

1 retary shall establish guidelines concerning the im-
2 plementation of paragraph (1) and subsection (d).

3 “(f) REPORTS.—

4 “(1) IMPLEMENTATION REPORT.—Not later
5 than 2 years after the date of enactment of this sec-
6 tion, and every 2 years thereafter, the Secretary
7 shall submit a report to Congress concerning the im-
8 plementation of the guidelines described in sub-
9 section (e)(2).

10 “(2) GAO REPORT.—Not later than 1 year
11 after the date of enactment of this section, the Gov-
12 ernment Accountability Office shall submit a report
13 to Congress concerning the effectiveness of current
14 healthcare and family support programs serving as
15 resources for the families of children with disabili-
16 ties.

17 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
18 is authorized to be appropriated to carry out this section
19 \$5,000,000 for each of the fiscal years 2009 through
20 2013.”.

21 **TITLE VII—SUPPORT FOR PREG-** 22 **NANT AND PARENTING COL-** 23 **LEGE STUDENTS**

24 **SEC. 701. SENSE OF CONGRESS.**

25 It is the sense of Congress that—

1 (1) pregnant college students should not have
2 to make a choice between keeping their baby and
3 staying in school;

4 (2) the pilot program under this title will help
5 interested, eligible institutions of higher education
6 establish pregnancy and parenting student services
7 offices that will operate independent of Federal
8 funding no later than 5 years after the date of the
9 enactment of this title; and

10 (3) amounts appropriated to carry out other
11 Federal programs should be reduced to offset the
12 costs of this title.

13 **SEC. 702. DEFINITIONS.**

14 In this title:

15 (1) **ELIGIBLE INSTITUTION OF HIGHER EDU-**
16 **CATION.**—The term “eligible institution of higher
17 education” means an institution of higher education
18 (as such term is defined in section 101 of the High-
19 er Education Act of 1965 (20 U.S.C. 1001)) that
20 has established and operates, or agrees to establish
21 and operate upon the receipt of a grant under this
22 title, a pregnant and parenting student services of-
23 fice described in section 906.

1 (2) PARENT; PARENTING.—The terms “parent”
 2 and “parenting” refer to a parent or legal guardian
 3 of a minor.

4 (3) SECRETARY.—The term “Secretary” means
 5 the Secretary of Education.

6 **SEC. 703. PREGNANT AND PARENTING STUDENT SERVICES**
 7 **PILOT PROGRAM.**

8 From amounts appropriated under section 908 for a
 9 fiscal year, the Secretary shall establish a pilot program
 10 to award grants to eligible institutions of higher education
 11 to enable the eligible institutions to establish (or maintain)
 12 and operate pregnant and parenting student services of-
 13 fices in accordance with section 906.

14 **SEC. 704. APPLICATION; NUMBER OF GRANTS.**

15 (a) APPLICATION.—An eligible institution of higher
 16 education that desires to receive a grant under this title
 17 shall submit an application to the Secretary at such time,
 18 in such manner, and containing such information as the
 19 Secretary may require.

20 (b) REQUESTS FOR ADDITIONAL INFORMATION.—
 21 The Secretary may require an eligible institution submit-
 22 ting an application under subsection (a) to provide addi-
 23 tional information if the Secretary determines such infor-
 24 mation is necessary to process the application.

1 (c) NUMBER OF GRANTS.—Subject to the availability
 2 of appropriations under section 908, the Secretary shall
 3 award grants under this title to no more than 200 eligible
 4 institutions.

5 **SEC. 705. MATCHING REQUIREMENT.**

6 An eligible institution of higher education that re-
 7 ceives a grant under this title shall contribute to the con-
 8 duct of the pregnant and parenting student services office
 9 supported by the grant an amount from non-Federal funds
 10 equal to the amount of the grant. The non-Federal share
 11 may be in cash or in kind, fairly evaluated, including serv-
 12 ices, facilities, supplies, or equipment.

13 **SEC. 706. USE OF FUNDS.**

14 (a) IN GENERAL.—An eligible institution of higher
 15 education that receives a grant under this title shall use
 16 grant funds to establish (or maintain) and operate a preg-
 17 nant and parenting student services office, located on the
 18 campus of the eligible institution, that carries out the fol-
 19 lowing programs and activities:

20 (1) Hosts an initial pregnancy and parenting
 21 resource forum—

22 (A) to assess pregnancy and parenting re-
 23 sources, located on the campus or within the
 24 local community, that are available to meet the
 25 needs described in paragraph (2); and

1 (B) to set goals for—

2 (i) improving such resources for preg-
3 nant, parenting, and prospective parenting
4 students; and

5 (ii) improving access to such re-
6 sources.

7 (2) Annually assesses the performance of the el-
8 igible institution and the office in meeting the fol-
9 lowing needs of students enrolled in the eligible in-
10 stitution who are pregnant or are parents:

11 (A) The inclusion of maternity coverage
12 and the availability of riders for additional fam-
13 ily members in student health care.

14 (B) Family housing.

15 (C) Child care.

16 (D) Flexible or alternative academic sched-
17 uling, such as telecommuting programs.

18 (E) Education to improve parenting skills
19 for mothers and fathers and to strengthen mar-
20 riages.

21 (F) Maternity and baby clothing, baby
22 food (including formula), baby furniture, and
23 similar items to assist parents and prospective
24 parents in meeting the material needs of their
25 children.

1 (G) Post-partum counseling and support
2 groups.

3 (3) Identifies public and private service pro-
4 viders, located on the campus of the eligible institu-
5 tion or within the local community, that are quali-
6 fied to meet the needs described in paragraph (2),
7 and establishes programs with qualified providers to
8 meet such needs.

9 (4) Assists pregnant and parenting students
10 and their spouses in locating and obtaining services
11 that meet the needs described in paragraph (2).

12 (5) If appropriate, provides referrals for pre-
13 natal care and delivery, infant or foster care, or
14 adoption, to a student who requests such informa-
15 tion. An office shall make such referrals only to
16 service providers that primarily serve the following
17 types of individuals:

18 (A) Parents.

19 (B) Prospective parents awaiting adoption.

20 (C) Women who are pregnant and plan on
21 parenting or placing the child for adoption.

22 (D) Parenting or prospective parenting
23 couples who are married or who plan on
24 marrying in order to provide a supportive envi-
25 ronment for each other and their child.

1 (b) EXPANDED SERVICES.—In carrying out the pro-
 2 grams and activities described in subsection (a), an eligible
 3 institution of higher education receiving a grant under this
 4 title may choose to provide access to such programs and
 5 activities to a pregnant or parenting employee of the eligi-
 6 ble institution, and the employee’s spouse.

7 **SEC. 707. REPORTING.**

8 (a) ANNUAL REPORT BY INSTITUTIONS.—

9 (1) IN GENERAL.—For each fiscal year that an
 10 eligible institution of higher education receives a
 11 grant under this title, the eligible institution shall
 12 prepare and submit to the Secretary, by the date de-
 13 termined by the Secretary, a report that—

14 (A) itemizes the pregnant and parenting
 15 student services office’s expenditures for the fis-
 16 cal year;

17 (B) contains a review and evaluation of the
 18 performance of the office in fulfilling the re-
 19 quirements of this title, using the specific per-
 20 formance criteria or standards established
 21 under paragraph (2)(A); and

22 (C) describes the achievement of the office
 23 in meeting the needs listed in section 906(a)(2)
 24 of the students served by the eligible institution,

1 and the frequency of use of the office by such
2 students.

3 (2) PERFORMANCE CRITERIA.—Not later than
4 180 days before the date the annual report described
5 in paragraph (1) is submitted, the Secretary—

6 (A) shall identify the specific performance
7 criteria or standards that shall be used to pre-
8 pare the report; and

9 (B) may establish the form or format of
10 the report.

11 (3) ADDITIONAL INFORMATION.—After review-
12 ing an annual report of an eligible institution of
13 higher education, the Secretary may require that the
14 eligible institution provide additional information if
15 the Secretary determines that such additional infor-
16 mation is necessary to evaluate the pilot program.

17 (b) REPORT BY SECRETARY.—The Secretary shall
18 annually prepare and submit a report on the findings of
19 the pilot program under this title, including the number
20 of eligible institutions of higher education that were
21 awarded grants and the number of students served by
22 each pregnant and parenting student services office receiv-
23 ing funds under this title, to the appropriate committees
24 of the Senate and the House of Representatives.

1 **SEC. 708. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to carry out
3 this title no more than \$10,000,000 for each of the fiscal
4 years 2009 through 2013.

5 **TITLE VIII—SUPPORT FOR**
6 **PREGNANT AND PARENTING**
7 **TEENS**

8 **SEC. 801. GRANTS TO STATES.**

9 The Secretary shall make grants to States to allow
10 early childhood education programs, including Head Start,
11 to work with pregnant or parenting teens to complete high
12 school and prepare for college or for vocational education.

13 **TITLE IX—IMPROVING SERVICES**
14 **FOR PREGNANT WOMEN WHO**
15 **ARE VICTIMS OF DOMESTIC**
16 **VIOLENCE, DATING VIO-**
17 **LENCE, AND STALKING**

18 **SEC. 901. FINDINGS.**

19 The Congress finds as follows:

20 (1) Pregnant and recently pregnant women are
21 more likely to be victims of homicide than to die of
22 any other causes, and evidence exists that a signifi-
23 cant proportion of all female homicide victims are
24 killed by their intimate partners.

25 (2) A 2001 study published by the Journal of
26 the American Medical Association found that mur-

1 der is the number one cause of death among preg-
2 nant women.

3 (3) Research suggests that injury-related
4 deaths, including homicide and suicide, account for
5 approximately one-third of all maternal mortality
6 cases, while medical reasons make up the rest.
7 Homicide is the leading cause of death overall for
8 pregnant women, followed by cancer, acute and
9 chronic respiratory conditions, motor vehicle colli-
10 sions and drug overdose, peripartum and
11 postpartum cardiomyopathy, and suicide.

12 **SEC. 902. PROGRAM TO SUPPORT PREGNANT WOMEN WHO**
13 **ARE VICTIMS OF DOMESTIC VIOLENCE.**

14 (a) IN GENERAL.—For fiscal year 2009 and each
15 subsequent fiscal year, the Attorney General, through the
16 Director of the Office on Violence Against Women, may
17 award grants to States, to be used for any of the following
18 purposes:

19 (1) To assist States in providing intervention
20 services, accompaniment, and supportive social serv-
21 ices for eligible pregnant women who are victims of
22 domestic violence, dating violence, or stalking.

23 (2) To provide for technical assistance and
24 training (as described in subsection (c)) relating to

1 violence against eligible pregnant women to be made
2 available to the following:

3 (A) Federal, State, tribal, territorial, and
4 local governments, law enforcement agencies,
5 and courts.

6 (B) Professionals working in legal, social
7 service, and health care settings.

8 (C) Nonprofit organizations.

9 (D) Faith-based organizations.

10 (b) STATE ELIGIBILITY.—To be eligible for a grant
11 under subsection (a), a State shall—

12 (1) submit to the Attorney General an applica-
13 tion in such time and manner, and containing such
14 information, as specified by the Attorney General;
15 and

16 (2) for a grant made for a fiscal year beginning
17 on or after the date that is one year after the date
18 of the enactment of this title, satisfy the require-
19 ment under section 903, relating to female homicide
20 victim determinations and death certificates.

21 (c) TECHNICAL ASSISTANCE AND TRAINING DE-
22 SCRIBED.—For purposes of subsection (a)(2), technical
23 assistance and training is—

1 (1) the identification of eligible pregnant women
2 experiencing domestic violence, dating violence, or
3 stalking;

4 (2) the assessment of the immediate and short-
5 term safety of such a pregnant woman, the evalua-
6 tion of the impact of the violence or stalking on the
7 pregnant woman's health, and the assistance of the
8 pregnant woman in developing a plan aimed at pre-
9 venting further domestic violence, dating violence, or
10 stalking, as appropriate;

11 (3) the maintenance of complete medical or fo-
12 rensic records that include the documentation of any
13 examination, treatment given, and referrals made,
14 recording the location and nature of the pregnant
15 woman's injuries, and the establishment of mecha-
16 nisms to ensure the privacy and confidentiality of
17 those medical records; and

18 (4) the identification and referral of the preg-
19 nant woman to appropriate public and private non-
20 profit entities that provide intervention services, ac-
21 companiment, and supportive social services.

22 (d) DEFINITIONS.—For purposes of this title:

23 (1) ACCOMPANIMENT.—The term “accompani-
24 ment” means assisting, representing, and accom-
25 panying a woman in seeking judicial relief for child

1 support, child custody, restraining orders, and res-
2 titution for harm to persons and property, and in fil-
3 ing criminal charges, and may include the payment
4 of court costs and reasonable attorney and witness
5 fees associated therewith.

6 (2) ELIGIBLE PREGNANT WOMAN.—The term
7 “eligible pregnant woman” means any woman who is
8 pregnant on the date on which such woman becomes
9 a victim of domestic violence, dating violence, or
10 stalking or who was pregnant during the one-year
11 period before such date.

12 (3) INTERVENTION SERVICES.—The term
13 “intervention services” means, with respect to do-
14 mestic violence, dating violence, or stalking, 24-hour
15 telephone hotline services for police protection and
16 referral to shelters.

17 (4) STATE.—The term “State” includes the
18 District of Columbia, any commonwealth, possession,
19 or other territory of the United States, and any In-
20 dian tribe or reservation.

21 (5) SUPPORTIVE SOCIAL SERVICES.—The term
22 “supportive social services” means transitional and
23 permanent housing, vocational counseling, and indi-
24 vidual and group counseling aimed at preventing do-
25 mestic violence, dating violence, or stalking.

1 (6) VIOLENCE.—The term “violence” means ac-
2 tual violence and the risk or threat of violence.

3 (e) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purpose of making allotments under subsection (a), there
5 are authorized to be appropriated \$4,000,000 for each of
6 the fiscal years 2009 through 2013.

7 **SEC. 903. HOMICIDE DEATH CERTIFICATES OF CERTAIN FE-**
8 **MALE VICTIMS.**

9 For purposes of section 902(b)(2), the requirement
10 under this section is that not later than the date that is
11 one year after the date of the enactment of this title, a
12 State shall require, with respect to any homicide case initi-
13 ated after such one-year date and in which the victim is
14 a female of possible child-bearing age, each of the fol-
15 lowing:

16 (1) A determination of which, if any, of the fol-
17 lowing categories, described the victim:

18 (A) The victim was pregnant on the date
19 of her death.

20 (B) The victim was not pregnant on the
21 date of her death, but had been pregnant dur-
22 ing the 42-day period before such date.

23 (C) The victim was not pregnant on the
24 date of her death, but had been pregnant dur-
25 ing the period beginning on the date that was

1 one year before such date of her death and end-
 2 ing on the date that was 43 days before such
 3 date of her death.

4 (D) The victim was not pregnant during
 5 the one-year period before the date of her
 6 death.

7 (E) It could not be determined whether or
 8 not the victim had been pregnant during the
 9 one-year period before the date of her death.

10 (2) The determination made under paragraph
 11 (1) shall be included in the death certificate of the
 12 victim.

13 **TITLE X—FEDERALLY-FUNDED**
 14 **HOMES FOR PREGNANT AND**
 15 **PARENTING WOMEN; ADOPT-**
 16 **TION COUNSELING; PAR-**
 17 **ENTING SKILLS**

18 **SEC. 1001. COUNSELING REQUIREMENTS.**

19 With respect to any program of grants that is admin-
 20 istered by the Secretary and whose purposes include pro-
 21 viding funds for group homes for pregnant and parenting
 22 women, the Secretary shall require as a condition of mak-
 23 ing such grants that the entities operating the group
 24 homes provide to such women, upon request—

25 (1) adoption counseling; and

1 (2) counseling on parenting skills.

2 **TITLE XI—EXPANSION OF ADOPT-**
 3 **TION CREDIT AND ADOPTION**
 4 **ASSISTANCE PROGRAMS**

5 **SEC. 1101. EXPANSION OF ADOPTION CREDIT AND ADOPT-**
 6 **ION ASSISTANCE PROGRAMS.**

7 (a) INCREASE IN DOLLAR LIMITATION.—

8 (1) ADOPTION CREDIT.—

9 (A) IN GENERAL.—Paragraph (1) of sec-
 10 tion 23(b) of the Internal Revenue Code of
 11 1986 (relating to dollar limitation) is amended
 12 by striking “\$10,000” and inserting “\$15,000”.

13 (B) CHILD WITH SPECIAL NEEDS.—Para-
 14 graph (3) of section 23(a) of such Code (relat-
 15 ing to \$10,000 credit for adoption of child with
 16 special needs regardless of expenses) is amend-
 17 ed—

18 (i) in the text by striking “\$10,000”
 19 and inserting “\$15,000”, and

20 (ii) in the heading by striking
 21 “\$10,000” and inserting “\$15,000”.

22 (C) CONFORMING AMENDMENT TO INFLA-
 23 TION ADJUSTMENT.—Subsection (h) of section
 24 23 of such Code (relating to adjustments for in-
 25 flation) is amended to read as follows:

1 “(h) ADJUSTMENTS FOR INFLATION.—

2 “(1) DOLLAR LIMITATIONS.—In the case of a
3 taxable year beginning after December 31, 2008,
4 each of the dollar amounts in subsections (a)(3) and
5 (b)(1) shall be increased by an amount equal to—

6 “(A) such dollar amount, multiplied by

7 “(B) the cost-of-living adjustment deter-
8 mined under section 1(f)(3) for the calendar
9 year in which the taxable year begins, deter-
10 mined by substituting ‘calendar year 2008’ for
11 ‘calendar year 1992’ in subparagraph (B)
12 thereof.

13 If any amount as increased under the preceding sen-
14 tence is not a multiple of \$10, such amount shall be
15 rounded to the nearest multiple of \$10.

16 “(2) INCOME LIMITATION.—In the case of a
17 taxable year beginning after December 31, 2002, the
18 dollar amount in subsection (b)(2)(A)(i) shall be in-
19 creased by an amount equal to—

20 “(A) such dollar amount, multiplied by

21 “(B) the cost-of-living adjustment deter-
22 mined under section 1(f)(3) for the calendar
23 year in which the taxable year begins, deter-
24 mined by substituting ‘calendar year 2001’ for

1 ‘calendar year 1992’ in subparagraph (B)
2 thereof.

3 If any amount as increased under the preceding sen-
4 tence is not a multiple of \$10, such amount shall be
5 rounded to the nearest multiple of \$10.”.

6 (2) ADOPTION ASSISTANCE PROGRAMS.—

7 (A) IN GENERAL.—Paragraph (1) of sec-
8 tion 137(b) of the Internal Revenue Code of
9 1986 (relating to dollar limitation) is amended
10 by striking “\$10,000” and inserting “\$15,000”.

11 (B) CHILD WITH SPECIAL NEEDS.—Para-
12 graph (2) of section 137(a) of such Code (relat-
13 ing to \$10,000 exclusion for adoption of child
14 with special needs regardless of expenses) is
15 amended—

16 (i) in the text by striking “\$10,000”
17 and inserting “\$15,000”, and

18 (ii) in the heading by striking
19 “\$10,000” and inserting “\$15,000”.

20 (C) CONFORMING AMENDMENT TO INFLA-
21 TION ADJUSTMENT.—Subsection (f) of section
22 137 of such Code (relating to adjustments for
23 inflation) is amended to read as follows:

24 “(f) ADJUSTMENTS FOR INFLATION.—

1 “(1) DOLLAR LIMITATIONS.—In the case of a
 2 taxable year beginning after December 31, 2008,
 3 each of the dollar amounts in subsections (a)(2) and
 4 (b)(1) shall be increased by an amount equal to—

5 “(A) such dollar amount, multiplied by

6 “(B) the cost-of-living adjustment deter-
 7 mined under section 1(f)(3) for the calendar
 8 year in which the taxable year begins, deter-
 9 mined by substituting ‘calendar year 2007’ for
 10 ‘calendar year 1992’ in subparagraph (B)
 11 thereof.

12 If any amount as increased under the preceding sen-
 13 tence is not a multiple of \$10, such amount shall be
 14 rounded to the nearest multiple of \$10.

15 “(2) INCOME LIMITATION.—In the case of a
 16 taxable year beginning after December 31, 2002, the
 17 dollar amount in subsection (b)(2)(A) shall be in-
 18 creased by an amount equal to—

19 “(A) such dollar amount, multiplied by

20 “(B) the cost-of-living adjustment deter-
 21 mined under section 1(f)(3) for the calendar
 22 year in which the taxable year begins, deter-
 23 mined by substituting ‘calendar year 2001’ for
 24 ‘calendar year 1992’ in subparagraph thereof.

1 If any amount as increased under the preceding sen-
 2 tence is not a multiple of \$10, such amount shall be
 3 rounded to the nearest multiple of \$10.”.

4 (b) CREDIT MADE REFUNDABLE.—

5 (1) CREDIT MOVED TO SUBPART RELATING TO
 6 REFUNDABLE CREDITS.—The Internal Revenue
 7 Code of 1986 is amended—

8 (A) by redesignating section 36 as section
 9 37,

10 (B) by redesignating section 23, as amend-
 11 ed by subsection (a), as section 36, and

12 (C) by moving section 36 (as so redesign-
 13 ated) from subpart A of part IV of subchapter
 14 A of chapter 1 to the location immediately be-
 15 fore section 37 (as so redesignated) in subpart
 16 C of part IV of subchapter A of chapter 1.

17 (2) CONFORMING AMENDMENTS.—

18 (A) Section 24(b)(3)(B) of such Code is
 19 amended by striking “sections 23 and” and in-
 20 serting “section”.

21 (B) Section 25(e)(1)(C) of such Code is
 22 amended—

23 (i) in clause (i) by striking “23,
 24 25D,” and inserting “25D”, and

25 (ii) in clause (ii) by striking “23,”.

1 (C) Section 25B(g)(2) of such Code is
2 amended by striking “and section 23”.

3 (D) Section 25D(c)(2) of such Code is
4 amended by striking “23, 24,” and inserting
5 “24”.

6 (E) Section 26(a)(1) of such Code is
7 amended by striking “23, 24” and inserting
8 “24”.

9 (F) Section 36 of such Code, as so redesign-
10 nated, is amended—

11 (i) by striking paragraph (4) of sub-
12 section (b), and

13 (ii) by striking subsection (c).

14 (G) Section 137 of such Code is amend-
15 ed—

16 (i) in subsection (d) by striking “sec-
17 tion 23(d)” and inserting “section 36(d)”,
18 and

19 (ii) in subsection (e) by striking “sec-
20 tion 23” and inserting “section 36”.

21 (H) Section 904(i) of such Code is amend-
22 ed by striking “23, 24,” and inserting “24”.

23 (I) Section 1016(a)(26) is amended by
24 striking “23(g)” and inserting “36(g)”.

1 (J) Section 1400C(d) of such Code is
 2 amended by striking “23, 24,” and inserting
 3 “24”.

4 (K) The table of sections for subpart A of
 5 part IV of subchapter A of chapter 1 of such
 6 Code of 1986 is amended by striking the item
 7 relating to section 23.

8 (L) Paragraph (2) of section 1324(b) of
 9 title 31, United States Code, is amended by in-
 10 serting “or 36” after “section 35”.

11 (M) The table of sections for subpart C of
 12 part IV of subchapter A of chapter 1 of the In-
 13 ternal Revenue Code of 1986 is amended by
 14 striking the last item and inserting the fol-
 15 lowing new items:

“Sec. 36. Adoption expenses.

“Sec. 37. Overpayments of tax.”.

16 (c) MODIFICATIONS MADE BY EGTRRA TO ADOP-
 17 TION CREDIT MADE PERMANENT.—Title IX of the Eco-
 18 nomic Growth and Tax Relief Reconciliation Act of 2001
 19 shall not apply to the amendments made by section 202
 20 of such Act.

21 (d) EFFECTIVE DATE.—The amendments made by
 22 this section shall apply to taxable years beginning after
 23 December 31, 2008.

1 **TITLE XII—PROVIDING SUPPORT**
2 **TO NEW PARENTS**

3 **SEC. 1201. INCREASED SUPPORT FOR WIC PROGRAM.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The special supplemental nutrition program
6 for women, infants, and children (WIC) authorized
7 in the Child Nutrition Act of 1966 (42 U.S.C. 1786)
8 served approximately 8,100,000 women, infants, and
9 children per month in fiscal year 2006.

10 (2) Half of all infants in the United States and
11 1 in 4 young children under age 5 get crucial health
12 and nutrition benefits from the WIC Program.

13 (3) It is estimated that every dollar spent on
14 WIC results in between \$1.92 and \$4.21 in Medicaid
15 savings for newborns and their mothers.

16 (4) The WIC program has been proven to in-
17 crease the number of women receiving prenatal care,
18 reduce the incidence of low birth weight and fetal
19 mortality, reduce anemia, and enhance the nutri-
20 tional quality of the diet of mothers and children.

21 (5) The WIC program's essential, effective nu-
22 trition services include nutrition assessment, coun-
23 seling and education, obesity prevention,
24 breastfeeding support and promotion, prenatal and
25 pediatric health care referrals and follow-up, spousal

1 and child abuse referral, drug and alcohol abuse re-
 2 ferral, immunization screening, assessment and re-
 3 ferral, and a host of other services for mothers and
 4 children.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—For the
 6 purpose of carrying out the special supplemental nutrition
 7 program for women, infants, and children (WIC) (42
 8 U.S.C. 1786), there is authorized to be appropriated
 9 \$6,000,000,000 for fiscal year 2009, and such sums as
 10 may be necessary for each of fiscal years 2010 through
 11 2013, of which—

12 (1) there is authorized to be appropriated
 13 \$15,000,000 for fiscal year 2009, and such sums as
 14 may be necessary for each of fiscal years 2010
 15 through 2013, for breast-feeding peer counselors;
 16 and

17 (2) there is authorized to be appropriated
 18 \$14,000,000 for fiscal year 2009, and such sums as
 19 may be necessary for each of fiscal years 2010
 20 through 2013, for infrastructure needs.

21 **SEC. 1202. NUTRITIONAL SUPPORT FOR LOW-INCOME PAR-**
 22 **ENTS.**

23 Section 5(c)(2) of the Food Stamp Act of 1977 (7
 24 U.S.C. 2014(c)(2)) is amended by striking “30 per cen-
 25 tum” and inserting “85 percent”.

1 **SEC. 1203. INCREASED FUNDING FOR THE CHILD CARE AND**
 2 **DEVELOPMENT BLOCK GRANT PROGRAM.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
 4 658B of the Child Care and Development Block Grant Act
 5 of 1990 (42 U.S.C. 9858) is amended to read as follows:

6 **“SEC. 658B. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated to carry out
 8 this subchapter \$2,350,000,000 for fiscal year 2009 and
 9 such sums as may be necessary for fiscal years 2010
 10 through 2013.”.

11 (b) CONFORMING AMENDMENT.—Section
 12 658E(c)(3)(D) of the Child Care and Development Block
 13 Grant Act of 1990 (42 U.S.C. 9858c(c)(3)(D)) is amended
 14 by striking “1997 through 2002” and inserting “2009
 15 through 2013”.

16 **SEC. 1204. TEENAGE OR FIRST-TIME MOTHERS; FREE HOME**
 17 **VISITS BY REGISTERED NURSES FOR EDU-**
 18 **CATION ON HEALTH NEEDS OF INFANTS.**

19 (a) IN GENERAL.—The Secretary may make grants
 20 to local health departments to provide to eligible mothers,
 21 without charge, education on the health needs of their in-
 22 fants through visits to their homes by registered nurses.

23 (b) ELIGIBLE MOTHER.—

24 (1) IN GENERAL.—For purposes of subsection

25 (a), a woman is an eligible mother if, subject to
 26 paragraph (2), the woman—

1 (A) is the mother of an infant who is not
 2 more than 24 months of age; and

3 (B)(i) the woman was under the age of 20
 4 at the time of birth; or

5 (ii) the infant referred to in subparagraph
 6 (A) is the first child of the woman.

7 (2) ADDITIONAL REQUIREMENTS FOR CERTAIN
 8 MOTHERS.—In the case of a woman described in
 9 paragraph (1)(B)(ii) who is 20 years of age or older,
 10 the woman is an eligible mother for purposes of sub-
 11 section (a) only if the woman meets such standards
 12 in addition to the applicable standards under para-
 13 graph (1) as the local health department involved
 14 determines to be appropriate.

15 (c) CERTAIN REQUIREMENTS.—A grant may be
 16 made under subsection (a) only if the applicant involved
 17 agrees as follows:

18 (1) The program carried out under such sub-
 19 section by the applicant will be designed to instill in
 20 eligible mothers confidence in their abilities to pro-
 21 vide for the health needs of their newborns, includ-
 22 ing through—

23 (A) providing information on child develop-
 24 ment; and

25 (B) soliciting questions from the mothers.

1 (2) The registered nurses who make home visits
 2 under subsection (a) will, as needed, provide refer-
 3 rals for health and social services to serve the needs
 4 of the newborns.

5 (3) The period during which the visits will be
 6 available to an eligible mother will not be fewer than
 7 six months.

8 (d) AUTHORIZED SERVICES.—

9 (1) REQUIREMENTS.—A grant may be made
 10 under subsection (a) only if the applicant involved
 11 agrees that the following services will be provided by
 12 registered nurses in home visits under subsection
 13 (a):

14 (A) Information on child health and devel-
 15 opment, including suggestions for child-develop-
 16 mental activities that are enjoyable for parents
 17 and children.

18 (B) Advice on parenting, including infor-
 19 mation on how to develop a strong parent-child
 20 relationship.

21 (C) Information on resources about par-
 22 enting, including identifying books and videos
 23 that are available at local libraries.

24 (D) Information on upcoming parenting
 25 workshops in the local region.

1 (E) Information on programs that facili-
 2 tate parent-to-parent support services.

3 (F) In the case of an eligible mother who
 4 is a student, information on resources that may
 5 assist the mother in completing the educational
 6 courses involved.

7 (2) ADDITIONAL SERVICES.—A grant under
 8 subsection (a) may be expended to provide services
 9 during home visits under such subsection in addition
 10 to the services specified in paragraph (1).

11 (e) AUTHORIZATION OF APPROPRIATIONS.—For the
 12 purpose of carrying out this section, there are authorized
 13 to be appropriated \$3,000,000 for fiscal year 2009, and
 14 such sums as may be necessary for each of fiscal years
 15 2010 through 2013.

16 **TITLE XIII—COLLECTING AND** 17 **REPORTING ABORTION DATA**

18 **SEC. 1301. GRANTS FOR COLLECTION AND REPORTING OF** 19 **ABORTION DATA.**

20 (a) GRANTS.—The Secretary, acting through the Di-
 21 rector of the Centers for Disease Control and Prevention,
 22 may make grants to States for collecting and reporting
 23 abortion surveillance data.

24 (b) REPORTING REQUIREMENT.—

1 (1) IN GENERAL.—The Secretary may make a
2 grant to a State under this section only if the State
3 agrees to submit a report in each of fiscal years
4 2010 and 2012 on the State’s abortion surveillance
5 data.

6 (2) CONTENTS.—Each report submitted by a
7 State under this subsection shall, with respect to the
8 preceding 2 fiscal years, include—

9 (A) the number and characteristics of
10 women obtaining abortions in the State; and

11 (B) the characteristics of these abortions,
12 including the approximate gestational age of the
13 unborn child, the abortion method, and any
14 known physical or psychological complications.

15 (3) PERSONAL INFORMATION.—A report sub-
16 mitted by a State under this subsection shall not
17 contain the name of any woman obtaining or seeking
18 to obtain an abortion, any common identifier (such
19 as a social security number), or any other identifier
20 (including statistical information) that would make
21 it possible to identify in any manner or under any
22 circumstances an individual who has obtained or
23 seeks to obtain an abortion.

1 (c) CONFIDENTIALITY.—The Secretary shall main-
2 tain the confidentiality of any individually identifiable in-
3 formation reported to the Secretary under this section.

4 (d) REPORT TO CONGRESS.—

5 (1) IN GENERAL.—Not later than the end of
6 fiscal year 2012, the Secretary shall submit a report
7 to the Congress on the abortion surveillance data re-
8 ported to the Secretary under this section.

9 (2) PERSONAL INFORMATION.—A report sub-
10 mitted by the Secretary to the Congress under this
11 subsection shall not contain any name or other iden-
12 tifier described in subsection (b)(3).

13 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry
14 out this section, there are authorized to be appropriated
15 such sums as may be necessary for each of fiscal years
16 2009 through 2013.

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