

115TH CONGRESS
2D SESSION

S. 2543

To amend part B of title IV of the Social Security Act to provide grants to develop and enhance, or to evaluate, kinship navigator programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2018

Ms. HEITKAMP (for herself and Mr. YOUNG) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend part B of title IV of the Social Security Act to provide grants to develop and enhance, or to evaluate, kinship navigator programs, 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.**

4 This Act may be cited as the “Supporting Kinship
5 Connections Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) 2,500,000 children in the United States are
2 living in kinship care with grandparents or other rel-
3 atives.

4 (2) With the rise of heroin and other opioid-use,
5 more kin caregivers are stepping up to raise children
6 who are in need of foster care and permanent
7 homes.

8 (3) Grandparents and relatives residing in
9 urban, rural, and suburban households in every
10 county of the United States have stepped forward
11 out of love and loyalty to care for children during
12 times in which parents are unable to do so.

13 (4) Kinship caregivers provide safety, promote
14 well-being, and establish stable households for vul-
15 nerable children.

16 (5) Kinship care enables a child to maintain
17 family relationships and cultural heritage and re-
18 main in the community of the child.

19 (6) Kinship care is a national resource that pro-
20 vides loving homes for children at risk.

21 (7) Kinship caregivers face daunting challenges
22 to keep countless children from entering foster care.

23 (8) Kinship navigator programs have been
24 shown to proactively provide support to kinship care-

1 givers in an effort to avert crises and potentially
2 prevent more costly services.

3 **SEC. 3. GRANTS TO DEVELOP, ENHANCE, OR EVALUATE**
4 **KINSHIP NAVIGATOR PROGRAMS.**

5 (a) IN GENERAL.—Section 427 of the Social Security
6 Act (42 U.S.C. 627) is amended to read as follows:

7 **“SEC. 427. KINSHIP NAVIGATOR PROGRAM GRANTS.**

8 “(a) AUTHORITY.—The Secretary shall make grants
9 to States and to Indian tribes, tribal organizations, or trib-
10 al consortia to develop and enhance kinship navigator pro-
11 grams, or to evaluate such programs, in order to promote
12 the use of kinship navigator programs by all States and
13 tribal entities, and to advance the knowledge and use of
14 kinship navigator programs that meet—

15 “(1) the evidence-based practices criteria to
16 qualify for payments under section 474(a)(7) (as in
17 effect on and after October 1, 2018); and

18 “(2) the requirements described in subsection
19 (b)(1).

20 **“(b) PROGRAM REQUIREMENTS.—**

21 “(1) MANDATORY REQUIREMENTS.—The re-
22 quirements described in this paragraph are the fol-
23 lowing:

24 “(A) The kinship navigator program is de-
25 signed to assist kinship caregivers in learning

1 about, finding, and using programs and services
2 to meet the needs of the children they are as-
3 sisting or raising, and their own needs, and to
4 promote effective partnerships among public
5 and private agencies to ensure kinship caregiver
6 families are served.

7 “(B) The kinship navigator program is co-
8 ordinated with other State or local agencies
9 that promote service coordination or provide in-
10 formation and referral services, including the
11 entities that provide 2-1-1 or 3-1-1 informa-
12 tion systems where available, to avoid duplica-
13 tion or fragmentation of services to kinship care
14 families.

15 “(C) The kinship navigator program is
16 planned and operated in consultation with kin-
17 ship caregivers and organizations representing
18 them, youth raised by kinship caregivers, rel-
19 evant government agencies, and relevant com-
20 munity-based or faith-based organizations.

21 “(D) The kinship navigator program estab-
22 lishes information and referral systems that
23 link (via toll-free access) kinship caregivers,
24 kinship support group facilitators, and kinship
25 service providers to—

1 “(i) each other;

2 “(ii) eligibility and enrollment infor-
3 mation for Federal, State, and local bene-
4 fits;

5 “(iii) relevant training to assist kin-
6 ship caregivers in caregiving and in obtain-
7 ing benefits and services; and

8 “(iv) relevant legal assistance and
9 help in obtaining legal services.

10 “(E) The kinship navigator program pro-
11 vides outreach to kinship care families, includ-
12 ing by establishing, distributing, and updating a
13 kinship care website, or other relevant guides or
14 outreach materials.

15 “(F) The kinship navigator program pro-
16 motes—

17 “(i) partnerships between public and
18 private agencies, including schools and uni-
19 versities, community-based or faith-based
20 organizations, and relevant government
21 agencies, to increase their knowledge of the
22 needs of kinship care families and other in-
23 dividuals who are willing and able to assist
24 parents to help prevent children from en-

1 tering foster care or to be foster parents;
 2 and

3 “(ii) improved services for such fami-
 4 lies and individuals.

5 “(2) ADDITIONAL ACTIVITIES.—In addition to
 6 meeting the requirements described in paragraph
 7 (1), a grant under this section may be used to assist
 8 a kinship navigator program in—

9 “(A) establishing and supporting a kinship
 10 care ombudsman with authority to intervene
 11 and help kinship caregivers access services; and

12 “(B) supporting any other activities de-
 13 signed to assist kinship caregivers in obtaining
 14 benefits and services to improve their
 15 caregiving, including in-person supportive serv-
 16 ices.

17 “(c) APPLICATIONS.—In order to receive a grant
 18 under this section, a State, Indian tribe, tribal organiza-
 19 tion, or tribal consortium shall submit to the Secretary
 20 an application, at such time and in such manner as the
 21 Secretary shall require, that contains the following:

22 “(1) A description of how the grant will be used
 23 to develop, enhance, or evaluate kinship navigator
 24 programs that meets the requirements of subsection
 25 (b)(1) and whether the State or tribal entity intends

1 to carry out any of the activities included in sub-
 2 section (b)(2).

3 “(2) A description of how kinship caregivers
 4 and the children they care for will be identified and
 5 an initial projection of the number of children and
 6 kin caregivers that will be served.

7 “(3) A description of how the State intends to
 8 make its kinship navigator program available as
 9 broadly as possible, including on a Statewide basis
 10 whenever possible.

11 “(4) A description of how the State intends to
 12 sustain the kinship navigator program after the end
 13 of the grant funding, including through use of fund-
 14 ing available under section 471(a)(7) (as so in ef-
 15 fect).

16 “(5) An assurance that the State, Indian tribe,
 17 tribal organization, or tribal consortium will cooper-
 18 ate fully with any evaluation provided for by the
 19 Secretary with respect to grants made under this
 20 section.

21 “(6) Any other information that the Secretary
 22 may require.

23 “(d) GRANT ALLOTMENTS AND PAYMENTS.—

24 “(1) ALLOTMENTS TO STATES.—Subject to the
 25 succeeding paragraphs of this subsection, from the

1 amounts appropriated to carry out this section for a
 2 fiscal year, after the application of the amounts re-
 3 served under subsection (e) for the fiscal year, the
 4 Secretary shall allot to each State that has sub-
 5 mitted an application for a grant under this section
 6 for the fiscal year (including, if it submits an appli-
 7 cation for a grant for the fiscal year, Puerto Rico)
 8 an amount equal to the sum of—

9 “(A) \$200,000; and

10 “(B) the product of—

11 “(i) the amount remaining after mak-
 12 ing the reservations required under sub-
 13 section (e) and allotting the amount de-
 14 scribed in subparagraph (A) to each such
 15 State; and

16 “(ii) the proportion that the number
 17 of children in the State bears to the total
 18 number of children for all the States.

19 “(2) ALLOTMENTS TO CERTAIN TERRI-
 20 TORIES.—In the case of the allotments determined
 21 under paragraph (1) for the jurisdictions of United
 22 States Virgin Islands, Guam, American Samoa, and
 23 the Northern Mariana Islands, the Secretary may
 24 reduce the amount of the allotment based on the
 25 need of each such jurisdiction, but not below a min-

1 imum amount that the Secretary determines is suffi-
2 cient to enable such jurisdictions to carry out the
3 purposes of a grant made under this section.

4 “(3) INDIAN TRIBES OR TRIBAL CONSORTIA.—

5 From the amount reserved under subsection (e)(1)
6 for a fiscal year, the Secretary shall allot to each In-
7 dian tribe, tribal organization, and tribal consortium
8 that has submitted an application for the fiscal year
9 an amount that bears the same ratio to such re-
10 served amount as the number of children in the In-
11 dian tribe, tribal organization, or tribal consortium
12 bears to the total number of children in all Indian
13 tribes and tribal organizations that have submitted
14 an application for a grant under this section for the
15 fiscal year, as determined by the Secretary on the
16 basis of the most current and reliable information
17 available to the Secretary. If a consortium of Indian
18 tribes applies and is approved for a grant under this
19 section, the Secretary shall allot to the consortium
20 an amount equal to the sum of the allotments deter-
21 mined for each Indian tribe and tribal organization
22 that is part of the consortium.

23 “(4) PAYMENTS.—Payments of grants under
24 this section may be made in advance or by way of
25 reimbursement, and in such installments, as the Sec-

1 retary may determine, and shall be made on such
2 conditions as the Secretary finds necessary to carry
3 out the purposes of the grants.

4 “(5) AVAILABILITY OF FUNDS.—Amounts allot-
5 ted under this subsection to a State or to an Indian
6 tribe, tribal organization, or tribal consortium shall
7 remain available for expenditure through the end of
8 the succeeding fiscal year.

9 “(6) NO MATCHING PAYMENT REQUIRED.—No
10 matching payment shall apply to the grants made
11 under this section.

12 “(e) RESERVATIONS OF FUNDS.—

13 “(1) INDIAN TRIBES, TRIBAL ORGANIZATIONS,
14 OR TRIBAL CONSORTIA.—The Secretary shall reserve
15 5 percent of the funds appropriated for a fiscal year
16 to carry out this section for grants to Indian tribes,
17 tribal organizations, or tribal consortia.

18 “(2) TECHNICAL ASSISTANCE, EVALUATIONS,
19 AND GUIDANCE.—The Secretary shall reserve 5 per-
20 cent of the funds appropriated for a fiscal year to
21 carry out this section to provide technical assistance,
22 evaluations, and guidance to grantees and to carry
23 out, by grant, contract, or interagency agreement,
24 cross-site evaluations for purposes of identifying evi-

1 dence-based practices criteria that will qualify for
 2 payment under section 474(a)(7) (as so in effect).

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—In addi-
 4 tion to any amounts otherwise appropriated to carry out
 5 this subpart, there are authorized to be appropriated to
 6 the Secretary for purposes of making grants under this
 7 section, \$15,000,000 for each of fiscal years 2019 and
 8 2020, to remain available until expended.

9 “(g) DEFINITIONS.—In this section:

10 “(1) INDIAN TRIBE; TRIBAL ORGANIZATION.—
 11 The terms ‘Indian tribe’ and ‘tribal organization’
 12 have the meanings given such terms in section
 13 428(c).

14 “(2) STATE.—The term ‘State’ has the mean-
 15 ing given that term in section 1101 for purposes of
 16 this title and includes the Northern Mariana Is-
 17 lands.”.

18 (b) CONFORMING AMENDMENTS.—

19 (1) Effective October 1, 2018, section 474(a)(7)
 20 of such Act (42 U.S.C. 674(a)(7)) is amended by
 21 striking “section 427(a)(1)” and inserting “section
 22 427(b)(1)”.

23 (2) Section 476 of such Act (42 U.S.C. 676) is
 24 amended—

25 (A) in subsection (c)(2)(A)(ii)—

1 (i) in subclause (I), by striking “and”
 2 after the semicolon; and

3 (ii) by inserting after subclause (II)
 4 the following:

5 “(III) Indian tribes, tribal orga-
 6 nizations, or tribal consortia seeking
 7 to develop and enhance kinship navi-
 8 gator programs, or to evaluate such
 9 programs, in order to promote their
 10 use by tribal entities, and to advance
 11 the knowledge and use of kinship nav-
 12 igator programs that meet the evi-
 13 dence-based practices to qualify for
 14 payments under section 474(a)(7) (as
 15 in effect on and after October 1,
 16 2018) and the requirements described
 17 in section 427(b)(1); and”;

18 (B) in subsection (d)(2), by striking “sec-
 19 tion 427(a)(1)” and inserting “section
 20 427(b)(1)”.

21 (c) TECHNICAL AMENDMENTS.—

22 (1) Section 428(c) of such Act (42 U.S.C.
 23 628(c)) is amended by striking “by subsections (e)
 24 and (l) of section 4 of the Indian Self-Determination
 25 and Education Assistance Act (25 U.S.C. 450b), re-

1 spectively” and inserting “under section 4 of the In-
2 dian Self-Determination and Education Assistance
3 Act (25 U.S.C. 5304)”.

4 (2) Section 479B(a) of such Act (42 U.S.C.
5 679c(a)) is amended by striking “450b” and insert-
6 ing “5304”.

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