

107TH CONGRESS  
2D SESSION

# H. R. 5344

To amend part A of title IV of the Social Security Act to include efforts to address barriers to employment as a work activity under the temporary assistance to needy families program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2002

Mr. STARK (for himself, Mr. BACA, Mr. BECERRA, Mr. BONIOR, Mr. BROWN of Ohio, Mrs. CLAYTON, Mr. COYNE, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DOGGETT, Mr. FARR of California, Mr. FILNER, Mr. HONDA, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KAPTUR, Ms. KILPATRICK, Mr. KUCINICH, Ms. LEE, Mr. MATSUI, Mr. McDERMOTT, Ms. MILLENDER-McDONALD, Ms. MCKINNEY, Mr. MENENDEZ, Mr. GEORGE MILLER of California, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RODRIGUEZ, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. SERRANO, Ms. SOLIS, Mrs. TAUSCHER, Mr. TIERNEY, Mr. TOWNS, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Ms. WOOLSEY, Mr. WYNN, Ms. BROWN of Florida, Ms. WATSON of California, Ms. DELAURO, Ms. BALDWIN, Mr. MARKEY, and Mr. UNDERWOOD) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend part A of title IV of the Social Security Act to include efforts to address barriers to employment as a work activity under the temporary assistance to needy 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Chance to Succeed Act  
3 of 2002”.

4 **SEC. 2. INCLUSION OF EFFORTS TO ADDRESS BARRIERS TO**  
5 **EMPLOYMENT AS A WORK ACTIVITY UNDER**  
6 **TANF.**

7 Section 407 of the Social Security Act (42 U.S.C.  
8 607) is amended—

9 (1) in subparagraphs (A) and (B) of subsection  
10 (c), by striking “or (12)” each place it appears and  
11 inserting “(12), or (13)”;

12 (2) in subsection (d)—

13 (A) in paragraph (11), by striking “and”  
14 at the end;

15 (B) in paragraph (12), by striking the pe-  
16 riod and inserting “; and”; and

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

18 “(13) subject to subsection (j), 3 months of sat-  
19 isfactory participation (as determined by the State)  
20 in services to address barriers that are designed to  
21 improve future employment opportunities, including  
22 substance abuse treatment, physical rehabilitation,  
23 and mental health, mental retardation and develop-  
24 mental disabilities services.”; and

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

1 “(j) STATE OPTION TO EXTEND PERIOD FOR PAR-  
2 TICIPATION IN SERVICES TO ADDRESS BARRIERS.—

3 “(1) IN GENERAL.—With respect to an indi-  
4 vidual, a State may extend the 3-month period re-  
5 ferred to in subsection (d)(13) for an additional 3  
6 months and, if necessary, for an additional period  
7 determined by the State, so long as the State peri-  
8 odically reassesses the appropriateness of the activi-  
9 ties referred to in such subsection for the individual.

10 “(2) RULE OF CONSTRUCTION.—Nothing in  
11 paragraph (1) or subsection (d)(13) shall be con-  
12 strued to limit the amount of time an individual may  
13 require, or a State may provide, services to address  
14 barriers that are designed to improve future employ-  
15 ment opportunities.”.

16 **SEC. 3. CREATION OF A SCREENING, ASSESSMENT, AND**  
17 **SERVICES PROCESS TO ADDRESS BARRIERS**  
18 **TO EMPLOYMENT.**

19 (a) ASSESSMENTS.—Section 408(b) of the Social Se-  
20 curity Act (42 U.S.C. 608(b)) is amended—

21 (1) by striking paragraph (1) and inserting the  
22 following:

23 “(1) ASSESSMENT PROVIDED FOR EACH INDIVI-  
24 VIDUAL WHO RECEIVES ASSISTANCE.—

1           “(A) IN GENERAL.—The State agency re-  
2           sponsible for administering the State program  
3           funded under this part shall make an initial as-  
4           sessment of each adult individual who receives  
5           assistance under the program (and, in the case  
6           of a State program that requires an individual  
7           who is a caretaker for an individual who re-  
8           ceives such assistance to engage in work, an ini-  
9           tial assessment of the caretaker individual) to  
10          determine whether the individual has any bar-  
11          riers to employment or program compliance.

12          “(B) 2-PART PROCESS.—The assessment  
13          under subparagraph (A) shall consist of the fol-  
14          lowing 2 parts:

15                 “(i) INITIAL SCREENING.—

16                         “(I) IN GENERAL.—An initial  
17                         screening which shall evaluate an indi-  
18                         vidual’s employability, educational ca-  
19                         pacity, and other related cir-  
20                         cumstances, such as the child support  
21                         status, housing needs, and transpor-  
22                         tation needs of the individual and the  
23                         individual’s family.

24                         “(II) REQUIRED FACTORS TO BE  
25                         ASSESSED.—A trained caseworker

1 shall screen the individual for condi-  
2 tions such as physical or mental im-  
3 pairments, substance abuse, domestic  
4 or sexual violence, learning disabil-  
5 ities, limited English proficiency, lim-  
6 ited literacy in a primary language,  
7 and need to care for a child with a  
8 disability or health condition which  
9 may interfere with work or other pro-  
10 gram requirements.

11 “(III) OPTIONAL ASSESSMENT  
12 OF CHILD CARE NEEDS.—At the op-  
13 tion of the individual, the State shall,  
14 before assigning the individual to a  
15 work activity under the State program  
16 funded under this part, perform an  
17 assessment of the individual’s child  
18 care needs, and guarantee safe, appro-  
19 priate, affordable quality child care to  
20 any such individual who needs child  
21 care.

22 “(IV) OPTIONAL ASSESSMENT OF  
23 JOB PREPARATION.—At the option of  
24 the individual, the State shall, before  
25 assigning the individual to a work ac-

1                   tivity under the State program funded  
2                   under this part, perform an individual  
3                   assessment for the preparation that is  
4                   needed for the individual to obtain  
5                   and maintain a job at a monthly wage  
6                   that is at least 200 percent of the  
7                   poverty line applicable to the family of  
8                   the individual.

9                   “(ii)     COMPREHENSIVE     ASSESS-  
10                  MENT.—If an initial screening under  
11                  clause (i) suggests the existence of poten-  
12                  tial barriers to work or program compli-  
13                  ance, the individual may elect to partici-  
14                  pate in a comprehensive assessment con-  
15                  ducted by a qualified professional to con-  
16                  firm the existence of the barriers, deter-  
17                  mine the extent of the barriers, and de-  
18                  velop recommendations about appropriate  
19                  services and activities for the individual.

20                  “(C) FAMILY MEMBERS.—At the discretion  
21                  of an individual who receives assistance under  
22                  the State program funded under this part, a  
23                  member of the individual’s family also may be  
24                  afforded an assessment in accordance with this  
25                  paragraph.

1           “(D) NOT CONSIDERED A PROGRAM RE-  
2           QUIREMENT.—Participation by an individual or  
3           by a member of the individual’s family in an as-  
4           sessment under this paragraph shall not be con-  
5           sidered a program requirement for the indi-  
6           vidual or the individual’s family.

7           “(E) INCLUSION OF CASEWORKERS.—  
8           Nothing in subparagraph (B)(ii) shall be con-  
9           strued as prohibiting a caseworker from being  
10          a qualified professional for purposes of that  
11          subparagraph if the caseworker satisfies the re-  
12          quirements for being considered a qualified pro-  
13          fessional.”; and

14          (2) by striking paragraph (4).

15          (b) REVIEW AND CONCILIATION PROCESS.—Section  
16          408(a) of the Social Security Act (42 U.S.C. 608(a)) is  
17          amended by adding at the end the following:

18                 “(12) REVIEW AND CONCILIATION PROCESS.—

19                 “(A) IN GENERAL.—A State to which a  
20                 grant is made under section 403 shall not im-  
21                 pose a sanction against an individual or family  
22                 under the State program funded under this  
23                 part on the basis of noncompliance by an indi-  
24                 vidual or family with a program requirement,

1 unless the State satisfies the following require-  
2 ments:

3 “(i) NOTICE.—The State has at-  
4 tempted, at least twice (using at least 2  
5 different communication methods, 1 of  
6 which shall be in writing) to notify the in-  
7 dividual or family, in the individual’s or  
8 family’s native language, of—

9 “(I) the impending imposition of  
10 the sanction;

11 “(II) the reason for the proposed  
12 sanction;

13 “(III) the amount of the sanc-  
14 tion;

15 “(IV) the length of time during  
16 which the proposed sanction would be  
17 in effect; and

18 “(V) the steps required to come  
19 into compliance or to show good cause  
20 for noncompliance.

21 “(ii) REVIEW.—The State has af-  
22 fforded the individual or family an oppor-  
23 tunity to meet with personnel outside the  
24 agency that administers the State program  
25 funded under this part who the State has



1           contracted with to make a determination  
2           regarding why the individual or family did  
3           not comply with the program requirement,  
4           that is to be the basis on which the sanc-  
5           tion is to be imposed, and that includes—

6                       “(I) consideration of whether cer-  
7                       tain barriers to compliance exist that  
8                       contributed to the noncompliance of  
9                       the individual or family, such as a  
10                      physical or mental impairment, in-  
11                      cluding a mental health or substance  
12                      abuse disorder or mental retardation,  
13                      a learning disability, domestic or sex-  
14                      ual violence, limited proficiency in  
15                      English, limited literacy, or the need  
16                      to care for a child with a disability or  
17                      health condition;

18                     “(II) consideration of whether  
19                     the individual or family has good  
20                     cause for failing to meet program re-  
21                     quirements;

22                     “(III) consideration of whether  
23                     an additional assessment would assist  
24                     in identifying reasons for noncompli-  
25                     ance;

1           “(IV) consideration of whether  
2           support services or changes to the  
3           program requirements or activities to  
4           which the individual or family has  
5           been assigned are necessary in order  
6           for the individual or family to comply  
7           with program requirements; and

8           “(V) ensuring that the State’s  
9           sanction policies have been applied  
10          properly.

11          “(B) SANCTION LIMITATIONS.—

12           “(i) BAN ON IMPOSITION OF SANC-  
13           TION IF NEEDED SCREENING, ASSESS-  
14           MENT, OR SERVICES WERE UNAVAIL-  
15           ABLE.—A State may not impose a sanction  
16           against an individual or family under the  
17           State program funded under this part on  
18           the basis of noncompliance by an indi-  
19           vidual or family with a program require-  
20           ment if the individual whose conduct is the  
21           basis of the sanction is in the process of  
22           being screened or assessed for a mental  
23           health problem, disability, substance abuse  
24           problem, or sexual or domestic violence sit-  
25           uation but the screening or assessment has

1 not been completed, or if services outlined  
2 in the service plan developed for the indi-  
3 vidual or family were not offered, available,  
4 and accessible to the individual or family  
5 at the time of the noncompliance.

6 “(ii) NO BAN ON SANCTION IF INDI-  
7 VIDUAL OR FAMILY FAILS TO TAKE ADVAN-  
8 TAGE OF ASSESSMENT OR SERVICES AND  
9 DOES NOT COMPLY WITH WORK REQUIRE-  
10 MENTS.—Nothing in this paragraph shall  
11 be construed as prohibiting a State that  
12 has complied with the requirements of this  
13 paragraph and section 408(b)(1) from im-  
14 posing a sanction for noncompliance with  
15 work requirements against an individual or  
16 family who opts to not take full advantage  
17 of the opportunity for assessment or the  
18 services and supports made available to en-  
19 sure that the individual or family can com-  
20 ply with program requirements if such an  
21 individual or family is not complying with  
22 the State’s work requirements.

23 “(C) SANCTION FOLLOW-UP REQUIRE-  
24 MENTS.—

1           “(i) IN GENERAL.—If a State imposes  
2 a sanction on an individual or family for  
3 failing to comply with program require-  
4 ments, the State shall—

5           “(I) provide, at the time the  
6 sanction is imposed and periodically  
7 thereafter for at least 6 months, no-  
8 tice (in at least 2 different forms) to  
9 the individual or family of the reason  
10 for the sanction and the steps the in-  
11 dividual or family must take to end  
12 the sanction;

13           “(II) reinstate the individual’s or  
14 family’s full benefits if the individual  
15 or family member who failed to meet  
16 the program requirements that led to  
17 the sanction complies with program  
18 requirements for a reasonable period  
19 of time and the individual or family is  
20 otherwise eligible; and

21           “(III) if the sanction is time-lim-  
22 ited, notify the individual or family at  
23 least 10 days before the expiration of  
24 the sanction of the date when the in-  
25 dividual or family will no longer be in

1           sanction status and inform the indi-  
2           vidual or family how assistance will be  
3           reinstated.

4           “(ii) OUTREACH TO INDIVIDUALS AND  
5           FAMILIES SANCTIONED WHO HAVE NOT  
6           RESUMED RECEIVING CASH ASSISTANCE.—  
7           If, during the 5-year period that ended on  
8           the date of enactment of the Chance to  
9           Succeed Act of 2002, a State imposed a  
10          sanction against an individual or family  
11          that resulted in the individual or family  
12          losing all cash assistance under the State  
13          program funded under this part, and the  
14          individual or family did not resume receiv-  
15          ing cash assistance at the end of the sanc-  
16          tion period, the State shall make reason-  
17          able efforts to identify such individuals and  
18          families and notify them, using at least 2  
19          methods of communication, 1 of which is  
20          written, of the assistance, services, and  
21          support they may be eligible to receive.

22          “(D) CONFIDENTIALITY.—The State, and  
23          any individuals or entities acting as agents of  
24          the State, shall not disclose any identifying in-  
25          formation obtained through any process or pro-

1           cedure instituted pursuant to this paragraph  
2           unless required or permitted to do so by law.

3           “(E) DEVELOPMENT OF STANDARDS, PRO-  
4           CEDURES, TRAINING, AND SCREENING TOOLS.—  
5           States and local governments shall, in consulta-  
6           tion with Federal, State, tribal, or local experts  
7           in the different barriers to employment, develop  
8           standards, procedures, training, and screening  
9           tools for use in carrying out this paragraph.”.

10          (c) PLAN REQUIREMENTS FOR INDIVIDUAL RESPON-  
11          SIBILITY PLANS.—Section 408(b)(2)(A) of the Social Se-  
12          curity Act (42 U.S.C. 608(b)(2)(A)) is amended to read  
13          as follows:

14                  “(A) REQUIREMENTS.—

15                          “(i) IN GENERAL.—From the assess-  
16                          ment described in paragraph (1), the  
17                          State, in consultation with the individual  
18                          who is the subject of the assessment, shall  
19                          develop a personal responsibility plan,  
20                          that—

21                                  “(I) sets forth an employment  
22                                  goal to move the individual into stable  
23                                  employment;

24                                  “(II) sets forth the obligations of  
25                                  the individual that will help the indi-

1                   vidual become and remain employed  
2                   in the private sector;

3                   “(III) describes the individual’s  
4                   long-term career goals and the specific  
5                   work experience, education, or train-  
6                   ing needed to reach them; and

7                   “(IV) identifies the services the  
8                   State will offer the individual’s family  
9                   based upon the assessment and eval-  
10                  uation described in this section.

11                  “(ii) MODIFICATION.—If the State is  
12                  unable to provide needed services to the in-  
13                  dividual or the individual’s family, the  
14                  State shall modify the personal responsi-  
15                  bility plan to be consistent with the needs  
16                  of the individual, the family, and the ca-  
17                  pacity of the State.”.

18                  (d) TECHNICAL ASSISTANCE.—The Secretary shall  
19                  coordinate with Federal, State, and tribal experts and  
20                  qualified professionals to determine, develop, and dissemi-  
21                  nate to States, and provide technical assistance with re-  
22                  spect to, model practices, standards, and procedures for  
23                  screening, assessment, addressing barriers, including mul-  
24                  tiple barriers, in a comprehensive manner, and moving in-

1 individuals and families with barriers into employment, as  
2 well as model training materials for caseworkers.

3 (e) STATE PLAN REQUIREMENT.—Section  
4 402(a)(1)(A) of the Social Security Act (42 U.S.C.  
5 602(a)(1)(A)) is amended by adding at the end the fol-  
6 lowing:

7 “(vii) Identify and serve individuals  
8 and families with barriers to employment  
9 as described in section 408(b)(1).”.

10 (f) COORDINATING EXEMPTIONS FROM WORK RE-  
11 QUIREMENTS.—Section 408(a)(7)(C) of the Social Secu-  
12 rity Act (42 U.S.C. 608(a)(7)(C)) is amended by adding  
13 at the end the following:

14 “(iv) FAMILIES EXEMPTED FROM  
15 WORK REQUIREMENTS BY REASON OF BAR-  
16 RIER TO WORK BY FAMILY MEMBER.—The  
17 State shall exempt a family from the appli-  
18 cation of subparagraph (A) of this para-  
19 graph if the State permits a member of the  
20 family (or, in the case of a State that re-  
21 quires a caretaker for an individual who  
22 receives assistance to engage in work, a  
23 caretaker) to engage in activities to ad-  
24 dress barriers, pursuant to section  
25 407(d)(13), so long as the State deter-



1                   mines that the individual is satisfactorily  
2                   participating in such activities.”.

3           (g) ADVISORY PANEL TO IMPROVE STATE POLICIES  
4 AND PROCEDURES FOR ASSISTING INDIVIDUALS AND  
5 FAMILIES WITH BARRIERS TO WORK.—

6                   (1) MEMBERSHIP; CHAIR.—

7                   (A) MEMBERSHIP.—Each State that re-  
8 ceives a State family assistance grant under  
9 section 403(a)(1) of the Social Security Act (42  
10 U.S.C. 603(a)(1)) shall establish an advisory  
11 panel consisting of representatives of the fol-  
12 lowing:

13                   (i) The State agency responsible for  
14 administering the temporary assistance to  
15 needy families program established under  
16 part A of title IV of the Social Security  
17 Act (42 U.S.C. 601 et seq.) (in this sub-  
18 section referred to as the “TANF pro-  
19 gram”).

20                   (ii) Professionals from other State  
21 agencies with expertise in barriers that  
22 interfere with an individual’s or family’s  
23 ability to work, such as physical or mental  
24 impairments, substance abuse, domestic or  
25 sexual violence, learning disabilities, lim-

1           ited English proficiency, limited literacy in  
2           a primary language, and need to care for  
3           a child with a disability or health condi-  
4           tion.

5           (iii) Organizations representing indi-  
6           viduals and families with such barriers.

7           (iv) Professionals with expertise in de-  
8           signing and implementing policies and pro-  
9           grams to successfully serve individuals and  
10          families with such barriers.

11          (v) Individuals and families with such  
12          barriers who are recipients of cash assist-  
13          ance or support services under the TANF  
14          program.

15          (B) CHAIR.—The chief executive officer of  
16          the State shall appoint an individual who is not  
17          a State employee to serve as chair of the advi-  
18          sory panel.

19          (2) DUTIES.—

20                (A) IN GENERAL.—The advisory panel  
21                shall review the efficacy of each program de-  
22                scribed in subparagraph (B) to determine—

23                    (i) the amount of funds spent on serv-  
24                    ices under the program;

1 (ii) the referral process for participa-  
2 tion in the program, including whether in-  
3 dividuals and families received referrals  
4 and services;

5 (iii) the effect services provided under  
6 the program had on an individual's and  
7 family's economic status; and

8 (iv) ways in which the State can im-  
9 prove the effectiveness of its policies and  
10 procedures to serve individuals and fami-  
11 lies with barriers to work or program com-  
12 pliance.

13 (B) PROGRAMS DESCRIBED.—For pur-  
14 poses of subparagraph (A), a program described  
15 in this subparagraph, is a program that—

16 (i) is funded under the TANF pro-  
17 gram;

18 (ii) receives funding from amounts  
19 made available under the State family as-  
20 sistance grant made under section  
21 403(a)(1) of the Social Security Act (42  
22 U.S.C. 603(a)(1)); or

23 (iii) is funded with qualified State ex-  
24 penditures (as defined in section

1           409(a)(7)(B)(i) of such Act (42 U.S.C.  
2           609(a)(7)(B)(i)).

3           (C) DEVELOPMENT OF MECHANISM FOR  
4 REVIEW AND REPORTS BY LOCAL UNITS OF  
5 GOVERNMENT.—In the case of a State in which  
6 significant policy or spending decisions are  
7 made in the State with respect to a program  
8 described in subparagraph (B) at the county or  
9 other local unit of government, then the advi-  
10 sory panel shall develop a mechanism that re-  
11 quires each county or other local unit of govern-  
12 ment to—

13           (i) review its policies and procedures  
14 with respect to that program and file a  
15 written report with the advisory panel re-  
16 garding how the policies and procedures  
17 for the program are designed to assist in-  
18 dividuals and families with barriers to  
19 work; and

20           (ii) respond to any other requests for  
21 information from the advisory panel re-  
22 garding the TANF program.

23           (D) ADDITIONAL AUTHORITY.—In order to  
24 carry out the duties described in this para-  
25 graph, the advisory panel may hold such meet-

1           ings (in addition to the regular meetings re-  
2           quired under paragraph (3)(C)) and such public  
3           hearings, hire such staff, enter into the contract  
4           required under paragraph (4)(B), and travel to  
5           such locations of programs described in sub-  
6           paragraph (B), as the panel determines to be  
7           appropriate.

8           (3) DURATION; MEETINGS.—

9           (A) DURATION.—An advisory panel estab-  
10          lished in accordance with this subsection shall  
11          remain in effect for at least 3 years from the  
12          date of the initial meeting of the panel.

13          (B) DEADLINE FOR INITIAL MEETING.—  
14          Not later than the end of the first Federal fis-  
15          cal year quarter that begins on or after the date  
16          of enactment of this Act, the advisory panel  
17          shall meet for its initial meeting.

18          (C) REGULAR MEETINGS.—The advisory  
19          panel shall meet on a regular basis.

20          (4) REPORTS.—

21          (A) IN GENERAL.—Each advisory panel es-  
22          tablished in accordance with this subsection  
23          shall file the following reports with the Sec-  
24          retary of Health and Human Services:

1 (i) Not later than 12 months after the  
2 initial meeting of the advisory panel, an in-  
3 terim report identifying areas where im-  
4 provement is needed with respect to State  
5 policies and procedures to serve individuals  
6 with barriers to work and the steps the  
7 State is taking or plans to take to make  
8 those improvements.

9 (ii) Not later than 24 months after  
10 such initial meeting, a progress report on  
11 how the improvements identified in the re-  
12 port required under clause (i) are being  
13 made, whether additional improvements  
14 are needed, including plans to make those  
15 improvements, and that includes the report  
16 of the independent evaluation entity re-  
17 quired under subparagraph (B).

18 (iii) Not later than 36 months after  
19 such initial meeting, a final report that de-  
20 scribes how the programs described in sub-  
21 paragraph (B) have been improved to as-  
22 sist individuals and families with barriers  
23 to work and identifies ongoing work that  
24 will be needed to maintain the improve-  
25 ments made.

1 (B) REQUIREMENTS FOR PROGRESS RE-  
2 PORT.—In preparation for the progress report  
3 required under subparagraph (A)(ii), the advi-  
4 sory panel shall hire an independent evaluation  
5 entity to assess the State’s progress in meeting  
6 the goals set forth by the advisory panel. In  
7 States described in paragraph (2)(C), the inde-  
8 pendent evaluation entity shall also assess the  
9 progress being made at the county level or ap-  
10 propriate other unit of local government.

11 (C) REPORTS TO CONGRESS.—The Sec-  
12 retary of Health and Human Services shall  
13 compile the reports submitted under subpara-  
14 graph (A) and shall submit such compilations  
15 to Congress as part of any annual report to  
16 Congress on the TANF program.

17 (5) PUBLIC ACCESS.—

18 (A) IN GENERAL.—All materials collected  
19 by or provided to the advisory panel and all re-  
20 ports submitted by the advisory panel to the  
21 State or the Secretary of Health and Human  
22 Services shall be publicly available.

23 (B) OPPORTUNITY FOR PUBLIC COM-  
24 MENT.—The advisory panel shall create oppor-  
25 tunities to secure public comments on a draft of

1           each report to be submitted to the State or the  
2           Secretary of Health and Human Services and  
3           shall submit a summary of such comments with  
4           the final draft of the report.

5           (6) FUNDING.—Out of funds made available to  
6           carry out this subsection, the Secretary of Health  
7           and Human Services shall pay each State that es-  
8           tablishes an advisory panel in accordance with this  
9           subsection, \$1,500,000, for the period of fiscal years  
10          2003 through 2005.

11          (7) RULE OF CONSTRUCTION.—Nothing in this  
12          paragraph shall be construed as authorizing an advi-  
13          sory review panel established under this paragraph  
14          to resolve complaints filed by individuals or entities  
15          related to possible violations of laws protecting civil  
16          rights.

17          (8) AUTHORIZATION OF APPROPRIATIONS.—  
18          There is authorized to be appropriated to the Sec-  
19          retary of Health and Human Services to carry out  
20          this subsection, such sums as are necessary for each  
21          of fiscal years 2003 through 2006.

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