

Whether we are discussing Ken Lay's \$7.1 million, 13,000 square foot condominium or Andrew Fastow's newly built multi-million dollar home in one of Houston's swankiest neighborhoods, or Scott Sullivan's \$15 million estate in Boca Raton, one thing is clear; these former executives must not be permitted to continue to live like kings in bankruptcy while their former employees are looking for their next paycheck.

Debtors should not be able to avoid their creditors through luck of geography or through strategic bankruptcy planning. The bottom line is that bankruptcy must be a refuge of last resort, not a financial planning tool for Ken Lay, Scott Sullivan or a host of others. It would be a shame if this Congress were not able to close the most egregious abuse of all in the bankruptcy laws. It is time to close the homestead exemption loophole once and for all.

I ask unanimous consent that the text of the Bankruptcy Abuse Reform Act of 2002 be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2996

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bankruptcy Abuse Reform Act of 2002".

#### SEC. 2. LIMITATION.

Section 522 of title 11, United States Code, is amended—

(1) in subsection (b)(2)(A), by inserting "subject to subsection (n)," before "any property"; and

(2) by adding at the end the following new subsection:

"(n)(1) As a result of electing under subsection (b)(2)(A) to exempt property under State or local law, a debtor may not exempt any amount of interest that exceeds, in the aggregate, \$125,000 in value in—

"(A) real or personal property that the debtor or a dependent of the debtor uses as a residence;

"(B) a cooperative that owns property that the debtor or a dependent of the debtor uses as a residence; or

"(C) a burial plot for the debtor or a dependent of the debtor.

"(2) The limitation under paragraph (1) shall not apply to an exemption claimed under subsection (b)(3)(A) by a family farmer for the principal residence of that farmer."

By Mr. DODD (for himself, Mr. GREGG, Mr. KENNEDY, Ms. COLLINS, Mr. WELLSTONE, and Mr. DEWINE):

S. 2998. A bill to reauthorize the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today with my colleague from New Hampshire, Senator GREGG, to introduce the Keeping Children and Families Safe Act. We are pleased to be

joined by Senators KENNEDY, COLLINS, WELLSTONE, and DEWINE.

Child abuse and neglect continue to be significant problems in the United States. Recent reports present startling indications of child maltreatment in the United States.

About 3 million referrals concerning the welfare of about 5 million children were made to Child Protection Services, CPS, agencies throughout the Nation in 2000. Of these referrals, about two-thirds, 62 percent, were "screened-in" for further assessment and investigation. Professionals, including teachers, law enforcement officers, social service workers, and physicians made more than half, 56 percent, of the screened-in reports. About 879,000 children were found to be victims of child maltreatment. About two-thirds, 63 percent, suffered neglect, including medical neglect; 19 percent were physically abused; 10 percent were sexually abused; and 8 percent were emotionally maltreated.

Many of these children fail to receive adequate protection and services. Nearly half, 45 percent, of these children failed to receive services.

The most tragic consequence of child maltreatment is death. The April maltreatment summary data released by the Department of Health and Human Services, HHS, shows that about 1,200 children died of abuse and neglect in 2000. Children younger than six years of age accounted for 85 percent of child fatalities and children younger than one year of age accounted for 44 percent of child fatalities.

Child abuse is not a new phenomenon. For more than a decade, numerous reports have called attention to the tragic abuse and neglect of children and the inadequacy of our Child Protection Services, CPS, systems to protect our children.

In 1990, the U.S. Advisory Board on Child Abuse and Neglect concluded that "child abuse and neglect is a national emergency." In 1995, the U.S. Advisory Board on Child Abuse and Neglect reported that "State and local CPS caseworkers are often overextended and cannot adequately function under their current caseloads." The report also stated that, "in many jurisdictions, caseloads are so high that CPS response is limited to taking the complaint call, making a single visit to the home, and deciding whether or not the complaint is valid, often without any subsequent monitoring of the family."

A 1997 General Accounting Office, GAO, report found, "the CPS system is in crisis, plagued by difficult problems, such as growing caseloads, increasingly complex social problems and underlying child maltreatment, and ongoing systemic weaknesses in day-to-day operations." According to GAO, CPS weaknesses include "difficulty in maintaining a skilled workforce; the inability to consistently follow key policies and procedures designed to protect children; developing useful case

data and record-keeping systems, such as automated case management; and establishing good working relationships with the courts."

According to the May 2001 "Report from the Child Welfare Workforce Survey: State and County Data and Findings" conducted by the American Public Human Services Association, APHSA, the Child Welfare League of America, CWLA, and the Alliance for Children and Families, annual staff turnover is high and morale is low among CPS workers. The report found that CPS workers had an annual turnover rate of 22 percent, 76 percent higher than the turnover rate for total agency staff. The "preventable" turnover rate was 67 percent, or two-thirds higher than the rate for all other direct service workers and total agency staff. In some States, 75 percent or more of staff turnovers were preventable.

States rated a number of retention issues as highly problematic. In descending order they are: workloads that are too high and/or demanding; caseloads that are too high; too much worker time spent on travel, paperwork, courts, and meetings; workers not feeling valued by the agency; low salaries; supervision problems; and insufficient resources for families and children.

To prevent turnover and retain quality CPS staff, some States have begun to increase in-service training, increase education opportunities, increase supervisory training, increase or improve orientation, increase worker safety, and offer flex-time or changes in office hours. Most States, however, continue to grapple with staff turnover and training issues.

Continued public criticism of CPS efforts, continued frustration by CPS staff and child welfare workers, and continued abuse and neglect, and death, of our Nation's children, served as the backdrop as we sought to draft a CAPTA reauthorization bill this year.

The Child Protection System mission must focus on the safety of children. To ensure that the system works as intended, CPS needs to be appropriately staffed. The staff need to receive appropriate training and cross-training to better recognize substance abuse and domestic violence problems. Triage can help in communities with numerous abuse reports so that those reports where children are most at-risk of imminent harm can be prioritized. More collaborations in communities between CPS, health agencies, including mental health agencies, schools, and community-based groups can help to strengthen families. Prevention programs and activities to prevent child abuse and neglect for families at-risk can improve the likelihood that a child will grow up in a home without violence, abuse, or neglect.

Beyond the CAPTA title of this legislation, our bill reauthorizes the Family Violence Prevention and Services Act, including the creation of a new program to address the needs of children

who witness domestic violence, the Adoption Opportunities Act, and the Abandoned Infants Assistance Act.

There is not much time before Congress adjourns for the session. And there are many outstanding issues for Congress to address. Child protection ought not be a partisan issue. I urge my colleagues to join us in supporting this bill and to strengthen child protection laws before we adjourn for the year.

I ask unanimous consent that a summary of the bill be printed in the RECORD, followed by the text of the bill.

There being no objection, the additional material was ordered to be printed in the RECORD, as follows:

KEEPING CHILDREN AND FAMILIES SAFE ACT  
BRIEF SUMMARY

The Child Abuse Prevention and Treatment Act, CAPTA, authorizes research and demonstration projects related to preventing and treating child abuse and neglect, grants to States to improve child protection systems and, grants to support community-based family resource and support services. Authorization for CAPTA expired with FY2001 but Congress has continued to fund its programs.

Reauthorizes CAPTA with increased funding. The bill would reauthorize CAPTA through FY2007 and authorized \$200 million for CAPTA programs. The FY2002 appropriation for CAPTA programs was \$81.6 million.

Encourages new training and better qualifications for child and family service workers. The bill would recommend grants for a variety of training programs and research activities designed to improve training to child protective services and other child and family service workers, including supervisors. Suggested projects include: training workers on how to best work with families from initial investigation through treatment; cross-training to better recognize neglect, domestic violence or substance abuse in a family; training to strengthen linkages between Child Protection Services (CPS) and health agencies including physical and mental health services; and to promote partnerships that offer creative approaches to meet the needs of abused children; as well as training for CPS workers on their legal duties. The bill would also encourage attention to staff recruitment and retention issues.

Encourages links between agencies to improve services to children. The bill would seek to create or improve links between child protection services and education, health, mental health, and judicial systems to ensure that children who are abused and neglected are properly identified and receive referrals to appropriate services. It would further encourage greater collaboration between child protective services and the juvenile justice system to ensure that children who move between these two systems do so smoothly and receive appropriate services. In addition, the bill would promote partnerships between public agencies and community-based organizations to provide child abuse and neglect prevention and treatment programs. The bill would also require States, as a condition of receiving State grant money, to have policies and procedures to have triage for the referral of a child not at imminent risk of harm to a community or voluntary child maltreatment prevention service; to improve the training, retention, and supervision of caseworkers; to address the needs of infants who have been prenatally exposed to illegal substances, including referral to CPS and other services; to

have provisions requiring CPS workers to inform individuals of child maltreatment allegations made against them; and to perform background checks on all adults in prospective foster care households.

Strengthens and expands the National Child Abuse Clearinghouse. The role of the National Child Abuse Clearinghouse would be strengthened and expanded to not only maintain information about effective child abuse prevention programs, but also to maintain information about best practices used for improving CPS and best practices for making referrals related to addressing the physical, developmental, and health needs of abused and neglected children.

Broadens access to technical assistance and grant funds. CAPTA currently authorize the Department of Health and Human Services, HHS, to fund certain kinds of child maltreatment related demonstration programs and to provide certain technical assistance. In general, grants or contracts may be made with public and nonprofit private entities. The bill would allow for-profit private entities to access technical assistance and to operate HHS-funded demonstration programs.

Strengthens local oversight. States are now required to appoint citizen review panels to oversee the policies and procedures of State and local child protection service agencies. The bill would require these panels to also study agency "practices," do public outreach and allow for public comment, and include recommendations for changes in an annual report to the State. States would be required to make a written response regarding whether or how they will incorporate the recommendations to improve the State and local child protection systems.

Requires new study. The bill would require HHS to conduct the 4th National Incidence Study of Child Abuse and Neglect and to report its findings within 4 years of enactment of the legislation. The last National Incidence Study was conducted in 1993.

Revises Title II Community-Based Family Resource and Support Grants. The bill revises Title II to support community-based efforts to develop, operate, enhance, and where appropriate, to network, initiatives aimed at the prevention of child abuse and neglect and supports coordinated resources and activities to better strengthen and support families to reduce the likelihood of child abuse and neglect.

Title II reauthorizes the Family Violence Prevention and Services Act (FVPSA), which provides assistance to states, Tribes, and Tribal organizations to assist in efforts to increase public awareness about family violence and provide immediate shelter and related assistance to victims of family violence and their children. The reauthorization: extends the authorization of existing programs to 2007; repeals three programs: The Family Member Abuse and Documentation Project, Model State Leadership Grants, and the Youth Education and Domestic Violence Program; increases the authorization for the National Domestic Violence Hotline to \$5 million; carves out 10 percent of State Grant funds for State Domestic Violence Coalitions; allows for the Secretary to retain administrative funds to implement and evaluate FVPSA programs; establishes a highly secure electronic network to link domestic violence shelters and service providers and the National Domestic Violence Hotline on a confidential website. The website would provide a continuously updated list of shelter availability anywhere in the United States at any time and would provide comprehensive information describing the services each shelter provides such as medical, social and bilingual services. It would also provide internet access to shelters that do not have appropriate tech-

nology; creates the Children Exposed to Domestic Violence Program to provide funds for: shelters and other domestic violence service providers to run programs to address the physical, emotional and logistical needs of children who enter programs with their mothers who are abused; training of child welfare, and where appropriate, court and law enforcement personnel to assist them in addressing cases where child abuse and domestic violence intersect; and, nonprofit agencies to bring various service providers together to design and implement intervention programs for children who witness domestic violence.

Makes several technical corrections to the bill.

Title III of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, as amended (Public Law 95-266) authorizes the Adoption Opportunities Program. The program is intended to eliminate barriers to adoption and to provide permanent homes for children who would benefit from adoption, particularly special needs children and disabled infants with life-threatening conditions.

Seeks to eliminate interjurisdictional barriers to adoption. As part of a revised and updated findings section, the bill would explicitly include the elimination of jurisdictional barriers to adoption. It notes that the Adoption and Safe Families Act of 1997 prohibited delay or denial of placement of a child across jurisdictional lines, where an appropriate adoptive family was available. The bill would require the Secretary of HHS to fund public or private entities, including States, to eliminate barriers to placing children for adoption across jurisdictional lines. Purposes of this funding would include: developing a uniform homestudy standard and protocols for acceptance of homestudies between States and jurisdictions; developing models of financing cross-jurisdictional placements; expanding capacity of all adoption exchanges to serve increasing numbers of children, including older children least likely to currently be adopted; developing training materials and training social workers on preparing and moving children across State lines; and developing and supporting models for networking among agencies, adoption exchanges, and parent support groups across jurisdictional boundaries.

Within one year of enactment, the bill would require HHS, in consultation with the General Accounting Office, to facilitate interjurisdictional adoption of foster children. Separately, the bill would also make interjurisdictional adoption issues, including financing and best practices, a part of a larger study HHS would be required to conduct on adoption placements. Current law generally allows HHS to fund services provided by public and nonprofit private agencies only. The bill generally allows HHS to include for-profit agencies among eligible grantees.

Increases funding for Adoption Opportunities grants. The current authorization for Adoption Opportunities is \$20 million. The bill would increase the authorization to \$40 million for FY2003 and such sums as necessary for FY2004-FY2007. (The Adoption Opportunities program received an appropriation of \$27.4 million for FY2002.)

The Abandoned Infants Assistance Act of 1988, as amended, Public Law 100-505, authorizes demonstration grants to public and private nonprofit agencies for activities such as preventing the abandonment of infants, identifying and addressing the needs of abandoned infants, recruiting and training foster families for abandoned children, providing residential care for infants and young children who cannot live with their families or be placed in foster care, providing respite

care for families and foster families, and recruiting and training health and social services personnel to work with abandoned children.

Broadens priority for services. Under current law grantees must ensure priority for their services is given to abandoned infants and young children who are HIV-infected, perinatally exposed to HIV, or perinatally drug-exposed. The bill would maintain priority service for these children but would also broaden the priority category to include abandoned infants and young children who have "life threatening illness[es]" or "other special medical need[s]."

Requires studies. The bill would require that HHS conduct a study that: estimates the number of infants and young children who are relinquished, abandoned or found deceased in the United States and the number of young children who are HIV positive, have a life-threatening illness or other special medical need, or have been perinatally exposed to HIV or a dangerous drug; estimates the annual number of infants and young children who are victims of homicide; determines the characteristics of parents who have abandoned a child within a year of the child's birth; and estimates the annual costs incurred by all levels of government to provide housing and care for abandoned infants and young children.

The bill would further require HHS to report findings of this study to Congress not later than 36 months after enactment of the legislation. Separately, HHS would be required to evaluate and report on effective intervention methods to prevent abandonment of children and effective ways of responding to the needs of abandoned children.

Increases funds for Abandonment Infants Assistance grants. The current authorization for Abandoned Infants Assistance is \$35 million. The bill would increase authorization to \$45 million for FY2003 and such sums as necessary for FY2004-FY2007. The Abandoned Infants Assistance program received an appropriation of \$12.2 million for FY2002.

S. 2998

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the "Keeping Children and Families Safe Act of 2002".

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

Sec. 1. Short title; table of contents.

### TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

Sec. 101. Findings.

#### Subtitle A—General Program

Sec. 111. National Clearinghouse for Information Relating to Child Abuse.

Sec. 112. Research and assistance activities and demonstrations.

Sec. 113. Grants to States and public or private agencies and organizations.

Sec. 114. Grants to States for child abuse and neglect prevention and treatment programs.

Sec. 115. Miscellaneous requirements relating to assistance.

Sec. 116. Authorization of appropriations.

#### Subtitle B—Community-Based Grants for the Prevention of Child Abuse

Sec. 121. Purpose and authority.

Sec. 122. Eligibility.

Sec. 123. Amount of grant.

Sec. 124. Existing grants.

Sec. 125. Application.

Sec. 126. Local program requirements.

Sec. 127. Performance measures.

Sec. 128. National network for community-based family resource programs.

Sec. 129. Definitions.

Sec. 130. Authorization of appropriations.

## TITLE II—AMENDMENTS TO FAMILY VIOLENCE PREVENTION AND SERVICES ACT

### Subtitle A—Reauthorization of Grant Programs

Sec. 201. State demonstration grants.

Sec. 202. Secretarial responsibilities.

Sec. 203. Evaluation.

Sec. 204. Information and technical assistance centers.

Sec. 205. General authorization of appropriations.

Sec. 206. Grants for State domestic violence coalitions.

Sec. 207. Evaluation and monitoring.

Sec. 208. Family member abuse information and documentation project.

Sec. 209. Model State leadership grants.

Sec. 210. National domestic violence hotline grant.

Sec. 211. Youth education and domestic violence.

Sec. 212. Demonstration grants for community initiatives.

Sec. 213. Transitional housing reauthorization.

Sec. 214. Technical and conforming amendments.

### Subtitle B—National Domestic Violence Hotline

Sec. 221. National domestic violence hotline enhancement.

### Subtitle C—Children Exposed to Domestic Violence Program

Sec. 231. Purpose.

Sec. 232. Services for children exposed to domestic violence.

## TITLE III—ADOPTION OPPORTUNITIES

Sec. 301. Congressional findings and declaration of purpose.

Sec. 302. Information and services.

Sec. 303. Study of adoption placements.

Sec. 304. Authorization of appropriations.

Sec. 305. Adoption action plan.

## TITLE IV—ABANDONED INFANTS ASSISTANCE

Sec. 401. Findings.

Sec. 402. Establishment of local programs.

Sec. 403. Evaluations, study, and reports by Secretary.

Sec. 404. Authorization of appropriations.

Sec. 405. Definitions.

## TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

### SEC. 101. FINDINGS.

Section 2 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note) is amended—

(1) in paragraph (1), by striking "close to 1,000,000" and inserting "approximately 900,000";

(2) by redesignating paragraphs (2) through (11) as paragraphs (4) through (13), respectively;

(3) by inserting after paragraph (1) the following:

"(2)(A) more children suffer neglect than any other form of maltreatment; and

"(B) investigations have determined that approximately 63 percent of children who were victims of maltreatment in 2000 suffered neglect, 19 percent suffered physical abuse, 10 percent suffered sexual abuse, and 8 percent suffered emotional maltreatment;

"(3)(A) child abuse can result in the death of a child;

"(B) in 2000, an estimated 1,200 children were counted by child protection services to have died as a result of abuse or neglect; and

"(C) children younger than 1 year old comprised 44 percent of child fatalities and 85 percent of child fatalities were younger than 6 years of age;"

(4) by striking paragraph (4) (as so redesignated), and inserting the following:

"(4)(A) many of these children and their families fail to receive adequate protection and treatment;

"(B) slightly less than half of these children (45 percent in 2000) and their families fail to receive adequate protection or treatment; and

"(C) in fact, approximately 80 percent of all children removed from their homes and placed in foster care in 2000, as a result of an investigation or assessment conducted by the child protective services agency, received no services;"

(5) in paragraph (5) (as so redesignated)—

(A) in subparagraph (A), by striking "organizations" and inserting "community-based organizations";

(B) in subparagraph (D), by striking "ensures" and all that follows through "knowledge," and inserting "recognizes the need for properly trained staff with the qualifications needed"; and

(C) in subparagraph (E), by inserting before the semicolon the following: "which may impact child rearing patterns, while at the same time, not allowing those differences to enable abuse";

(6) in paragraph (7) (as so redesignated), by striking "this national child and family emergency" and inserting "child abuse and neglect"; and

(7) in paragraph (9) (as so redesignated)—

(A) by striking "intensive" and inserting "needed"; and

(B) by striking "if removal has taken place" and inserting "where appropriate".

### Subtitle A—General Program

## SEC. 111. NATIONAL CLEARINGHOUSE FOR INFORMATION RELATING TO CHILD ABUSE.

(a) **FUNCTIONS.**—Section 103(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5104(b)) is amended—

(1) in paragraph (1), by striking "all programs," and all that follows through "neglect; and" and inserting "all effective programs, including private and community-based programs, that show promise of success with respect to the prevention, assessment, identification, and treatment of child abuse and neglect and hold the potential for broad scale implementation and replication;"

(2) in paragraph (2), by striking the period and inserting a semicolon;

(3) by redesignating paragraph (2) as paragraph (3);

(4) by inserting after paragraph (1) the following:

"(2) maintain information about the best practices used for achieving improvements in child protective systems;" and

(5) by adding at the end the following:

"(4) provide technical assistance upon request that may include an evaluation or identification of—

"(A) various methods and procedures for the investigation, assessment, and prosecution of child physical and sexual abuse cases;

"(B) ways to mitigate psychological trauma to the child victim; and

"(C) effective programs carried out by the States under this Act; and

"(5) provide for and disseminate information relating to various training resources available at the State and local level to—

"(A) individuals who are engaged, or who intend to engage, in the prevention, identification, and treatment of child abuse and neglect; and

"(B) appropriate State and local officials to assist in training law enforcement, legal,

judicial, medical, mental health, education, and child welfare personnel.”.

(b) **COORDINATION WITH AVAILABLE RESOURCES.**—Section 103(c)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5104(c)(1)) is amended—

(1) in subparagraph (E), by striking “105(a); and” and inserting “104(a);”;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

“(F) collect and disseminate information that describes best practices being used throughout the Nation for making appropriate referrals related to, and addressing, the physical, developmental, and mental health needs of abused and neglected children; and”.

**SEC. 112. RESEARCH AND ASSISTANCE ACTIVITIES AND DEMONSTRATIONS.**

(a) **RESEARCH.**—Section 104(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5105(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) in the first sentence, by inserting “, including longitudinal research,” after “interdisciplinary program of research”; and

(ii) in the second sentence, by striking “may” and inserting “shall primarily”;

(B) in subparagraph (B), by inserting before the semicolon the following: “, including the effects of abuse and neglect on a child’s development and the identification of successful early intervention services or other services that are needed”;

(C) in subparagraph (C)—

(i) by striking “judicial procedures” and inserting “judicial systems, including multidisciplinary, coordinated decisionmaking procedures”; and

(ii) by striking “and” at the end; and

(D) in subparagraph (D)—

(i) in clause (viii), by striking “and” at the end;

(ii) by redesignating clause (ix) as clause (x); and

(iii) by inserting after clause (viii), the following:

“(ix) the incidence and prevalence of child maltreatment by a wide array of demographic characteristics such as age, sex, race, household relationship, family structure, school enrollment and education attainment, disability, grandparents as caregivers, labor force status, work status in previous year, and income in previous year; and”;

(E) by redesignating subparagraph (D) as subparagraph (I); and

(F) by inserting after subparagraph (C), the following:

“(D) the evaluation and dissemination of best practices consistent with the goals of achieving improvements in the child protective services systems of the States in accordance with paragraphs (1) through (12) of section 106(a);

“(E) effective approaches to interagency collaboration between the child protection system and the juvenile justice system that improve the delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems;

“(F) an evaluation of the redundancies and gaps in the services in the field of child abuse and neglect prevention in order to make better use of resources;

“(G) the nature, scope, and practice of voluntary relinquishment for foster care or State guardianship of low income children who need health services, including mental health services;

“(H) the information on the national incidence of child abuse and neglect specified in

clauses (i) through (xi) of subparagraph (H); and”;

(2) by redesignating paragraph (2) as paragraph (4);

(3) by inserting after paragraph (1) the following:

“(2) **RESEARCH.**—The Secretary shall conduct research on the national incidence of child abuse and neglect, including the information on the national incidence on child abuse and neglect specified in subparagraphs (i) through (ix) of paragraph (1)(I).

“(3) **REPORT.**—Not later than 4 years after the date of the enactment of the Keeping Children and Families Safe Act of 2002, the Secretary shall prepare and submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report that contains the results of the research conducted under paragraph (2).”.

(b) **PROVISION OF TECHNICAL ASSISTANCE.**—Section 104(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5105(b)) is amended—

(1) in paragraph (1), by striking “nonprofit agencies and” and inserting “private agencies and community-based”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) effective approaches being utilized to link child protective service agencies with health care, mental health care, and developmental services to improve forensic diagnosis and health evaluations, and barriers and shortages to such linkages.”.

(c) **DEMONSTRATION PROGRAMS AND PROJECTS.**—Section 104 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5105) is amended by adding at the end the following:

“(e) **DEMONSTRATION PROGRAMS AND PROJECTS.**—The Secretary may award grants to, and enter into contracts with, States or public or private agencies or organizations (or combinations of such agencies or organizations) for time-limited, demonstration projects for the following:

“(1) **PROMOTION OF SAFE, FAMILY-FRIENDLY PHYSICAL ENVIRONMENTS FOR VISITATION AND EXCHANGE.**—The Secretary may award grants under this subsection to entities to assist such entities in establishing and operating safe, family-friendly physical environments—

“(A) for court-ordered, supervised visitation between children and abusing parents; and

“(B) to safely facilitate the exchange of children for visits with noncustodial parents in cases of domestic violence.

“(2) **EDUCATION IDENTIFICATION, PREVENTION, AND TREATMENT.**—The Secretary may award grants under this subsection to entities for projects that provide educational identification, prevention, and treatment services in cooperation with preschool and elementary and secondary schools.

“(3) **RISK AND SAFETY ASSESSMENT TOOLS.**—The Secretary may award grants under this subsection to entities for projects that provide for the development of risk and safety assessment tools relating to child abuse and neglect.

“(4) **TRAINING.**—The Secretary may award grants under this subsection to entities for projects that involve innovative training for mandated child abuse and neglect reporters.

“(5) **COMPREHENSIVE ADOLESCENT VICTIM/VICTIMIZER PREVENTION PROGRAMS.**—The Secretary may award grants to organizations that demonstrate innovation in preventing child sexual abuse through school-based pro-

grams in partnership with parents and community-based organizations to establish a network of trainers who will work with schools to implement the program. The program shall be comprehensive, meet State guidelines for health education, and should reduce child sexual abuse by focusing on prevention for both adolescent victims and victimizers.”.

**SEC. 113. GRANTS TO STATES AND PUBLIC OR PRIVATE AGENCIES AND ORGANIZATIONS.**

(a) **DEMONSTRATION PROGRAMS AND PROJECTS.**—Section 105(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)) is amended—

(1) in the subsection heading, by striking “DEMONSTRATION” and inserting “GRANTS FOR”;

(2) in the matter preceding paragraph (1)—

(A) by inserting “States,” after “contracts with.”;

(B) by striking “nonprofit”; and

(C) by striking “time limited, demonstration”;

(3) in paragraph (1)—

(A) in subparagraph (A), by striking “education, social work, and other relevant fields” and inserting “law enforcement, judiciary, social work and child protection, education, and other relevant fields, or individuals such as court appointed special advocates (CASAs) and guardian ad litem.”;

(B) in subparagraph (B), by striking “nonprofit” and all that follows through “; and” and inserting “children, youth and family service organizations in order to prevent child abuse and neglect.”;

(C) in subparagraph (C), by striking the period and inserting a semicolon;

(D) by adding at the end the following:

“(D) for training to support the enhancement of linkages between child protective service agencies and health care agencies, including physical and mental health services, to improve forensic diagnosis and health evaluations and for innovative partnerships between child protective service agencies and health care agencies that offer creative approaches to using existing Federal, State, local, and private funding to meet the health evaluation needs of children who have been subjects of substantiated cases of child abuse or neglect;

“(E) for the training of personnel in best practices to promote collaboration with the families from the initial time of contact during the investigation through treatment;

“(F) for the training of personnel regarding their responsibilities to protect the legal rights of children and families;

“(G) for improving the training of supervisory and nonsupervisory child welfare workers;

“(H) for enabling State child welfare agencies to coordinate the provision of services with State and local health care agencies, alcohol and drug abuse prevention and treatment agencies, mental health agencies, and other public and private welfare agencies to promote child safety, permanence, and family stability;

“(I) for cross training for child protective service workers in recognizing situations of substance abuse, domestic violence, and neglect; and

“(J) for developing, implementing, or operating information and education programs or training programs designed to improve the provision of services to disabled infants with life-threatening conditions for—

“(i) professionals and paraprofessional personnel concerned with the welfare of disabled infants with life-threatening conditions, including personnel employed in child protective services programs and health care facilities; and

“(ii) the parents of such infants.”;

(4) by redesignating paragraph (2) and (3) as paragraphs (3) and (4), respectively;

(5) by inserting after paragraph (1), the following:

“(2) **TRIAGE PROCEDURES.**—The Secretary may award grants under this subsection to public and private agencies that demonstrate innovation in responding to reports of child abuse and neglect, including programs of collaborative partnerships between the State child protective services agency, community social service agencies and family support programs, schools, churches and synagogues, and other community agencies, to allow for the establishment of a triage system that—

“(A) accepts, screens, and assesses reports received to determine which such reports require an intensive intervention and which require voluntary referral to another agency, program, or project;

“(B) provides, either directly or through referral, a variety of community-linked services to assist families in preventing child abuse and neglect; and

“(C) provides further investigation and intensive intervention where the child's safety is in jeopardy.”;

(6) in paragraph (3) (as so redesignated), by striking “(such as Parents Anonymous)”;

(7) in paragraph (4) (as so redesignated)—

(A) by striking the paragraph heading;

(B) by striking subparagraphs (A) and (C); and

(C) in subparagraph (B)—

(i) by striking “(B) **KINSHIP CARE.**—” and inserting the following:

“(4) **KINSHIP CARE.**—

“(A) **IN GENERAL.**—”; and

(ii) by striking “nonprofit”; and

(8) by adding at the end the following:

“(5) **LINKAGES BETWEEN CHILD PROTECTIVE SERVICE AGENCIES AND PUBLIC HEALTH, MENTAL HEALTH, AND DEVELOPMENTAL DISABILITIES AGENCIES.**—The Secretary may award grants to entities that provide linkages between State or local child protective service agencies and public health, mental health, and developmental disabilities agencies, for the purpose of establishing linkages that are designed to help assure that a greater number of substantiated victims of child maltreatment have their physical health, mental health, and developmental needs appropriately diagnosed and treated.”.

(b) **DISCRETIONARY GRANTS.**—Section 105(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(b)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(3) by inserting after paragraph (2) (as so redesignated), the following:

“(3) Programs based within children's hospitals or other pediatric and adolescent care facilities, that provide model approaches for improving medical diagnosis of child abuse and neglect and for health evaluations of children for whom a report of maltreatment has been substantiated.”; and

(4) in paragraph (4)(D), by striking “non-profit”.

(c) **EVALUATION.**—Section 105(c) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(c)) is amended—

(1) in the first sentence, by striking “demonstration”;

(2) in the second sentence, by inserting “or contract” after “or as a separate grant”; and

(3) by adding at the end the following: “In the case of an evaluation performed by the recipient of a grant, the Secretary shall make available technical assistance for the evaluation, where needed, including the use of a rigorous application of scientific evaluation techniques.”.

(d) **TECHNICAL AMENDMENT TO HEADING.**—The section heading for section 105 of the

Child Abuse Prevention and Treatment Act (42 U.S.C. 5106) is amended to read as follows:

“**SEC. 105. GRANTS TO STATES AND PUBLIC OR PRIVATE AGENCIES AND ORGANIZATIONS.**”.

**SEC. 114. GRANTS TO STATES FOR CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT PROGRAMS.**

(a) **DEVELOPMENT AND OPERATION GRANTS.**—Section 106(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(a)) is amended—

(1) in paragraph (3)—

(A) by inserting “, including ongoing case monitoring,” after “case management”; and

(B) by inserting “and treatment” after “and delivery of services”;

(2) in paragraph (4), by striking “improving” and all that follows through “referral systems” and inserting “developing, improving, and implementing risk and safety assessment tools and protocols”;

(3) by striking paragraph (7);

(4) by redesignating paragraphs (5), (6), (8), and (9) as paragraphs (6), (8), (9), and (12), respectively;

(5) by inserting after paragraph (4), the following:

“(5) developing and updating systems of technology that support the program and track reports of child abuse and neglect from intake through final disposition and allow interstate and intrastate information exchange”;

(6) in paragraph (6) (as so redesignated), by striking “opportunities” and all that follows through “system” and inserting “including safety training opportunities and requirements for child protection workers”;

(7) by inserting after paragraph (6) (as so redesignated) the following:

“(7) improving the skills, qualifications, and availability of individuals providing services to children and families, and the supervisors of such individuals, through the child protection system, including improvements in the recruitment and retention of caseworkers”;

(8) by striking paragraph (9) (as so redesignated), and inserting the following:

“(9) developing and facilitating training protocols for individuals mandated to report child abuse or neglect;

“(10) developing, implementing, or operating programs to assist in obtaining or coordinating necessary services for families of disabled infants with life-threatening conditions, including—

“(A) existing social and health services;

“(B) financial assistance; and

“(C) services necessary to facilitate adoptive placement of any such infants who have been relinquished for adoption;

“(11) developing and delivering information to improve public education relating to the role and responsibilities of the child protection system and the nature and basis for reporting suspected incidents of child abuse and neglect”;

(9) in paragraph (12) (as so redesignated), by striking the period and inserting a semicolon;

(10) by adding at the end the following:

“(13) supporting and enhancing inter-agency collaboration between the child protection system and the juvenile justice system for improved delivery of services and treatment, including methods for continuity of treatment plan and services as children transition between systems; or

“(14) supporting and enhancing collaboration among public health agencies, the child protection system, and private community-based programs to provide child abuse and neglect prevention and treatment services (including linkages with education systems) and to address the health needs, including mental health needs, of children identified as

abused or neglected, including supporting prompt, comprehensive health and developmental evaluations for children who are the subject of substantiated child maltreatment reports.”.

(b) **ELIGIBILITY REQUIREMENTS.**—

(1) **IN GENERAL.**—Section 106(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)) is amended—

(A) in paragraph (1)(B)—

(i) by striking “provide notice to the Secretary of any substantive changes” and inserting the following: “provide notice to the Secretary—

“(i) of any substantive changes; and”;

(ii) by striking the period and inserting “; and”;

(iii) by adding at the end the following:

“(ii) any significant changes to how funds provided under this section are used to support the activities which may differ from the activities as described in the current State application.”;

(B) in paragraph (2)(A)—

(i) by redesignating clauses (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), and (xiii) as clauses (iii), (v), (vi), (vii), (ix), (x), (xi), (xii), (xiv), (xv) and (xvi), respectively;

(ii) by inserting after clause (i), the following:

“(ii) policies and procedures (including appropriate referrals to child protection service systems and for other appropriate services) to address the needs of infants born and identified with illegal substance abuse or withdrawal symptoms resulting from prenatal drug exposure”;

(iii) in clause (iii) (as so redesignated), by inserting “risk and” before “safety”;

(iv) by inserting after clause (iii) (as so redesignated), the following:

“(iv) triage procedures for the referral of a child not at risk of imminent harm to a community organization or voluntary preventive service”;

(v) in clause (vii)(II) (as so redesignated), by striking “, having a need for such responsibilities under law to protect children from abuse and neglect” and inserting “, as described in clause (viii)”;

(vi) by inserting after clause (vii) (as so redesignated), the following:

“(viii) provisions to require disclosures of confidential information to any Federal, State, or local government entity, or any agent of such entity, that has a need for such information in order to carry out its responsibilities under law to protect children from abuse and neglect”;

(vii) in clause (xii) (as so redesignated)—

(I) by inserting “who has received training appropriate to the role, and” after “guardian ad litem”;

(II) by inserting “who has received training appropriate to that role” after “advocate”;

(viii) in clause (xiv) (as so redesignated), by striking “to be effective not later than 2 years after the date of enactment of this section”;

(ix) in clause (xv) (as so redesignated)—

(I) by striking “to be effective not later than 2 years after the date of enactment of this section”;

(II) by striking “and” at the end;

(x) in clause (xvi) (as so redesignated), by striking “clause (xii)” each place that such appears and inserting “clause (xv)”;

(xi) by adding at the end the following:

“(xvii) provisions and procedures to require that a representative of the child protective services agency shall, at the initial time of contact with the individual subject to a child abuse and neglect investigation, advise the individual of the complaints or allegations made against the individual, in a

manner that is consistent with laws protecting the rights of the informant;

“(xviii) provisions and procedures for improving the training, retention, and supervision of caseworkers; and

“(xix) not later than 2 years after the date of enactment of the Keeping Children and Families Safe Act of 2002, provisions and procedures for requiring criminal background record checks for prospective foster and adoptive parents and other adult relatives and non-relatives residing in the household;” and

(C) in paragraph (2), by adding at the end the following flush sentence:

“Nothing in subparagraph (A) shall be construed to limit the State’s flexibility to determine State policies relating to public access to court proceedings to determine child abuse and neglect.”.

(2) LIMITATION.—Section 106(b)(3) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(3)) is amended by striking “With regard to clauses (v) and (vi) of paragraph (2)(A)” and inserting “With regard to clauses (vi) and (vii) of paragraph (2)(A)”.

(c) CITIZEN REVIEW PANELS.—Section 106(c) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(c)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i)—

(I) by striking “and procedures” and inserting “, procedures, and practices”; and

(II) by striking “the agencies” and inserting “State and local child protection system agencies”; and

(ii) in clause (iii)(I), by striking “State” and inserting “State and local”; and

(B) by adding at the end the following:

“(C) PUBLIC OUTREACH.—Each panel shall provide for public outreach and comment in order to assess the impact of current procedures and practices upon children and families in the community and in order to meet its obligations under subparagraph (A).”; and

(2) in paragraph (6)—

(A) by striking “public” and inserting “State and the public”; and

(B) by inserting before the period the following: “and recommendations to improve the child protection services system at the State and local levels. Not later than 6 months after the date on which a report is submitted by the panel to the State, the appropriate State agency shall submit a written response to the State and local child protection systems that describes whether or how the State will incorporate the recommendations of such panel (where appropriate) to make measurable progress in improving the State and local child protective system”.

(d) ANNUAL STATE DATA REPORTS.—Section 106(d) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(d)) is amended by adding at the end the following:

“(13) The annual report containing the summary of the activities of the citizen review panels of the State required by subsection (c)(6).”.

#### SEC. 115. MISCELLANEOUS REQUIREMENTS RELATING TO ASSISTANCE.

(a) IN GENERAL.—Section 108 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106d) is amended by adding at the end the following:

“(d) GAO STUDY.—Not later than February 1, 2003, the Comptroller General of the United States shall conduct a survey of a wide range of State and local child protection service systems to evaluate and submit to Congress a report concerning—

“(1) the current training (including cross-training in domestic violence or substance abuse) of child protective service workers in the outcomes for children and to analyze and evaluate the effects of caseloads, compensa-

tion, and supervision on staff retention and performance;

“(2) the efficiencies and effectiveness of agencies that provide cross-training with court personnel; and

“(3) recommendations to strengthen child protective service effectiveness to improve outcomes for children.

“(e) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary should encourage all States and public and private agencies or organizations that receive assistance under this title to ensure that children and families with limited English proficiency who participate in programs under this title are provided materials and services under such programs in an appropriate language other than English.

“(f) ANNUAL REPORT ON CERTAIN PROGRAMS.—A State that receives funds under section 106(a) shall annually prepare and submit to the Secretary a report describing the manner in which funds provided under this Act, alone or in combination with other Federal funds, were used to address the purposes and achieve the objectives of section 105(a)(4)(B).”.

(b) OPPORTUNITY PASSPORTS.—

(1) IN GENERAL.—Section 105(a)(4) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)(3)) (as so redesignated) is amended by adding at the end the following:

“(B) OPPORTUNITY PASSPORTS AND OTHER ASSISTANCE.—

“(i) GRANTS.—The Secretary, in collaboration with the John H. Chafee Foster Care Independence Board (under section 477 of the Social Security Act), may make grants to eligible partnerships of public agencies or private nonprofit organizations in not more than 10 States to assist the partnerships in developing and implementing methods of providing long- and short-term financial security for youth in foster care and youth aging out of foster care. A partnership shall be eligible for a grant under this subparagraph if such partnership has a board of directors that includes representatives of youth in foster care and aging out of foster care.

“(ii) USE OF FUNDS.—

“(I) IN GENERAL.—A partnership that receives a grant under clause (i) shall use the funds made available through the grant to carry out 1 or more of the activities described in subclauses (II) or (III).

“(II) OPPORTUNITY PASSPORTS.—The partnership may use the funds to develop and provide, for youth in foster care and aging out of foster care, electronic opportunity passports, electronic cards or secure Internet databases that contain medical records, legal identification (analogous to a Social Security card or birth certificate), and school transcripts, to ensure that the youth can carry or readily access the vital information.

“(III) INDIVIDUAL DEVELOPMENT ACCOUNTS.—The partnership may use the funds to establish and provide individual development accounts, to assist youth in foster care and aging out of foster care to obtain post-secondary education, pay for housing, pay for medical care, or operate a business. In establishing and providing such an account, the partnership shall provide a small amount of seed money and shall require the account holder to attend money management training and contribute to the account before receiving access to the account.

“(iii) ACCOUNTS MAINTAINED AFTER ADOPTION.—An account established for an individual under this subparagraph shall not terminate as a result of the adoption of the individual.

“(iv) OTHER FEDERAL ASSISTANCE.—The amount of assistance provided to an individual under this subparagraph may be dis-

regarded for purposes of determining the individual’s eligibility for, or the amount of, any other Federal or Federally supported assistance, except that the total amount of assistance to an individual under this subparagraph and under other Federal and Federally supported programs shall not exceed the total cost of attendance, as defined in section 472 of the Higher Education Act of 1965, and except that the partnership shall take appropriate steps to prevent duplication of benefits under this and other Federal or Federally supported programs.

“(v) PRIVACY.—Information concerning an individual that is obtained by a partnership in the implementation of this subparagraph shall remain private and confidential and shall not be disclosed without the informed consent of the individual or otherwise in accordance with applicable Federal, State, or local laws relating to medical privacy. An entity that discloses information in violation of this clause shall be subject to applicable Federal, State or local laws relating to the unlawful disclosure of confidential information.

“(vi) DEFINITION.—In this subparagraph, the term ‘youth aging out of foster care’ means children who are—

“(I) leaving foster care because such children have attained the maximum age for foster care eligibility in a State; and

“(II) transitioning to independent living, as determined by the Secretary.”.

(2) FUNDING.—Section 112 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106h) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) in subsection (a)(1), by inserting “(other than section 105(a)(4)(B))” after “title”; and

(3) by inserting after subsection (a) the following:

“(b) OPPORTUNITY PASSPORTS.—There are authorized to be appropriated to carry out section 105(a)(4)(B) \$10,000,000 for fiscal year 2003 and such sums as may be necessary for each subsequent fiscal year. Of the amount appropriated in each such fiscal year, not less than 75 percent of such amount shall be used as provided for under clause (ii)(II) of such section.”.

#### SEC. 116. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—Section 112(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106h(a)(1)) is amended to read as follows:

“(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated to carry out this title \$120,000,000 for fiscal year 2003 and such sums as may be necessary for each of the fiscal years 2004 through 2007.”.

(b) DEMONSTRATION PROJECTS.—Section 112(a)(2)(B) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106h(a)(2)(B)) is amended—

(1) by striking “Secretary make” and inserting “Secretary shall make”; and

(2) by striking “section 106” and inserting “section 104”.

#### Subtitle B—Community-Based Grants for the Prevention of Child Abuse

#### SEC. 121. PURPOSE AND AUTHORITY.

(a) PURPOSE.—Section 201(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116(a)(1)) is amended to read as follows:

“(1) to support community-based efforts to develop, operate, expand, enhance, and, where appropriate to network, initiatives aimed at the prevention of child abuse and neglect, and to support networks of coordinated resources and activities to better strengthen and support families to reduce the likelihood of child abuse and neglect; and”.



(b) **AUTHORITY.**—Section 201(b) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116(b)) is amended—

(1) in paragraph (1)—

(A) by striking “Statewide” and all that follows through the dash, and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect (through networks where appropriate) that are accessible, effective, culturally appropriate, and build upon existing strengths that—”;

(B) in subparagraph (F), by striking “and” at the end; and

(C) by striking subparagraph (G) and inserting the following:

“(G) demonstrate a commitment to meaningful parent leadership, including among parents of children with disabilities, parents with disabilities, racial and ethnic minorities, and members of other underrepresented or underserved groups; and

“(H) provide referrals to early health and developmental services;”;

(2) in paragraph (4)—

(A) by inserting “through leveraging of funds” after “maximizing funding”;

(B) by striking “a Statewide network of community-based, prevention-focused” and inserting “community-based and prevention-focused”;

(C) by striking “family resource and support program” and inserting “programs and activities designed to prevent child abuse and neglect (through networks where appropriate)”.

(c) **TECHNICAL AMENDMENT TO TITLE HEAD-ING.**—Title II of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116) is amended by striking the heading for such title and inserting the following:

**“TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT”.**

**SEC. 122. ELIGIBILITY.**

Section 202 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116a) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking “a Statewide network of community-based, prevention-focused” and inserting “community-based and prevention-focused”;

(ii) by striking “family resource and support programs” and all that follows through the semicolon and inserting “programs and activities designed to prevent child abuse and neglect (through networks where appropriate)”;

(B) in subparagraph (B), by inserting “that exists to strengthen and support families to prevent child abuse and neglect” after “written authority of the State”;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “a network of community-based family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect (through networks where appropriate)”;

(B) in subparagraph (B), by striking “to the network”;

(C) in subparagraph (C), by striking “to the network”; and

(3) in paragraph (3)—

(A) in subparagraph (A), by striking “Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect (through networks where appropriate)”;

(B) in subparagraph (B), by striking “Statewide network of community-based,

prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities to prevent child abuse and neglect (through networks where appropriate)”;

(C) in subparagraph (C), by striking “and training and technical assistance, to the Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “training, technical assistance, and evaluation assistance, to community-based and prevention-focused programs and activities to prevent child abuse and neglect (through networks where appropriate)”;

(D) in subparagraph (D), by inserting “, parents with disabilities,” after “children with disabilities”.

**SEC. 123. AMOUNT OF GRANT.**

Section 203(b)(1)(B) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116b(b)(1)(B)) is amended—

(1) by striking “as the amount leveraged by the State from private, State, or other non-Federal sources and directed through the” and inserting “as the amount of private, State or other non-Federal funds leveraged and directed through the currently designated”;

(2) by striking “the lead agency” and inserting “the current lead agency”.

**SEC. 124. EXISTING GRANTS.**

Section 204 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5115c) is repealed.

**SEC. 125. APPLICATION.**

Section 205 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116d) is amended—

(1) in paragraph (1), by striking “Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities to prevent child abuse and neglect (through networks where appropriate)”;

(2) in paragraph (2)—

(A) by striking “network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities to prevent child abuse and neglect (through networks where appropriate)”;

(B) by striking “, including those funded by programs consolidated under this Act,”;

(3) by striking paragraph (3), and inserting the following:

“(3) a description of the inventory of current unmet needs and current community-based and prevention-focused programs and activities to prevent child abuse and neglect, and other family resource services operating in the State;”;

(4) in paragraph (4), by striking “State’s network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(5) in paragraph (5), by striking “Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(6) in paragraph (7), by striking “individual community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(7) in paragraph (8), by striking “community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(8) in paragraph (9), by striking “community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(9) in paragraph (10), by inserting “(where appropriate)” after “members”;

(10) in paragraph (11), by striking “prevention-focused, family resource and support program” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(11) by redesignating paragraph (13) as paragraph (12).

**SEC. 126. LOCAL PROGRAM REQUIREMENTS.**

Section 206(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116e(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “prevention-focused, family resource and support programs” and inserting “and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(2) in paragraph (3)(B), by inserting “voluntary home visiting and” after “including”;

(3) by striking paragraph (6) and inserting the following:

“(6) participate with other community-based and prevention-focused programs and activities to prevent child abuse and neglect in the development, operation and expansion of networks where appropriate.”.

**SEC. 127. PERFORMANCE MEASURES.**

Section 207 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116f) is amended—

(1) in paragraph (1), by striking “a Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities to prevent child abuse and neglect”;

(2) by striking paragraph (3), and inserting the following:

“(3) shall demonstrate that they will have addressed unmet needs identified by the inventory and description of current services required under section 205(3);”;

(3) in paragraph (4),

(A) by inserting “and parents with disabilities,” after “children with disabilities,”;

(B) by striking “evaluation of” the first place it appears and all that follows through “under this title” and inserting “evaluation of community-based and prevention-focused programs and activities to prevent child abuse and neglect, and in the design, operation and evaluation of the networks of such community-based and prevention-focused programs”;

(4) in paragraph (5), by striking “, prevention-focused, family resource and support programs” and inserting “and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(5) in paragraph (6), by striking “Statewide network of community-based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”;

(6) in paragraph (8), by striking “community based, prevention-focused, family resource and support programs” and inserting “community-based and prevention-focused programs and activities designed to prevent child abuse and neglect”.

**SEC. 128. NATIONAL NETWORK FOR COMMUNITY-BASED FAMILY RESOURCE PROGRAMS.**

Section 208(3) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116g(3)) is

amended by striking "Statewide networks of community-based, prevention-focused, family resource and support programs" and inserting "community-based and prevention-focused programs and activities designed to prevent child abuse and neglect".

#### SEC. 129. DEFINITIONS.

(a) CHILDREN WITH DISABILITIES.—Section 209(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h(1)) is amended by striking "given such term in section 602(a)(2)" and inserting "given the term 'child with a disability' in section 602(3)".

(b) COMMUNITY-BASED AND PREVENTION-FOCUSED PROGRAMS AND ACTIVITIES TO PREVENT CHILD ABUSE AND NEGLECT.—Section 209 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116h) is amended by striking paragraphs (3) and (4) and inserting the following:

"(3) COMMUNITY-BASED AND PREVENTION-FOCUSED PROGRAMS AND ACTIVITIES TO PREVENT CHILD ABUSE AND NEGLECT.—The term 'community-based and prevention-focused programs and activities to prevent child abuse and neglect' includes organizations such as family resource programs, family support programs, voluntary home visiting programs, respite care programs, parenting education, mutual support programs, and other community programs that provide activities that are designed to prevent or respond to child abuse and neglect."

#### SEC. 130. AUTHORIZATION OF APPROPRIATIONS.

Section 210 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5116i) is amended to read as follows:

#### "SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title \$80,000,000 for fiscal year 2003 and such sums as may be necessary for each of the fiscal years 2004 through 2007."

### TITLE II—AMENDMENTS TO FAMILY VIOLENCE PREVENTION AND SERVICES ACT

#### Subtitle A—Reauthorization of Grant Programs

#### SEC. 201. STATE DEMONSTRATION GRANTS.

(a) UNDERSERVED POPULATIONS.—Section 303(a)(2)(C) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)(2)(C)) is amended by striking "underserved populations," and all that follows and inserting the following: "underserved populations, as defined in section 2003 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2)".

(b) REPORT.—Section 303(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10402(a)) is amended by adding at the end the following:

"(5) Upon completion of the activities funded by a grant under this title, the State grantee shall submit to the Secretary a report that contains a description of the activities carried out under paragraph (2)(B)(i)."

#### SEC. 202. SECRETARIAL RESPONSIBILITIES.

Section 305(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10404(a)) is amended—

(1) by striking "an employee" and inserting "1 or more employees";

(2) by striking "of this title." and inserting "of this title, including carrying out evaluation and monitoring under this title."; and

(3) by striking "The individual" and inserting "Any individual".

#### SEC. 203. EVALUATION.

Section 306 of the Family Violence Prevention and Services Act (42 U.S.C. 10405) is amended in the first sentence by striking "Not later than two years after the date on which funds are obligated under section 303(a) for the first time after the date of the

enactment of this title, and every two years thereafter," and inserting "Every 2 years,".

#### SEC. 204. INFORMATION AND TECHNICAL ASSISTANCE CENTERS.

Section 308 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) is amended by striking subsection (g).

#### SEC. 205. GENERAL AUTHORIZATION OF APPROPRIATIONS.

Section 310(a) of the Family Violence Prevention and Services Act (42 U.S.C. 10409(a)) is amended to read as follows:

"(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$175,000,000 for each of fiscal years 2003 through 2007."

#### SEC. 206. GRANTS FOR STATE DOMESTIC VIOLENCE COALITIONS.

(a) FUNDING.—Section 311(g) of the Family Violence Prevention and Services Act (42 U.S.C. 10410(g)) is amended to read as follows:

"(g) FUNDING.—Of the amount appropriated pursuant to the authorization of appropriations under section 310(a) for a fiscal year, not less than 10 percent of such amount shall be made available to award grants under this section."

(b) REGULATIONS.—Section 311 of the Family Violence Prevention and Services Act (42 U.S.C. 10410) is amended by striking subsection (h).

#### SEC. 207. EVALUATION AND MONITORING.

Section 312 of the Family Violence Prevention and Services Act (42 U.S.C. 10412) is amended by adding at the end the following:

"(c) Of the amount appropriated under section 310(a) for each fiscal year, not more than 2 percent shall be used by the Secretary for evaluation, monitoring, and other administrative costs under this title."

#### SEC. 208. FAMILY MEMBER ABUSE INFORMATION AND DOCUMENTATION PROJECT.

Section 313 of the Family Violence Prevention and Services Act (42 U.S.C. 10413) is repealed.

#### SEC. 209. MODEL STATE LEADERSHIP GRANTS.

Section 315 of the Family Violence Prevention and Services Act (42 U.S.C. 10415) is repealed.

#### SEC. 210. NATIONAL DOMESTIC VIOLENCE HOTLINE GRANT.

(a) DURATION.—Section 316(b) of the Family Violence Prevention and Services Act (42 U.S.C. 10416(b)) is amended—

(1) by striking "A grant" and inserting the following:

"(1) IN GENERAL.—Except as provided in paragraph (2), a grant"; and

(2) by adding at the end the following:

"(2) EXTENSION.—The Secretary may extend the duration of a grant under this section beyond the period described in paragraph (1) if, prior to such extension—

"(A) the entity prepares and submits to the Secretary a report that evaluates the effectiveness of the use of amounts received under the grant for the period described in paragraph (1) and contains any other information the Secretary may prescribe; and

"(B) the report and other appropriate criteria indicate that the entity is successfully operating the hotline in accordance with subsection (a)."

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 316(f)(1) of the Family Violence Prevention and Services Act (42 U.S.C. 10416(f)(1)) is amended to read as follows:

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2003 through 2007."

#### SEC. 211. YOUTH EDUCATION AND DOMESTIC VIOLENCE.

Section 317 of the Family Violence Prevention and Services Act (42 U.S.C. 10417) is repealed.

#### SEC. 212. DEMONSTRATION GRANTS FOR COMMUNITY INITIATIVES.

(a) IN GENERAL.—Section 318(h) of the Family Violence Prevention and Services Act (42 U.S.C. 10418(h)) is amended to read as follows:

"(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$6,000,000 for each of fiscal years 2003 through 2007."

(b) REGULATIONS.—Section 318 of the Family Violence Prevention and Services Act (42 U.S.C. 10418) is amended by striking subsection (i).

#### SEC. 213. TRANSITIONAL HOUSING REAUTHORIZATION.

Section 319(f) of the Family Violence Prevention and Services Act (42 U.S.C. 10419(f)) is amended to read as follows:

"(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2003 through 2007."

#### SEC. 214. TECHNICAL AND CONFORMING AMENDMENTS.

The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended as follows:

(1) In section 302(1) by striking "demonstrate the effectiveness of assisting" and inserting "assist";

(2) In section 303(a)—

(A) in paragraph (2)—

(i) in subparagraph (C), by striking "State domestic violence coalitions knowledgeable individuals and interested organizations" and inserting "State domestic violence coalitions, knowledgeable individuals, and interested organizations"; and

(ii) in subparagraph (F), by adding "and" at the end; and

(B) by aligning the margins of paragraph (4) with the margins of paragraph (3).

(3) In section 305(b)(2)(A) by striking "provide for research, and into" and inserting "provide for research into".

(4) In section 311(a)—

(A) in paragraph (2)(K), by striking "other criminal justice professionals;" and inserting "other criminal justice professionals;" and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking "family law judges," and inserting "family law judges";

(ii) in subparagraph (D), by inserting "criminal court judges," after "family law judges"; and

(iii) in subparagraph (H), by striking "supervised visitations that do not endanger victims and their children" and inserting "supervised visitations or denial of visitation to protect against danger to victims or their children".

#### Subtitle B—National Domestic Violence Hotline

#### SEC. 221. NATIONAL DOMESTIC VIOLENCE HOTLINE ENHANCEMENT.

The Family Violence Prevention and Services Act, as amended by section 211, is further amended by inserting after section 316 (42 U.S.C. 10416) the following:

#### "SEC. 317. NATIONAL DOMESTIC VIOLENCE HOTLINE ENHANCEMENT.

"(a) PURPOSES.—The purposes of this section are as follows:

"(1)(A) To provide a grant to develop a fully secure, continuously updated network of available domestic violence shelters and services across the United States.

"(B) To make the network available to entities consisting of the entity providing the National Domestic Violence Hotline, shelters nationwide, State and local domestic violence agencies, and other domestic violence organizations, to enable such entities to connect a victim of domestic violence to the



most safe, appropriate, and convenient shelter, while the victim remains on the telephone line, or in the most efficient way possible.

“(2) To ensure that domestic violence victims get the help the victims need in a single phone call.

“(b) GRANTS AUTHORIZED.—The Secretary shall award a grant to a nonprofit organization to establish and operate, after consultation and collaboration with appropriate officials of the Department of Health and Human Services, an Internet website (referred to in this section as the ‘Website’) that shall—

“(1) link, to the greatest extent possible, entities consisting of the entity providing the National Domestic Violence Hotline, every domestic violence shelter in the United States, State and local domestic violence agencies, and other domestic violence organizations so that such entities will be able to connect a victim of domestic violence to the most safe, appropriate, and convenient domestic violence shelter, while the victim remains on the telephone line, or in the most efficient way possible;

“(2) be highly secure; and

“(3) contain continuously updated information as to available services and space in domestic violence shelters across the United States, to the maximum extent practicable.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, a nonprofit organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require. The application shall—

“(1) demonstrate the experience of the applicant in successfully developing and managing a technology-based network of domestic violence shelters;

“(2) demonstrate a record of success of the applicant in meeting the needs of domestic violence victims and their families; and

“(3) include a certification that the applicant will—

“(A) implement the highest level security system to ensure the confidentiality of the Website;

“(B) establish, within 5 years, a Website that links the entities described in subsection (b)(1);

“(C) consult with the entities described in subsection (b)(1) in developing and implementing the Website and providing Internet connections; and

“(D) otherwise comply with the requirements of this section.

“(d) USE OF GRANT AWARD.—The recipient of a grant award under this section shall—

“(1) collaborate with officials of the Department of Health and Human Services in a manner determined to be appropriate by the Secretary;

“(2) collaborate with the entity providing the National Domestic Violence Hotline in developing and implementing the network;

“(3) ensure that the Website is continuously updated;

“(4) ensure that the Website provides information describing the services of each domestic violence shelter to which the Website is linked, including information for individuals with limited English proficiency and information concerning access to medical care, social services, transportation, services for children, and other relevant services;

“(5) ensure that the Website provides up-to-the-minute information on available bed space in domestic violence shelters across the United States, to the maximum extent practicable;

“(6) provide training to the staff of the Hotline and to staff of the entities described in subsection (b)(1) regarding how to use the Website to best meet the needs of callers;

“(7) provide Internet access to domestic violence shelters in the United States that do not have the appropriate technology for such access, to the maximum extent practicable; and

“(8) ensure that after the third year of the Website project, the recipient will develop a plan to expand the sources of funding for the Website to include funding from public and private entities, although nothing in this paragraph shall preclude a grant recipient under this section from raising funds from other sources at any time during the 5-year grant period.

“(e) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require any shelter or service provider, whether public or private, to be linked to the website or to provide information to the entity receiving the grant or to the website.

“(f) DURATION OF GRANT.—The term of a grant awarded under this section shall be 5 years.

“(g) EVALUATION.—The Secretary shall annually—

“(1) conduct an evaluation of the grant program carried out under this section in a manner that shall be designed to derive information on—

“(A) the confidentiality of the Website;

“(B) the progress of the grant recipient in linking the entities described in subsection (b)(1) to the network described in subsection (c)(1);

“(C) the number of individuals served by the Website;

“(D) any decrease in the number of phone calls necessary to find shelter space for victims of domestic violence; and

“(E) other matters that the Secretary determines to be appropriate to ensure that the grant recipient is achieving the purposes of this section; and

“(2) submit to Congress a report on the results of that evaluation.

“(h) OVERSIGHT.—The Secretary shall have access to, monitor, and help ensure the security of the Website.

“(i) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

“(A) \$5,000,000 for fiscal year 2003; and

“(B) such sums as may be necessary for each of fiscal years 2004 through 2007.

“(2) ADMINISTRATIVE COSTS.—Of the amount made available to carry out this section for each fiscal year the Secretary may use not more than 2 percent for administrative costs associated with the grant program carried out under this section, of which not more than 5 percent shall be used to assist the entity providing the National Domestic Violence Hotline to participate in the establishment of the Website.”

#### Subtitle C—Children Exposed to Domestic Violence Program

##### SEC. 231. PURPOSE.

It is the purpose of this subtitle to reduce the impact of exposure to domestic violence in the lives of children and youth.

##### SEC. 232. SERVICES FOR CHILDREN EXPOSED TO DOMESTIC VIOLENCE.

The Family Violence Prevention and Services Act (42 U.S.C. 10401 et seq.) is amended by adding at the end the following:

##### “SEC. 320. SERVICES FOR CHILDREN EXPOSED TO DOMESTIC VIOLENCE.

“(a) GRANTS AUTHORIZED.—The Secretary may award grants on a competitive basis to eligible entities for the purposes and in the manner described in paragraphs (1), (2), and (3) of section (d) for the benefit of children exposed to domestic violence.

“(b) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall, as part of the application of the entity submitted under paragraph (1), (2), or (3) of sub-

section (d), describe the policies and procedures that entity has or will adopt to—

“(1) enhance or ensure the safety and security of a battered parent and, as a result, the child involved;

“(2) ensure that all services under this section are provided in a developmentally, linguistically, and culturally competent manner; and

“(3) ensure the confidentiality of child and adult victims of domestic violence in a manner that is consistent with applicable Federal and State law, including exempting domestic violence victim service providers from requirements to share confidential information about families receiving services except as required by law or with the informed, written consent of the adult victim being served.

“(c) GRANT AWARDS AND DISTRIBUTION.—

“(1) GRANT AWARDS.—The Secretary shall award grants under this section—

“(A) for periods of not more than 3 fiscal years; and

“(B) in amounts that are not less than \$50,000 per fiscal year and not more than \$300,000 per fiscal year.

“(2) DISTRIBUTION.—In awarding grants under this section, the Secretary shall—

“(A) ensure a reasonable geographical distribution among grantees in rural, urban, and suburban areas throughout the United States; and

“(B) consider the needs of underserved populations, as defined in section 2003 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg-2).

“(d) USE OF FUNDS.—

“(1) DIRECT SERVICES FOR CHILDREN EXPOSED TO DOMESTIC VIOLENCE.—

“(A) IN GENERAL.—An entity shall use amounts provided under a grant awarded for purposes of this paragraph to design or replicate, and implement, a program or provide services (in accordance with subparagraph (B)) using domestic violence intervention models to respond to the needs of children who—

“(i) are exposed to domestic violence; and

“(ii) have a parent or caregiver who is a victim of domestic violence and who is receiving services from such entity.

“(B) PROGRAM OR SERVICES.—The program or services described in subparagraph (A)—

“(i) shall be a new program or new services, or a new component (that is not offered by the entity on the date on which the entity submitted an application for the grant) of an existing program or services;

“(ii) shall provide direct counseling or appropriate services or advocacy for children who have been exposed to domestic violence;

“(iii) may include early childhood and mental health services;

“(iv) may provide services to assist in legal advocacy efforts on behalf of children with respect to issues related directly to services the children are receiving from the program or services described in subparagraph (A);

“(v) may include respite care, supervised visitation, and specialized services for children; and

“(vi) may provide additional services and resources for children including child care, transportation, educational support, respite care, supervised visitation, and access to specialized services for children, so long as the grantee does not use more than 25 percent of the amounts made available through the grant to enter into a contract with another organization to provide such additional services and resources.

“(c) GRANTEE REQUIREMENTS.—

“(i) APPLICATION.—With respect to grants for the use of funds under this paragraph, an eligible entity (as described in clause (ii) and subsection (b)) shall prepare and submit to the Secretary an application at such time, in

such manner, and containing such information as the Secretary may require, including a description of the intended uses of the grant funds consistent with subparagraphs (A) and (B).

“(ii) ELIGIBILITY.—To be eligible to receive a grant for the use of funds under this paragraph, an entity shall meet the requirements of section 303(a)(2)(A) or section 303(b)(1). Eligible entities may enter into partnerships with other agencies, organizations, or tribal entities to enhance the capacity of such entities to deliver effective services to children exposed to domestic violence.

“(2) GRANTS FOR TRAINING AND COLLABORATION AMONG CHILD WELFARE AGENCIES, DOMESTIC VIOLENCE VICTIM SERVICE PROVIDERS, COURTS, LAW ENFORCEMENT, AND OTHER ENTITIES.—

“(A) IN GENERAL.—An entity shall use amounts provided under a grant awarded for purposes of this paragraph to carry out a program or provide services to develop collaborative responses and provide cross-training to enhance community responses to cases where child abuse and neglect and domestic violence intersect.

“(B) PROGRAM OR SERVICES.—The program or services described in subparagraph (A) shall—

“(i) encourage cross training, education, and collaboration among child welfare agencies, domestic violence victim service providers, and (as applicable) courts (including family, criminal, juvenile courts, or tribal courts), law enforcement agencies, and other entities, to identify, assess, and respond appropriately to—

“(I) domestic violence in homes where children are present and may be exposed to the violence;

“(II) domestic violence in child protection cases; and

“(III) the needs of both child and adult victims of such violence;

“(ii) establish and implement policies, procedures, programs, and practices for child welfare agencies, domestic violence victim service providers, and (as applicable) courts (including family, criminal, juvenile, or tribal courts), law enforcement agencies, and other entities, that are consistent with the principles of protecting and increasing the safety and well being of children by—

“(I) tending to their immediate and longer term needs for treatment and support;

“(II) increasing the safety, autonomy, capacity, and financial security of non-abusing parents, including developing service plans that provide resources and support to non-abusing parents;

“(III) protecting the safety, security, and well-being of children by preventing their unnecessary removal from a non-abusing parent, or, in cases where removal of the child is necessary to protect the child's safety, taking the necessary steps to provide appropriate services to the child and the non-abusing parent to promote the safe and appropriately prompt reunification of the child with the non-abusing parent;

“(IV) recognizing the relationship between child abuse or neglect (including child sexual abuse) and domestic violence in a family, as well as the impact of and danger posed by the perpetrators' behavior on both child and adult victims; and

“(V) holding adult perpetrators of domestic violence, not child and adult victims of abuse or neglect, accountable for stopping the perpetrators' abusive behaviors;

“(iii) increase cooperation and enhance linkages between child welfare agencies, domestic violence victim service providers, and (as applicable) courts (including family, criminal, juvenile courts, or tribal courts), law enforcement agencies, and other entities to provide more comprehensive community-

based services (including health, mental health, social service, housing, and neighborhood resources) to protect and to serve both child and adult victims;

“(iv) identify, assess, and respond appropriately to domestic violence in child protection cases; and

“(v) provide appropriate referrals to community-based programs and resources, such as health and mental health services, shelter and housing assistance for adult victims and their children, legal assistance and advocacy for adult victims, assistance for parents to help their children cope with the impact of exposure to domestic violence, appropriate intervention and treatment for adult perpetrators of domestic violence whose children are the subjects of child protection cases, and other necessary supportive services.

“(C) GRANTEE REQUIREMENTS.—

“(i) APPLICATION.—With respect to grants for the use of funds under this paragraph, an eligible entity (as described in clause (i) and subsection (b)) shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

“(I) a description of the intended uses of the grant funds consistent with subparagraphs (A) and (B);

“(II) an outline and description of how training and other activities will be undertaken through the grant to promote collaboration;

“(III) an identification of the members of the partnership that will be responsible for carrying out the initiatives for which the partnership seeks the grant (including a description of roles of subcontractors and documentation of appropriate compensation of all partners, where relevant);

“(IV) documentation of any history of collaboration between child welfare agencies, domestic violence victim service providers, and (as applicable) courts (including family, criminal, juvenile courts, or tribal courts), law enforcement agencies, and other entities that have been involved in the development of the application; and

“(V) assurances that training and other activities described in subparagraph (B) will be provided to all levels of staff, will address appropriate practices for investigation, follow-up, screening, intake, assessment, and will provide services addressing the safety needs of child and adult victims in cases where child abuse and neglect and domestic violence intersect.

“(ii) ELIGIBILITY.—To be eligible to receive a grant for the use of funds under this paragraph, an entity shall be a partnership that—

“(I) shall include a State child welfare agency, a tribal organization that serves as a child welfare agency, or a local child welfare agency;

“(II) shall include a domestic violence victim service provider, such as a domestic violence victim service program, tribal domestic violence victim service program, or coalition or other private nonprofit organization carrying out a community-based domestic violence program that has a documented history of effective work concerning domestic violence and the impact that exposure to domestic violence has on children;

“(III) may include a State, tribal, or local court (including family, criminal, juvenile or tribal courts);

“(IV) may include a State or local law enforcement agency with responsibility for responding to reports of domestic violence and child abuse and neglect; and

“(V) may include any other such agencies or private nonprofit organizations with the capacity to provide effective help to the

child and adult victims served by the partnership.

“(D) PRIORITY.—In awarding grants under this paragraph, the Secretary shall give priority to partnerships that include State or local courts (including family, criminal, juvenile, or tribal courts) and law enforcement agencies.

“(3) MULTISYSTEM INTERVENTIONS FOR CHILDREN EXPOSED TO DOMESTIC VIOLENCE.—

“(A) IN GENERAL.—An entity shall use amounts provided under a grant awarded for purposes of this paragraph to carry out a program or provide services to develop and implement multisystem intervention models to respond to the needs of children exposed to domestic violence.

“(B) PROGRAMS OR SERVICES.—The programs or services described in subparagraph (A) shall—

“(i) design and implement protocols and systems to identify and appropriately respond to the needs of children exposed to domestic violence who are participating in programs administered by the grantee;

“(ii) establish guidelines to evaluate the mental health needs of the children and make appropriate intervention recommendations;

“(iii) include the development or replication of an effective mental health treatment model to meet the needs of children for whom such treatment has been identified as appropriate;

“(iv) establish institutionalized procedures to enhance or ensure the safety and security of adult victims of domestic violence and, as a result, their children;

“(v) provide direct counseling or appropriate services or advocacy for adult victims of domestic violence and their children who have been exposed to domestic violence;

“(vi) establish or implement policies and protocols for maintaining the safety and confidentiality of the adult victims and their children;

“(vii) provide community outreach and training to enhance the capacity of professionals who work with children to appropriately identify and respond to the mental health needs of children who have been exposed to domestic violence;

“(viii) establish procedures for documenting interventions used for each child and family;

“(ix) establish plans to perform a systematic outcome evaluation to evaluate the effectiveness of the interventions;

“(x) ensure that all services are provided in a culturally competent manner; and

“(xi) provide appropriate remuneration to entities described in paragraph (2)(A) who participate in the partnership.

“(C) GRANTEE REQUIREMENTS.—

“(i) APPLICATION.—With respect to grants for the use of funds under this paragraph, an eligible entity (as described in clause (i) and subsection (b)) shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

“(I) a description of the intended uses of the grant funds consistent with subparagraphs (A) and (B);

“(II) an outline of how multisystem interventions will be designed and implemented by the applicant, including submitting signed memoranda of understanding executed by the any partners of the applicant, describing the roles of each participating entity and the amount of remuneration each participating entity will receive;

“(III) a demonstration, to ensure that children of all ages utilizing services provided under the grant will have access to appropriate mental health services, of—

“(aa) the applicant’s recognized history of providing advocacy, health care, child mental health, or crisis services for children in domestic violence cases; or

“(bb) the applicant’s partnerships with providers having expertise in child mental health services; and

“(IV) a memorandum of understanding with the appropriate State or tribal coalition against domestic violence, to ensure coordination of and dissemination of information about activities to be carried out under the grant.

“(ii) **ELIGIBILITY.**—To be eligible to receive a grant for the use of funds under this paragraph, an entity shall be a collaborative partnership that includes—

“(I) a local private nonprofit organization that—

“(aa) carry out a domestic violence victim service program that provides shelter or related assistance; or

“(bb) has expertise in the field of providing services to victims of domestic violence and an understanding of the effects of exposure to domestic violence on children; and

“(II) other partners, such as courts (including family, criminal, juvenile, or tribal courts), schools, social service providers, health care providers, law enforcement, early childhood agencies, entities carrying out Head Start programs under the Head Start Act (42 U.S.C.9831 et seq.), or entities carrying out child protection, financial assistance, job training, housing, or children’s mental health programs.

“(e) **ANNUAL REPORTS.**—An entity receiving a grant under this section shall report to the Secretary annually, at a minimum—

“(1) what services and, where appropriate, what collaborative efforts were provided with funds under this section;

“(2) the extent to which underserved populations were served with funds received under this section; and

“(3) how children exposed to domestic violence and, where appropriate, adult victims of domestic violence benefited from such the activities conducted under the grant.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There are authorized to be appropriated to carry out this section, \$20,000,000 for each of fiscal years 2003 through 2007. Amounts appropriated under this subsection shall remain available until expended.

“(2) **ALLOCATION OF AMOUNTS.**—Of the amount appropriated to carry out this section for each fiscal year, the Secretary shall—

“(A) make available not less than 33 percent of such amount for each of the programs described in subsection (d)(1);

“(B) make available not more than 3 percent of such amount for evaluation, monitoring, and other administrative costs associated with conducting activities under this section; and

“(C) make available not less than 10 percent of such amount for Indian tribes.”

### TITLE III—ADOPTION OPPORTUNITIES

#### SEC. 301. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

Section 201 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5111) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) through (4) and inserting the following:

“(1) the number of children in substitute care has increased by nearly 24 percent since 1994, as our Nation’s foster care population included more than 565,000 as of September of 2001;

“(2) children entering foster care have complex problems that require intensive services, with many such children having

special needs because they are born to mothers who did not receive prenatal care, are born with life threatening conditions or disabilities, are born addicted to alcohol or other drugs, or have been exposed to infection with the etiologic agent for the human immunodeficiency virus;

“(3) each year, thousands of children are in need of placement in permanent, adoptive homes;”;

(B) by striking paragraph (6);

(C) by striking paragraph (7)(A) and inserting the following:

“(7)(A) currently, there are 131,000 children waiting for adoption;”; and

(D) by redesignating paragraphs (5), (7), (8), (9), and (10) as paragraphs (4), (5), (6), (7), and (8) respectively; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “, including geographic barriers,” after “barriers”; and

(B) in paragraph (2), by striking “a national” and inserting “an Internet-based national”.

#### SEC. 302. INFORMATION AND SERVICES.

Section 203 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5113) is amended—

(1) by striking the section heading and inserting the following:

“**SEC. 203. INFORMATION AND SERVICES.**”;

(2) by striking “Sec. 203. (a) The Secretary” and inserting the following:

“(a) **IN GENERAL.**—The Secretary”;

(3) in subsection (b)—

(A) by inserting “**REQUIRED ACTIVITIES.**—” after “(b)”;

(B) in paragraph (1), by striking “non-profit” each place that such appears;

(C) in paragraph (2), by striking “non-profit”;

(D) in paragraph (3), by striking “non-profit”;

(E) in paragraph (4), by striking “non-profit”;

(F) in paragraph (6), by striking “study the nature, scope, and effects of” and insert “support”;

(G) in paragraph (7), by striking “non-profit”;

(H) in paragraph (9)—

(i) by striking “nonprofit”; and

(ii) by striking “and” at the end;

(I) in paragraph (10)—

(i) by striking “nonprofit”; each place that such appears; and

(ii) by striking the period at the end and inserting “; and”; and

(J) by adding at the end the following:

“(11) provide (directly or by grant to or contract with States, local government entities, or public or private licensed child welfare or adoption agencies) for the implementation of programs that are intended to increase the number of older children (who are in foster care and with the goal of adoption) placed in adoptive families, with a special emphasis on child-specific recruitment strategies, including—

“(A) outreach, public education, or media campaigns to inform the public of the needs and numbers of older youth available for adoption;

“(B) training of personnel in the special needs of older youth and the successful strategies of child-focused, child-specific recruitment efforts; and

“(C) recruitment of prospective families for such children.”;

(4) in subsection (c)—

(A) by striking “(c)(1) The Secretary” and inserting the following:

“(c) **SERVICES FOR FAMILIES ADOPTING SPECIAL NEEDS CHILDREN.**—

“(1) **IN GENERAL.**—The Secretary”;

(B) by striking “(2) Services” and inserting the following:

“(2) **SERVICES.**—Services”; and

(C) in paragraph (2)—

(i) by realigning the margins of subparagraphs (A) through (G) accordingly;

(ii) in subparagraph (F), by striking “and” at the end;

(iii) in subparagraph (G), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

“(H) day treatment; and

“(I) respite care.”; and

(D) by striking “nonprofit”; each place that such appears;

(5) in subsection (d)—

(A) by striking “(d)(1) The Secretary” and inserting the following:

“(d) **IMPROVING PLACEMENT RATE OF CHILDREN IN FOSTER CARE.**—

“(1) **IN GENERAL.**—The Secretary”;

(B) by striking “(2)(A) Each State” and inserting the following:

“(2) **APPLICATIONS; TECHNICAL AND OTHER ASSISTANCE.**—

“(A) **APPLICATIONS.**—Each State”;

(C) by striking “(B) The Secretary” and inserting the following:

“(B) **TECHNICAL AND OTHER ASSISTANCE.**—The Secretary”;

(D) in paragraph (2)(B)—

(i) by realigning the margins of clauses (i) and (ii) accordingly; and

(ii) by striking “nonprofit”;

(E) by striking “(3)(A) Payments” and inserting the following:

“(3) **PAYMENTS.**—

“(A) **IN GENERAL.**—Payments”; and

(F) by striking “(B) Any payment” and inserting the following:

“(B) **REVERSION OF UNUSED FUNDS.**—Any payment”; and

(6) by adding at the end the following:

“(e) **ELIMINATION OF BARRIERS TO ADOPTIONS ACROSS JURISDICTIONAL BOUNDARIES.**—

“(1) **IN GENERAL.**—The Secretary shall award grants to, or enter into contracts with, States, local government entities, public or private child welfare or adoption agencies, adoption exchanges, or adoption family groups to carry out initiatives to improve efforts to eliminate barriers to placing children for adoption across jurisdictional boundaries.

“(2) **SERVICES TO SUPPLEMENT NOT SUPPLANT.**—Services provided under grants made under this subsection shall supplement, not supplant, services provided using any other funds made available for the same general purposes including—

“(A) developing a uniform homestudy standard and protocol for acceptance of homestudies between States and jurisdictions;

“(B) developing models of financing cross-jurisdictional placements;

“(C) expanding the capacity of all adoption exchanges to serve increasing numbers of children;

“(D) developing training materials and training social workers on preparing and moving children across State lines; and

“(E) developing and supporting initiative models for networking among agencies, adoption exchanges, and parent support groups across jurisdictional boundaries.”.

#### SEC. 303. STUDY OF ADOPTION PLACEMENTS.

Section 204 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5114) is amended—

(1) by striking “of this Act” and inserting “of the Keeping Children and Families Safe Act of 2002”;

(2) by striking “to determine the nature” and inserting “to determine—

“(1) the nature”;

(3) by striking “not licensed” and all that follows through the period and inserting “for profit;”; and

(4) by adding at the end the following:

“(2) how interstate placements are being financed across State lines;

“(3) recommendations on best practice models for both interstate and intrastate adoptions; and

“(4) how State policies in defining special needs children differentiate or group similar categories of children.”.

#### SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 205(a) of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5115(a)) is amended to read as follows:

“There are authorized to be appropriated \$40,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal years 2004 through 2007 to carry out programs and activities authorized under this subtitle.”.

#### SEC. 305. ADOPTION ACTION PLAN.

(a) FINDINGS.—Congress finds that—

(1) the Adoption and Safe Families Act of 1997 mandated that “the State shall not delay or deny the placement of a child for adoption when an approved family is available outside of the jurisdiction with responsibility for handling the case of the child”;

(2)(A) the policy and legal focus on expanding the pool of adoptive families for waiting children in foster care, as expressed by the Adoption and Safe Families Act of 1997, has brought attention to the need to improve interjurisdictional practice whether across State or county lines; and

(B) case workers, agency administrators, and State policy makers in many cases have resisted the use of interjurisdictional placements for children in their caseloads, citing practice, policy, legal, bureaucratic, and fiscal concerns;

(3) the National Conference of State Legislators has noted that among the many challenges ‘interstate adoptions of special needs children has been complicated by a lack of familiarity with the Interstate Compact on the Placement of Children on the part of caseworkers and judges, the absence of a standard protocol for pre-placement home studies, delays in the Interstate Compact on the Placement of Children process, and similar issues’; and

(4) in its November 1999 report to Congress, the General Accounting Office found that public child welfare agencies have done little to improve the interjurisdictional adoption process.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services in consultation with the General Accounting Office shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Workforce of the House of Representatives a report that contains recommendations for an action plan to facilitate the interjurisdictional adoption of foster children.

#### TITLE IV—ABANDONED INFANTS ASSISTANCE

##### SEC. 401. FINDINGS.

Section 2 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(1) by striking paragraph (1);

(2) in paragraph (2)—

(A) by inserting “studies indicate that a number of factors contribute to” before “the inability of”;

(B) by inserting “some” after “inability of”;

(C) by striking “who abuse drugs”; and

(D) by striking “care for such infants” and inserting “care for their infants”;

(3) by amending paragraph (5) to read as follows:

“(5) appropriate training is needed for personnel working with infants and young chil-

dren with life-threatening conditions and other special needs, including those who are infected with the human immunodeficiency virus (commonly known as ‘HIV’), those who have acquired immune deficiency syndrome (commonly known as ‘AIDS’), and those who have been exposed to dangerous drugs;”;

(4) by striking paragraphs (6) and (7);

(5) in paragraph (8), by inserting “by parents abusing drugs,” after “deficiency syndrome.”;

(6) in paragraph (9), by striking “comprehensive services” and all that follows through the semicolon at the end and inserting “comprehensive support services for such infants and young children and their families and services to prevent the abandonment of such infants and young children, including foster care services, case management services, family support services, respite and crisis intervention services, counseling services, and group residential home services; and”;

(7) by redesignating paragraphs (2), (3), (4), (5), (8), (9), (10), and (11) as paragraphs (1) through (8), respectively.

(7) by adding at the end the following:

“(9) Private, Federal, State, and local resources should be coordinated to establish and maintain such services and to ensure the optimal use of all such resources.”.

##### SEC. 402. ESTABLISHMENT OF LOCAL PROGRAMS.

Section 101 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(1) by striking the section heading and inserting the following:

##### “SEC. 101. ESTABLISHMENT OF LOCAL PROGRAMS.”; and

(2) by striking subsection (b) and inserting the following:

“(b) PRIORITY IN PROVISION OF SERVICES.—The Secretary may not make a grant under subsection (a) unless the applicant for the grant agrees to give priority to abandoned infants and young children who—

“(1) are infected with, or have been perinatally exposed to, the human immunodeficiency virus, or have a life-threatening illness or other special medical need; or

“(2) have been perinatally exposed to a dangerous drug.”.

##### SEC. 403. EVALUATIONS, STUDY, AND REPORTS BY SECRETARY.

Section 102 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended to read as follows:

##### “SEC. 102. EVALUATIONS, STUDY, AND REPORTS BY SECRETARY.

“(a) EVALUATIONS OF LOCAL PROGRAMS.—The Secretary shall, directly or through contracts with public and nonprofit private entities, provide for evaluations of projects carried out under section 101 and for the dissemination of information developed as a result of such projects.

“(b) STUDY AND REPORT ON NUMBER OF ABANDONED INFANTS AND YOUNG CHILDREN.—

“(1) IN GENERAL.—The Secretary shall conduct a study for the purpose of determining—

“(A) an estimate of the annual number of infants and young children relinquished, abandoned, or found deceased in the United States and the number of such infants and young children who are infants and young children described in section 223(b);

“(B) an estimate of the annual number of infants and young children who are victims of homicide;

“(C) characteristics and demographics of parents who have abandoned an infant within 1 year of the infant’s birth; and

“(D) an estimate of the annual costs incurred by the Federal Government and by State and local governments in providing housing and care for abandoned infants and young children.

“(2) DEADLINE.—Not later than 36 months after the date of the enactment of the Keeping Children and Families Safe Act of 2002, the Secretary shall complete the study required under paragraph (1) and submit to the Congress a report describing the findings made as a result of the study.

“(c) EVALUATION.—The Secretary shall evaluate and report on effective methods of intervening before the abandonment of an infant or young child so as to prevent such abandonments, and effective methods for responding to the needs of abandoned infants and young children.”.

##### SEC. 404. AUTHORIZATION OF APPROPRIATIONS.

Section 104 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) IN GENERAL.—

“(1) AUTHORIZATION.—For the purpose of carrying out this Act, there are authorized to be appropriated \$45,000,000 for fiscal year 2003 and such sums as may be necessary for fiscal years 2004 through 2007.

“(2) LIMITATION.—Not more than 5 percent of the amounts appropriated under paragraph (1) for any fiscal year may be obligated for carrying out section 224(a).”;

(2) by striking subsection (b);

(3) in subsection (c)—

(A) in paragraph (1), by inserting “AUTHORIZATION.—” after “(1)”; and

(B) in paragraph (2)—

(i) by inserting “LIMITATION.—” after “(2)”; and

(ii) by striking “fiscal year 1991.” and inserting “fiscal year 2002.”; and

(4) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

##### SEC. 405. DEFINITIONS

Section 103 of the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note) is amended to read as follows:

##### “SEC. 103. DEFINITIONS.

“For purposes of this Act:

“(1) The terms ‘abandoned’ and ‘abandonment’, with respect to infants and young children, mean that the infants and young children are medically cleared for discharge from acute-care hospital settings, but remain hospitalized because of a lack of appropriate out-of-hospital placement alternatives.

“(2) The term ‘acquired immune deficiency syndrome’ includes infection with the etiologic agent for such syndrome, any condition indicating that an individual is infected with such etiologic agent, and any condition arising from such etiologic agent.

“(3) The term ‘dangerous drug’ means a controlled substance, as defined in section 102 of the Controlled Substances Act.

“(4) The term ‘natural family’ shall be broadly interpreted to include natural parents, grandparents, family members, guardians, children residing in the household, and individuals residing in the household on a continuing basis who are in a care-giving situation with respect to infants and young children covered under this subtitle.

“(5) The term ‘Secretary’ means the Secretary of Health and Human Services.”.

Mr. KENNEDY. Mr. President, I welcome this opportunity to join my colleagues in introducing the Keeping Children and Families Safe Act of 2002.

This bipartisan bill authorizes funding and programs that support more than 870,000 children in this country who are victims of child abuse and neglect each year. It is essential to do all we can to see that these very vulnerable children are protected and feel safe, in spite of the abuse and neglect they have suffered.

Every year in America, local child protective service agencies respond to approximately 3 million reports of child abuse or neglect. According to Prevent Child Abuse America, this problem costs the U.S. over \$9 billion a year in direct and indirect costs. We owe it to the Nation's children to provide more effective prevention and treatment services.

Often these children are caught up in a system that fails to protect them today. Nearly half of the children in substantiated cases of abuse receive no followup services. We can and must do better. Our bill will provide funding for grants to community-based and prevention-focused programs and activities to prevent child abuse and neglect.

In 2000, approximately 1,100 children died of abuse and neglect. Eight-five percent of these children were younger than 6. We know that early identification of risk and timely intervention can reduce abuse. One major prevention strategy shown to work is good parent education.

Effective action also means preparing those who investigate allegations of child abuse to assess the risk and ensure appropriate followup, so that children receive the medical and emotional treatment they need.

Included in this bill is Senator WELLSTONE's Children Who Witness Violence Act. This legislation is long overdue and very important in confronting the impact of domestic violence on children. It addresses the issue from multiple perspectives by supporting the development of intervention program for children who witness domestic violence. It takes advantage of local resources such as counselors, courts, schools, health care providers and battered women's programs to address the needs of children in violent homes.

Witnessing domestic violence directly affects school achievement. These children have higher levels of impaired concentration and poor school attendance. They are often labeled as underachievers and have difficulties in cognitive and academic functioning.

Research demonstrates that the effects of abuse can continue long after the bruises fade. We need to do much more to prevent abuse and help abused children find a way out of violence. I urge my colleagues to support this important legislation.

By Mr. HARKIN (for himself, Mr. BROWNBACK, Mr. KENNEDY, and Mr. SPECTER):

S. 3000. A bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes; to the Committee on Health, Education, Labor and Pensions.

Mr. HARKIN. Mr. President, I am pleased to be joined by Senators BROWNBACK, KENNEDY, and SPECTER today in introducing legislation that will provide hope to Americans living with paralysis.

Recent news reports about the medical miracle Christopher Reeve has experienced this past year are an inspiration for every American living with paralysis as a result of a spinal cord injury. When it was announced that, for the first time since his accident in 1995, Chris was able to wiggle his fingers and toes, there was hope for some of the two million Americans living with paralysis.

Today, through the Christopher Reeve Paralysis Act of 2002, we seek to achieve two primary goals. First to further advance the science needed to help those living with paralysis take their next step. And second, to time build quality of life programs throughout the country that will further advance full participation, independent living, self-sufficiency and equality of opportunity for individuals with paralysis and other physical disabilities.

Chris' recovery and recent scientific evidence show that there is hope for those living with paralysis. At research centers in the United States, Europe and Japan, new techniques of rigorous exercise have helped an estimated 500 persons with paraplegic with limited sensations in their lower bodies walk for short distances, unassisted or using walkers.

While the results of these new methods are quite miraculous, the limits of what physical exercise can do for patients remains grossly understudied. While each person and each injury is unique, and some people recover spontaneously, an estimated 200,000 Americans are living with spinal cord injuries that have not improved. Which therapy or combination of therapies will work for each person is unknown. Today 2 million Americans are living with paralysis, including spinal cord injury, stroke, cerebral palsy, multiple sclerosis, ALS and spina bifida. We need research to see how these new interventions work on the entire population on individuals living with paralysis.

What we do know is the ordinary repetitive motions used in most rehabilitation centers, like squeezing a ball, are almost certainly not enough to appropriately address neurological injuries.

Patients are usually told that after one year, two at the most, they will never make further progress in their abilities to move or feel sensation. Yet seven years after his accident, through a rigorous exercise plan, Chris Reeve is finally seeking results.

Due to efforts led by the National Institutes of Health and the Christopher Reeve Paralysis Foundation, our nation stands on the brink of amazing breakthroughs in science for those living with paralysis. However, the biotech and pharmaceutical industries have not invested in paralysis research because they believe the market does not support the private investment. There is an urgent need for the federal government to further step up its commitment in this area. The Christopher Reeve Paralysis Act would do just that.

By establishing Paralysis Research Consortia at the National Institute on Neurological Disorders and Stroke, we can substantially increase our ability to capitalize on research advances in paralysis. These consortia would be formed to explore unique scientific expertise and focus across the existing research centers at NINDS in an effort to further advance treatments, therapies and developments on one or more forms of paralysis that result from central nervous system trauma and stroke.

Additional breakthrough are under way in rehabilitation research on paralysis. Federal funding for rehabilitation research at the National Center for Medical Rehabilitation Research at NIH is showing real potential to improve functional mobility; prevent secondary complications like bladder and urinary tract infections and ulcers; and to develop improved assistive technology. These rehabilitation interventions have the potential to greatly reduce pain and suffering for those suffering from neurological disorders and stroke and, at the same time, save millions in health care expenditures.

Over the past 20 years, overall days in the hospital and rehabilitation centers for those living with paralysis have been cut in half. Those living with paralysis face astronomical medical costs, and our best estimates tell us that only one-third of those individuals remain employed after paralysis. At least one-third of those living with paralysis have income of \$15,000 or less.

To date, there are no State-based programs at CDC that address paralysis and other physical disability with the goal of improving health outcomes and prevent secondary complications. This bill will, for the first time, ensure that individuals living with paralysis get the information they need; have access to public health programs; and support in their communities to navigate services. Ultimately these programs will help remove the barriers to community participation and help improve quality of life. The bill also establishes hospital-based registries on paralysis to collect needed data on the true numbers of individuals with these conditions, and it invests in population-based research to see how individuals are faring.

We are on the brink of major breakthroughs for individuals impacted by neurological disorders and stroke that result in paralysis. This bill will ensure that the federal government does its part to help more than 2 million Americans.

When Christopher Reeve was injured, he put a face on an issue that has been neglected for too long. Since then, his tireless efforts to walk again, coupled with his passion and commitment to improve quality of life for others living with paralysis, make him a role model for everyone.

It is a pleasure, and an honor to lead a bipartisan group of Senators, along with the support of number of disability groups, including the American Stroke Association, the American Heart Association, the Christopher Reeve Paralysis Foundation, the National Family Caregivers Association, the National Spinal Cord Injury Association, Paralyzed Veterans of America and Eastern Paralyzed Veterans, in introducing this bill.

#### SUBMITTED RESOLUTIONS

##### SENATE CONCURRENT RESOLUTION 146—SUPPORTING THE GOALS AND IDEAS OF NATIONAL TAKE YOUR KIDS TO VOTE DAY

Mrs. LINCOLN submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 146

Whereas voting is a civic duty and critical to democracy;

Whereas voting participation rates in the United States for all age groups have fallen dramatically since 1972;

Whereas voting participation rates are lower among young voters;

Whereas only 32 percent of individuals 18 through 24 years of age voted in the last Presidential election;

Whereas large numbers of young people feel disconnected from government;

Whereas many younger adults report that they do not know how to vote;

Whereas, according to a 2002 study by the Council for Excellence in Government, children who go to the polls with their parents are more likely to go to the polls and vote as adults than their peers;

Whereas parents should talk to their children about the importance of voting;

Whereas a number of businesses and organizations have designated November 5, 2002, as National Take Your Kids to Vote Day in order to encourage people to vote; and

Whereas many Americans will go to the polls on November 5, 2002, to elect a new Congress: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) supports the goals and ideas of National Take Your Kids to Vote Day;

(2) encourages all voting eligible parents with children who are younger than 18 years of age to talk to their children about the importance of voting and, if possible, take their children to the polls; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to promote voting as a family tradition.

##### SENATE CONCURRENT RESOLUTION 147—ENCOURAGING IMPROVED COOPERATION WITH RUSSIA ON ENERGY DEVELOPMENT ISSUES

Mr. BURNS submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 147

Whereas Russia, with its vast oil and gas resources, a growing and diverse number of private sector companies, and a renewed

commitment to investment by international energy companies, is in a unique position to provide stability to an often volatile and insecure world energy market;

Whereas on June 6, 2002, Russia was granted market economy status by the United States;

Whereas the granting of market economy status is mutually beneficial to both Russia and the United States, and both governments should continue to pursue other measures to promote long-term engagement and integration of Russia into the world economy;

Whereas mutual efforts by Russia and the United States to bring greater stability to world energy markets and to sustain economic growth in both nations is a key way to ensure further engagement and integration of Russia with the world economy;

Whereas, recognizing Russia's progress on religious freedom and human rights, and its broad range of mechanisms to address remaining concerns, the President has requested that Congress terminate application to Russia of chapter 1 of title IV of the Trade Act of 1974 (commonly referred to as "Jackson-Vanik") and authorize the extension of normal trade relations to Russia; and

Whereas both Russia and the United States can play a critical role in supporting regional energy development and energy transportation corridor projects: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) encourages the Governments of Russia and the United States—

(A) to engage in a dialogue on energy development; and

(B) to consult widely with the governments of other independent states of the former Soviet Union and with other interested parties to promote exchanges on energy development and to seek support from the broadest cross section of business and civil societies;

(2) is committed to terminating the application to Russia of chapter 1 of title IV of the Trade Act of 1974 (commonly referred to as "Jackson-Vanik") and to authorizing the extension of normal trade relations to Russia;

(3) supports the actions of the Russian Duma designed to strengthen international investment in the Russian energy sector, such as—

(A) actions to permit the full implementation of energy projects on Sakhalin Island and in the Timan-Pechora region, all of which offer unique opportunities to increase the petroleum supplies of the United States and the world; and

(B) actions to encourage a regulatory and investment framework in Russia to expand Russia's oil and gas export capacities;

(4) supports the accession of Russia to the World Trade Organization; and

(5) supports continued high level and sustained exchanges on energy development between the Governments of Russia and the United States and between businesses in the two countries.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4699. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes; which was ordered to lie on the table.

SA 4700. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4701. Mr. MCCAIN submitted an amendment intended to be proposed to amendment

SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4702. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4703. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4704. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4705. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4706. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4707. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4708. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4709. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4710. Mr. GREGG (for himself, Mr. HOLLINGS, Mr. SHELBY, Mr. HARKIN, Mr. STEVENS, Mr. INOUE, Mr. COCHRAN, Mr. HELMS, Mr. JOHNSON, Mr. SESSIONS, Mr. BINGAMAN, Mr. GRASSLEY, Ms. LANDRIEU, Mrs. FEINSTEIN, Mr. ALLEN, Mr. DOMENICI, Mrs. HUTCHISON, Mr. KOHL, and Mr. BURNS) submitted an amendment intended to be proposed by him to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4711. Ms. COLLINS (for herself and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4712. Ms. COLLINS (for herself and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4713. Mr. JEFFORDS (for himself, Mr. SMITH, of New Hampshire, and Ms. SNOWE) submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4714. Mr. JEFFORDS (for himself and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4715. Mr. JEFFORDS submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4716. Mr. HOLLINGS submitted an amendment intended to be proposed by him to the bill H.R. 5005, supra; which was ordered to lie on the table.

SA 4717. Mr. LIEBERMAN submitted an amendment intended to be proposed to amendment SA 4471 proposed by Mr. LIEBERMAN to the bill H.R. 5005, supra; which was ordered to lie on the table.