

104TH CONGRESS
2D SESSION

S. 919

AN ACT

To modify and reauthorize the Child Abuse Prevention and Treatment 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 “Child Abuse Prevention and Treatment Act Amendments
6 of 1996”.

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

Sec. 1. Short title; table of contents.

TITLE I—GENERAL PROGRAM

- Sec. 101. Reference.
- Sec. 102. Findings.
- Sec. 103. Office of Child Abuse and Neglect.
- Sec. 104. Advisory Board on Child Abuse and Neglect.
- Sec. 105. Repeal of Interagency Task Force.
- Sec. 106. National Clearinghouse for Information Relating to Child Abuse.
- Sec. 107. Research, evaluation and assistance activities.
- Sec. 108. Grants for demonstration programs.
- Sec. 109. State grants for prevention and treatment programs.
- Sec. 110. Repeal.
- Sec. 111. Miscellaneous requirements.
- Sec. 112. Definitions.
- Sec. 113. Authorization of appropriations.
- Sec. 114. Rule of construction.
- Sec. 115. Technical amendment.

TITLE II—COMMUNITY-BASED CHILD ABUSE AND NEGLECT
PREVENTION GRANTS

- Sec. 201. Establishment of program.
- Sec. 202. Repeals.

TITLE III—FAMILY VIOLENCE PREVENTION AND SERVICES

- Sec. 301. Reference.
- Sec. 302. State demonstration grants.
- Sec. 303. Allotments.
- Sec. 304. Authorization of appropriations.

TITLE IV—ADOPTION OPPORTUNITIES

- Sec. 401. Reference.
- Sec. 402. Findings and purpose.
- Sec. 403. Information and services.
- Sec. 404. Authorization of appropriations.

TITLE V—ABANDONED INFANTS ASSISTANCE ACT OF 1986

- Sec. 501. Reauthorization.

TITLE VI—REAUTHORIZATION OF VARIOUS PROGRAMS

- Sec. 601. Missing Children's Assistance Act.
- Sec. 602. Victims of Child Abuse Act of 1990.

1 **TITLE I—GENERAL PROGRAM**

2 **SEC. 101. REFERENCE.**

3 Except as otherwise expressly provided, whenever in
4 this title an amendment or repeal is expressed in terms
5 of an amendment to, or repeal of, a section or other provi-
6 sion, the reference shall be considered to be made to a
7 section or other provision of the Child Abuse Prevention
8 and Treatment Act (42 U.S.C. 5101 et seq.).

9 **SEC. 102. FINDINGS.**

10 Section 2 (42 U.S.C. 5101 note) is amended—

11 (1) in paragraph (1), the read as follows:

12 “(1) each year, close to 1,000,000 American
13 children are victims of abuse and neglect;”;

14 (2) in paragraph (3)(C), by inserting “assess-
15 ment,” after “prevention,”;

16 (3) in paragraph (4)—

17 (A) by striking “tens of”; and

18 (B) by striking “direct” and all that fol-
19 lows through the semicolon and inserting “tan-
20 gible expenditures, as well as significant intan-
21 gible costs;”;

22 (4) in paragraph (7), by striking “remedy the
23 causes of” and inserting “prevent”;

24 (5) in paragraph (8), by inserting “safety,”
25 after “fosters the health,”;

1 (6) in paragraph (10)—

2 (A) by striking “ensure that every commu-
3 nity in the United States has” and inserting
4 “assist States and communities with”; and

5 (B) by inserting “and family” after “com-
6 prehensive child”; and

7 (7) in paragraph (11)—

8 (A) by striking “child protection” each
9 place that such appears and inserting “child
10 and family protection”; and

11 (B) in subparagraph (D), by striking “suf-
12 ficient”.

13 **SEC. 103. OFFICE OF CHILD ABUSE AND NEGLECT.**

14 Section 101 (42 U.S.C.5101) is amended to read as
15 follows:

16 **“SEC. 101. OFFICE OF CHILD ABUSE AND NEGLECT.**

17 “(a) ESTABLISHMENT.—The Secretary of Health
18 and Human Services may establish an office to be known
19 as the Office on Child Abuse and Neglect.

20 “(b) PURPOSE.—The purpose of the Office estab-
21 lished under subsection (a) shall be to execute and coordi-
22 nate the functions and activities of this Act. In the event
23 that such functions and activities are performed by an-
24 other entity or entities within the Department of Health
25 and Human Services, the Secretary shall ensure that such

1 functions and activities are executed with the necessary
2 expertise and in a fully coordinated manner involving reg-
3 ular intradepartmental and interdepartmental consulta-
4 tion with all agencies involved in child abuse and neglect
5 activities.”.

6 **SEC. 104. ADVISORY BOARD ON CHILD ABUSE AND NE-**
7 **GLECT.**

8 Section 102 (42 U.S.C.5102) is amended to read as
9 follows:

10 **“SEC. 102. ADVISORY BOARD ON CHILD ABUSE AND NE-**
11 **GLECT.**

12 “(a) APPOINTMENT.—The Secretary may appoint an
13 advisory board to make recommendations to the Secretary
14 and to the appropriate committees of Congress concerning
15 specific issues relating to child abuse and neglect.

16 “(b) SOLICITATION OF NOMINATIONS.—The Sec-
17 retary shall publish a notice in the Federal Register solie-
18 iting nominations for the appointment of members of the
19 advisory board under subsection (a).

20 “(c) COMPOSITION.—In establishing the board under
21 subsection (a), the Secretary shall appoint members from
22 the general public who are individuals knowledgeable in
23 child abuse and neglect prevention, intervention, treat-
24 ment, or research, and with due consideration to represen-

1 tation of ethnic or racial minorities and diverse geographic
2 areas, and who represent—

3 “(1) law (including the judiciary);

4 “(2) psychology (including child development);

5 “(3) social services (including child protective
6 services);

7 “(4) medicine (including pediatrics);

8 “(5) State and local government;

9 “(6) organizations providing services to disabled
10 persons;

11 “(7) organizations providing services to adoles-
12 cents;

13 “(8) teachers;

14 “(9) parent self-help organizations;

15 “(10) parents’ groups;

16 “(11) voluntary groups;

17 “(12) family rights groups; and

18 “(13) children’s rights advocates.

19 “(d) VACANCIES.—Any vacancy in the membership of
20 the board shall be filled in the same manner in which the
21 original appointment was made.

22 “(e) ELECTION OF OFFICERS.—The board shall elect
23 a chairperson and vice-chairperson at its first meeting
24 from among the members of the board.

1 “(f) DUTIES.—Not later than 1 year after the estab-
 2 lishment of the board under subsection (a), the board shall
 3 submit to the Secretary and the appropriate committees
 4 of Congress a report, or interim report, containing—

5 “(1) recommendations on coordinating Federal,
 6 State, and local child abuse and neglect activities
 7 with similar activities at the Federal, State, and
 8 local level pertaining to family violence prevention;

9 “(2) specific modifications needed in Federal
 10 and State laws and programs to reduce the number
 11 of unfounded or unsubstantiated reports of child
 12 abuse or neglect while enhancing the ability to iden-
 13 tify and substantiate legitimate cases of abuse or ne-
 14 glect which place a child in danger; and

15 “(3) recommendations for modifications needed
 16 to facilitate coordinated national data collection with
 17 respect to child protection and child welfare.”.

18 **SEC. 105. REPEAL OF INTERAGENCY TASK FORCE.**

19 Section 103 (42 U.S.C.5103) is repealed.

20 **SEC. 106. NATIONAL CLEARINGHOUSE FOR INFORMATION**
 21 **RELATING TO CHILD ABUSE.**

22 Section 104 (42 U.S.C.5104) is amended—

23 (1) in subsection (a), to read as follows:

24 “(a) ESTABLISHMENT.—The Secretary shall through
 25 the Department, or by one or more contracts of not less

1 than 3 years duration let through a competition, establish
2 a national clearinghouse for information relating to child
3 abuse.”;

4 (2) in subsection (b)—

5 (A) in the matter preceding paragraph (1),
6 by striking “Director” and inserting “Sec-
7 retary”;

8 (B) in paragraph (1)—

9 (i) by inserting “assessment,” after
10 “prevention,”; and

11 (ii) by striking “, including” and all
12 that follows through “105(b)” and insert-
13 ing “and”;

14 (C) in paragraph (2)—

15 (i) in subparagraph (A), by striking
16 “general population” and inserting “Unit-
17 ed States”;

18 (ii) in subparagraph (B), by adding
19 “and” at the end thereof;

20 (iii) in subparagraph (C), by striking
21 “; and” at the end thereof and inserting a
22 period; and

23 (iv) by striking subparagraph (D);
24 and

25 (D) by striking paragraph (3); and

1 (3) in subsection (c)—

2 (A) in the matter preceding paragraph (1),
3 by striking “Director” and inserting “Sec-
4 retary”;

5 (B) in paragraph (2), by striking “that is
6 represented on the task force” and inserting
7 “involved with child abuse and neglect and
8 mechanisms for the sharing of such information
9 among other Federal agencies and clearing-
10 houses”;

11 (C) in paragraph (3), by striking “State,
12 regional” and all that follows and inserting the
13 following: “Federal, State, regional, and local
14 child welfare data systems which shall include:

15 “(A) standardized data on false, un-
16 founded, unsubstantiated, and substantiated re-
17 ports; and

18 “(B) information on the number of deaths
19 due to child abuse and neglect;”;

20 (D) by redesignating paragraph (4) as
21 paragraph (6); and

22 (E) by inserting after paragraph (3), the
23 following new paragraphs:

24 “(4) through a national data collection and
25 analysis program and in consultation with appro-

1 appropriate State and local agencies and experts in the
2 field, collect, compile, and make available State child
3 abuse and neglect reporting information which, to
4 the extent practical, shall be universal and case spe-
5 cific, and integrated with other case-based foster
6 care and adoption data collected by the Secretary;

7 “(5) compile, analyze, and publish a summary
8 of the research conducted under section 105(a);
9 and”.

10 **SEC. 107. RESEARCH, EVALUATION AND ASSISTANCE AC-**
11 **TIVITIES.**

12 (a) RESEARCH.—Section 105(a) (42 U.S.C.
13 5105(a)) is amended—

14 (1) in the section heading, by striking “OF
15 THE NATIONAL CENTER ON CHILD ABUSE
16 AND NEGLECT”;

17 (2) in paragraph (1)—

18 (A) in the matter preceding subparagraph
19 (A), by striking “, through the Center, conduct
20 research on” and inserting “, in consultation
21 with other Federal agencies and recognized ex-
22 perts in the field, carry out a continuing inter-
23 disciplinary program of research that is de-
24 signed to provide information needed to better
25 protect children from abuse or neglect and to

1 improve the well-being of abused or neglected
2 children, with at least a portion of such re-
3 search being field initiated. Such research pro-
4 gram may focus on”;

5 (B) by redesignating subparagraphs (A)
6 through (C) as subparagraph (B) through (D),
7 respectively;

8 (C) by inserting before subparagraph (B)
9 (as so redesignated) the following new subpara-
10 graph:

11 “(A) the nature and scope of child abuse
12 and neglect;”;

13 (D) in subparagraph (B) (as so redesign-
14 ated), to read as follows:

15 “(B) causes, prevention, assessment, iden-
16 tification, treatment, cultural and socio-econo-
17 mic distinctions, and the consequences of
18 child abuse and neglect;”;

19 (E) in subparagraph (D) (as so redesign-
20 ated)—

21 (i) by striking clause (ii); and

22 (ii) in clause (iii), to read as follows:

23 “(ii) the incidence of substantiated
24 and unsubstantiated reported child abuse
25 cases;

1 “(iii) the number of substantiated
2 cases that result in a judicial finding of
3 child abuse or neglect or related criminal
4 court convictions;

5 “(iv) the extent to which the number
6 of unsubstantiated, unfounded and false
7 reported cases of child abuse or neglect
8 have contributed to the inability of a State
9 to respond effectively to serious cases of
10 child abuse or neglect;

11 “(v) the extent to which the lack of
12 adequate resources and the lack of ade-
13 quate training of reporters have contrib-
14 uted to the inability of a State to respond
15 effectively to serious cases of child abuse
16 and neglect;

17 “(vi) the number of unsubstantiated,
18 false, or unfounded reports that have re-
19 sulted in a child being placed in substitute
20 care, and the duration of such placement;

21 “(vii) the extent to which unsubstan-
22 tiated reports return as more serious cases
23 of child abuse or neglect;

24 “(viii) the incidence and prevalence of
25 physical, sexual, and emotional abuse and

1 physical and emotional neglect in sub-
2 stitute care; and

3 “(ix) the incidence and outcomes of
4 abuse allegations reported within the con-
5 text of divorce, custody, or other family
6 court proceedings, and the interaction be-
7 tween this venue and the child protective
8 services system.”; and

9 (3) in paragraph (2)—

10 (A) in subparagraph (A)—

11 (i) by striking “and demonstrations”;
12 and

13 (ii) by striking “paragraph (1)(A) and
14 activities under section 106” and inserting
15 “paragraph (1)”;

16 (B) in subparagraph (B), by striking “and
17 demonstration”.

18 (b) REPEAL.—Subsection (b) of section 105 (42
19 U.S.C. 5105(b)) is repealed.

20 (c) TECHNICAL ASSISTANCE.—Section 105(c) (42
21 U.S.C. 5105(c)) is amended—

22 (1) by striking “The Secretary” and inserting:

23 “(1) IN GENERAL.—The Secretary”;

24 (2) by striking “, through the Center,”;

1 (3) by inserting “State and local” before “pub-
2 lic and nonprofit”;

3 (4) by inserting “assessment,” before “identi-
4 fication”; and

5 (5) by adding at the end thereof the following
6 new paragraphs:

7 “(2) EVALUATION.—Such technical assistance
8 may include an evaluation or identification of—

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

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

14 “(C) effective programs carried out by the
15 States under titles I and II.

16 “(3) DISSEMINATION.—The Secretary may pro-
17 vide for and disseminate information relating to var-
18 ious training resources available at the State and
19 local level to—

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

24 “(B) appropriate State and local officials
25 to assist in training law enforcement, legal, ju-

1 dicial, medical, mental health, education, and
2 child welfare personnel in appropriate methods
3 of interacting during investigative, administra-
4 tive, and judicial proceedings with children who
5 have been subjected to abuse.”.

6 (d) GRANTS AND CONTRACTS.—Section 105(d)(2)
7 (42 U.S.C. 5105(d)(2)) is amended by striking the second
8 sentence.

9 (e) PEER REVIEW.—Section 105(e) (42 U.S.C.
10 5105(e)) is amended—

11 (1) in paragraph (1)—

12 (A) in subparagraph (A)—

13 (i) by striking “establish a formal”
14 and inserting “, in consultation with ex-
15 perts in the field and other federal agen-
16 cies, establish a formal, rigorous, and meri-
17 torious”;

18 (ii) by striking “and contracts”; and

19 (iii) by adding at the end thereof the
20 following new sentence: “The purpose of
21 this process is to enhance the quality and
22 usefulness of research in the field of child
23 abuse and neglect.”; and

24 (B) in subparagraph (B)—

1 (i) by striking “Office of Human De-
2 velopment” and inserting “Administration
3 on Children and Families”; and

4 (ii) by adding at the end thereof the
5 following new sentence: “The Secretary
6 shall ensure that the peer review panel uti-
7 lizes scientifically valid review criteria and
8 scoring guidelines for review committees.”;
9 and

10 (2) in paragraph (2)—

11 (A) in the matter preceding subparagraph
12 (A), by striking “, contract, or other financial
13 assistance”; and

14 (B) by adding at the end thereof the fol-
15 lowing flush sentence:

16 “The Secretary shall award grants under this sec-
17 tion on the basis of competitive review.”.

18 **SEC. 108. GRANTS FOR DEMONSTRATION PROGRAMS.**

19 Section 106 (42 U.S.C. 5106) is amended—

20 (1) in the section heading, by striking “OR
21 SERVICE”;

22 (2) in subsection (a), to read as follows:

23 “(a) DEMONSTRATION PROGRAMS AND PROJECTS.—

24 The Secretary may make grants to, and enter into con-
25 tracts with, public agencies or nonprofit private agencies

1 or organizations (or combinations of such agencies or or-
2 ganizations) for time limited, demonstration programs and
3 projects for the following purposes:

4 “(1) TRAINING PROGRAMS.—The Secretary
5 may award grants to public or private non-profit or-
6 ganizations under this section—

7 “(A) for the training of professional and
8 paraprofessional personnel in the fields of medi-
9 cine, law, education, social work, and other rel-
10 evant fields who are engaged in, or intend to
11 work in, the field of prevention, identification,
12 and treatment of child abuse and neglect, in-
13 cluding the links between domestic violence and
14 child abuse;

15 “(B) to provide culturally specific instruc-
16 tion in methods of protecting children from
17 child abuse and neglect to children and to per-
18 sons responsible for the welfare of children, in-
19 cluding parents of and persons who work with
20 children with disabilities;

21 “(C) to improve the recruitment, selection,
22 and training of volunteers serving in private
23 and public nonprofit children, youth and family
24 service organizations in order to prevent child
25 abuse and neglect through collaborative analysis

1 of current recruitment, selection, and training
2 programs and development of model programs
3 for dissemination and replication nationally;
4 and

5 “(D) for the establishment of resource cen-
6 ters for the purpose of providing information
7 and training to professionals working in the
8 field of child abuse and neglect.

9 “(2) MUTUAL SUPPORT PROGRAMS.—The Sec-
10 retary may award grants to private non-profit orga-
11 nizations (such as Parents Anonymous) to establish
12 or maintain a national network of mutual support
13 and self-help programs as a means of strengthening
14 families in partnership with their communities.

15 “(3) OTHER INNOVATIVE PROGRAMS AND
16 PROJECTS.—

17 “(A) IN GENERAL.—The Secretary may
18 award grants to public agencies that dem-
19 onstrate innovation in responding to reports of
20 child abuse and neglect including programs of
21 collaborative partnerships between the State
22 child protective service agency, community so-
23 cial service agencies and family support pro-
24 grams, schools, churches and synagogues, and

1 other community agencies to allow for the es-
2 tablishment of a triage system that—

3 “(i) accepts, screens and assesses re-
4 ports received to determine which such re-
5 ports require an intensive intervention and
6 which require voluntary referral to another
7 agency, program or project;

8 “(ii) provides, either directly or
9 through referral, a variety of community-
10 linked services to assist families in prevent-
11 ing child abuse and neglect; and

12 “(iii) provides further investigation
13 and intensive intervention where the child’s
14 safety is in jeopardy.

15 “(B) KINSHIP CARE.—The Secretary may
16 award grants to public entities to assist such
17 entities in developing or implementing proce-
18 dures using adult relatives as the preferred
19 placement for children removed from their
20 home, where such relatives are determined to be
21 capable of providing a safe nurturing environ-
22 ment for the child or where such relatives com-
23 ply with the State child protection standards.

24 “(C) VISITATION CENTERS.—The Sec-
25 retary may award grants to public or private

1 nonprofit entities to assist such entities in the
2 establishment or operation of supervised visita-
3 tion centers where there is documented, highly
4 suspected, or elevated risk of child sexual, phys-
5 ical, or emotional abuse where, due to domestic
6 violence, there is an ongoing risk of harm to a
7 parent or child.”;

8 (3) in subsection (c), by striking paragraphs (1)
9 and (2); and

10 (4) by adding at the end thereof the following
11 new subsection:

12 “(d) EVALUATION.—In making grants for dem-
13 onstration projects under this section, the Secretary shall
14 require all such projects to be evaluated for their effective-
15 ness. Funding for such evaluations shall be provided either
16 as a stated percentage of a demonstration grant or as a
17 separate grant entered into by the Secretary for the pur-
18 pose of evaluating a particular demonstration project or
19 group of projects.”.

20 **SEC. 109. STATE GRANTS FOR PREVENTION AND TREAT-**
21 **MENT PROGRAMS.**

22 Section 107 (42 U.S.C. 5106a) is amended to read
23 as follows:

1 **“SEC. 107. GRANTS TO STATES FOR CHILD ABUSE AND NE-**
2 **GLECT PREVENTION AND TREATMENT PRO-**
3 **GRAMS.**

4 “(a) DEVELOPMENT AND OPERATION GRANTS.—The
5 Secretary shall make grants to the States, based on the
6 population of children under the age of 18 in each State
7 that applies for a grant under this section, for purposes
8 of assisting the States in improving the child protective
9 service system of each such State in—

10 “(1) the intake, assessment, screening, and in-
11 vestigation of reports of abuse and neglect;

12 “(2)(A) creating and improving the use of mul-
13 tidisciplinary teams and interagency protocols to en-
14 hance investigations; and

15 “(B) improving legal preparation and represen-
16 tation, including—

17 “(i) procedures for appealing and respond-
18 ing to appeals of substantiated reports of abuse
19 and neglect; and

20 “(ii) provisions for the appointment of a
21 guardian ad litem.

22 “(3) case management and delivery of services
23 provided to children and their families;

24 “(4) enhancing the general child protective sys-
25 tem by improving risk and safety assessment tools
26 and protocols, automation systems that support the

1 program and track reports of child abuse and ne-
2 glect from intake through final disposition and infor-
3 mation referral systems;

4 “(5) developing, strengthening, and facilitating
5 training opportunities and requirements for individ-
6 uals overseeing and providing services to children
7 and their families through the child protection sys-
8 tem;

9 “(6) developing and facilitating training proto-
10 cols for individuals mandated to report child abuse
11 or neglect;

12 “(7) developing, strengthening, and supporting
13 child abuse and neglect prevention, treatment, and
14 research programs in the public and private sectors;

15 “(8) developing, implementing, or operating—

16 “(A) information and education programs
17 or training programs designed to improve the
18 provision of services to disabled infants with
19 life-threatening conditions for—

20 “(i) professional and paraprofessional
21 personnel concerned with the welfare of
22 disabled infants with life-threatening con-
23 ditions, including personnel employed in
24 child protective services programs and
25 health-care facilities; and

1 “(ii) the parents of such infants; and

2 “(B) programs to assist in obtaining or co-
3 ordinating necessary services for families of dis-
4 abled infants with life-threatening conditions,
5 including—

6 “(i) existing social and health services;

7 “(ii) financial assistance; and

8 “(iii) services necessary to facilitate
9 adoptive placement of any such infants
10 who have been relinquished for adoption;
11 or

12 “(9) developing and enhancing the capacity of
13 community-based programs to integrate shared lead-
14 ership strategies between parents and professionals
15 to prevent and treat child abuse and neglect at the
16 neighborhood level.

17 “(b) ELIGIBILITY REQUIREMENTS.—

18 “(1) IN GENERAL.—In order for a State to
19 qualify for a grant under subsection (a), such State
20 shall provide an assurance or certification, signed by
21 the chief executive officer of the State, that the
22 State—

23 “(A) has in effect and operation a State
24 law or Statewide program relating to child
25 abuse and neglect which ensures—

1 “(i) provisions or procedures for the
2 reporting of known and suspected in-
3 stances of child abuse and neglect;

4 “(ii) procedures for the immediate
5 screening, safety assessment, and prompt
6 investigation of such reports;

7 “(iii) procedures for immediate steps
8 to be taken to ensure and protect the safe-
9 ty of the abused or neglected child and of
10 any other child under the same care who
11 may also be in danger of abuse or neglect;

12 “(iv) provisions for immunity from
13 prosecution under State and local laws and
14 regulations for individuals making good
15 faith reports of suspected or known in-
16 stances of child abuse or neglect;

17 “(v) methods to preserve the confiden-
18 tiality of all records in order to protect the
19 rights of the child and of the child’s par-
20 ents or guardians, including requirements
21 ensuring that reports and records made
22 and maintained pursuant to the purposes
23 of this Act shall only be made available
24 to—

1 “(I) individuals who are the sub-
2 ject of the report;

3 “(II) Federal, State, or local gov-
4 ernment entities, or any agent of such
5 entities, having a need for such infor-
6 mation in order to carry out its re-
7 sponsibilities under law to protect
8 children from abuse and neglect;

9 “(III) child abuse citizen review
10 panels;

11 “(IV) child fatality review panels;

12 “(V) a grant jury or court, upon
13 a finding that information in the
14 record is necessary for the determina-
15 tion of an issue before the court or
16 grant jury; and

17 “(VI) other entities or classes of
18 individuals statutorily authorized by
19 the State to receive such information
20 pursuant to a legitimate State pur-
21 pose;

22 “(vi) provisions which allow for public
23 disclosure of the findings or information
24 about the case of child abuse or neglect

1 which has resulted in a child fatality or
2 near fatality;

3 “(vii) the cooperation of State law en-
4 forcement officials, court of competent ju-
5 risdiction, and appropriate State agencies
6 providing human services;

7 “(viii) provisions requiring, and proce-
8 dures in place that facilitate the prompt
9 expungement of any records that are ac-
10 cessible to the general public or are used
11 for purposes of employment or other back-
12 ground checks in cases determined to be
13 unsubstantiated or false, except that noth-
14 ing in this section shall prevent State child
15 protective service agencies from keeping in-
16 formation on unsubstantiated reports in
17 their casework files to assist in future risk
18 and safety assessment; and

19 “(ix) provisions and procedures re-
20 quiring that in every case involving an
21 abused or neglected child which results in
22 a judicial proceeding, a guardian ad litem
23 shall be appointed to represent the child in
24 such proceedings; and

1 “(B) has in place procedures for respond-
2 ing to the reporting of medical neglect (includ-
3 ing instances of withholding of medically indi-
4 cated treatment from disabled infants with life-
5 threatening conditions), procedures or pro-
6 grams, or both (within the State child protec-
7 tive services system), to provide for—

8 “(i) coordination and consultation
9 with individuals designated by and within
10 appropriate health-care facilities;

11 “(ii) prompt notification by individ-
12 uals designated by and within appropriate
13 health-care facilities of cases of suspected
14 medical neglect (including instances of
15 withholding of medically indicated treat-
16 ment from disabled infants with life-threat-
17 ening conditions); and

18 “(iii) authority, under State law, for
19 the State child protective service system to
20 pursue any legal remedies, including the
21 authority to initiate legal proceedings in a
22 court of competent jurisdiction, as may be
23 necessary to prevent the withholding of
24 medically indicated treatment from dis-

1 abled infants with life threatening condi-
2 tions.

3 “(2) LIMITATION.—With regard to clauses (v)
4 and (vi) of paragraph (1)(A), nothing in this section
5 shall be construed as restricting the ability of a
6 State to refuse to disclose identifying information
7 concerning the individual initiating a report or com-
8 plaint alleging suspected instances of child abuse or
9 neglect, except that the State may not refuse such
10 a disclosure where a court orders such disclosure
11 after such court has reviewed, in camera, the record
12 of the State related to the report or complaint and
13 has found it has reason to believe that the reporter
14 knowingly made a false report.

15 “(3) DEFINITION.—For purposes of this sub-
16 section, the term ‘near fatality’ means an act that,
17 as certified by a physician, places the child in seri-
18 ous or critical condition.

19 “(c) ADDITIONAL REQUIREMENT.—Not later than 2
20 years after the date of enactment of this section, the State
21 shall provide an assurance or certification that the State
22 has in place provisions, procedures, and mechanisms by
23 which individuals who disagree with an official finding of
24 abuse or neglect can appeal such finding.

1 “(d) STATE PROGRAM PLAN.—To be eligible to re-
2 ceive a grant under this section, a State shall submit every
3 5 years a plan to the Secretary that specifies the child
4 protective service system area or areas described in sub-
5 section (a) that the State intends to address with funds
6 received under the grant. Such plan shall, to the maximum
7 extent practicable, be coordinated with the plan of the
8 State for child welfare services and family preservation
9 and family support services under part B of title IV of
10 the Social Security Act and shall contain an outline of the
11 activities that the State intends to carry out using
12 amounts provided under the grant to achieve the purposes
13 of this Act, including the procedures to be used for—

14 “(1) receiving and assessing reports of child
15 abuse or neglect;

16 “(2) investigating such reports;

17 “(3) protecting children by removing them from
18 dangerous settings and ensuring their placement in
19 a safe environment;

20 “(4) providing services or referral for services
21 for families and children where the child is not in
22 danger of harm;

23 “(5) providing services to individuals, families,
24 or communities, either directly or through referral,

1 aimed at preventing the occurrence of child abuse
2 and neglect;

3 “(6) providing training to support direct line
4 and supervisory personnel in report-taking, screen-
5 ing, assessment, decision-making, and referral for
6 investigation; and

7 “(7) providing training for individuals man-
8 dated to report suspected cases of child abuse or ne-
9 glect.

10 “(e) RESTRICTIONS RELATING TO CHILD WELFARE
11 SERVICES.—Programs or projects relating to child abuse
12 and neglect assisted under part B of title IV of the Social
13 Security Act shall comply with the requirements set forth
14 in paragraphs (1) (A) and (B), and (2) of subsection (b).

15 “(f) ANNUAL STATE DATA REPORTS.—Each State to
16 which a grant is made under this part shall annually work
17 with the Secretary to provide, to the maximum extent
18 practicable, a report that includes the following:

19 “(1) The number of children who were reported
20 to the State during the year as abused or neglected.

21 “(2) Of the number of children described in
22 paragraph (1), the number with respect to whom
23 such reports were—

24 “(A) substantiated;

25 “(B) unsubstantiated; and

1 “(C) determined to be false.

2 “(3) Of the number of children described in
3 paragraph (2)—

4 “(A) the number that did not receive serv-
5 ices during the year under the State program
6 funded under this part or an equivalent State
7 program;

8 “(B) the number that received services
9 during the year under the State program fund-
10 ed under this part or an equivalent State pro-
11 gram; and

12 “(C) the number that were removed from
13 their families during the year by disposition of
14 the case.

15 “(4) The number of families that received pre-
16 ventive services from the State during the year.

17 “(5) The number of deaths in the State during
18 the year resulting from child abuse or neglect.

19 “(6) Of the number of children described in
20 paragraph (5), the number of such children who
21 were in foster care.

22 “(7) The number of child protective service
23 workers responsible for the intake and screening of
24 reports filed in the previous year.

1 “(8) The agency response time with respect to
2 each such report with respect to initial investigation
3 of reports of child abuse or neglect.

4 “(9) The response time with respect to the pro-
5 vision of services to families and children where an
6 allegation of abuse or neglect has been made.

7 “(10) The number of child protective service
8 workers responsible for intake, assessment, and in-
9 vestigation of child abuse and neglect reports re-
10 lative to the number of reports investigated in the
11 previous year.

12 “(g) ANNUAL REPORT BY THE SECRETARY.—Within
13 6 months after receiving the State reports under sub-
14 section (f), the Secretary shall prepare a report based on
15 information provided by the States for the fiscal year
16 under such subsection and shall make the report and such
17 information available to the Congress and the national
18 clearinghouse for information relating to child abuse.”.

19 **SEC. 110. REPEAL.**

20 Section 108 (42 U.S.C. 5106b) is repealed.

21 **SEC. 111. MISCELLANEOUS REQUIREMENTS.**

22 Section 110 (42 U.S.C. 5106d) is amended by strik-
23 ing subsections (c) and (d).

24 **SEC. 112. DEFINITIONS.**

25 Section 113 (42 U.S.C. 5106h) is amended—

1 (1) by striking paragraphs (1) and (2);
2 (2) by redesignating paragraphs (3) through
3 (10) as paragraphs (1) through (8), respectively;
4 and

5 (3) in paragraph (2) (as so redesignated), to
6 read as follows:

7 “(2) the term ‘child abuse and neglect’ means,
8 at a minimum, any recent act or failure to act on
9 the part of a parent or caretaker, which results in
10 death, serious physical or emotional harm, sexual
11 abuse or exploitation, or an act of failure to act
12 which presents an imminent risk of serious harm;”.

13 **SEC. 113. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 114(a) (42 U.S.C. 5106h(a)) is amended to
15 read as follows:

16 “(a) IN GENERAL.—

17 “(1) GENERAL AUTHORIZATION.—There are
18 authorized to be appropriated to carry out this title,
19 \$100,000,000 for fiscal year 1997, and such sums
20 as may be necessary for each of the fiscal years
21 1998 through 2001.

22 “(2) DISCRETIONARY ACTIVITIES.—

23 “(A) IN GENERAL.—Of the amounts ap-
24 propriated for a fiscal year under paragraph
25 (1), the Secretary shall make available 33⅓

1 percent of such amounts to fund discretionary
2 activities under this title.

3 “(B) DEMONSTRATION PROJECTS.—Of the
4 amounts made available for a fiscal year under
5 subparagraph (A), the Secretary make available
6 not more than 40 percent of such amounts to
7 carry out section 106.”.

8 **SEC. 114. RULE OF CONSTRUCTION.**

9 Title I (42 U.S.C. 5101 et seq.) is amended by adding
10 at the end thereof the following new section:

11 **“SEC. 115. RULE OF CONSTRUCTION.**

12 “(a) IN GENERAL.—Nothing in this Act shall be con-
13 strued—

14 “(1) as establishing a Federal requirement that
15 a parent or legal guardian provide a child any medi-
16 cal service or treatment against the religious beliefs
17 of the parent or legal guardian; and

18 “(2) to require that a State find, or to prohibit
19 a State from finding, abuse or neglect in cases in
20 which a parent or legal guardian relies solely or par-
21 tially upon spiritual means rather than medical
22 treatment, in accordance with the religious beliefs of
23 the parent or legal guardian.

24 “(b) STATE REQUIREMENT.—Notwithstanding sub-
25 section (a), a State shall, at a minimum, have in place

1 authority under State law to permit the child protective
2 service system of the State to pursue any legal remedies,
3 including the authority to initiate legal proceedings in a
4 court of competent jurisdiction, to provide medical care
5 or treatment for a child when such care or treatment is
6 necessary to prevent or remedy serious harm to the child,
7 or to prevent the withholding of medically indicated treat-
8 ment from children with life threatening conditions. Ex-
9 cept with respect to the withholding of medically indicated
10 treatments from disabled infants with life threatening con-
11 ditions, case by case determinations concerning the exer-
12 cise of the authority of this subsection shall be within the
13 sole discretion of the State.”.

14 **SEC. 115. TECHNICAL AMENDMENT.**

15 Section 1404A of the Victims of Crime Act of 1984
16 (42 U.S.C. 10603a) is amended—

17 (1) by striking “1402(d)(2)(D) and (d)(3)” and
18 inserting “1402(d)(2)”; and

19 (2) by striking “section 4(d)” and inserting
20 “section 109”.

1 **TITLE II—COMMUNITY-BASED**
2 **CHILD ABUSE AND NEGLECT**
3 **PREVENTION GRANTS**

4 **SEC. 201. ESTABLISHMENT OF PROGRAM.**

5 Title II of the Child Abuse Prevention and Treatment
6 Act (42 U.S.C. 5116 et seq) is amended to read as follows:

7 **“TITLE II—COMMUNITY-BASED**
8 **FAMILY RESOURCE AND SUP-**
9 **PORT GRANTS**

10 **“SEC. 201. PURPOSE AND AUTHORITY.**

11 “(a) PURPOSE.—It is the purpose of this Act to sup-
12 port State efforts to develop, operate, expand and enhance
13 a network of community-based, prevention-focused, family
14 resource and support programs that are culturally com-
15 petent and that coordinate resources among existing edu-
16 cation, vocational rehabilitation, disability, respite, health,
17 mental health, job readiness, self-sufficiency, child and
18 family development, community action, Head Start, child
19 care, child abuse and neglect prevention, juvenile justice,
20 domestic violence prevention and intervention, housing,
21 and other human service organizations within the State.

22 “(b) AUTHORITY.—The Secretary shall make grants
23 under this title on a formula basis to the entity designated
24 by the State as the lead entity (hereafter referred to in
25 this title as the ‘lead entity’) for the purpose of—

1 “(1) developing, operating, expanding and en-
2 hancing Statewide networks of community-based,
3 prevention-focused, family resource and support pro-
4 grams that—

5 “(A) offer sustained assistance to families;

6 “(B) provide early, comprehensive, and ho-
7 listic support for all parents;

8 “(C) promote the development of parental
9 competencies and capacities, especially in young
10 parents and parents with very young children;

11 “(D) increase family stability;

12 “(E) improve family access to other formal
13 and informal resources and opportunities for
14 assistance available within communities;

15 “(F) support the additional needs of fami-
16 lies with children with disabilities; and

17 “(G) decrease the risk of homelessness;

18 “(2) fostering the development of a continuum
19 of preventive services for children and families
20 through State and community-based collaborations
21 and partnerships both public and private;

22 “(3) financing the start-up, maintenance, ex-
23 pansion, or redesign of specific family resource and
24 support program services (such as respite services,
25 child abuse and neglect prevention activities, disabil-

1 ity services, mental health services, housing services,
2 transportation, adult education, home visiting and
3 other similar services) identified by the inventory
4 and description of current services required under
5 section 205(a)(3) as an unmet need, and integrated
6 with the network of community-based family re-
7 source and support program to the extent prac-
8 ticable given funding levels and community prior-
9 ities;

10 “(4) maximizing funding for the financing,
11 planning, community mobilization, collaboration, as-
12 sessment, information and referral, startup, training
13 and technical assistance, information management,
14 reporting and evaluation costs for establishing, oper-
15 ating, or expanding a Statewide network of commu-
16 nity-based, prevention-focused, family resource and
17 support program; and

18 “(5) financing public information activities that
19 focus on the healthy and positive development of
20 parents and children and the promotion of child
21 abuse and neglect prevention activities.

22 **“SEC. 202. ELIGIBILITY.**

23 “A State shall be eligible for a grant under this title
24 for a fiscal year if—

1 “(1)(A) the chief executive officer of the State
2 has designated an entity to administer funds under
3 this title for the purposes identified under the au-
4 thority of this title, including to develop, implement,
5 operate, enhance or expand a Statewide network of
6 community-based, prevention-focused, family re-
7 source and support programs, child abuse and ne-
8 glect prevention activities and access to respite serv-
9 ices integrated with the Statewide network;

10 “(B) in determining which entity to designate
11 under subparagraph (A), the chief executive officer
12 should give priority consideration to the trust fund
13 advisory board of the State or an existing entity that
14 leverages Federal, State, and private funds for a
15 broad range of child abuse and neglect prevention
16 activities and family resource programs, and that is
17 directed by an interdisciplinary, public-private struc-
18 ture, including participants from communities; and

19 “(C) such lead entity is an existing public,
20 quasi-public, or nonprofit private entity with a dem-
21 onstrated ability to work with other State and com-
22 munity-based agencies to provide training and tech-
23 nical assistance, and that has the capacity and com-
24 mitment to ensure the meaningful involvement of
25 parents who are consumers and who can provide

1 leadership in the planning, implementation, and
2 evaluation of programs and policy decisions of the
3 applicant agency in accomplishing the desired out-
4 comes for such efforts;

5 “(2) the chief executive officer of the State pro-
6 vides assurances that the lead entity will provide or
7 will be responsible for providing—

8 “(A) a network of community-based family
9 resource and support programs composed of
10 local, collaborative, public-private partnerships
11 directed by interdisciplinary structures with bal-
12 anced representation from private and public
13 sector members, parents, and public and private
14 nonprofit service providers and individuals and
15 organizations experienced in working in part-
16 nership with families with children with disabil-
17 ities;

18 “(B) direction to the network through an
19 interdisciplinary, collaborative, public-private
20 structure with balanced representation from
21 private and public sector members, parents, and
22 public sector and private nonprofit sector serv-
23 ice providers; and

24 “(C) direction and oversight to the net-
25 work through identified goals and objectives,

1 clear lines of communication and accountability,
2 the provision of leveraged or combined funding
3 from Federal, State and private sources, cen-
4 tralized assessment and planning activities, the
5 provision of training and technical assistance,
6 and reporting and evaluation functions; and

7 “(3) the chief executive officer of the State pro-
8 vides assurances that the lead entity—

9 “(A) has a demonstrated commitment to
10 parental participation in the development, oper-
11 ation, and oversight of the Statewide network of
12 community-based, prevention-focused, family re-
13 source and support programs;

14 “(B) has a demonstrated ability to work
15 with State and community-based public and pri-
16 vate nonprofit organizations to develop a con-
17 tinuum of preventive, family centered, holistic
18 services for children and families through the
19 Statewide network of community-based, preven-
20 tion-focused, family resource and support pro-
21 grams;

22 “(C) has the capacity to provide oper-
23 ational support (both financial and pro-
24 grammatic) and training and technical assist-
25 ance, to the Statewide network of community-

1 based, prevention-focused, family resource and
2 support programs, through innovative, inter-
3 agency funding and interdisciplinary service de-
4 livery mechanisms; and

5 “(D) will integrate its efforts with individ-
6 uals and organizations experienced in working
7 in partnership with families with children with
8 disabilities and with the child abuse and neglect
9 prevention activities of the State, and dem-
10 onstrate a financial commitment to those activi-
11 ties.

12 **“SEC. 203. AMOUNT OF GRANT.**

13 “(a) RESERVATION.—The Secretary shall reserve 1
14 percent of the amount appropriated under section 210 for
15 a fiscal year to make allotments to Indian tribes and tribal
16 organizations and migrant programs.

17 “(b) IN GENERAL.—Of the amounts appropriated for
18 a fiscal year under section 210 and remaining after the
19 reservation under subsection (a), The Secretary shall allot
20 to each State lead entity an amount so that—

21 “(1) 50 percent of the total amount allotted to
22 the State under this section is based on the number
23 of children under 18 residing in the State as com-
24 pared to the number of such children residing in all

1 States, except that no State shall receive less than
2 \$250,000; and

3 “(2) each State receives, from the amounts re-
4 maining from the total amount appropriated, an
5 amount equal to 50 percent of the amount that each
6 such State has directed through the lead agency to
7 the purposes identified under the authority of this
8 title, including foundation, corporate, and other pri-
9 vate funding, State revenues, and Federal funds.

10 “(c) ALLOCATION.—Funds allotted to a State under
11 this section shall be awarded on a formula basis for a 3-
12 year period. Payment under such allotments shall be made
13 by the Secretary annually on the basis described in sub-
14 section (a).

15 **“SEC. 204. EXISTING AND CONTINUATION GRANTS.**

16 “(a) EXISTING GRANTS.—Notwithstanding the en-
17 actment of this title, a State or entity that has a grant,
18 contract, or cooperative agreement in effect, on the date
19 of enactment of this title, under the Family Resource and
20 Support Program, the Community-Based Family Re-
21 source Program, the Family Support Center Program, the
22 Emergency Child Abuse Prevention Grant Program, or
23 the Temporary Child Care for Children with Disabilities
24 and Crisis Nurseries Programs shall continue to receive
25 funds under such programs, subject to the original terms

1 under which such funds were granted, through the end
2 of the applicable grant cycle.

3 “(b) CONTINUATION GRANTS.—The Secretary may
4 continue grants for Family Resource and Support Pro-
5 gram grantees, and those programs otherwise funded
6 under this Act, on a noncompetitive basis, subject to the
7 availability of appropriations, satisfactory performance by
8 the grantee, and receipt of reports required under this Act,
9 until such time as the grantee no longer meets the original
10 purposes of this Act.

11 **“SEC. 205. APPLICATION.**

12 “(a) IN GENERAL.—A grant may not be made to a
13 State under this title unless an application therefore is
14 submitted by the State to the Secretary and such applica-
15 tion contains the types of information specified by the Sec-
16 retary as essential to carrying out the provisions of section
17 202, including—

18 “(1) a description of the lead entity that will be
19 responsible for the administration of funds provided
20 under this title and the oversight of programs fund-
21 ed through the Statewide network of community-
22 based, prevention-focused, family resource and sup-
23 port programs which meets the requirements of sec-
24 tion 202;

1 “(2) a description of how the network of com-
2 munity-based, prevention-focused, family resource
3 and support programs will operate and how family
4 resource and support services provided by public and
5 private, nonprofit organizations, including those
6 funded by programs consolidated under this Act, will
7 be integrated into a developing continuum of family
8 centered, holistic, preventive services for children
9 and families;

10 “(3) an assurance that an inventory of current
11 family resource programs, respite, child abuse and
12 neglect prevention activities, and other family re-
13 source services operating in the State, and a descrip-
14 tion of current unmet needs, will be provided;

15 “(4) a budget for the development, operation
16 and expansion of the State’s network of community-
17 based, prevention-focused, family resource and sup-
18 port programs that verifies that the State will ex-
19 pend an amount equal to not less than 20 percent
20 of the amount received under this title (in cash, not
21 in-kind) for activities under this title;

22 “(5) an assurance that funds received under
23 this title will supplement, not supplant, other State
24 and local public funds designated for the Statewide

1 network of community-based, prevention-focused,
2 family resource and support programs;

3 “(6) an assurance that the State network of
4 community-based, prevention-focused, family re-
5 source and support programs will maintain cultural
6 diversity, and be culturally competent and socially
7 sensitive and responsive to the needs of families with
8 children with disabilities;

9 “(7) an assurance that the State has the capac-
10 ity to ensure the meaningful involvement of parents
11 who are consumers and who can provide leadership
12 in the planning, implementation, and evaluation of
13 the programs and policy decisions of the applicant
14 agency in accomplishing the desired outcomes for
15 such efforts;

16 “(8) a description of the criteria that the entity
17 will use to develop, or select and fund, individual
18 community-based, prevention-focused, family re-
19 source and support programs as part of network de-
20 velopment, expansion or enhancement;

21 “(9) a description of outreach activities that the
22 entity and the community-based, prevention-focused,
23 family resource and support programs will undertake
24 to maximize the participation of racial and ethnic
25 minorities, new immigrant populations, children and

1 adults with disabilities, homeless families and those
2 at risk of homelessness, and members of other un-
3 derserved or underrepresented groups;

4 “(10) a plan for providing operational support,
5 training and technical assistance to community-
6 based, prevention-focused, family resource and sup-
7 port programs for development, operation, expansion
8 and enhancement activities;

9 “(11) a description of how the applicant entity’s
10 activities and those of the network and its members
11 will be evaluated;

12 “(12) a description of that actions that the ap-
13 plicant entity will take to advocate changes in State
14 policies, practices, procedures and regulations to im-
15 prove the delivery of prevention-focused, family re-
16 source and support program services to all children
17 and families; and

18 “(13) an assurance that the applicant entity
19 will provide the Secretary with reports at such time
20 and containing such information as the Secretary
21 may require.

22 **“SEC. 206. LOCAL PROGRAM REQUIREMENTS.**

23 “(a) IN GENERAL.—Grants made under this title
24 shall be used to develop, implement, operate, expand and

1 enhance community-based, prevention-focused, family re-
2 source and support programs that—

3 “(1) assess community assets and needs
4 through a planning process that involves parents
5 and local public agencies, local nonprofit organiza-
6 tions, and private sector representatives;

7 “(2) develop a strategy to provide, over time, a
8 continuum of preventive, holistic, family centered
9 services to children and families, especially to young
10 parents and parents with young children, through
11 public-private partnerships;

12 “(3) provide—

13 “(A) core family resource and support
14 services such as—

15 “(i) parent education, mutual support
16 and self help, and leadership services;

17 “(ii) early developmental screening of
18 children;

19 “(iii) outreach services;

20 “(iv) community and social service re-
21 ferrals; and

22 “(v) follow-up services;

23 “(B) other core services, which must be
24 provided or arranged for through contracts or
25 agreements with other local agencies, including

1 all forms of respite services to the extent prac-
2 ticable; and

3 “(C) access to optional services, includ-
4 ing—

5 “(i) child care, early childhood devel-
6 opment and intervention services;

7 “(ii) services and supports to meet the
8 additional needs of families with children
9 with disabilities;

10 “(iii) job readiness services;

11 “(iv) educational services, such as
12 scholastic tutoring, literacy training, and
13 General Educational Degree services;

14 “(v) self-sufficiency and life manage-
15 ment skills training;

16 “(vi) community referral services; and

17 “(vii) peer counseling;

18 “(4) develop leadership roles for the meaningful
19 involvement of parents in the development, oper-
20 ation, evaluation, and oversight of the programs and
21 services;

22 “(5) provide leadership in mobilizing local pub-
23 lic and private resources to support the provision of
24 needed family resource and support program serv-
25 ices; and

1 “(6) participate with other community-based,
2 prevention-focused, family resource and support pro-
3 gram grantees in the development, operation and ex-
4 pansion of the Statewide network.

5 “(b) PRIORITY.—In awarding local grants under this
6 title, a lead entity shall give priority to community-based
7 programs serving low income communities and those serv-
8 ing young parents or parents with young children, and to
9 community-based family resource and support programs
10 previously funded under the programs consolidated under
11 the Child Abuse Prevention and Treatment Act Amend-
12 ments of 1995, so long as such programs meet local pro-
13 gram requirements.

14 **“SEC. 207. PERFORMANCE MEASURES.**

15 “A State receiving a grant under this title, through
16 reports provided to the Secretary, shall—

17 “(1) demonstrate the effective development, op-
18 eration and expansion of a Statewide network of
19 community-based, prevention-focused, family re-
20 source and support programs that meets the require-
21 ments of this title;

22 “(2) supply an inventory and description of the
23 services provided to families by local programs that
24 meet identified community needs, including core and
25 optional services as described in section 202;

1 “(3) demonstrate the establishment of new res-
2 pite and other specific new family resources services,
3 and the expansion of existing services, to address
4 unmet needs identified by the inventory and descrip-
5 tion of current services required under section
6 205(a)(3);

7 “(4) describe the number of families served, in-
8 cluding families with children with disabilities, and
9 the involvement of a diverse representation of fami-
10 lies in the design, operation, and evaluation of the
11 Statewide network of community-based, prevention-
12 focused, family resource and support programs, and
13 in the design, operation and evaluation of the indi-
14 vidual community-based family resource and support
15 programs that are part of the Statewide network
16 funded under this title;

17 “(5) demonstrate a high level of satisfaction
18 among families who have used the services of the
19 community-based, prevention-focused, family re-
20 source and support programs;

21 “(6) demonstrate the establishment or mainte-
22 nance of innovative funding mechanisms, at the
23 State or community level, that blend Federal, State,
24 local and private funds, and innovative, interdiscipli-
25 nary service delivery mechanisms, for the develop-

1 ment, operation, expansion and enhancement of the
2 Statewide network of community-based, prevention-
3 focused, family resource and support programs;

4 “(7) describe the results of a peer review proc-
5 ess conducted under the State program; and

6 “(8) demonstrate an implementation plan to en-
7 sure the continued leadership of parents in the on-
8 going planning, implementation, and evaluation of
9 such community based, prevention-focused, family
10 resource and support programs.

11 **“SEC. 208. NATIONAL NETWORK FOR COMMUNITY-BASED**
12 **FAMILY RESOURCE PROGRAMS.**

13 “The Secretary may allocate such sums as may be
14 necessary from the amount provided under the State allot-
15 ment to support the activities of the lead entity in the
16 State—

17 “(1) to create, operate and maintain a peer re-
18 view process;

19 “(2) to create, operate and maintain an infor-
20 mation clearinghouse;

21 “(3) to fund a yearly symposium on State sys-
22 tem change efforts that result from the operation of
23 the Statewide networks of community-based, preven-
24 tion-focused, family resource and support programs;

1 “(4) to create, operate and maintain a comput-
2 erized communication system between lead entities;
3 and

4 “(5) to fund State-to-State technical assistance
5 through bi-annual conferences.

6 **“SEC. 209. DEFINITIONS.**

7 “For purposes of this title:

8 “(1) CHILDREN WITH DISABILITIES.—The term
9 ‘children with disabilities’ has the same meaning
10 given such term in section 602(a)(2) of the Individ-
11 uals with Disabilities Education Act.

12 “(2) COMMUNITY REFERRAL SERVICES.—The
13 term ‘community referral services’ means services
14 provided under contract or through interagency
15 agreements to assist families in obtaining needed in-
16 formation, mutual support and community re-
17 sources, including respite services, health and mental
18 health services, employability development and job
19 training, and other social services through help lines
20 or other methods.

21 “(3) CULTURALLY COMPETENT.—The term
22 ‘culturally competent’ means services, support, or
23 other assistance that is conducted or provided in a
24 manner that—

1 “(A) is responsive to the beliefs, inter-
2 personal styles, attitudes, languages, and behav-
3 iors of those individuals and families receiving
4 services; and

5 “(B) has the greatest likelihood of ensur-
6 ing maximum participation of such individuals
7 and families.

8 “(4) FAMILY RESOURCE AND SUPPORT PRO-
9 GRAM.—The term ‘family resource and support pro-
10 gram’ means a community-based, prevention-focused
11 entity that—

12 “(A) provides, through direct service, the
13 core services required under this title, includ-
14 ing—

15 “(i) parent education, support and
16 leadership services, together with services
17 characterized by relationships between par-
18 ents and professionals that are based on
19 equality and respect, and designed to assist
20 parents in acquiring parenting skills, learn-
21 ing about child development, and respond-
22 ing appropriately to the behavior of their
23 children;

24 “(ii) services to facilitate the ability of
25 parents to serve as resources to one an-

1 other other (such as through mutual sup-
2 port and parent self-help groups);

3 “(iii) early developmental screening of
4 children to assess any needs of children,
5 and to identify types of support that may
6 be provided;

7 “(iv) outreach services provided
8 through voluntary home visits and other
9 methods to assist parents in becoming
10 aware of and able to participate in family
11 resources and support program activities;

12 “(v) community and social services to
13 assist families in obtaining community re-
14 sources; and

15 “(vi) follow-up services;

16 “(B) provides, or arranges for the provi-
17 sion of, other core services through contracts or
18 agreements with other local agencies, including
19 all forms of respite services; and

20 “(C) provides access to optional services,
21 directly or by contract, purchase of service, or
22 interagency agreement, including—

23 “(i) child care, early childhood devel-
24 opment and early intervention services;

1 “(ii) self-sufficiency and life manage-
2 ment skills training;

3 “(iii) education services, such as scho-
4 lastic tutoring, literacy training, and Gen-
5 eral Educational Degree services;

6 “(iv) job readiness skills;

7 “(v) child abuse and neglect preven-
8 tion activities;

9 “(vi) services that families with chil-
10 dren with disabilities or special needs may
11 require;

12 “(vii) community and social service re-
13 ferral;

14 “(viii) peer counseling;

15 “(ix) referral for substance abuse
16 counseling and treatment; and

17 “(x) help line services.

18 “(5) NATIONAL NETWORK FOR COMMUNITY-
19 BASED FAMILY RESOURCE PROGRAMS.—The term
20 ‘network for community-based family resource pro-
21 gram’ means the organization of State designated
22 entities who receive grants under this title, and in-
23 cludes the entire membership of the Children’s Trust
24 Fund Alliance and the National Respite Network.

1 “(6) OUTREACH SERVICES.—The term ‘out-
2 reach services’ means services provided to assist con-
3 sumers, through voluntary home visits or other
4 methods, in accessing and participating in family re-
5 source and support program activities.

6 “(7) RESPITE SERVICES.—The term ‘respite
7 services’ means short term care services provided in
8 the temporary absence of the regular caregiver (par-
9 ent, other relative, foster parent, adoptive parent, or
10 guardian) to children who—

11 “(A) are in danger of abuse or neglect;

12 “(B) have experienced abuse or neglect; or

13 “(C) have disabilities, chronic, or terminal
14 illnesses.

15 Such services shall be provided within or outside the
16 home of the child, be short-term care (ranging from
17 a few hours to a few weeks of time, per year), and
18 be intended to enable the family to stay together and
19 to keep the child living in the home and community
20 of the child.

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

22 “‘There are authorized to be appropriated to carry out
23 this title, \$108,000,000 for each of the fiscal years 1997
24 through 2001.’”.

1 **SEC. 202. REPEALS.**

2 (a) TEMPORARY CHILD CARE FOR CHILDREN WITH
3 DISABILITIES AND CRISIS NURSERIES ACT.—The Tem-
4 porary Child Care for Children with Disabilities and Crisis
5 Nurseries Act of 1986 (42 U.S.C. 5117 et seq.) is re-
6 pealed.

7 (b) FAMILY SUPPORT CENTERS.—Subtitle F of title
8 VII of the Stewart B. McKinney Homeless Assistance Act
9 (42 U.S.C. 11481 et seq.) is repealed.

10 **TITLE III—FAMILY VIOLENCE**
11 **PREVENTION AND SERVICES**

12 **SEC. 301. REFERENCE.**

13 Except as otherwise expressly provided, whenever in
14 this title an amendment or repeal is expressed in terms
15 of an amendment to, or repeal of, a section or other provi-
16 sion, the reference shall be considered to be made to a
17 section or other provision of the Family Violence Preven-
18 tion and Services Act (42 U.S.C. 10401 et seq.).

19 **SEC. 302. STATE DEMONSTRATION GRANTS.**

20 Section 303(e) (42 U.S.C. 10420(e)) is amended—

21 (1) by striking “following local share” and in-
22 sserting “following non-Federal matching local
23 share”; and

24 (2) by striking “20 percent” and all that fol-
25 lows through “private sources.” and inserting “with
26 respect to an entity operating an existing program

1 under this title, not less than 20 percent, and with
2 respect to an entity intending to operate a new pro-
3 gram under this title, not less than 35 percent.”.

4 **SEC. 303. ALLOTMENTS.**

5 Section 304(a)(1) (42 U.S.C. 10403(a)(1)) is amend-
6 ed by striking “\$200,000” and inserting “\$400,000”.

7 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

8 Section 310 (42 U.S.C. 10409) is amended—

9 (1) in subsection (b), by striking “80” and in-
10 sserting “70”; and

11 (2) by adding at the end thereof the following
12 new subsections:

13 “(d) GRANTS FOR STATE COALITIONS.—Of the
14 amounts appropriated under subsection (a) for each fiscal
15 year, not less than 10 percent of such amounts shall be
16 used by the Secretary for making grants under section
17 311.

18 “(e) NON-SUPPLANTING REQUIREMENT.—Federal
19 funds made available to a State under this title shall be
20 used to supplement and not supplant other Federal, State,
21 and local public funds expended to provide services and
22 activities that promote the purposes of this title.”.

TITLE IV—ADOPTION OPPORTUNITIES

3 SEC. 401. REFERENCE.

4 Except as otherwise expressly provided, whenever in
5 this title an amendment or repeal is expressed in terms
6 of an amendment to, or repeal of, a section or other provi-
7 sion, the reference shall be considered to be made to a
8 section or other provision of the Child Abuse Prevention
9 and Treatment and Adoption Reform Act of 1978 (42
10 U.S.C. 5111 et seq.).

11 SEC. 402. FINDINGS AND PURPOSE.

12 Section 201 (42 U.S.C. 5111) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)—

15 (i) by striking “50 percent between
16 1985 and 1990” and inserting “61 percent
17 between 1986 and 1994”; and

18 (ii) by striking “400,000 children at
19 the end of June, 1990” and inserting
20 “452,000 as of June, 1994”; and

21 (B) in paragraph (5), by striking “local”
22 and inserting “legal”; and

23 (C) in paragraph (7), to read as follows:

24 “(7)(A) currently, 40,000 children are free for
25 adoption and awaiting placement;

1 “(B) such children are typically school aged, in
2 sibling groups, have experienced neglect or abuse, or
3 have a physical, mental, or emotional disability; and

4 “(C) while the children are of all races, children
5 of color and older children (over the age of 10) are
6 over represented in such group;” and

7 (2) in subsection (b)—

8 (A) by striking “conditions, by—” and all
9 that follows through “providing a mechanism”
10 and inserting “conditions, by providing a mech-
11 anism”; and

12 (B) by redesignating subparagraphs (A)
13 through (C), as paragraphs (1) through (3), re-
14 spectively and by realigning the margins of such
15 paragraphs accordingly.

16 **SEC. 403. INFORMATION AND SERVICES.**

17 Section 203 (42 U.S.C. 5113) is amended—

18 (1) in subsection (a), by striking the last sen-
19 tence;

20 (2) in subsection (b)—

21 (A) in paragraph (6), to read as follows:

22 “(6) study the nature, scope, and effects of the
23 placement of children in kinship care arrangements,
24 pre-adoptive, or adoptive homes;”;

1 (B) by redesignating paragraphs (7)
2 through (9) as paragraphs (8) through (10), re-
3 spectively; and

4 (C) by inserting after paragraph (6), the
5 following new paragraph:

6 “(7) study the efficacy of States contracting
7 with public or private nonprofit agencies (including
8 community-based and other organizations), or sec-
9 tarian institutions for the recruitment of potential
10 adoptive and foster families and to provide assist-
11 ance in the placement of children for adoption;”;

12 (3) in subsection (d)—

13 (A) in paragraph (2)—

14 (i) by striking “Each” and inserting
15 “(A) Each”;

16 (ii) by striking “for each fiscal year”
17 and inserting “that describes the manner
18 in which the State will use funds during
19 the 3-fiscal years subsequent to the date of
20 the application to accomplish the purposes
21 of this section. Such application shall be”;
22 and

23 (iii) by adding at the end thereof the
24 following new subparagraph:

1 “(B) The Secretary shall provide, directly or by grant
2 to or contract with public or private nonprofit agencies
3 or organizations—

4 “(i) technical assistance and resource and refer-
5 ral information to assist State or local governments
6 with termination of parental rights issues, in recruit-
7 ing and retaining adoptive families, in the successful
8 placement of children with special needs, and in the
9 provision of pre- and post-placement services, includ-
10 ing post-legal adoption services; and

11 “(ii) other assistance to help State and local
12 governments replicate successful adoption-related
13 projects from other areas in the United States.”.

14 **SEC. 404. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 205 (42 U.S.C. 5115) is amended—

16 (1) in subsection (a), by striking
17 “\$10,000,000,” and all that follows through
18 “203(c)(1)” and inserting “\$20,000,000 for fiscal
19 year 1996, and such sums as may be necessary for
20 each of the fiscal years 1997 through 2001 to carry
21 out programs and activities authorized”;

22 (2) by striking subsection (b); and

23 (3) by redesignating subsection (c) as sub-
24 section (b).

1 **TITLE V—ABANDONED INFANTS**
 2 **ASSISTANCE ACT OF 1986**

3 **SEC. 501. REAUTHORIZATION.**

4 Section 104(a)(1) of the Abandoned Infants Assist-
 5 ance Act of 1988 (42 U.S.C. 670 note) is amended by
 6 striking “\$20,000,000” and all that follows through the
 7 end thereof and inserting “\$35,000,000 for each of the
 8 fiscal years 1995 through 1997, and such sums as may
 9 be necessary for each of the fiscal years 1998 through
 10 2001”.

11 **TITLE VI—REAUTHORIZATION**
 12 **OF VARIOUS PROGRAMS**

13 **SEC. 601. MISSING CHILDREN’S ASSISTANCE ACT.**

14 Section 408 of the Missing Children’s Assistance Act
 15 (42 U.S.C. 5777) is amended—

16 (1) by striking “To” and inserting “(a) IN
 17 GENERAL.—”

18 (2) by striking “and 1996” and inserting
 19 “1996, and 1997 through 2001”; and

20 (3) by adding at the end thereof the following
 21 new subsection:

22 “(b) EVALUATION.—The Administrator shall use not
 23 more than 5 percent of the amount appropriated for a fis-
 24 cal year under subsection (a) to conduct an evaluation of

1 the effectiveness of the programs and activities established
2 and operated under this title.”.

3 **SEC. 602. VICTIMS OF CHILD ABUSE ACT OF 1990.**

4 Section 214B of the Victims of Child Abuse Act of
5 1990 (42 U.S.C. 13004) is amended—

6 (1) in subsection (a)(2), by striking “and 1996”
7 and inserting “1996, and 1997”; and

8 (2) in subsection (b)(2), by striking “and
9 1996” and inserting “1996, through 2001”.

Passed the Senate July 18, 1996.

Attest:

Secretary.

104TH CONGRESS
2^D SESSION

S. 919

AN ACT

To modify and reauthorize the Child Abuse Prevention and Treatment Act, and for other purposes.

S 919 ES—2

S 919 ES—3

S 919 ES—4

S 919 ES—5