

104TH CONGRESS  
1ST SESSION

# S. 919

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

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## IN THE SENATE OF THE UNITED STATES

JUNE 13 (legislative day, JUNE 5), 1995

Mr. COATS (for himself and Mrs. KASSEBAUM) introduced the following bill;  
which was read twice and referred to the Committee on Labor and  
Human Resources

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## A BILL

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 1995”.

7 (b) TABLE OF CONTENTS.—The table of contents of  
8 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 and assistance activities.
- Sec. 108. Grants for demonstration programs.
- Sec. 109. State grants for prevention and treatment programs.
- Sec. 110. Repeal.
- Sec. 111. Definitions.
- Sec. 112. Authorization of appropriations.
- Sec. 113. Rule of construction.

## 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

1 section or other provision of the Child Abuse Prevention  
2 and Treatment Act (42 U.S.C. 5101 et seq.).

3 **SEC. 102. FINDINGS.**

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

5 (1) in paragraph (1), to read as follows:

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

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

10 (3) in paragraph (4)—

11 (A) by striking “tens of”; and

12 (B) by striking “direct” and all that fol-  
13 lows through the semicolon and inserting “tan-  
14 gible expenditures, as well as significant intan-  
15 gible costs;”;

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

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

20 (6) in paragraph (10)—

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

24 (B) by inserting “and family” after “com-  
25 prehensive child”; and

1 (7) in paragraph (11)—

2 (A) by striking “child protection” each  
3 place that such appears and inserting “child  
4 and family protection”; and

5 (B) in subparagraph (D), by striking “suf-  
6 ficient”.

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

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

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

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

14 “(b) PURPOSE.—The purpose of the Office estab-  
15 lished under subsection (a) shall be to execute and coordi-  
16 nate the functions and activities of this Act. In the event  
17 that such functions and activities are performed by an-  
18 other entity or entities within the Department of Health  
19 and Human Services, the Secretary shall ensure that such  
20 functions and activities are executed with the necessary  
21 expertise and in a fully coordinated manner involving reg-  
22 ular intradepartmental and interdepartmental consulta-  
23 tion with all agencies involved in child abuse and neglect  
24 activities.”.

1 **SEC. 104. ADVISORY BOARD ON CHILD ABUSE AND NE-**  
2 **GLECT.**

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

5 **“SEC. 102. ADVISORY BOARD ON CHILD ABUSE AND NE-**  
6 **GLECT.**

7 “(a) APPOINTMENT.—The Secretary may appoint an  
8 advisory board to make recommendations to the Secretary  
9 and to the appropriate committees of Congress concerning  
10 specific issues relating to child abuse and neglect.

11 “(b) SOLICITATION OF NOMINATIONS.—The Sec-  
12 retary shall publish a notice in the Federal Register sol-  
13 iting nominations for the appointment of members of the  
14 advisory board under subsection (a).

15 “(c) COMPOSITION.—In establishing the board under  
16 subsection (a), the Secretary shall appoint members from  
17 the general public who are individuals knowledgeable in  
18 child abuse and neglect prevention, intervention, treat-  
19 ment, or research, and with due consideration to represen-  
20 tation of ethnic or racial minorities and diverse geographic  
21 areas, and who represent—

22 “(1) law (including the judiciary);

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

24 “(3) social services (including child protective  
25 services);

26 “(4) medicine (including pediatrics);

1 “(5) State and local government;

2 “(6) organizations providing services to disabled  
3 persons;

4 “(7) organizations providing services to adoles-  
5 cents;

6 “(8) teachers;

7 “(9) parent self-help organizations;

8 “(10) parents’ groups;

9 “(11) voluntary groups; and

10 “(12) family rights groups.

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

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

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

21 “(1) recommendations on coordinating Federal,  
22 State, and local child abuse and neglect activities  
23 with similar activities at the Federal, State, and  
24 local level pertaining to family violence prevention;

1 “(2) specific modifications needed in Federal  
 2 and State laws and programs to reduce the number  
 3 of unfounded or unsubstantiated reports of child  
 4 abuse or neglect while enhancing a more focused at-  
 5 tention to legitimate cases of abuse or neglect which  
 6 place a child in danger; and

7 “(3) recommendations for modifications needed  
 8 to facilitate coordinated national data collection with  
 9 respect to child protection and child welfare.”.

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

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

12 **SEC. 106. NATIONAL CLEARINGHOUSE FOR INFORMATION**  
 13 **RELATING TO CHILD ABUSE.**

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

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

16 “(a) ESTABLISHMENT.—The Secretary shall through  
 17 the Department, or by one or more contract of not less  
 18 than 3 years duration let through a competition, establish  
 19 a national clearinghouse for information relating to child  
 20 abuse.”;

21 (2) in subsection (b)—

22 (A) in the matter preceding paragraph (1),  
 23 by striking “Director” and inserting “Sec-  
 24 retary”;

25 (B) in paragraph (1)—

1 (i) by inserting “assessment,” after  
2 “prevention,”; and

3 (ii) by striking “, including” and all  
4 that follows through “105(b)” and insert-  
5 ing “and”;

6 (C) in paragraph (2)—

7 (i) in subparagraph (A), by striking  
8 “general population” and inserting “Unit-  
9 ed States”;

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

12 (iii) in subparagraph (C), by striking  
13 “; and” at the end thereof and inserting a  
14 period; and

15 (iv) by striking subparagraph (D);  
16 and

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

18 (3) in subsection (c)—

19 (A) in the matter preceding paragraph (1),  
20 by striking “Director” and inserting “Sec-  
21 retary”;

22 (B) in paragraph (2), by striking “that is  
23 represented on the task force” and inserting  
24 “involved with child abuse and neglect and  
25 mechanisms for the sharing of such information



1 among other Federal agencies and clearing-  
2 houses”;

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

7 “(A) standardized data on false, un-  
8 founded, unsubstantiated, or substantiated re-  
9 ports; and

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

12 (D) by redesignating paragraph (4) as  
13 paragraph (6); and

14 (E) by inserting after paragraph (3), the  
15 following new paragraphs:

16 “(4) through a national data collection and  
17 analysis program and in consultation with appro-  
18 priate State and local agencies and experts in the  
19 field, collect, compile, and make available, State  
20 child abuse and neglect reporting information which,  
21 to the extent practical, shall be universal and case  
22 specific, and integrated with other case-based foster  
23 care and adoption data collected by the Secretary;

1           “(5) compile, analyze, and publish a summary  
2       of the research conducted under section 105(a);  
3       and”.

4   **SEC. 107. RESEARCH, EVALUATION AND ASSISTANCE AC-**  
5                   **TIVITIES.**

6       (a) RESEARCH.—Section 105(a) (42 U.S.C.  
7   5105(a)) is amended—

8           (1) in the section heading, by striking “OF  
9       THE NATIONAL CENTER ON CHILD ABUSE  
10      AND NEGLECT”;

11          (2) in paragraph (1)—

12               (A) in the matter preceding subparagraph  
13               (A), by striking “, through the Center, conduct  
14               research on” and inserting “carry out a con-  
15               tinuing interdisciplinary program of research  
16               that is designed to provide information needed  
17               to better protect children from abuse or neglect  
18               and to improve the well-being of abused or ne-  
19               glected children, with at least a portion of such  
20               research being field initiated. Such research  
21               program may focus on”;

22               (B) by redesignating subparagraphs (A)  
23               through (C) as subparagraph (B) through (D),  
24               respectively;

1 (C) by inserting before subparagraph (B)  
2 (as so redesignated) the following new subpara-  
3 graph:

4 “(A) the nature and scope of child abuse  
5 and neglect;”;

6 (D) in subparagraph (B) (as so redesign-  
7 ated), by striking “identification treatment  
8 and cultural” and inserting “causes, prevention,  
9 assessment, identification, treatment, cultural  
10 and socio-economic distinctions, and the con-  
11 sequences of child abuse and neglect”;

12 (E) in subparagraph (D) (as so redesign-  
13 ated)—

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

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

16 “(ii) the incidence of substantiated  
17 and unsubstantiated reported child abuse  
18 cases;

19 “(iii) the number of substantiated  
20 cases that result in a legal finding of child  
21 abuse or neglect or related criminal court  
22 convictions;

23 “(iv) the extent to which the number  
24 of unsubstantiated, unfounded and false  
25 reported cases of child abuse or neglect

1 have contributed to the inability of a State  
2 to respond effectively to serious cases of  
3 child abuse or neglect;

4 “(v) the number of unsubstantiated,  
5 false, or unfounded reports that have re-  
6 sulted in a child being placed on substitute  
7 care, and the duration of such placement;

8 “(vi) the extent to which unsubstan-  
9 tiated reports return as more serious cases  
10 of child abuse or neglect;

11 “(vii) the incidence and prevalence of  
12 physical, sexual, and emotional abuse and  
13 physical and emotional neglect in sub-  
14 stitute care; and

15 “(viii) the incidence and outcomes of  
16 abuse allegations reported within the con-  
17 text of divorce, custody, or other family  
18 court proceedings, and the interaction be-  
19 tween this venue and the child protective  
20 services system.”; and

21 (3) in paragraph (2)—

22 (A) in subparagraph (A)—

23 (i) by striking “and demonstrations”;  
24 and

1 (ii) by striking “paragraph (1)(A) and  
2 activities under section 106” and inserting  
3 “paragraph (1)”; and  
4 (B) in subparagraph (B), by striking “and  
5 demonstration”.

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

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

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

11 “(1) IN GENERAL.—The Secretary”;

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

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

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

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

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

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

24 “(B) resultant ways to mitigate psycho-  
25 logical trauma to the child victim; and

1           “(C) effective programs carried out by the  
2           States under titles I and III.

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

7           “(A) individuals who are engaged, or who  
8           intend to engage, in the prevention, identifica-  
9           tion, and treatment of child abuse and neglect;  
10          and

11          “(B) to appropriate State and local offi-  
12          cials to assist in training law enforcement,  
13          legal, judicial, medical, mental health, edu-  
14          cation, and child welfare personnel in appro-  
15          priate methods of interacting during investiga-  
16          tive, administrative, and judicial proceedings  
17          with children who have been subjected to  
18          abuse.”.

19          (d) GRANTS AND CONTRACTS.—Section 105(d)(2)  
20          (42 U.S.C. 5105(d)(2)) is amended by striking the second  
21          sentence.

22          (e) PEER REVIEW.—Section 105(e) (42 U.S.C.  
23          5105(e)) is amended—

24                 (1) in paragraph (1)—

1 (A) in subparagraph (A), by striking “and  
2 contracts”; and

3 (B) in subparagraph (B)—

4 (i) by striking “shall” and inserting  
5 “may”; and

6 (ii) by striking “Office of Human De-  
7 velopment” and inserting “Administration  
8 on Children and Families”; and

9 (2) in paragraph (2), by striking “, contract, or  
10 other financial assistance”.

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

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

13 (1) in the section heading, by striking “OR  
14 SERVICE”;

15 (2) in subsection (a), by striking paragraph (1)  
16 and inserting the following new paragraph:

17 “(1) DEMONSTRATION PROGRAMS AND  
18 PROJECTS.—The Secretary may make grants to, and  
19 enter into contracts with, public agencies or non-  
20 profit private agencies or organizations (or combina-  
21 tions of such agencies or organizations) for time lim-  
22 ited, research based demonstration programs and  
23 projects for the following purposes:

1           “(A) TRAINING PROGRAMS.—The Sec-  
2           retary may award grants to public or private  
3           non-profit organizations under this section—

4                   “(i) for the training of professional  
5                   and paraprofessional personnel in the  
6                   fields of medicine, law, education, social  
7                   work, and other relevant fields who are en-  
8                   gaged in, or intend to work in, the field of  
9                   prevention, identification, and treatment of  
10                  child abuse and neglect;

11                  “(ii) to provide culturally specific in-  
12                  struction in methods of protecting children  
13                  from child abuse and neglect to children  
14                  and to persons responsible for the welfare  
15                  of children, including parents of and per-  
16                  sons who work with children with disabil-  
17                  ities;

18                  “(iii) to improve the recruitment, se-  
19                  lection, and training of volunteers serving  
20                  in private and public nonprofit children,  
21                  youth and family service organizations in  
22                  order to prevent child abuse and neglect  
23                  through collaborative analysis of current  
24                  recruitment, selection, and training pro-  
25                  grams and development of model programs



1 for dissemination and replication nation-  
2 ally; and

3 “(iv) for the establishment of resource  
4 centers for the purpose of providing infor-  
5 mation and training to professionals work-  
6 ing in the field of child abuse and neglect.

7 “(B) MUTUAL SUPPORT PROGRAMS.—The  
8 Secretary may award grants to private non-  
9 profit organizations (such as Parents Anony-  
10 mous) to establish or maintain a national net-  
11 work of mutual support and self-help programs  
12 as a means of strengthening families in part-  
13 nership with their communities.

14 “(C) OTHER INNOVATIVE PROGRAMS AND  
15 PROJECTS.—

16 “(i) IN GENERAL.—The Secretary  
17 may award grants to public agencies that  
18 demonstrate innovation in responding to  
19 reports of child abuse and neglect includ-  
20 ing programs of collaborative partnerships  
21 between the State child protective service  
22 agency, community social service agencies  
23 and family support programs, schools,  
24 churches and synagogues, and other com-

1 community agencies to allow for the establish-  
2 ment of a triage system that—

3 “(I) accepts, screens and assesses  
4 reports received to determine which  
5 such reports require an intensive  
6 intervention and which require vol-  
7 untary referral to another agency,  
8 program or project;

9 “(II) provides, either directly or  
10 through referral, a variety of commu-  
11 nity-linked services to assist families  
12 in preventing child abuse and neglect;  
13 and

14 “(III) provides further investiga-  
15 tion and intensive intervention where  
16 the child’s safety is in jeopardy.

17 “(ii) PREFERRED PLACEMENT.—The  
18 Secretary may award grants to public enti-  
19 ties to assist such entities in developing or  
20 implementing procedures protecting the  
21 rights of families, using adult relatives as  
22 the preferred placement for children re-  
23 moved from their home, where such rel-  
24 atives are determined to be capable of pro-  
25 viding a safe environment for the child or

1                   where such relatives comply with the State  
2                   child protection standards.”; and

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

5           “(d) EVALUATION.—In making grants for dem-  
6 onstration projects under this section, the Secretary shall  
7 require all such projects to be evaluated for their effective-  
8 ness. Funding for such evaluations shall be provided either  
9 as a stated percentage of a demonstration grant or as a  
10 separate grant entered into by the Secretary for the pur-  
11 pose of evaluating a particular demonstration project or  
12 group of projects.”.

13 **SEC. 109. STATE GRANTS FOR PREVENTION AND TREAT-**  
14 **MENT PROGRAMS.**

15           Section 107 (42 U.S.C. 5107) is amended to read as  
16 follows:

17 **“SEC. 107. GRANTS TO STATES FOR CHILD ABUSE AND NE-**  
18 **GLECT PREVENTION AND TREATMENT PRO-**  
19 **GRAMS.**

20           “(a) DEVELOPMENT AND OPERATION GRANTS.—The  
21 Secretary shall make grants to the States, based on the  
22 population of children under the age of 18 in each State  
23 that applies for a grant under this section, for purposes  
24 of assisting the States in improving the child protective  
25 service system of each such State in—

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

3           “(2)(A) creating and improving the use of mul-  
4           tidisciplinary teams and interagency protocols to en-  
5           hance investigations; and

6           “(B) improving legal preparation and represen-  
7           tation, including—

8                 “(i) procedures for appealing and respond-  
9                 ing to appeals of substantiated reports of abuse  
10                and neglect; and

11               “(ii) provisions for the appointment of a  
12               guardian ad litem.

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

15           “(4) enhancing the general child protective sys-  
16           tem by improving risk and safety assessment tools  
17           and protocols, automation systems that support the  
18           program and track reports of child abuse and ne-  
19           glect from intake through final disposition and infor-  
20           mation referral systems;

21           “(5) developing, strengthening, and facilitating  
22           training opportunities and requirements for individ-  
23           uals overseeing and providing services to children  
24           and their families through the child protection sys-  
25           tem;

1           “(6) developing and facilitating training proto-  
2       cols for individuals mandated to report child abuse  
3       or neglect;

4           “(7) developing, strengthening, and supporting  
5       child abuse and neglect prevention, treatment, and  
6       research programs in the public and private sectors;  
7       or

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

9               “(A) information and education programs  
10       or training programs designed to improve the  
11       provision of services to disabled infants with  
12       life-threatening conditions for—

13               “(i) professional and paraprofessional  
14       personnel concerned with the welfare of  
15       disabled infants with life-threatening con-  
16       ditions, including personnel employed in  
17       child protective services programs and  
18       health-care facilities; and

19               “(ii) the parents of such infants;

20               “(B) programs to enhance the capacity of  
21       community-based programs to integrate shared  
22       leadership strategies between parents and pro-  
23       fessionals to prevent and treat child abuse and  
24       neglect at the neighborhood level; and

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

5                   “(i) existing social and health services;

6                   “(ii) financial assistance; and

7                   “(iii) services necessary to facilitate  
8           adoptive placement of any such infants  
9           who have been relinquished for adoption.

10       “(b) COMPLIANCE AND EDUCATION GRANTS.—The  
11       Secretary is authorized to make grants to the States for  
12       purposes of developing, implementing, or operating—

13           “(1) the procedures or programs required under  
14       subsection (b)(2);

15           “(2) procedures or programs designed to im-  
16       prove the provision of services to disabled infants  
17       with life-threatening conditions for—

18                   “(A) professional and paraprofessional per-  
19       sonnel concerned with the welfare of disabled  
20       infants with life-threatening conditions, includ-  
21       ing personnel employed in child protective serv-  
22       ices programs and health-care facilities; and

23                   “(B) the parents of such infants; and

1           “(3) programs to assist in obtaining or coordi-  
2           nating necessary services for families of disabled in-  
3           fants with life-threatening conditions, including—

4                   “(A) existing social and health services;

5                   “(B) financial assistance; and

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

9           “(c) ELIGIBILITY REQUIREMENTS.—In order for a  
10          State to qualify for a grant under subsection (a), such  
11          State shall provide an assurance or certification, signed  
12          by the chief executive officer of the State, that the State—

13                   “(1) has in effect and operation a State law or  
14          Statewide program relating to child abuse and ne-  
15          glect which ensures—

16                   “(A) provisions or procedures for the re-  
17          porting of known and suspected instances of  
18          child abuse and neglect; and

19                   “(B) procedures for the immediate screen-  
20          ing, safety assessment, and prompt investiga-  
21          tion of such reports;

22                   “(C) procedures for immediate steps to be  
23          taken to ensure and protect the safety of the  
24          abused or neglected child and of any other child

1 under the same care who may also be in danger  
2 of physical abuse or neglect;

3 “(D) provisions for immunity from pros-  
4 ecution under State and local laws and regula-  
5 tions for individuals making good faith reports  
6 of suspected or known instances of child abuse  
7 or neglect;

8 “(E) methods to preserve the confidential-  
9 ity of all records in order to protect the rights  
10 of the child and of the child’s parents or guard-  
11 ians, including methods to ensure that disclo-  
12 sure (and redisclosure) of information concern-  
13 ing child abuse or neglect involving specific in-  
14 dividuals is made only to persons or entities  
15 that the State determines have a need for such  
16 information directly related to the purposes of  
17 this Act;

18 “(F) requirements for the prompt disclo-  
19 sure of all relevant information to any Federal,  
20 State, or local governmental entity, or any  
21 agent of such entity, with a need for such infor-  
22 mation in order to carry out its responsibilities  
23 under law to protect children from abuse and  
24 neglect;



1           “(G) the cooperation of law enforcement  
2 officials, court of competent jurisdiction, and  
3 appropriate State agencies providing human  
4 services;

5           “(H) provisions requiring, and procedures  
6 in place that facilitate the prompt expungement  
7 of any records that are accessible to the general  
8 public or are used for purposes of employment  
9 or other background checks in cases determined  
10 to be unsubstantiated or false, except that noth-  
11 ing in this section shall prevent State child pro-  
12 tective service agencies from keeping informa-  
13 tion on unsubstantiated reports in their case-  
14 work files to assist in future risk assessment;  
15 and

16           “(I) provisions and procedures requiring  
17 that in every case involving an abused or ne-  
18 glected child which results in a judicial proceed-  
19 ing, a guardian ad litem shall be appointed to  
20 represent the child in such proceedings; and

21           “(2) has in place procedures for responding to  
22 the reporting of medical neglect (including instances  
23 of withholding of medically indicated treatment from  
24 disabled infants with life-threatening conditions),

1 procedures or programs, or both (within the State  
2 child protective services system), to provide for—

3 “(A) coordination and consultation with in-  
4 dividuals designated by and within appropriate  
5 health-care facilities;

6 “(B) prompt notification by individuals  
7 designated by and within appropriate health-  
8 care facilities of cases of suspected medical ne-  
9 glect (including instances of withholding of  
10 medically indicated treatment from disabled in-  
11 fants with life-threatening conditions); and

12 “(C) authority, under State law, for the  
13 State child protective service system to pursue  
14 any legal remedies, including the authority to  
15 initiate legal proceedings in a court of com-  
16 petent jurisdiction, as may be necessary to pre-  
17 vent the withholding of medically indicated  
18 treatment from disabled infants with life threat-  
19 ening conditions.

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

1       “(e) 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 be coordinated  
7       with the plan of the State for child welfare services and  
8       family preservation and family support services under part  
9       B of title IV of the Social Security Act and shall contain  
10      an outline of the activities that the State intends to carry  
11      out using amounts provided under the grant to achieve  
12      the purposes of this Act, including the procedures to be  
13      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 “(f) 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), (2), (3), (4), (5), and (6)  
15 of subsection (c).

16 “(g) ANNUAL STATE DATA REPORTS.—Each State  
17 to which a grant is made under this part shall annually  
18 submit to the Secretary a report that includes the  
19 following:

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

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

25 “(A) substantiated;

1           “(B) unsubstantiated; and

2           “(C) determined to be false.

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

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

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

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

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

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

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

23           “(7) The number of child protective service  
24 workers responsible for the intake and screening of  
25 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 rel-  
10          ative to the number of reports investigated in the  
11          previous year.”.

12 **SEC. 110. REPEAL.**

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

14 **SEC. 111. DEFINITIONS.**

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

16               (1) by striking paragraphs (1) and (2);

17               (2) by redesignating paragraphs (3) through  
18               (10) as paragraphs (1) through (8), respectively;

19               and

20               (3) in paragraph (2) (as so redesignated), to  
21               read as follows:

22               “(2) the term ‘child abuse and neglect’ means,  
23               at a minimum, any recent act or failure to act on  
24               the part of a parent or caretaker, which results in  
25               death or serious physical, sexual, or emotional harm,

1 or presents an imminent risk of serious harm. Such  
 2 term does not include a child who has suffered harm  
 3 where the harm results primarily from the parent or  
 4 caretaker's lack of financial resources or from causes  
 5 linked to such lack of resources;”.

6 **SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

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

9 “(a) IN GENERAL.—

10 “(1) GENERAL AUTHORIZATION.—There are  
 11 authorized to be appropriated to carry out this title,  
 12 \$100,000,000 for fiscal year 1996, and such sums  
 13 as may be necessary for each of the fiscal years  
 14 1997 through 2000.

15 “(2) DISCRETIONARY ACTIVITIES.—

16 “(A) IN GENERAL.—Of the amounts ap-  
 17 propriated for a fiscal year under paragraph  
 18 (1), the Secretary shall make available 33⅓  
 19 percent of such amounts to fund discretionary  
 20 activities under this title.

21 “(B) DEMONSTRATION PROJECTS.—Of the  
 22 amounts made available for a fiscal year under  
 23 subparagraph (A), the Secretary shall make  
 24 available not more than 40 percent of such  
 25 amounts to carry out section 106.”.

1 **SEC. 113. RULE OF CONSTRUCTION.**

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

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

5 “(a) IN GENERAL.—Nothing in this Act shall be con-  
6 strued to require that a parent or legal guardian provide  
7 a child any medical service or treatment, nor require a  
8 State to find abuse or neglect in cases in which a parent  
9 or legal guardian treats a child’s health condition solely  
10 or partially by spiritual or non-medical means.

11 “(b) STATE INTERVENTION.—Notwithstanding sub-  
12 section (a), nothing in this Act shall be construed as pre-  
13 cluding a State from intervening to protect a child or find  
14 abuse or neglect in a case involving the failure or refusal  
15 to provide a medical service or treatment where such fail-  
16 ure or refusal will lead to imminent risk of severe harm  
17 to the child.”.

18 **TITLE II—COMMUNITY-BASED**  
19 **CHILD ABUSE AND NEGLECT**  
20 **PREVENTION GRANTS**

21 **SEC. 201. ESTABLISHMENT OF PROGRAM.**

22 Title II of the Child Abuse Prevention and Treatment  
23 Act (42 U.S.C. 5116 et seq.) is amended to read as fol-  
24 lows:



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

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

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

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

20               “(1) developing, operating, expanding and en-  
21 hancing Statewide networks of community-based,  
22 prevention-focused, family resource and support pro-  
23 grams that—

24                       “(A) offer sustained assistance to families;

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

3           “(C) promote the development of parental  
4           competencies and capacities, especially in young  
5           parents and parents with very young children;

6           “(D) increase family stability;

7           “(E) improve family access to other formal  
8           and informal resources and opportunities for  
9           assistance available within communities; and

10          “(F) support the additional needs of fami-  
11          lies with children with disabilities;

12          “(2) fostering the development of a continuum  
13          of preventive services for children and families  
14          through State and community-based collaborations  
15          and partnerships both public and private;

16          “(3) financing the start-up, maintenance, ex-  
17          pansion, or redesign of specific family resource and  
18          support program services (such as respite services,  
19          child abuse and neglect prevention activities, disabil-  
20          ity services, mental health services, housing services,  
21          transportation, adult education, home visiting and  
22          other similar services) identified by the inventory  
23          and description of current services required under  
24          section 205(a)(3) as an unmet need, and integrated

1 with the network of community-based family re-  
2 source and support program;

3 “(4) maximizing funding for the financing,  
4 planning, community mobilization, collaboration, as-  
5 sessment, information and referral, startup, training  
6 and technical assistance, information management,  
7 reporting and evaluation costs for establishing, oper-  
8 ating, or expanding a Statewide network of commu-  
9 nity-based, prevention-focused, family resource and  
10 support program; and

11 “(5) financing public information activities that  
12 focus on the healthy and positive development of  
13 parents and children and the promotion of child  
14 abuse and neglect prevention activities.

15 **“SEC. 202. ELIGIBILITY.**

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

18 “(1)(A) the chief executive officer of the State  
19 has designated an entity to administer funds under  
20 this title for the purposes identified under the au-  
21 thority of this title, including to develop, implement,  
22 operate, enhance or expand a Statewide network of  
23 community-based, prevention-focused, family re-  
24 source and support programs, child abuse and ne-

1 neglect prevention activities and access to respite serv-  
2 ices integrated with the Statewide network;

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

12 “(C) such lead entity is an existing public,  
13 quasi-public, or nonprofit private entity with a dem-  
14 onstrated ability to work with other State and com-  
15 munity-based agencies to provide training and tech-  
16 nical assistance, and that has the capacity and com-  
17 mitment to ensure the meaningful involvement of  
18 parents who are consumers and who can provide  
19 leadership in the planning, implementation, and  
20 evaluation of programs and policy decisions of the  
21 applicant agency in accomplishing the desired out-  
22 comes for such efforts;

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

1           “(A) a network of community-based family  
2           resource and support programs composed of  
3           local, collaborative, public-private partnerships  
4           directed by interdisciplinary structures with bal-  
5           anced representation from private and public  
6           sector members, parents, and public and private  
7           nonprofit service providers and individuals and  
8           organizations experienced in working in part-  
9           nership with families with children with disabil-  
10          ities;

11          “(B) direction to the network through an  
12          interdisciplinary, collaborative, public-private  
13          structure with balanced representation from  
14          private and public sector members, parents, and  
15          public sector and private nonprofit sector serv-  
16          ice providers; and

17          “(C) direction and oversight to the net-  
18          work through identified goals and objectives,  
19          clear lines of communication and accountability,  
20          the provision of leveraged or combined funding  
21          from Federal, State and private sources, cen-  
22          tralized assessment and planning activities, the  
23          provision of training and technical assistance,  
24          and reporting and evaluation functions; and

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

3           “(A) has a demonstrated commitment to  
4       parental participation in the development, oper-  
5       ation, and oversight of the Statewide network of  
6       community-based, prevention-focused, family re-  
7       source and support programs;

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

16          “(C) has the capacity to provide oper-  
17      ational support (both financial and pro-  
18      grammatic) and training and technical assist-  
19      ance, to the Statewide network of community-  
20      based, prevention-focused, family resource and  
21      support programs, through innovative, inter-  
22      agency funding and interdisciplinary service de-  
23      livery mechanisms; and

24          “(D) will integrate its efforts with individ-  
25      uals and organizations experienced in working

1 in partnership with families with children with  
2 disabilities and with the child abuse and neglect  
3 prevention activities of the State, and dem-  
4 onstrate a financial commitment to those activi-  
5 ties.

6 **“SEC. 203. AMOUNT OF GRANT.**

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

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

15 “(1) 50 percent of the total amount allotted to  
16 the State under this section is based on the number  
17 of children under 18 residing in the State as com-  
18 pared to the number of such children residing in all  
19 States, except that no State shall receive less than  
20 \$250,000; and

21 “(2) each State receives, from the amounts re-  
22 maining from the total amount appropriated, an  
23 amount equal to 50 percent of the amount that each  
24 such State has directed through the lead agency to  
25 the purposes identified under the authority of this

1 title, including foundation, corporate, and other pri-  
2 vate funding, State revenues, and Federal funds.

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

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

9 “(a) EXISTING GRANTS.—Notwithstanding the en-  
10 actment of this title, a State or entity that has a grant,  
11 contract, or cooperative agreement in effect, on the date  
12 of enactment of this title, under the Family Resource and  
13 Support Program, the Community-Based Family Re-  
14 source Program, the Emergency Child Abuse Prevention  
15 Grant Program, or the Temporary Child Care for Children  
16 with Disabilities and Crisis Nurseries Programs shall con-  
17 tinue to receive funds under such programs, subject to the  
18 original terms under which such funds were granted,  
19 through the end of the applicable grant cycle.

20 “(b) CONTINUATION GRANTS.—The Secretary may  
21 continue grants for Family Resource and Support Pro-  
22 gram grantees, and those programs otherwise funded  
23 under this Act, on a noncompetitive basis, subject to the  
24 availability of appropriations, satisfactory performance by  
25 the grantee, and receipt of reports required under this Act,



1 until such time as the grantee no longer meets the original  
2 purposes of this Act.

3 **“SEC. 205. APPLICATION.**

4 “(a) IN GENERAL.—A grant may not be made to a  
5 State under this title unless an application therefore is  
6 submitted by the State to the Secretary and such applica-  
7 tion contains the types of information specified by the Sec-  
8 retary as essential to carrying out the provisions of section  
9 202, including—

10 “(1) a description of the lead entity that will be  
11 responsible for the administration of funds provided  
12 under this title and the oversight of programs fund-  
13 ed through the Statewide network of community-  
14 based, prevention-focused, family resource and sup-  
15 port programs which meets the requirements of sec-  
16 tion 202;

17 “(2) a description of how the network of com-  
18 munity-based, prevention-focused, family resource  
19 and support programs will operate and how family  
20 resource and support services provided by public and  
21 private, nonprofit organizations, including those  
22 funded by programs consolidated under this Act, will  
23 be integrated into a developing continuum of family  
24 centered, holistic, preventive services for children  
25 and families;

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

6           “(4) a budget for the development, operation  
7 and expansion of the State’s network of community-  
8 based, prevention-focused, family resource and sup-  
9 port programs that verifies that the State will ex-  
10 pend an amount equal to not less than 20 percent  
11 of the amount received under this title (in cash, not  
12 in-kind) for activities under this title;

13           “(5) an assurance that funds received under  
14 this title will supplement, not supplant, other State  
15 and local public funds designated for the Statewide  
16 network of community-based, prevention-focused,  
17 family resource and support programs;

18           “(6) an assurance that the State network of  
19 community-based, prevention-focused, family re-  
20 source and support programs will maintain cultural  
21 diversity, and be culturally competent and socially  
22 sensitive and responsive to the needs of families with  
23 children with disabilities;

24           “(7) an assurance that the State has the capac-  
25 ity to ensure the meaningful involvement of parents

1       who are consumers and who can provide leadership  
2       in the planning, implementation, and evaluation of  
3       the programs and policy decisions of the applicant  
4       agency in accomplishing the desired outcomes for  
5       such efforts;

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

11              “(9) a description of outreach activities that the  
12      entity and the community-based, prevention-focused,  
13      family resource and support programs will undertake  
14      to maximize the participation of racial and ethnic  
15      minorities, new immigrant populations, children and  
16      adults with disabilities, and members of other under-  
17      served or underrepresented groups;

18              “(10) a plan for providing operational support,  
19      training and technical assistance to community-  
20      based, prevention-focused, family resource and sup-  
21      port programs for development, operation, expansion  
22      and enhancement activities;

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

1           “(12) a description of that actions that the ap-  
2           plicant entity will take to advocate changes in State  
3           policies, practices, procedures and regulations to im-  
4           prove the delivery of prevention-focused, family re-  
5           source and support program services to all children  
6           and families; and

7           “(13) an assurance that the applicant entity  
8           will provide the Secretary with reports at such time  
9           and containing such information as the Secretary  
10          may require.

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

12          “(a) IN GENERAL.—Grants made under this title  
13       shall be used to develop, implement, operate, expand and  
14       enhance community-based, prevention-focused, family re-  
15       source and support programs that—

16           “(1) assess community assets and needs  
17           through a planning process that involves parents  
18           and local public agencies, local nonprofit organiza-  
19           tions, and private sector representatives;

20           “(2) develop a strategy to provide, over time, a  
21           continuum of preventive, holistic, family centered  
22           services to children and families, especially to young  
23           parents and parents with young children, through  
24           public-private partnerships;

25           “(3) provide—

1           “(A) core family resource and support  
2 services such as—

3               “(i) parent education, mutual support  
4 and self help, and leadership services;

5               “(ii) early developmental screening of  
6 children;

7               “(iii) outreach services;

8               “(iv) community and social service re-  
9 ferrals; and

10              “(v) follow-up services;

11           “(B) other core services, which must be  
12 provided or arranged for through contracts or  
13 agreements with other local agencies, including  
14 all forms of respite services; and

15           “(C) access to optional services, includ-  
16 ing—

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

19               “(ii) services and supports to meet the  
20 additional needs of families with children  
21 with disabilities;

22               “(iii) job readiness services;

23               “(iv) educational services, such as  
24 scholastic tutoring, literacy training, and  
25 General Educational Degree services;

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

3                   “(vi) community referral services; and

4                   “(vii) peer counseling;

5                   “(4) develop leadership roles for the meaningful  
6                   involvement of parents in the development, oper-  
7                   ation, evaluation, and oversight of the programs and  
8                   services;

9                   “(5) provide leadership in mobilizing local pub-  
10                  lic and private resources to support the provision of  
11                  needed family resource and support program serv-  
12                  ices; and

13                  “(6) participate with other community-based,  
14                  prevention-focused, family resource and support pro-  
15                  gram grantees in the development, operation and ex-  
16                  pansion of the Statewide network.

17                  “(b) PRIORITY.—In awarding local grants under this  
18                  title, a lead entity shall give priority to community-based  
19                  programs serving low income communities and those serv-  
20                  ing young parents or parents with young children, and to  
21                  community-based family resource and support programs  
22                  previously funded under the programs consolidated under  
23                  the Child Abuse Prevention and Treatment Act Amend-  
24                  ments of 1995, so long as such programs meet local pro-  
25                  gram requirements.

1 **“SEC. 207. PERFORMANCE MEASURES.**

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

4 “(1) demonstrate the effective development, op-  
5 eration and expansion of a Statewide network of  
6 community-based, prevention-focused, family re-  
7 source and support programs that meets the require-  
8 ments of this title;

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

13 “(3) demonstrate the establishment of new res-  
14 pite and other specific new family resources services  
15 to address unmet needs identified by the inventory  
16 and description of current services required under  
17 section 201(b)(6);

18 “(4) describe the number of families served, in-  
19 cluding families with children with disabilities, and  
20 the involvement of a diverse representation of fami-  
21 lies in the design, operation, and evaluation of the  
22 Statewide network of community-based, prevention-  
23 focused, family resource and support programs, and  
24 in the design, operation and evaluation of the indi-  
25 vidual community-based family resource and support

1 programs that are part of the Statewide network  
2 funded under this title;

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

7 “(6) demonstrate the establishment or mainte-  
8 nance of innovative funding mechanisms, at the  
9 State or community level, that blend Federal, State,  
10 local and private funds, and innovative, interdiscipli-  
11 nary service delivery mechanisms, for the develop-  
12 ment, operation, expansion and enhancement of the  
13 Statewide network of community-based, prevention-  
14 focused, family resource and support programs;

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

17 “(8) demonstrate an implementation plan to en-  
18 sure the continued leadership of parents in the on-  
19 going planning, implementation, and evaluation of  
20 such community based, prevention-focused, family  
21 resource and support programs.



1 **“SEC. 208. NATIONAL NETWORK FOR COMMUNITY-BASED**  
2 **FAMILY RESOURCE PROGRAMS.**

3 “The Secretary may allocate such sums as may be  
4 necessary from the amount provided under the State allot-  
5 ment to support the activities of the State network—

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

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

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

14 “(4) to create, operate and maintain a comput-  
15 erized communication system between lead entities;  
16 and

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

19 **“SEC. 209. DEFINITIONS.**

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

24 “(2) COMMUNITY REFERRAL SERVICES.—The  
25 term ‘community referral services’ means services  
26 provided under contract or through interagency

1 agreements to assist families in obtaining needed in-  
2 formation, mutual support and community re-  
3 sources, including respite services, health and mental  
4 health services, employability development and job  
5 training, and other social services through help lines  
6 or other methods.

7 “(3) CULTURALLY COMPETENT.—The term  
8 ‘culturally competent’ means services, support, or  
9 other assistance that is conducted or provided in a  
10 manner that—

11 “(A) is responsive to the beliefs, inter-  
12 personal styles, attitudes, languages, and behav-  
13 iors of those individuals and families receiving  
14 services; and

15 “(B) has the greatest likelihood of ensur-  
16 ing maximum participation of such individuals  
17 and families.

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

22 “(A) provides, through direct service, the  
23 core services required under this title, includ-  
24 ing—

1           “(i) parent education, support and  
2 leadership services, together with services  
3 characterized by relationships between par-  
4 ents and professionals that are based on  
5 equality and respect, and designed to assist  
6 parents in acquiring parenting skills, learn-  
7 ing about child development, and respond-  
8 ing appropriately to the behavior of their  
9 children;

10           “(ii) services to facilitate the ability of  
11 parents to serve as resources to one an-  
12 other other (such as through mutual sup-  
13 port and parent self-help groups);

14           “(iii) early developmental screening of  
15 children to assess any needs of children,  
16 and to identify types of support that may  
17 be provided;

18           “(iv) outreach services provided  
19 through voluntary home visits and other  
20 methods to assist parents in becoming  
21 aware of and able to participate in family  
22 resources and support program activities;

23           “(v) community and social services to  
24 assist families in obtaining community re-  
25 sources; and

1 “(vi) follow-up services;

2 “(B) provides, or arranges for the provi-  
3 sion of, other core services through contracts or  
4 agreements with other local agencies, including  
5 all forms of respite services; and

6 “(C) provides access to optional services,  
7 directly or by contract, purchase of service, or  
8 interagency agreement, including—

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

11 “(ii) self-sufficiency and life manage-  
12 ment skills training;

13 “(iii) education services, such as scho-  
14 lastic tutoring, literacy training, and Gen-  
15 eral Educational Degree services;

16 “(iv) job readiness skills;

17 “(v) child abuse and neglect preven-  
18 tion activities;

19 “(vi) services that families with chil-  
20 dren with disabilities or special needs may  
21 require;

22 “(vii) community and social service re-  
23 ferral;

24 “(viii) peer counseling;

1                   “(ix) referral for substance abuse  
2                   counseling and treatment; and

3                   “(x) help line services.

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

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

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

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

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

23                         “(C) have disabilities, chronic, or terminal  
24                         illnesses.

1       Such services shall be provided within or outside the  
 2       home of the child, be short-term care (ranging from  
 3       a few hours to a few weeks of time, per year), and  
 4       be intended to enable the family to stay together and  
 5       to keep the child living in the home and community  
 6       of the child.

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

8       “‘There are authorized to be appropriated to carry out  
 9       this title, \$108,000,000 for each of the fiscal years 1996,  
 10      1997, and 1998.’”.

11      **SEC. 202. REPEALS.**

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

17       (b) FAMILY SUPPORT CENTERS.—Subtitle F of title  
 18      VII of the Stewart B. McKinney Homeless Assistance Act  
 19      (42 U.S.C. 11481 et seq.) is repealed.

20       **TITLE III—FAMILY VIOLENCE**  
 21       **PREVENTION AND SERVICES**

22      **SEC. 301. REFERENCE.**

23       Except as otherwise expressly provided, whenever in  
 24      this title an amendment or repeal is expressed in terms  
 25      of an amendment to, or repeal of, a section or other provi-

1 sion, the reference shall be considered to be made to a  
 2 section or other provision of the Family Violence Preven-  
 3 tion and Services Act (42 U.S.C. 10401 et seq.).

4 **SEC. 302. STATE DEMONSTRATION GRANTS.**

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

6 (1) by striking “following local share” and in-  
 7 serting “following non-Federal matching local  
 8 share”; and

9 (2) by striking “20 percent” and all that fol-  
 10 lows through “private sources.” and inserting “with  
 11 respect to an entity operating an existing program  
 12 under this title, not less than 20 percent, and with  
 13 respect to an entity intending to operate a new pro-  
 14 gram under this title, not less than 35 percent.”.

15 **SEC. 303. ALLOTMENTS.**

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

18 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

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

20 (1) in subsection (b), by striking “80” and in-  
 21 serting “70”; and

22 (2) by adding at the end thereof the following  
 23 new subsections:

24 “(d) GRANTS FOR STATE COALITIONS.—Of the  
 25 amounts appropriated under subsection (a) for each fiscal

1 year, not less than 10 percent of such amounts shall be  
 2 used by the Secretary for making grants under section  
 3 311.

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

## 9 **TITLE IV—ADOPTION** 10 **OPPORTUNITIES**

### 11 **SEC. 401. REFERENCE.**

12 Except as otherwise expressly provided, whenever in  
 13 this title an amendment or repeal is expressed in terms  
 14 of an amendment to, or repeal of, a section or other provi-  
 15 sion, the reference shall be considered to be made to a  
 16 section or other provision of the Child Abuse Prevention  
 17 and Treatment and Adoption Reform Act of 1978 (42  
 18 U.S.C. 5111 et seq.).

### 19 **SEC. 402. FINDINGS AND PURPOSE.**

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

21 (1) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking “50 percent between  
 24 1985 and 1990” and inserting “61 percent  
 25 between 1986 and 1994”; and



1 (ii) by striking “400,000 children at  
 2 the end of June, 1990” and inserting  
 3 “452,000 as of June, 1994”; and

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

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

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

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

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

15 (2) in subsection (b)—

16 (A) by striking “conditions, by—” and all  
 17 that follows through “providing a mechanism”  
 18 and inserting “conditions, by providing a mech-  
 19 anism”; and

20 (B) by redesignating subparagraphs (A)  
 21 through (C), as paragraphs (1) through (3), re-  
 22 spectively and by realigning the margins of such  
 23 paragraphs accordingly.

24 **SEC. 403. INFORMATION AND SERVICES.**

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

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

3           (2) in subsection (b)—

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

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

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

11              (C) by inserting after paragraph (6), the  
12      following new paragraph:

13              “(7) study the efficacy of States contracting  
14      with public or private nonprofit agencies (including  
15      community-based organizations), organizations, or  
16      sectarian institutions for the recruitment of potential  
17      adoptive and foster families and to provide assist-  
18      ance in the placement of children for adoption;”;

19           (3) in subsection (d)—

20               (A) in paragraph (2)—

21                   (i) by striking “Each” and inserting  
22                   “(A) Each”;

23                   (ii) by striking “for each fiscal year”  
24                   and inserting “that describes the manner  
25                   in which the State will use funds during

1 the 3-fiscal years subsequent to the date of  
2 the application to accomplish the purposes  
3 of this section. Such application shall be”;  
4 and

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

7 “(B) The Secretary shall provide, directly or by grant  
8 to or contract with public or private nonprofit agencies  
9 or organizations—

10 “(i) technical assistance and resource and refer-  
11 ral information to assist State or local governments  
12 with termination of parental rights issues, in recruit-  
13 ing and retaining adoptive families, in the successful  
14 placement of children with special needs, and in the  
15 provision of pre- and post-placement services, includ-  
16 ing post-legal adoption services; and

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

20 **SEC. 404. AUTHORIZATION OF APPROPRIATIONS.**

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

22 (1) in subsection (a)—

23 (A) by striking “\$10,000,000,” and all  
24 that follows through “1992, and”; and

1 (B) by inserting “\$20,000,000 for fiscal  
 2 year 1996, and such sums as may be necessary  
 3 for fiscal year 1997” after “1995,”;  
 4 (2) by striking subsection (b); and  
 5 (3) by redesignating subsection (c) as sub-  
 6 section (b).

7 **TITLE V—ABANDONED INFANTS**  
 8 **ASSISTANCE ACT OF 1986**

9 **SEC. 501. REAUTHORIZATION.**

10 Section 104(a)(1) of the Abandoned Infants Assist-  
 11 ance Act of 1988 (42 U.S.C. 670 note) is amended by  
 12 striking “\$20,000,000” and all that follows through the  
 13 end thereof and inserting “\$35,000,000 for each of the  
 14 fiscal years 1995 and 1996, and such sums as may be  
 15 necessary for each of the fiscal years 1997 through 2000”.

16 **TITLE VI—REAUTHORIZATION**  
 17 **OF VARIOUS PROGRAMS**

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

19 Section 408 of the Missing Children’s Assistance Act  
 20 (42 U.S.C. 5777) is amended—

21 (1) by striking “To” and inserting “(a) IN  
 22 GENERAL.—”

23 (2) by striking “and 1996” and inserting  
 24 “1996, and 1997”; and

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

3       “(b) EVALUATION.—The Administrator shall use not  
4       more than 5 percent of the amount appropriated for a fis-  
5       cal year under subsection (a) to conduct an evaluation of  
6       the effectiveness of the programs and activities established  
7       and operated under this title.”.

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

9       Section 214B of the Victims of Child Abuse Act of  
10      1990 (42 U.S.C. 13004) is amended—

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

13           (2) in subsection (b)(2), by striking “and  
14      1996” and inserting “1996, and 1997”.



S 919 IS—2

S 919 IS—3

S 919 IS—4

S 919 IS—5