

107TH CONGRESS
2D SESSION

H. R. 5601

To amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2002

Mr. HOEKSTRA (for himself, Mr. BOEHNER, Mr. DELAY, and Mr. GREENWOOD) introduced the following bill; which was referred to the Committee on Education and the Workforce

OCTOBER 10, 2002

Committee on Education and the Workforce discharged; considered and passed

A BILL

To amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, 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; TABLE OF CONTENTS.**

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

6 (b) **TABLE OF CONTENTS.**—The table of contents of
7 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.
- Sec. 117. Reports.

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—ADOPTION OPPORTUNITIES

- Sec. 201. Congressional findings and declaration of purpose.
- Sec. 202. Information and services.
- Sec. 203. Study of adoption placements.
- Sec. 204. Studies on successful adoptions.
- Sec. 205. Authorization of appropriations.

TITLE III—ABANDONED INFANTS ASSISTANCE

- Sec. 301. Findings.
- Sec. 302. Establishment of local programs.
- Sec. 303. Evaluations, study, and reports by Secretary.
- Sec. 304. Authorization of appropriations.
- Sec. 305. Definitions.

1 **TITLE I—CHILD ABUSE PREVEN-**
 2 **TION AND TREATMENT ACT**
 3 **SEC. 101. FINDINGS.**

4 Section 2 of the Child Abuse Prevention and Treat-
 5 ment Act (42 U.S.C. 5101 note) is amended—

1 (1) in paragraph (1), by striking “close to
2 1,000,000” and inserting “approximately 900,000”;

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

5 (3) by inserting after paragraph (1) the fol-
6 lowing:

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

9 “(B) investigations have determined that ap-
10 proximately 63 percent of children who were victims
11 of maltreatment in 2000 suffered neglect, 19 percent
12 suffered physical abuse, 10 percent suffered sexual
13 abuse, and 8 percent suffered emotional maltreat-
14 ment;

15 “(3)(A) child abuse can result in the death of
16 a child;

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

20 “(C) children younger than 1 year old com-
21 prised 44 percent of child abuse fatalities and 85
22 percent of child abuse fatalities were younger than
23 6 years of age;”;

24 (4) by striking paragraph (4) (as so redesign-
25 nated), and inserting the following:

1 “(4)(A) many of these children and their fami-
2 lies fail to receive adequate protection and treat-
3 ment;

4 “(B) slightly less than half of these children
5 (45 percent in 2000) and their families fail to re-
6 ceive adequate protection or treatment; and

7 “(C) in fact, approximately 80 percent of all
8 children removed from their homes and placed in
9 foster care in 2000, as a result of an investigation
10 or assessment conducted by the child protective serv-
11 ices agency, received no services;”;

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

13 (A) in subparagraph (A), by striking “or-
14 ganizations” and inserting “community-based
15 organizations”;

16 (B) in subparagraph (D), by striking “en-
17 sures” and all that follows through “knowl-
18 edge,” and inserting “recognizes the need for
19 properly trained staff with the qualifications
20 needed”; and

21 (C) in subparagraph (E), by inserting be-
22 fore the semicolon the following: “, which may
23 impact child rearing patterns, while at the same
24 time, not allowing those differences to enable
25 abuse”;

1 (6) in paragraph (7) (as so redesignated), by
2 striking “this national child and family emergency”
3 and inserting “child abuse and neglect”; and

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

5 (A) by striking “intensive” and inserting
6 “needed”; and

7 (B) by striking “if removal has taken
8 place” and inserting “where appropriate”.

9 **Subtitle A—GENERAL PROGRAM**

10 **SEC. 111. NATIONAL CLEARINGHOUSE FOR INFORMATION**

11 **RELATING TO CHILD ABUSE.**

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

15 (1) in paragraph (1), by striking “all pro-
16 grams,” and all that follows through “neglect; and”
17 and inserting “all effective programs, including pri-
18 vate and community-based programs, that show
19 promise of success with respect to the prevention,
20 assessment, identification, and treatment of child
21 abuse and neglect and hold the potential for broad
22 scale implementation and replication;”;

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

1 (3) by redesignating paragraph (2) as para-
2 graph (3);

3 (4) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) maintain information about the best prac-
6 tices used for achieving improvements in child pro-
7 tective systems;” and

8 (5) by adding at the end the following:

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

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

14 “(B) ways to mitigate psychological trau-
15 ma to the child victim; and

16 “(C) effective programs carried out by the
17 States under this Act; and

18 “(5) collect and disseminate information relat-
19 ing to various training resources available at the
20 State and local level to—

21 “(A) individuals who are engaged, or who
22 intend to engage, in the prevention, identifica-
23 tion, and treatment of child abuse and neglect;
24 and

1 “(B) appropriate State and local officials
2 to assist in training law enforcement, legal, ju-
3 dicial, medical, mental health, education, and
4 child welfare personnel.”.

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

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

10 (2) by redesignating subparagraph (F) as sub-
11 paragraph (G); and

12 (3) by inserting after subparagraph (E) the fol-
13 lowing:

14 “(F) collect and disseminate information
15 that describes best practices being used
16 throughout the Nation for making appropriate
17 referrals related to, and addressing, the phys-
18 ical, developmental, and mental health needs of
19 abused and neglected children; and”.

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

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

25 (1) in paragraph (1)—

1 (A) in the matter preceding subparagraph
2 (A), in the first sentence, by inserting “, includ-
3 ing longitudinal research,” after “interdiscipli-
4 nary program of research”;

5 (B) in subparagraph (B), by inserting be-
6 fore the semicolon the following: “, including
7 the effects of abuse and neglect on a child’s de-
8 velopment and the identification of successful
9 early intervention services or other services that
10 are needed”;

11 (C) in subparagraph (C)—

12 (i) by striking “judicial procedures”
13 and inserting “judicial systems, including
14 multidisciplinary, coordinated decision-
15 making procedures”; and

16 (ii) by striking “and” at the end;

17 (D) in subparagraph (D)—

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

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

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

24 “(ix) the incidence and prevalence of
25 child maltreatment by a wide array of de-

1 mographic characteristics such as age, sex,
2 race, family structure, household relation-
3 ship (including the living arrangement of
4 the resident parent and family size), school
5 enrollment and education attainment, dis-
6 ability, grandparents as caregivers, labor
7 force status, work status in previous year,
8 and income in previous year; and”;

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

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

13 “(D) the evaluation and dissemination of
14 best practices consistent with the goals of
15 achieving improvements in the child protective
16 services systems of the States in accordance
17 with paragraphs (1) through (12) of section
18 106(a);

19 “(E) effective approaches to interagency
20 collaboration between the child protection sys-
21 tem and the juvenile justice system that im-
22 prove the delivery of services and treatment, in-
23 cluding methods for continuity of treatment
24 plan and services as children transition between
25 systems;

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

5 “(G) the nature, scope, and practice of vol-
6 untary relinquishment for foster care or State
7 guardianship of low income children who need
8 health services, including mental health serv-
9 ices;

10 “(H) the information on the national inci-
11 dence of child abuse and neglect specified in
12 clauses (i) through (xi) of subparagraph (H);
13 and”;

14 (2) in paragraph (2), by striking subparagraph
15 (B) and inserting the following:

16 “(B) Not later than 2 years after the date
17 of enactment of the Keeping Children and
18 Families Safe Act of 2002, and every 2 years
19 thereafter, the Secretary shall provide an oppor-
20 tunity for public comment concerning the prior-
21 ities proposed under subparagraph (A) and
22 maintain an official record of such public com-
23 ment.”;

24 (3) by redesignating paragraph (2) as para-
25 graph (4);

1 (4) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) RESEARCH.—The Secretary shall conduct
4 research on the national incidence of child abuse and
5 neglect, including the information on the national in-
6 cidence on child abuse and neglect specified in sub-
7 paragraphs (i) through (ix) of paragraph (1)(I).

8 “(3) REPORT.—Not later than 4 years after the
9 date of the enactment of the Keeping Children and
10 Families Safe Act of 2002, the Secretary shall pre-
11 pare and submit to the Committee on Education and
12 the Workforce of the House of Representatives and
13 the Committee on Health, Education, Labor and
14 Pensions of the Senate a report that contains the re-
15 sults of the research conducted under paragraph
16 (2).”.

17 (b) PROVISION OF TECHNICAL ASSISTANCE.—Sec-
18 tion 104(b) of the Child Abuse Prevention and Treatment
19 Act (42 U.S.C. 5105(b)) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “nonprofit private agencies
22 and” and inserting “private agencies and com-
23 munity-based”; and

1 (B) by inserting “, including replicating
2 successful program models,” after “programs
3 and activities”; and

4 (2) in paragraph (2)—

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

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

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

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

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

20 “(e) DEMONSTRATION PROGRAMS AND PROJECTS.—
21 The Secretary may award grants to, and enter into con-
22 tracts with, States or public or private agencies or organi-
23 zations (or combinations of such agencies or organiza-
24 tions) for time-limited, demonstration projects for the fol-
25 lowing:

1 “(1) PROMOTION OF SAFE, FAMILY-FRIENDLY
2 PHYSICAL ENVIRONMENTS FOR VISITATION AND EX-
3 CHANGE.—The Secretary may award grants under
4 this subsection to entities to assist such entities in
5 establishing and operating safe, family-friendly phys-
6 ical environments—

7 “(A) for court-ordered, supervised visita-
8 tion between children and abusing parents; and

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

12 “(2) EDUCATION IDENTIFICATION, PREVEN-
13 TION, AND TREATMENT.—The Secretary may award
14 grants under this subsection to entities for projects
15 that provide educational identification, prevention,
16 and treatment services in cooperation with preschool
17 and elementary and secondary schools.

18 “(3) RISK AND SAFETY ASSESSMENT TOOLS.—
19 The Secretary may award grants under this sub-
20 section to entities for projects that provide for the
21 development of research-based risk and safety as-
22 sessment tools relating to child abuse and neglect.

23 “(4) TRAINING.—The Secretary may award
24 grants under this subsection to entities for projects

1 that involve research-based innovative training for
2 mandated child abuse and neglect reporters.

3 “(5) RESEARCH-BASED ADOLESCENT VICTIM/
4 VICTIMIZER PREVENTION PROGRAMS.—The Sec-
5 retary may award grants to organizations that dem-
6 onstrate innovation in preventing child sexual abuse
7 through school-based programs in partnership with
8 parents and community-based organizations to es-
9 tablish a network of trainers who will work with
10 schools to implement the program. The program
11 shall be research-based, meet State guidelines for
12 health education, and should reduce child sexual
13 abuse by focusing on prevention for both adolescent
14 victims and victimizers.”.

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

17 (a) DEMONSTRATION PROGRAMS AND PROJECTS.—
18 Section 105(a) of the Child Abuse Prevention and Treat-
19 ment Act (42 U.S.C. 5106(a)) is amended—

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

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

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

25 (B) by striking “nonprofit”; and

1 (C) by striking “time limited, demonstra-
2 tion”;

3 (3) in paragraph (1)—

4 (A) in subparagraph (A), by striking “law,
5 education, social work, and other relevant
6 fields” and inserting “law enforcement, judici-
7 ary, social work and child protection, education,
8 and other relevant fields, or individuals such as
9 court appointed special advocates (CASAs) and
10 guardian ad litem,”;

11 (B) in subparagraph (B), by striking “non-
12 profit” and all that follows through “; and” and
13 inserting “children, youth and family service or-
14 ganizations in order to prevent child abuse and
15 neglect;”;

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

18 (D) by adding at the end the following:

19 “(D) for training to support the enhance-
20 ment of linkages between child protective serv-
21 ice agencies and health care agencies, including
22 physical and mental health services, to improve
23 forensic diagnosis and health evaluations and
24 for innovative partnerships between child pro-
25 tective service agencies and health care agencies

1 that offer creative approaches to using existing
2 Federal, State, local, and private funding to
3 meet the health evaluation needs of children
4 who have been subjects of substantiated cases
5 of child abuse or neglect;

6 “(E) for the training of personnel in best
7 practices to promote collaboration with the fam-
8 ilies from the initial time of contact during the
9 investigation through treatment;

10 “(F) for the training of personnel regard-
11 ing the legal duties of such personnel and their
12 responsibilities to protect the legal rights of
13 children and families;

14 “(G) for improving the training of super-
15 visory and nonsupervisory child welfare work-
16 ers;

17 “(H) for enabling State child welfare agen-
18 cies to coordinate the provision of services with
19 State and local health care agencies, alcohol
20 and drug abuse prevention and treatment agen-
21 cies, mental health agencies, and other public
22 and private welfare agencies to promote child
23 safety, permanence, and family stability;

24 “(I) for cross training for child protective
25 service workers in research-based methods for

1 recognizing situations of substance abuse, do-
2 mestic violence, and neglect; and

3 “(J) for developing, implementing, or oper-
4 ating information and education programs or
5 training programs designed to improve the pro-
6 vision of services to disabled infants with life-
7 threatening conditions for—

8 “(i) professionals and paraprofessional
9 personnel concerned with the welfare of
10 disabled infants with life-threatening con-
11 ditions, including personnel employed in
12 child protective services programs and
13 health care facilities; and

14 “(ii) the parents of such infants.”;

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

17 (5) by inserting after paragraph (1), the fol-
18 lowing:

19 “(2) TRIAGE PROCEDURES.—The Secretary
20 may award grants under this subsection to public
21 and private agencies that demonstrate innovation in
22 responding to reports of child abuse and neglect, in-
23 cluding programs of collaborative partnerships be-
24 tween the State child protective services agency,
25 community social service agencies and family sup-

1 port programs, law enforcement agencies, develop-
2 mental disability agencies, substance abuse treat-
3 ment entities, health care entities, domestic violence
4 prevention entities, mental health service entities,
5 schools, churches and synagogues, and other commu-
6 nity agencies, to allow for the establishment of a
7 triage system that—

8 “(A) accepts, screens, and assesses reports
9 received to determine which such reports re-
10 quire an intensive intervention and which re-
11 quire voluntary referral to another agency, pro-
12 gram, or project;

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

17 “(C) provides further investigation and in-
18 tensive intervention where the child’s safety is
19 in jeopardy.”;

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

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

23 (A) by striking the paragraph heading;

24 (B) by striking subparagraphs (A) and

25 (C); and

1 (C) in subparagraph (B)—

2 (i) by striking “(B) KINSHIP CARE.—

3 ” and inserting the following:

4 “(4) KINSHIP CARE.—

5 “(A) IN GENERAL.—”; and

6 (ii) by striking “nonprofit”; and

7 (8) by adding at the end the following:

8 “(5) LINKAGES BETWEEN CHILD PROTECTIVE
9 SERVICE AGENCIES AND PUBLIC HEALTH, MENTAL
10 HEALTH, AND DEVELOPMENTAL DISABILITIES AGEN-
11 CIES.—The Secretary may award grants to entities
12 that provide linkages between State or local child
13 protective service agencies and public health, mental
14 health, and developmental disabilities agencies, for
15 the purpose of establishing linkages that are de-
16 signed to help assure that a greater number of sub-
17 stantiated victims of child maltreatment have their
18 physical health, mental health, and developmental
19 needs appropriately diagnosed and treated.”.

20 (b) DISCRETIONARY GRANTS.—Section 105(b) of the
21 Child Abuse Prevention and Treatment Act (42 U.S.C.
22 5106(b)) is amended—

23 (1) by striking paragraph (1);

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

1 (3) by inserting after paragraph (2) (as so re-
2 designated), the following:

3 “(3) Programs based within children’s hospitals
4 or other pediatric and adolescent care facilities, that
5 provide model approaches for improving medical di-
6 agnosis of child abuse and neglect and for health
7 evaluations of children for whom a report of mal-
8 treatment has been substantiated.”; and

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

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

14 (1) in the first sentence, by striking “dem-
15 onstration”;

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

18 (3) by adding at the end the following: “In the
19 case of an evaluation performed by the recipient of
20 a grant, the Secretary shall make available technical
21 assistance for the evaluation, where needed, includ-
22 ing the use of a rigorous application of scientific
23 evaluation techniques.”.

24 (d) TECHNICAL AMENDMENT TO HEADING.—The
25 section heading for section 105 of the Child Abuse Preven-

1 tion and Treatment Act (42 U.S.C. 5106) is amended to
2 read as follows:

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

5 **SEC. 114. GRANTS TO STATES FOR CHILD ABUSE AND NE-**
6 **GLECT PREVENTION AND TREATMENT PRO-**
7 **GRAMS.**

8 (a) DEVELOPMENT AND OPERATION GRANTS.—Sec-
9 tion 106(a) of the Child Abuse Prevention and Treatment
10 Act (42 U.S.C. 5106a(a)) is amended—

11 (1) in paragraph (3)—

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

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

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

20 (3) by striking paragraph (7);

21 (4) by redesignating paragraphs (5), (6), (8),
22 and (9) as paragraphs (6), (8), (9), and (12), re-
23 spectively;

24 (5) by inserting after paragraph (4), the fol-
25 lowing:

1 “(5) developing and updating systems of tech-
2 nology that support the program and track reports
3 of child abuse and neglect from intake through final
4 disposition and allow interstate and intrastate infor-
5 mation exchange;”;

6 (6) in paragraph (6) (as so redesignated), by
7 striking “opportunities” and all that follows through
8 “system” and inserting “including training regard-
9 ing research-based practices to promote collaboration
10 with the families and the legal duties of such indi-
11 viduals”;

12 (7) by inserting after paragraph (6) (as so re-
13 designated) the following:

14 “(7) improving the skills, qualifications, and
15 availability of individuals providing services to chil-
16 dren and families, and the supervisors of such indi-
17 viduals, through the child protection system, includ-
18 ing improvements in the recruitment and retention
19 of caseworkers;”;

20 (8) by striking paragraph (9) (as so redesign-
21 ated), and inserting the following:

22 “(9) developing and facilitating research-based
23 training protocols for individuals mandated to report
24 child abuse or neglect;

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

5 “(A) existing social and health services;

6 “(B) financial assistance; and

7 “(C) services necessary to facilitate adop-
8 tive placement of any such infants who have
9 been relinquished for adoption;

10 “(11) developing and delivering information to
11 improve public education relating to the role and re-
12 sponsibilities of the child protection system and the
13 nature and basis for reporting suspected incidents of
14 child abuse and neglect;” and

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

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

18 “(13) supporting and enhancing interagency
19 collaboration between the child protection system
20 and the juvenile justice system for improved delivery
21 of services and treatment, including methods for
22 continuity of treatment plan and services as children
23 transition between systems; or

24 “(14) supporting and enhancing collaboration
25 among public health agencies, the child protection

1 system, and private community-based programs to
2 provide child abuse and neglect prevention and
3 treatment services (including linkages with education
4 systems) and to address the health needs, including
5 mental health needs, of children identified as abused
6 or neglected, including supporting prompt, com-
7 prehensive health and developmental evaluations for
8 children who are the subject of substantiated child
9 maltreatment reports.”.

10 (b) ELIGIBILITY REQUIREMENTS.—

11 (1) IN GENERAL.—Section 106(b) of the Child
12 Abuse Prevention and Treatment Act (42 U.S.C.
13 5106a(b)) is amended—

14 (A) in paragraph (1)(B)—

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

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

20 (ii) by striking the period and insert-
21 ing “; and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(ii) any significant changes to how
25 funds provided under this section are used

1 to support the activities which may differ
2 from the activities as described in the cur-
3 rent State application.”;

4 (B) in paragraph (2)(A)—

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

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

12 “(ii) policies and procedures (includ-
13 ing appropriate referrals to child protection
14 service systems and for other appropriate
15 services) to address the needs of infants
16 born and identified as being physically af-
17 fected by illegal substance abuse or with-
18 drawal symptoms resulting from prenatal
19 drug exposure and requirements for the
20 development of a plan of safe care for the
21 infant;”;

22 (iii) in clause (iii) (as so redesign-
23 ated), by inserting “risk and” before
24 “safety”;

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

3 “(iv) triage procedures for the appro-
4 priate referral of a child not at risk of im-
5 minent harm to a community organization
6 or voluntary preventive service;”;

7 (v) in clause (vii)(II) (as so redesign-
8 ated), by striking “, having a need for
9 such information in order to carry out its
10 responsibilities under law to protect chil-
11 dren from abuse and neglect” and insert-
12 ing “, as described in clause (viii)”;

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

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

22 (vii) in clause (xii) (as so redesign-
23 ated)—

1 (I) by inserting “who has re-
2 ceived training appropriate to the role,
3 and” after “guardian ad litem,”; and

4 (II) by inserting “who has re-
5 ceived training appropriate to that
6 role” after “advocate”;

7 (viii) in clause (xiv) (as so redesign-
8 nated), by striking “to be effective not
9 later than 2 years after the date of enact-
10 ment of this section”;

11 (ix) in clause (xv) (as so redesign-
12 nated)—

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

16 (II) by striking “and” at the end;

17 (x) in clause (xvi) (as so redesign-
18 nated), by striking “clause (xii)” each
19 place that such appears and inserting
20 “clause (xv)”;

21 (xi) by adding at the end the fol-
22 lowing:

23 “(xvii) provisions and procedures to
24 require that a representative of the child
25 protective services agency shall, at the ini-

1 tial time of contact with the individual sub-
2 ject to a child abuse and neglect investiga-
3 tion, advise the individual of the com-
4 plaints or allegations made against the in-
5 dividual, in a manner that is consistent
6 with laws protecting the rights of the in-
7 formant;

8 “(xviii) provisions addressing the
9 training of representatives of the child pro-
10 tective services system regarding the legal
11 duties of the representatives, which may
12 consist of various methods of informing
13 such representatives of such duties, in
14 order to protect the legal rights and safety
15 of children and families from the initial
16 time of contact during investigation
17 through treatment;

18 “(xix) provisions and procedures for
19 improving the training, retention, and su-
20 pervision of caseworkers; and

21 “(xx) not later than 2 years after the
22 date of enactment of the Keeping Children
23 and Families Safe Act of 2002, provisions
24 and procedures for requiring criminal
25 background record checks for prospective

1 foster and adoptive parents and other
2 adult relatives and non-relatives residing in
3 the household;” and

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

6 “Nothing in subparagraph (A) shall be construed to
7 limit the State’s flexibility to determine State poli-
8 cies relating to public access to court proceedings to
9 determine child abuse and neglect.”.

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

16 (c) CITIZEN REVIEW PANELS.—Section 106(c) of the
17 Child Abuse Prevention and Treatment Act (42 U.S.C.
18 5106a(c)) is amended—

19 (1) in paragraph (4)—

20 (A) in subparagraph (A)—

21 (i) in the matter preceding clause

22 (i)—

23 (I) by striking “and procedures”
24 and inserting “, procedures, and prac-
25 tices”; and

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

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

7 (B) by adding at the end the following:

8 “(C) PUBLIC OUTREACH.—Each panel
9 shall provide for public outreach and comment
10 in order to assess the impact of current proce-
11 dures and practices upon children and families
12 in the community and in order to meet its obli-
13 gations under subparagraph (A).”; and

14 (2) in paragraph (6)—

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

17 (B) by inserting before the period the fol-
18 lowing: “and recommendations to improve the
19 child protection services system at the State
20 and local levels. Not later than 6 months after
21 the date on which a report is submitted by the
22 panel to the State, the appropriate State agency
23 shall submit a written response to the State
24 and local child protection systems that describes
25 whether or how the State will incorporate the

1 recommendations of such panel (where appro-
2 priate) to make measurable progress in improv-
3 ing the State and local child protective system”.

4 (d) ANNUAL STATE DATA REPORTS.—Section
5 106(d) of the Child Abuse Prevention and Treatment Act
6 (42 U.S.C. 5106a(d)) is amended by adding at the end
7 the following:

8 “(13) The annual report containing the sum-
9 mary of the activities of the citizen review panels of
10 the State required by subsection (c)(6).

11 “(14) The number of children under the care of
12 the State child protection system who are trans-
13 ferred into the custody of the State juvenile justice
14 system.”.

15 (e) REPORT.—Not later than 2 years after the date
16 of enactment of this Act, the Secretary of Health and
17 Human Services shall prepare and submit to Congress a
18 report that describes the extent to which States are imple-
19 menting the policies and procedures required under sec-
20 tion 106(b)(2)(B)(ii) of the Child Abuse Prevention and
21 Treatment Act.

1 **SEC. 115. MISCELLANEOUS REQUIREMENTS RELATING TO**
2 **ASSISTANCE.**

3 Section 108 of the Child Abuse Prevention and
4 Treatment Act (42 U.S.C. 5106d) is amended by adding
5 at the end the following:

6 “(d) GAO STUDY.—The Comptroller General of the
7 United States shall conduct a survey of a wide range of
8 State and local child protection service systems to evaluate
9 and submit to Congress a report concerning the cross
10 training of child protective service workers and court per-
11 sonnel.

12 “(e) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the Secretary should encourage all States and
14 public and private agencies or organizations that receive
15 assistance under this title to ensure that children and fam-
16 ilies with limited English proficiency who participate in
17 programs under this title are provided materials and serv-
18 ices under such programs in an appropriate language
19 other than English.”.

20 **SEC. 116. AUTHORIZATION OF APPROPRIATIONS.**

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

24 “(1) GENERAL AUTHORIZATION.—There are
25 authorized to be appropriated to carry out this title
26 \$120,000,000 for fiscal year 2003 and such sums as

1 may be necessary for each of the fiscal years 2004
2 through 2007.”.

3 (b) DEMONSTRATION PROJECTS.—Section
4 112(a)(2)(B) of the Child Abuse Prevention and Treat-
5 ment Act (42 U.S.C. 5106h(a)(2)(B)) is amended—

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

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

10 **SEC. 117. REPORTS.**

11 Section 110 of the Child Abuse Prevention and
12 Treatment Act (42 U.S.C. 5106f) is amended by adding
13 at the end the following:

14 “(c) STUDY AND REPORT RELATING TO CITIZEN RE-
15 VIEW PANELS.—

16 “(1) STUDY.—The Secretary shall conduct a
17 study by random sample of the effectiveness of the
18 citizen review panels established under section
19 106(c).

20 “(2) REPORT.—Not later than 3 years after the
21 date of enactment of the Keeping Children and
22 Families Safe Act of 2002, the Secretary shall sub-
23 mit to the Committee on Education and the Work-
24 force of the House of Representatives and the Com-
25 mittee on Health, Education, Labor, and Pensions

1 of the Senate a report that contains the results of
2 the study conducted under paragraph (1).”.

3 **Subtitle B—Community-Based**
4 **Grants for the Prevention of**
5 **Child Abuse**

6 **SEC. 121. PURPOSE AND AUTHORITY.**

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

10 “(1) to support community-based efforts to de-
11 velop, operate, expand, enhance, and, where appro-
12 priate to network, initiatives aimed at the prevention
13 of child abuse and neglect, and to support networks
14 of coordinated resources and activities to better
15 strengthen and support families to reduce the likeli-
16 hood of child abuse and neglect; and”.

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

20 (1) in paragraph (1)—

21 (A) in the matter preceding subparagraph
22 (A) by striking “Statewide” and all that follows
23 through the dash, and inserting “community-
24 based and prevention-focused programs and ac-
25 tivities designed to prevent child abuse and ne-

1 glect (through networks where appropriate)
2 that are accessible, effective, culturally appro-
3 priate, and build upon existing strengths
4 that—”;

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

7 (C) by striking subparagraph (G) and in-
8 serting the following:

9 “(G) demonstrate a commitment to mean-
10 ingful parent leadership, including among par-
11 ents of children with disabilities, parents with
12 disabilities, racial and ethnic minorities, and
13 members of other underrepresented or under-
14 served groups; and

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

17 (2) in paragraph (4)—

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

20 (B) by striking “a Statewide network of
21 community-based, prevention-focused” and in-
22 serting “community-based and prevention-fo-
23 cused”; and

24 (C) by striking “family resource and sup-
25 port program” and inserting “programs and ac-

1 activities designed to prevent child abuse and ne-
2 glect (through networks where appropriate)”.

3 (c) TECHNICAL AMENDMENT TO TITLE HEADING.—
4 Title II of the Child Abuse Prevention and Treatment Act
5 (42 U.S.C. 5116) is amended by striking the heading for
6 such title and inserting the following:

7 **“TITLE II—COMMUNITY-BASED**
8 **GRANTS FOR THE PREVEN-**
9 **TION OF CHILD ABUSE AND**
10 **NEGLECT”.**

11 **SEC. 122. ELIGIBILITY.**

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

14 (1) in paragraph (1)—

15 (A) in subparagraph (A)—

16 (i) by striking “a Statewide network
17 of community-based, prevention-focused”
18 and inserting “community-based and pre-
19 vention-focused”; and

20 (ii) by striking “family resource and
21 support programs” and all that follows
22 through the semicolon and inserting “pro-
23 grams and activities designed to prevent
24 child abuse and neglect (through networks
25 where appropriate);”

1 (B) in subparagraph (B), by inserting
2 “that exists to strengthen and support families
3 to prevent child abuse and neglect” after “writ-
4 ten authority of the State”;

5 (2) in paragraph (2)—

6 (A) in subparagraph (A), by striking “a
7 network of community-based family resource
8 and support programs” and inserting “commu-
9 nity-based and prevention-focused programs
10 and activities designed to prevent child abuse
11 and neglect (through networks where appro-
12 priate)”;

13 (B) in subparagraph (B)—

14 (i) by striking “to the network”; and

15 (ii) by inserting “, and parents with
16 disabilities” before the semicolon;

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

19 (3) in paragraph (3)—

20 (A) in subparagraph (A), by striking
21 “Statewide network of community-based, pre-
22 vention-focused, family resource and support
23 programs” and inserting “community-based and
24 prevention-focused programs and activities to

1 prevent child abuse and neglect (through net-
2 works where appropriate)”;

3 (B) in subparagraph (B), by striking
4 “Statewide network of community-based, pre-
5 vention-focused, family resource and support
6 programs” and inserting “community-based and
7 prevention-focused programs and activities to
8 prevent child abuse and neglect (through net-
9 works where appropriate)”;

10 (C) in subparagraph (C), by striking “and
11 training and technical assistance, to the State-
12 wide network of community-based, prevention-
13 focused, family resource and support programs”
14 and inserting “training, technical assistance,
15 and evaluation assistance, to community-based
16 and prevention-focused programs and activities
17 to prevent child abuse and neglect (through net-
18 works where appropriate)”; and

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

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

23 Section 203(b)(1)(B) of the Child Abuse Prevention
24 and Treatment Act (42 U.S.C. 5116b(b)(1)(B)) is amend-
25 ed—

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

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

9 **SEC. 124. EXISTING GRANTS.**

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

12 **SEC. 125. APPLICATION.**

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

15 (1) in paragraph (1), by striking “Statewide
16 network of community-based, prevention-focused,
17 family resource and support programs” and insert-
18 ing “community-based and prevention-focused pro-
19 grams and activities to prevent child abuse and ne-
20 glect (through networks where appropriate)”;

21 (2) in paragraph (2)—

22 (A) by striking “network of community-
23 based, prevention-focused, family resource and
24 support programs” and inserting “community-
25 based and prevention-focused programs and ac-

1 activities to prevent child abuse and neglect
2 (through networks where appropriate)”; and

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

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

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

12 (4) in paragraph (4), by striking “State’s net-
13 work of community-based, prevention-focused, family
14 resource and support programs” and inserting
15 “community-based and prevention-focused programs
16 and activities designed to prevent child abuse and
17 neglect”;

18 (5) in paragraph (5), by striking “Statewide
19 network of community-based, prevention-focused,
20 family resource and support programs” and insert-
21 ing “start up, maintenance, expansion, and redesign
22 of community-based and prevention-focused pro-
23 grams and activities designed to prevent child abuse
24 and neglect”;

1 (6) in paragraph (7), by striking “individual
2 community-based, prevention-focused, family re-
3 source and support programs” and inserting “com-
4 munity-based and prevention-focused programs and
5 activities designed to prevent child abuse and ne-
6 glect”;

7 (7) in paragraph (8), by striking “community-
8 based, prevention-focused, family resource and sup-
9 port programs” and inserting “community-based
10 and prevention-focused programs and activities de-
11 signed to prevent child abuse and neglect”;

12 (8) in paragraph (9), by striking “community-
13 based, prevention-focused, family resource and sup-
14 port programs” and inserting “community-based
15 and prevention-focused programs and activities de-
16 signed to prevent child abuse and neglect”;

17 (9) in paragraph (10), by inserting “(where ap-
18 propriate)” after “members”;

19 (10) in paragraph (11), by striking “preven-
20 tion-focused, family resource and support program”
21 and inserting “community-based and prevention-fo-
22 cused programs and activities designed to prevent
23 child abuse and neglect”; and

24 (11) by redesignating paragraph (13) as para-
25 graph (12).

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

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

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

9 (2) in paragraph (3)(B), by inserting “vol-
10 untary home visiting and” after “including”; and

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

13 “(6) participate with other community-based
14 and prevention-focused programs and activities to
15 prevent child abuse and neglect in the development,
16 operation and expansion of networks where appro-
17 priate.”.

18 **SEC. 127. PERFORMANCE MEASURES.**

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

21 (1) in paragraph (1), by striking “a Statewide
22 network of community-based, prevention-focused,
23 family resource and support programs” and insert-
24 ing “community-based and prevention-focused pro-
25 grams and activities to prevent child abuse and ne-
26 glect”;

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

3 “(3) shall demonstrate that they will have ad-
4 dressed unmet needs identified by the inventory and
5 description of current services required under section
6 205(3);”;

7 (3) in paragraph (4),

8 (A) by inserting “and parents with disabili-
9 ties,” after “children with disabilities,”; and

10 (B) by striking “evaluation of” the first
11 place it appears and all that follows through
12 “under this title” and inserting “evaluation of
13 community-based and prevention-focused pro-
14 grams and activities to prevent child abuse and
15 neglect, and in the design, operation and eval-
16 uation of the networks of such community-
17 based and prevention-focused programs”;

18 (4) in paragraph (5), by striking “, prevention-
19 focused, family resource and support programs” and
20 inserting “and prevention-focused programs and ac-
21 tivities designed to prevent child abuse and neglect”;

22 (5) in paragraph (6), by striking “Statewide
23 network of community-based, prevention-focused,
24 family resource and support programs” and insert-
25 ing “community-based and prevention-focused pro-

1 grams and activities designed to prevent child abuse
2 and neglect”; and

3 (6) in paragraph (8), by striking “community
4 based, prevention-focused, family resource and sup-
5 port programs” and inserting “community-based
6 and prevention-focused programs and activities de-
7 signed to prevent child abuse and neglect”.

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

10 Section 208(3) of the Child Abuse Prevention and
11 Treatment Act (42 U.S.C. 5116g(3)) is amended by strik-
12 ing “Statewide networks of community-based, prevention-
13 focused, family resource and support programs” and in-
14 serting “community-based and prevention-focused pro-
15 grams and activities designed to prevent child abuse and
16 neglect”.

17 **SEC. 129. DEFINITIONS.**

18 (a) CHILDREN WITH DISABILITIES.—Section 209(1)
19 of the Child Abuse Prevention and Treatment Act (42
20 U.S.C. 5116h(1)) is amended by striking “given such term
21 in section 602(a)(2)” and inserting “given the term ‘child
22 with a disability’ in section 602(3) or ‘infant or toddler
23 with a disability’ in section 632(5)”.

24 (b) COMMUNITY-BASED AND PREVENTION-FOCUSED
25 PROGRAMS AND ACTIVITIES TO PREVENT CHILD ABUSE

1 AND NEGLECT.—Section 209 of the Child Abuse Preven-
2 tion and Treatment Act (42 U.S.C. 5116h) is amended
3 by striking paragraphs (3) and (4) and inserting the fol-
4 lowing:

5 “(3) COMMUNITY-BASED AND PREVENTION-FO-
6 CUSED PROGRAMS AND ACTIVITIES TO PREVENT
7 CHILD ABUSE AND NEGLECT.—The term ‘commu-
8 nity-based and prevention-focused programs and ac-
9 tivities to prevent child abuse and neglect’ includes
10 organizations such as family resource programs,
11 family support programs, voluntary home visiting
12 programs, respite care programs, parenting edu-
13 cation, mutual support programs, and other commu-
14 nity programs that provide activities that are de-
15 signed to prevent or respond to child abuse and ne-
16 glect.”.

17 **SEC. 130. AUTHORIZATION OF APPROPRIATIONS.**

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

21 **“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

22 “‘There are authorized to be appropriated to carry out
23 this title \$80,000,000 for fiscal year 2003 and such sums
24 as may be necessary for each of the fiscal years 2004
25 through 2007.’”.

1 **TITLE II—ADOPTION**
2 **OPPORTUNITIES**

3 **SEC. 201. CONGRESSIONAL FINDINGS AND DECLARATION**
4 **OF PURPOSE.**

5 Section 201 of the Child Abuse Prevention and
6 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
7 5111) is amended—

8 (1) in subsection (a)—

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

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

15 “(2) children entering foster care have complex
16 problems that require intensive services, with many
17 such children having special needs because they are
18 born to mothers who did not receive prenatal care,
19 are born with life threatening conditions or disabili-
20 ties, are born addicted to alcohol or other drugs, or
21 have been exposed to infection with the etiologic
22 agent for the human immunodeficiency virus;

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

25 (B) by striking paragraph (6);

1 (C) by striking paragraph (7)(A) and in-
2 serting the following:

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

5 (D) by redesignating paragraphs (5), (7),
6 (8), (9), and (10) as paragraphs (4), (5), (6),
7 (7), and (8) respectively; and
8 (2) in subsection (b)—

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

12 (B) in paragraph (2), by striking “a na-
13 tional” and inserting “an Internet-based na-
14 tional”.

15 **SEC. 202. INFORMATION AND SERVICES.**

16 Section 203 of the Child Abuse Prevention and
17 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
18 5113) is amended—

19 (1) by striking the section heading and insert-
20 ing the following:

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

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

24 “(a) IN GENERAL.—The Secretary”;

25 (3) in subsection (b)—

1 (A) by inserting “REQUIRED ACTIVI-
2 TIES.—” after “(b)”;

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

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

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

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

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

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

16 (H) in paragraph (9)—

17 (i) by striking “nonprofit”; and

18 (ii) by striking “and” at the end;

19 (I) in paragraph (10)—

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

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

24 (J) by adding at the end the following:

1 “(11) provide (directly or by grant to or con-
2 tract with States, local government entities, or pub-
3 lic or private licensed child welfare or adoption agen-
4 cies) for the implementation of programs that are
5 intended to increase the number of older children
6 (who are in foster care and with the goal of adop-
7 tion) placed in adoptive families, with a special em-
8 phasis on child-specific recruitment strategies, in-
9 cluding—

10 “(A) outreach, public education, or media
11 campaigns to inform the public of the needs
12 and numbers of older youth available for adop-
13 tion;

14 “(B) training of personnel in the special
15 needs of older youth and the successful strate-
16 gies of child-focused, child-specific recruitment
17 efforts; and

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

20 (4) in subsection (c)—

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

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

25 “(1) IN GENERAL.—The Secretary”;

1 (B) by striking “(2) Services” and insert-
2 ing the following:

3 “(2) SERVICES.—Services”; and

4 (C) in paragraph (2)—

5 (i) by realigning the margins of sub-
6 paragraphs (A) through (G) accordingly;

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

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

11 (iv) by adding at the end the fol-
12 lowing:

13 “(H) day treatment; and

14 “(I) respite care.”; and

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

17 (5) in subsection (d)—

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

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

22 “(1) IN GENERAL.—The Secretary”;

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

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

3 “(A) APPLICATIONS.—Each State”;

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

6 “(B) TECHNICAL AND OTHER ASSIST-
7 ANCE.—The Secretary”;

8 (D) in paragraph (2)(B)—

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

11 (ii) by striking “nonprofit”;

12 (E) by striking “(3)(A) Payments” and in-
13 serting the following:

14 “(3) PAYMENTS.—

15 “(A) IN GENERAL.—Payments”; and

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

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

20 (6) by adding at the end the following:

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

23 “(1) IN GENERAL.—The Secretary shall award
24 grants to, or enter into contracts with, States, local
25 government entities, public or private child welfare

1 or adoption agencies, adoption exchanges, or adop-
2 tion family groups to carry out initiatives to improve
3 efforts to eliminate barriers to placing children for
4 adoption across jurisdictional boundaries.

5 “(2) SERVICES TO SUPPLEMENT NOT SUP-
6 PLANT.—Services provided under grants made under
7 this subsection shall supplement, not supplant, serv-
8 ices provided using any other funds made available
9 for the same general purposes including—

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

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

15 “(C) expanding the capacity of all adoption
16 exchanges to serve increasing numbers of chil-
17 dren;

18 “(D) developing training materials and
19 training social workers on preparing and mov-
20 ing children across State lines; and

21 “(E) developing and supporting initiative
22 models for networking among agencies, adop-
23 tion exchanges, and parent support groups
24 across jurisdictional boundaries.”.

1 **SEC. 203. STUDY OF ADOPTION PLACEMENTS.**

2 Section 204 of the Child Abuse Prevention and
3 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
4 5114) is amended—

5 (1) by striking “The” and inserting “(a) IN
6 GENERAL.—The”;

7 (2) by striking “of this Act” and inserting “of
8 the Keeping Children and Families Safe Act of
9 2002”;

10 (3) by striking “to determine the nature” and
11 inserting “to determine—
12 “(1) the nature”;

13 (4) by striking “which are not licensed” and all
14 that follows through “entity”,”; and

15 (5) by adding at the end the following:

16 “(2) how interstate placements are being fi-
17 nanced across State lines;

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

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

23 **SEC. 204. STUDIES ON SUCCESSFUL ADOPTIONS.**

24 Section 204 of the Child Abuse Prevention and
25 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
26 5114) is amended by adding at the end the following:

1 “(b) DYNAMICS OF SUCCESSFUL ADOPTION.—The
2 Secretary shall conduct research (directly or by grant to,
3 or contract with, public or private nonprofit research agen-
4 cies or organizations) about adoption outcomes and the
5 factors affecting those outcomes. The Secretary shall sub-
6 mit a report containing the results of such research to the
7 appropriate committees of the Congress not later than the
8 date that is 36 months after the date of the enactment
9 of the Keeping Children and Families Safe Act of 2002.

10 “(c) INTERJURISDICTIONAL ADOPTION.—Not later
11 than 1 year after the date of the enactment of the Keeping
12 Children and Families Safe Act of 2002, the Secretary,
13 in consultation with the Comptroller General, shall submit
14 to the appropriate committees of the Congress a report
15 that contains recommendations for an action plan to facili-
16 tate the interjurisdictional adoption of foster children.”.

17 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 205(a) of the Child Abuse Prevention and
19 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
20 5115(a)) is amended to read as follows:

21 “There are authorized to be appropriated
22 \$40,000,000 for fiscal year 2003 and such sums as may
23 be necessary for fiscal years 2004 through 2007 to carry
24 out programs and activities authorized under this sub-
25 title.”.

1 **TITLE III—ABANDONED INFANTS**
2 **ASSISTANCE**

3 **SEC. 301. FINDINGS.**

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

6 (1) by striking paragraph (1);

7 (2) in paragraph (2)—

8 (A) by inserting “studies indicate that a
9 number of factors contribute to” before “the in-
10 ability of”;

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

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

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

16 (3) by amending paragraph (5) to read as fol-
17 lows:

18 “(5) appropriate training is needed for per-
19 sonnel working with infants and young children with
20 life-threatening conditions and other special needs,
21 including those who are infected with the human im-
22 munodeficiency virus (commonly known as ‘HIV’),
23 those who have acquired immune deficiency syn-
24 drome (commonly know as ‘AIDS’), and those who
25 have been exposed to dangerous drugs;”;

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

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

4 (6) in paragraph (9), by striking “comprehen-
5 sive services” and all that follows through the semi-
6 colon at the end and inserting “comprehensive sup-
7 port services for such infants and young children
8 and their families and services to prevent the aban-
9 donment of such infants and young children, includ-
10 ing foster care services, case management services,
11 family support services, respite and crisis interven-
12 tion services, counseling services, and group residen-
13 tial home services; and”;

14 (7) by striking paragraph (11);

15 (8) by redesignating paragraphs (2), (3), (4),
16 (5), (8), (9), and (10) as paragraphs (1) through
17 (7), respectively; and

18 (9) by adding at the end the following:

19 “(8) Private, Federal, State, and local resources
20 should be coordinated to establish and maintain such
21 services and to ensure the optimal use of all such re-
22 sources.”.

23 **SEC. 302. ESTABLISHMENT OF LOCAL PROGRAMS.**

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

1 (1) by striking the section heading and insert-
2 ing the following:

3 **“SEC. 101. ESTABLISHMENT OF LOCAL PROGRAMS.”;**

4 and

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

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

11 “(1) are infected with, or have been perinatally
12 exposed to, the human immunodeficiency virus, or
13 have a life-threatening illness or other special med-
14 ical need; or

15 “(2) have been perinatally exposed to a dan-
16 gerous drug.”.

17 **SEC. 303. EVALUATIONS, STUDY, AND REPORTS BY SEC-**
18 **RETARY.**

19 Section 102 of the Abandoned Infants Assistance Act
20 of 1988 (42 U.S.C. 670 note) is amended to read as fol-
21 lows:

22 **“SEC. 102. EVALUATIONS, STUDY, AND REPORTS BY SEC-**
23 **RETARY.**

24 “(a) EVALUATIONS OF LOCAL PROGRAMS.—The Sec-
25 retary shall, directly or through contracts with public and

1 nonprofit private entities, provide for evaluations of
2 projects carried out under section 101 and for the dissemi-
3 nation of information developed as a result of such
4 projects.

5 “(b) STUDY AND REPORT ON NUMBER OF ABAN-
6 DONED INFANTS AND YOUNG CHILDREN.—

7 “(1) IN GENERAL.—The Secretary shall con-
8 duct a study for the purpose of determining—

9 “(A) an estimate of the annual number of
10 infants and young children relinquished, aban-
11 doned, or found deceased in the United States
12 and the number of such infants and young chil-
13 dren who are infants and young children de-
14 scribed in section 223(b);

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

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

21 “(D) an estimate of the annual costs in-
22 curred by the Federal Government and by State
23 and local governments in providing housing and
24 care for abandoned infants and young children.

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

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

12 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

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

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

17 “(a) IN GENERAL.—

18 “(1) AUTHORIZATION.—For the purpose of car-
19 rying out this Act, there are authorized to be appro-
20 priated \$45,000,000 for fiscal year 2003 and such
21 sums as may be necessary for fiscal years 2004
22 through 2007.

23 “(2) LIMITATION.—Not more than 5 percent of
24 the amounts appropriated under paragraph (1) for

1 any fiscal year may be obligated for carrying out
2 section 224(a).”;

3 (2) by striking subsection (b);

4 (3) in subsection (c)—

5 (A) in paragraph (1), by inserting “AU-
6 THORIZATION.—” after “(1)”; and

7 (B) in paragraph (2)—

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

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

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

14 **SEC. 305. DEFINITIONS**

15 Section 103 of the Abandoned Infants Assistance Act
16 of 1988 (42 U.S.C. 670 note) is amended to read as fol-
17 lows:

18 **“SEC. 103. DEFINITIONS.**

19 “For purposes of this Act:

20 “(1) The terms ‘abandoned’ and ‘abandon-
21 ment’, with respect to infants and young children,
22 mean that the infants and young children are medi-
23 cally cleared for discharge from acute-care hospital
24 settings, but remain hospitalized because of a lack of
25 appropriate out-of-hospital placement alternatives.

1 “(2) The term ‘acquired immune deficiency syn-
2 drome’ includes infection with the etiologic agent for
3 such syndrome, any condition indicating that an in-
4 dividual is infected with such etiologic agent, and
5 any condition arising from such etiologic agent.

6 “(3) The term ‘dangerous drug’ means a con-
7 trolled substance, as defined in section 102 of the
8 Controlled Substances Act.

9 “(4) The term ‘natural family’ shall be broadly
10 interpreted to include natural parents, grandparents,
11 family members, guardians, children residing in the
12 household, and individuals residing in the household
13 on a continuing basis who are in a care-giving situa-
14 tion with respect to infants and young children cov-
15 ered under this subtitle.

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

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