

Union Calendar No. 311

109TH CONGRESS
2^D SESSION

H. R. 5640

[Report No. 109-555]

To amend part B of title IV of the Social Security Act to reauthorize the safe and stable families program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2006

Mr. HERGER (for himself and Mr. McDERMOTT) introduced the following bill; which was referred to the Committee on Ways and Means

JULY 12, 2006

Additional sponsors: Mr. ENGLISH of Pennsylvania, Ms. HART, Mr. FOLEY, Mr. CAMP of Michigan, Mr. RANGEL, Mr. STARK, Mr. BECERRA, Mr. DOGGETT, Mr. EMANUEL, and Mr. CARDIN

JULY 12, 2006

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 20, 2006]

A BILL

To amend part B of title IV of the Social Security Act to reauthorize the safe and stable families program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Child and Family Serv-*
5 *ices Improvement Act of 2006”.*

6 **SEC. 2. FINDINGS.**

7 *The Congress finds as follows:*

8 *(1) For Federal fiscal year 2004, child protective*
9 *services (CPS) staff nationwide reported investigating*
10 *or assessing an estimated 3,000,000 allegations of*
11 *child maltreatment, and determined that 872,000*
12 *children had been abused or neglected by their parents*
13 *or other caregivers.*

14 *(2) Combined, the Child Welfare Services (CWS)*
15 *and Promoting Safe and Stable Families (PSSF)*
16 *programs provide States about \$700,000,000 per year*
17 *for services intended to ensure the safety, permanency,*
18 *and well-being of children. These programs are con-*
19 *sidered the largest source of targeted Federal funding*
20 *in the child protection system for prevention—that is,*
21 *for services to ensure that children are not abused or*
22 *neglected and, whenever possible, help children re-*
23 *main safely with their families.*

24 *(3) States have broad flexibility in directing*
25 *CWS dollars to protect children from abuse and ne-*

1 *glect. Under the PSSF program, States must invest*
2 *significant portions of program funds in family pres-*
3 *ervation services, family support services, time-lim-*
4 *ited reunification services, and post-adoption support*
5 *services.*

6 *(4) However, a 2003 report by the Government*
7 *Accountability Office (GAO) reported that little re-*
8 *search is available on the effectiveness of activities*
9 *supported by CWS funds—evaluations of services sup-*
10 *ported by PSSF funds have generally shown little or*
11 *no effect.*

12 *(5) Further, the Department of Health and*
13 *Human Services recently completed initial Child and*
14 *Family Service Reviews (CFSRs) in each State. No*
15 *State was in full compliance with all measures of the*
16 *CFSRs. The CFSRs also revealed that States need to*
17 *work to prevent repeat abuse and neglect of children,*
18 *improve services provided to families to reduce the*
19 *risk of future harm (including by better monitoring*
20 *the participation of families in services), and*
21 *strengthen upfront services provided to families to*
22 *prevent unnecessary family break-up and protect chil-*
23 *dren who remain at home.*

24 *(6) Federal policy should ensure that States are*
25 *appropriately targeting CWS and PSSF funds to as-*

1 *sist at-risk families and protect abused and neglected*
2 *children to address issues found in the CFSTRs. En-*
3 *couraging States to invest their CWS and PSSF*
4 *funds in services that promote and protect the welfare*
5 *of children, support strong, healthy families, and re-*
6 *duce the reliance on out-of-home care, will help ensure*
7 *all children are raised in safe, loving families.*

8 *(7) CFSTRs also found a strong correlation be-*
9 *tween frequent caseworker visits with children and*
10 *positive outcomes for these children, such as timely*
11 *achievement of permanency and other indicators of*
12 *child well-being.*

13 *(8) However, a December 2005 report by the De-*
14 *partment of Health and Human Services Office of In-*
15 *pector General found that only 20 States were able*
16 *to produce reports to show whether caseworkers actu-*
17 *ally visited children in foster care on at least a*
18 *monthly basis, despite the fact that nearly all States*
19 *had written standards suggesting monthly visits were*
20 *State policy. In fact, 7 of these 20 States indicated*
21 *that fewer than half of the children in foster care were*
22 *visited on a monthly basis.*

23 *(9) The Deficit Reduction Act of 2005 provided*
24 *\$40,000,000 in fiscal year 2006 for the PSSF pro-*
25 *gram which this Act ensures will be available and*

1 *which the Congressional Budget Office estimates will*
2 *increase mandatory budget authority by \$40,000,000*
3 *each year from 2006 through 2015, for a total of*
4 *\$400,000,000.*

5 *(10) A 2003 GAO report found that the average*
6 *tenure for a child welfare caseworker is less than 2*
7 *years and this level of turnover negatively affects safe-*
8 *ty and permanency for children.*

9 *(11) Targeting additional PSSF funds to ensure*
10 *children in foster care are visited on at least a month-*
11 *ly basis will promote better outcomes for vulnerable*
12 *children, including by preventing further abuse and*
13 *neglect.*

14 **SEC. 3. REAUTHORIZATION OF THE SAFE AND STABLE FAM-**
15 **ILIES PROGRAM.**

16 *(a) ELIMINATION OF FINDINGS.—Section 430 of the*
17 *Social Security Act (42 U.S.C. 629) is amended by striking*
18 *all through “(b) PURPOSE.—The purpose” and inserting*
19 *the following:*

20 **“SEC. 430. PURPOSE.**

21 *“The purpose”.*

22 *(b) LIMITATION ON ADMINISTRATIVE COST REIM-*
23 *BURSEMENT.—Section 434 of such Act (42 U.S.C. 629d) is*
24 *amended—*

1 (1) *in subsection (a), by inserting “, subject to*
2 *subsection (d),” after “shall”; and*

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

4 “(d) *LIMITATION ON REIMBURSEMENT FOR ADMINIS-*
5 *TRATIVE COSTS.—The Secretary shall not make a payment*
6 *to a State under this section with respect to expenditures*
7 *for administrative costs during a fiscal year, to the extent*
8 *that the total amount of the expenditures exceeds 10 percent*
9 *of the total expenditures of the State during the fiscal year*
10 *under the State plan approved under section 432.”.*

11 (c) *FUNDING OF MANDATORY GRANTS AT \$345 MIL-*
12 *LION PER FISCAL YEAR.—Section 436(a) of such Act (42*
13 *U.S.C. 629f(a)) is amended by striking “for fiscal year*
14 *2006.” and all that follows and inserting “for each of fiscal*
15 *years 2007 through 2011.”.*

16 (d) *FUNDING OF DISCRETIONARY GRANTS.—Section*
17 *437(a) of such Act (42 U.S.C. 629g(a)) is amended by strik-*
18 *ing “2002 through 2006” and inserting “2007 through*
19 *2011”.*

20 (e) *INCREASE IN SET-ASIDES FOR INDIAN TRIBES.—*

21 (1) *MANDATORY GRANTS.—Section 436(b)(3) of*
22 *such Act (42 U.S.C. 629f(b)(3)) is amended by strik-*
23 *ing “1” and inserting “3”.*

1 (2) *DISCRETIONARY GRANTS*.—Section 437(b)(3)
2 of such Act (42 U.S.C. 629g(b)(3)) is amended by
3 striking “2” and inserting “3”.

4 (f) *COLLECTION OF DATA ON TRIBAL PROMOTING*
5 *SAFE AND STABLE FAMILIES PLANS*.—Section 432(b)(2) of
6 such Act (42 U.S.C. 629b(b)(2)) is amended—

7 (1) by striking subparagraph (A); and

8 (2) in subparagraph (B), by striking “Notwith-
9 standing subparagraph (A) of this paragraph, the”
10 and inserting “The”.

11 (g) *AUTHORITY OF INTERTRIBAL CONSORTIA TO*
12 *APPLY FOR GRANTS*.—Section 432(b)(2) of such Act (42
13 U.S.C. 629(b)(b)(2)), as amended by subsection (f) of this
14 section, is amended—

15 (1) by inserting before subparagraph (B) the fol-
16 lowing:

17 “(A) *INTERTRIBAL CONSORTIA*.—This sub-
18 part shall not be interpreted to preclude the de-
19 velopment and submission of a single tribal plan
20 under this subpart by the participating tribes of
21 an intertribal consortium.”; and

22 (2) in subparagraph (B)—

23 (A) by inserting “or tribal consortium”
24 after “Indian tribe”; and

1 (B) by inserting “and tribal consortia”
2 after “Indian tribes”.

3 (h) *TECHNICAL CORRECTION.*—Section 431(a)(6) of
4 such Act (42 U.S.C. 629a(a)(6)) is amended by striking
5 “1986” and inserting “1996”.

6 **SEC. 4. TARGETING OF INCREASED SAFE AND STABLE FAMI-**
7 **LIES PROGRAM RESOURCES TO SUPPORT**
8 **MONTHLY CASEWORKER VISITS.**

9 (a) *RESERVATION AND USE OF FUNDS.*—

10 (1) *IN GENERAL.*—Section 436(b) of the Social
11 Security Act (42 U.S.C. 629f(b)) is amended by add-
12 ing at the end the following:

13 “(4) *SUPPORT FOR MONTHLY CASEWORKER VIS-*
14 *ITS.*—

15 “(A) *RESERVATION.*—In the case of each of
16 fiscal years 2006 through 2011, the Secretary
17 shall reserve \$40,000,000 for allotment in accord-
18 ance with section 433(e).

19 “(B) *USE OF FUNDS.*—

20 “(i) *IN GENERAL.*—A State to which
21 an amount is paid from amounts reserved
22 under subparagraph (A) shall use the
23 amount to support monthly caseworker vis-
24 its with children who are in foster care
25 under the responsibility of the State, with a

1 *primary emphasis on activities designed to*
2 *improve caseworker retention, recruitment,*
3 *training, and ability to access the benefits*
4 *of technology.*

5 “(ii) *NONSUPPLANTATION.*—*A State to*
6 *which an amount is paid from amounts re-*
7 *served pursuant to subparagraph (A) shall*
8 *not use the amount to supplant any Federal*
9 *funds paid to the State under part E that*
10 *could be used as described in clause (i).”.*

11 (2) *EFFECT ON AMOUNTS RESERVED FOR INDIAN*
12 *TRIBES.*—*Section 436(b)(3) of such Act (42 U.S.C.*
13 *629b(b)(3)) is amended by striking “The” and insert-*
14 *ing “After applying paragraph (4) (but before apply-*
15 *ing paragraphs (1) or (2)), the”.*

16 (b) *ALLOTMENT OF FUNDS.*—*Section 433 of such Act*
17 *(42 U.S.C. 629c) is amended—*

18 (1) *in subsection (d), by inserting “subsection*
19 *(a), (b), or (c) of” before “this section” the 1st and*
20 *2nd places it appears; and*

21 (2) *by adding at the end the following:*

22 “(e) *SPECIAL RULES APPLICABLE TO FUNDS RE-*
23 *SERVED TO SUPPORT MONTHLY CASEWORKER VISITS.*—

24 “(1) *ALLOTMENTS.*—

1 “(A) *TERRITORIES.*—*From the amount re-*
2 *served pursuant to section 436(b)(4)(A) for fiscal*
3 *year 2006 or any succeeding fiscal year, the Sec-*
4 *retary shall allot to each jurisdiction specified in*
5 *subsection (b) of this section that meets the re-*
6 *quirements of paragraph (2) of this subsection*
7 *for the fiscal year an amount determined in the*
8 *same manner as the allotment to each of such ju-*
9 *risdictions is determined under section 423*
10 *(without regard to the initial allotment of*
11 *\$70,000 to each State).*

12 “(B) *OTHER STATES.*—*From the amount*
13 *reserved pursuant to section 436(b)(4)(A) for fis-*
14 *cal year 2006 or any succeeding fiscal year that*
15 *remains after applying subparagraph (A) of this*
16 *paragraph for the fiscal year, the Secretary shall*
17 *allot to each State (other than an Indian tribe)*
18 *not specified in subsection (b) of this section that*
19 *meets the requirements of paragraph (2) of this*
20 *subsection for the fiscal year an amount equal to*
21 *such remaining amount multiplied by the food*
22 *stamp percentage of the State (as defined in sub-*
23 *section (c)(2) of this section) for the fiscal year,*
24 *except that in applying subsection (c)(2)(A) of*

1 *this section, ‘subsection (e)(1)(B)’ shall be sub-*
2 *stituted for ‘such paragraph (1)’.*

3 “(2) *REQUIREMENTS.—The requirements of this*
4 *paragraph are the following:*

5 “(A) *AMOUNTS ALLOTTED FOR FISCAL YEAR*
6 *2007.—In the case of amounts reserved pursuant*
7 *to section 436(b)(4)(A) for fiscal year 2007, the*
8 *State has provided to the Secretary data which*
9 *shows, for the most recent fiscal year for which*
10 *such information is available—*

11 “(i) *the percentage of children in foster*
12 *care under the responsibility of the State*
13 *who were visited by the caseworker handling*
14 *the case of the child at least once each*
15 *month while the child was in such care; and*

16 “(ii) *the percentage of the visits that*
17 *occurred in the residence of the child.*

18 “(B) *AMOUNTS ALLOTTED FOR SUCCEEDING*
19 *FISCAL YEARS.—In the case of amounts reserved*
20 *pursuant to section 436(b)(4)(A) for fiscal year*
21 *2008 or any succeeding fiscal year:*

22 “(i) *DATA SHOWING FREQUENCY AND*
23 *LOCATION OF CASEWORKER VISITS.—The*
24 *State has provided to the Secretary data*

1 *which shows, for the preceding fiscal year,*
2 *that—*

3 “(I) *for at least 90 percent of the*
4 *children in foster care under the re-*
5 *responsibility of the State—*

6 “(aa) *the caseworker han-*
7 *dling the case of the child visited*
8 *the child at least once each month*
9 *while the child was in such care;*
10 *and*

11 “(bb) *the majority of the vis-*
12 *its occurred in the residence of the*
13 *child; or*

14 “(II) *the State made the requisite*
15 *annual progress, as determined by the*
16 *Secretary, to comply with subclause (I)*
17 *by October 1, 2011.*

18 “(ii) *STATE ABILITY TO VERIFY FRE-*
19 *QUENCY OF CASEWORKER VISITS.—The Sec-*
20 *retary has verified that the State has in ef-*
21 *fect such policies and standards as may be*
22 *necessary to enable the State to determine*
23 *whether, for at least 90 percent of the chil-*
24 *dren in foster care under the responsibility*
25 *of the State, a caseworker visited the child*

1 *at least once each month during the fiscal*
2 *year.*

3 “(iii) *VERIFICATION OF NONSUPPLAN-*
4 *TATION COMPLIANCE.—The State has pro-*
5 *vided to the Secretary such documentation*
6 *as may be necessary to verify that the State*
7 *has complied with section 436(b)(4)(B)(ii)*
8 *during the fiscal year.”.*

9 *(c) PAYMENTS TO STATES.—Section 434(a) of such Act*
10 *(42 U.S.C. 629d(a)), as amended by section 3(b)(1) of this*
11 *Act, is amended by striking “the lesser of—” and all that*
12 *follows and inserting the following: “the sum of—*

13 “(1) *the lesser of—*

14 “(A) *75 percent of the total expenditures by*
15 *the State for activities under the plan during the*
16 *fiscal year or the immediately succeeding fiscal*
17 *year; or*

18 “(B) *the allotment of the State under sub-*
19 *section (a), (b), or (c) of section 433, whichever*
20 *is applicable, for the fiscal year; and*

21 “(2) *the lesser of—*

22 “(A) *75 percent of the total expenditures by*
23 *the State in accordance with section*
24 *436(b)(4)(B) during the fiscal year or the imme-*
25 *diately succeeding fiscal year; or*

1 *community-based agencies and ensures all children are*
2 *raised in safe, loving families, by—*

3 “(1) *protecting and promoting the welfare of all*
4 *children;*

5 “(2) *preventing the neglect, abuse, or exploi-*
6 *tation of children;*

7 “(3) *supporting at-risk families through services*
8 *which allow children, where appropriate, to remain*
9 *safely with their families or return to their families*
10 *in a timely manner;*

11 “(4) *promoting the safety, permanence, and well-*
12 *being of children in foster care; and*

13 “(5) *providing training, professional develop-*
14 *ment and support to ensure a well-qualified child wel-*
15 *fare workforce.”.*

16 *(c) MODIFICATION OF STATE PLAN REQUIREMENTS.—*
17 *Section 422 of such Act (42 U.S.C. 622) is amended—*

18 *(1) in subsection (b)—*

19 *(A) by striking paragraphs (3) through (5)*
20 *and inserting the following:*

21 “(3) *include a description of the services and ac-*
22 *tivities which the State will fund under the State pro-*
23 *gram carried out pursuant to this subpart, and how*
24 *the services and activities will achieve the purpose of*
25 *this subpart;”;*

1 (B) by striking paragraph (6) and inserting
2 after paragraph (3) (as added by subparagraph
3 (A) of this paragraph) the following:

4 “(4) contain a description of—

5 “(A) the steps the State will take to provide
6 child welfare services statewide and to expand
7 and strengthen the range of existing services and
8 develop and implement services to improve child
9 outcomes; and

10 “(B) the child welfare services staff develop-
11 ment and training plans of the State;”;

12 (C) by redesignating paragraphs (7)
13 through (9) as paragraphs (5) through (7), re-
14 spectively;

15 (D) in paragraph (10)—

16 (i) by striking subparagraph (A);

17 (ii) in subparagraph (B)(iii)(II), by
18 inserting “, which may include a residen-
19 tial educational program” after “in some
20 other planned, permanent living arrange-
21 ment”;

22 (iii) by redesignating subparagraph
23 (B) as subparagraph (A); and

1 *(iv) by striking subparagraph (C) and*
2 *inserting after subparagraph (A) the fol-*
3 *lowing:*

4 *“(B) has in effect policies and administra-*
5 *tive and judicial procedures for children aban-*
6 *doned at or shortly after birth which enable per-*
7 *manent decisions to be made expeditiously with*
8 *respect to the placement of the children;”;*

9 *(E) in paragraph (14), by striking “and”*
10 *at the end;*

11 *(F) in paragraph (15), by striking the pe-*
12 *riod and inserting a semicolon;*

13 *(G) by redesignating paragraphs (10)*
14 *through (15) as paragraphs (8) through (13), re-*
15 *spectively; and*

16 *(H) by adding at the end the following:*

17 *“(14) include assurances that not more than 10*
18 *percent of the expenditures of the State with respect*
19 *to activities funded from amounts provided under this*
20 *subpart will be for administrative costs; and*

21 *“(15) outlines how the State will ensure that*
22 *physicians or other appropriate medical professionals*
23 *are actively consulted and involved in—*

1 “(A) *assessing the health and well-being of*
2 *children in foster care under the responsibility of*
3 *the State; and*

4 “(B) *determining appropriate medical*
5 *treatment for the children.”; and*

6 (2) *by adding at the end the following:*

7 “(c) *DEFINITIONS.—In this subpart:*

8 “(1) *ADMINISTRATIVE COSTS.—The term ‘admin-*
9 *istrative costs’ means costs for the following, but only*
10 *to the extent incurred in administering the State plan*
11 *developed pursuant to this subpart: procurement, pay-*
12 *roll management, personnel functions (other than the*
13 *portion of the salaries of supervisors attributable to*
14 *time spent directly supervising the provision of serv-*
15 *ices by caseworkers), management, maintenance and*
16 *operation of space and property, data processing and*
17 *computer services, accounting, budgeting, auditing,*
18 *and travel expenses (except those related to the provi-*
19 *sion of services by caseworkers or the oversight of pro-*
20 *grams funded under this subpart).*

21 “(2) *OTHER TERMS.—For definitions of other*
22 *terms used in this part, see section 475.”.*

23 (d) *PROVISIONS RELATING TO STATE ALLOTMENTS.—*
24 *Section 423 of such Act, as so redesignated by subsection*
25 *(b)(2) of this section, is amended—*

1 (1) *in subsection (a)—*

2 (A) *by inserting “IN GENERAL.—” after*
3 *“(a)”;*

4 (B) *by striking “420” and inserting “425”;*
5 *and*

6 (C) *by striking “He” and inserting “The*
7 *Secretary”;*

8 (2) *in subsection (b)—*

9 (A) *by inserting “DETERMINATION OF*
10 *STATE ALLOTMENT PERCENTAGES.—” after*
11 *“(b)”;* *and*

12 (B) *by striking “per centum” each place it*
13 *appears and inserting “percent”;*

14 (3) *in subsection (c), by inserting “PROMULGA-*
15 *TION OF STATE ALLOTMENT PERCENTAGES.—” after*
16 *“(c)”;*

17 (4) *in subsection (d)—*

18 (A) *by inserting “UNITED STATES DE-*
19 *FINED.—” after “(d)”;* *and*

20 (B) *by striking “fifty” and inserting “50”;*
21 *and*

22 (5) *by adding at the end the following:*

23 “(e) *REALLOTMENT OF FUNDS.—*

24 “(1) *IN GENERAL.—The amount of any allot-*
25 *ment to a State for a fiscal year under the preceding*

1 *provisions of this section which the State certifies to*
2 *the Secretary will not be required for carrying out the*
3 *State plan developed as provided in section 422 shall*
4 *be available for reallocation from time to time, on*
5 *such dates as the Secretary may fix, to other States*
6 *which the Secretary determines—*

7 *“(A) need sums in excess of the amounts al-*
8 *located to such other States under the preceding*
9 *provisions of this section, in carrying out their*
10 *State plans so developed; and*

11 *“(B) will be able to so use such excess sums*
12 *during the fiscal year.*

13 *“(2) CONSIDERATIONS.—The Secretary shall*
14 *make the reallocations on the basis of the State plans*
15 *so developed, after taking into consideration—*

16 *“(A) the population under 21 years of age;*

17 *“(B) the per capita income of each of such*
18 *other States as compared with the population*
19 *under 21 years of age; and*

20 *“(C) the per capita income of all such other*
21 *States with respect to which such a determina-*
22 *tion by the Secretary has been made.*

23 *“(3) AMOUNTS REALLOTTED TO A STATE*
24 *AMOUNTS DEEMED PART OF STATE ALLOTMENT.—*

1 *Any amount so reallocated to a State is deemed part*
2 *of the allotment of the State under this section.”.*

3 *(e) PAYMENTS TO STATES.—*

4 *(1) EXCLUSION OF EXPENDITURES FOR CHILD*
5 *DAY CARE, FOSTER CARE MAINTENANCE PAYMENTS,*
6 *AND ADOPTION ASSISTANCE PAYMENTS FROM ALLOW-*
7 *ABLE EXPENDITURES.—Section 424 of such Act, as so*
8 *redesignated by subsection (b)(2) of this section, is*
9 *amended—*

10 *(A) in subsection (c)—*

11 *(i) in paragraph (1)—*

12 *(I) by striking “No” and inserting*
13 *“Except as provided in paragraph (2),*
14 *no”;*

15 *(II) by striking “, for any fiscal*
16 *year beginning after September 30,*
17 *1979,”;*

18 *(III) in subparagraph (A), by*
19 *striking “necessary” and all that fol-*
20 *lows through “living”; and*

21 *(IV) in subparagraph (C), by*
22 *striking “, to the extent” and all that*
23 *follows through “1979”; and*

24 *(ii) by striking paragraph (2) and in-*
25 *serting the following:*

1 “(2) *In the case of a State which demonstrates to the*
2 *Secretary that the State made an expenditure described in*
3 *paragraph (1) in fiscal year 2005, the Secretary shall not*
4 *make a payment to the State under this part for any fiscal*
5 *year beginning after September 30, 2006, with respect to*
6 *the State expenditures so described, to the extent that the*
7 *Federal payment with respect to the expenditures so de-*
8 *scribed for the fiscal year exceeds the lesser of—*

9 “(A) *the total amount of the Federal payment*
10 *under this part for fiscal year 1979; or*

11 “(B) *the total amount of the Federal payment*
12 *with respect to the expenditures so described for fiscal*
13 *year 2005.”; and*

14 (B) *in subsection (d)—*

15 (i) *by striking “(excluding expendi-*
16 *tures for activities specified in subsection*
17 *(c)(1))”;* and

18 (ii) *by striking “such activities” and*
19 *inserting “activities specified in subsection*
20 *(c)(1)”.*

21 (2) *LIMITATION ON ADMINISTRATIVE COST REIM-*
22 *BURSEMENT.—Section 424 of such Act (42 U.S.C.*
23 *623), as so redesignated by subsection (b)(2) of this*
24 *section, is amended by adding at the end the fol-*
25 *lowing:*

1 “(e) *LIMITATION ON REIMBURSEMENT FOR ADMINIS-*
2 *TRATIVE COSTS.*—*The Secretary shall not make a payment*
3 *to a State under this section with respect to expenditures*
4 *during a fiscal year for administrative costs, to the extent*
5 *that the total amount of the expenditures exceeds 10 percent*
6 *of the total expenditures of the State during the fiscal year*
7 *for activities funded from amounts provided under this sub-*
8 *part.*”.

9 (3) *TECHNICAL AMENDMENT.*—*Section 424(a) of*
10 *such Act, as so redesignated by subsection (b)(2) of*
11 *this section, is amended by striking “per centum”*
12 *and inserting “percent”.*

13 (f) *ELIMINATION OF OBSOLETE PROVISION.*—*Section*
14 *426 of such Act (42 U.S.C. 626) is amended by striking*
15 *subsection (b) and redesignating subsection (c) as subsection*
16 *(b).*

17 (g) *CONFORMING AMENDMENTS.*—

18 (1) *Section 428(b) of such Act (42 U.S.C. 628(b))*
19 *is amended by striking “421” and inserting “423”.*

20 (2) *Section 429 of such Act (42 U.S.C. 628a) is*
21 *amended—*

22 (A)(i) *by striking the following:*

23 “*CHILD WELFARE TRAINEESHIPS*

24 “*SEC. 429. The Secretary*”; *and*

25 *(ii) inserting the following:*

1 “(c) *CHILD WELFARE TRAINEESHIPS.*—*The Sec-*
2 *retary*”; and

3 *(B) by transferring the provision to the end*
4 *of section 426 (as amended by subsection (f) of*
5 *this section).*

6 *(3) Section 429A of such Act (42 U.S.C. 628b)*
7 *is redesignated as section 429.*

8 *(4) Section 433(b) of such Act (42 U.S.C.*
9 *629c(b)) is amended by striking “421” and inserting*
10 *“423”.*

11 *(5) Section 437(c)(2) of such Act (42 U.S.C.*
12 *629g(c)(2)) is amended by striking “421” and insert-*
13 *ing “423”.*

14 **SEC. 6. REAUTHORIZATION OF THE COURT IMPROVEMENT**
15 **PROGRAM.**

16 *Section 438 of the Social Security Act (42 U.S.C.*
17 *629h) is amended in each of subsections (c)(1)(A) and (d)*
18 *by striking “2006” and inserting “2011”.*

19 **SEC. 7. REAUTHORIZATION OF PROGRAM FOR MENTORING**
20 **CHILDREN OF PRISONERS.**

21 *Section 439 of the Social Security Act (42 U.S.C. 629i)*
22 *is amended—*

23 *(1) in subsection (c), by striking “2002 through*
24 *2006” and inserting “2007 through 2011”; and*

1 (2) *in subsection (h), by striking paragraph (1)*
2 *and inserting the following:*

3 “(1) *LIMITATIONS ON AUTHORIZATION OF AP-*
4 *PROPRIATIONS; RESERVATION OF CERTAIN*
5 *AMOUNTS.—To carry out this section, there are au-*
6 *thorized to be appropriated to the Secretary such*
7 *sums as may be necessary for fiscal years 2007*
8 *through 2011.”.*

9 **SEC. 8. AVAILABILITY OF ADDITIONAL PROMOTING SAFE**
10 **AND STABLE FAMILIES RESOURCES FOR FIS-**
11 **CAL YEAR 2006.**

12 (a) *APPROPRIATION.—Out of any money in the Treas-*
13 *ury of the United States not otherwise appropriated, there*
14 *are appropriated to the Secretary of Health and Human*
15 *Services \$40,000,000 for fiscal year 2006 to carry out sub-*
16 *part 2 of part B of title IV of the Social Security Act, in*
17 *addition to any amount otherwise made available for fiscal*
18 *year 2006 to carry out such subpart.*

19 (b) *AVAILABILITY OF FUNDS.— Notwithstanding sec-*
20 *tion 434(b)(2) of such Act, the amounts paid to States from*
21 *the amount appropriated under subsection (a) of this sec-*
22 *tion shall remain available for expenditure by the States*
23 *through fiscal year 2008.*

1 **SEC. 9. REPORTS.**

2 *Section 435 of the Social Security Act (42 U.S.C.*
3 *629e) is amended by adding at the end the following:*

4 *“(e) REPORTS.—*

5 *“(1) CONTENT.—The Secretary shall submit to*
6 *the Committee on Ways and Means of the House of*
7 *Representatives and the Committee on Finance of the*
8 *Senate biennial reports on—*

9 *“(A) the level of expenditures, and the pro-*
10 *grams and activities funded, under subpart 1*
11 *and this subpart by each State, territory, and*
12 *Indian tribe to which funds are paid under this*
13 *part;*

14 *“(B) the number of children and families*
15 *served by each such State, territory, and Indian*
16 *tribe under the programs; and*

17 *“(C) how spending under the programs has*
18 *helped achieve the goals identified by each such*
19 *State, territory, and Indian tribe as part of the*
20 *annual planning process undertaken in devel-*
21 *oping plans pursuant to this part.*

22 *“(2) TIMING.—The Secretary shall submit the bi-*
23 *ennial reports required by paragraph (1) not later*
24 *than July 1, 2008, and not later than July 1 of every*
25 *other calendar year thereafter.”.*

1 **SEC. 10. EFFECTIVE DATES.**

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

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

24 (c) *AVAILABILITY OF ADDITIONAL PROMOTING SAFE*
25 *AND STABLE FAMILIES RESOURCES FOR FISCAL YEAR*

1 2006.—Section 8 shall take effect on the date of the enact-
2 ment of this Act.

Union Calendar No. 311

109TH CONGRESS
2^D SESSION

H. R. 5640

[Report No. 109-555]

A BILL

To amend part B of title IV of the Social Security Act to reauthorize the safe and stable families program, and for other purposes.

JULY 12, 2006

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed