

116TH CONGRESS  
2D SESSION

# S. 4172

To provide emergency funding for child welfare services provided under parts B and E of title IV of the Social Security Act, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JULY 2, 2020

Mr. BROWN (for himself, Ms. HARRIS, Mr. CASEY, and Ms. CORTEZ MASTO) introduced the following bill; which was read twice and referred to the Committee on Finance

---

## A BILL

To provide emergency funding for child welfare services provided under parts B and E of title IV of the Social Security 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 Welfare Emergency Assistance Act of 2020”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Purpose.

Sec. 3. Definitions.

## TITLE I—FUNDING FOR CHILD AND FAMILY SUPPORT SERVICES

- Sec. 101. Funding for child and family services.  
 Sec. 102. Funding for kinship navigator programs.  
 Sec. 103. Funding for the John H. Chafee Foster Care Program for Successful  
 Transition to Adulthood.  
 Sec. 104. Funding for the child welfare court improvement program.  
 Sec. 105. Funding for health oversight and coordination plans.

TITLE II—OTHER SUPPORT FOR RESPONDING TO THE COVID-19  
PUBLIC HEALTH EMERGENCY

- Sec. 201. State option to waive licensing requirement for purposes of satisfying  
 the 6-month residency requirement for kinship guardianship  
 assistance payments.  
 Sec. 202. Moratorium on aging out of foster care.  
 Sec. 203. Temporary increase of matching rates for kinship guardianship as-  
 sistance payments, adoption assistance payments for kin care-  
 givers, and Family First prevention services.

## TITLE III—OTHER PROVISIONS

- Sec. 301. COURTS Act.  
 Sec. 302. Requirement for de-escalation strategies relating to interactions with  
 law enforcement authorities.  
 Sec. 303. Emergency designation.

1 **SEC. 2. PURPOSE.**

2       It is the purpose of this Act to provide funding for  
 3 States and Indian Tribes and tribal organizations to in-  
 4 crease their ability to meet the needs of children, youth,  
 5 and families impacted by the COVID-19 public health  
 6 emergency through the provision of community-based  
 7 services and supports; to enhance resources and supports  
 8 available to kinship caregivers, child welfare caseworkers,  
 9 and courts handling child welfare proceedings; to place a  
 10 moratorium on youth “aging out” of foster care; and to  
 11 maximize the participation and supports made available  
 12 to racial and ethnic minorities, kinship care families, fami-  
 13 lies experiencing, or at risk of experiencing, homelessness,  
 14 families with low-incomes, families with recently unem-

1 ployed caregivers, young parents, and lesbian, gay, bisex-  
2 ual, transgender, and queer youth.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) APPROPRIATE COMMITTEES OF CON-  
6 GRESS.—The term “appropriate committees of Con-  
7 gress” means the Committee on Ways and Means of  
8 the House of Representatives and the Committee on  
9 Finance of the Senate.

10 (2) COVID–19 PUBLIC HEALTH EMERGENCY.—  
11 The term “COVID–19 public health emergency”  
12 means the public health emergency declared by the  
13 Secretary pursuant to section 319 of the Public  
14 Health Service Act on January 31, 2020, entitled  
15 “Determination that a Public Health Emergency  
16 Exists Nationwide as the Result of the 2019 Novel  
17 Coronavirus” and includes any renewal of such dec-  
18 laration pursuant to such section 319.

19 (3) STATE.—The term “State” means each of  
20 the 50 States the District of Columbia, Puerto Rico,  
21 Guam, the Virgin Islands, the Northern Mariana Is-  
22 lands, and American Samoa.

23 (4) OTHER TERMS.—The terms “Secretary”,  
24 “Indian tribe”, “tribal organization”, and “tribal  
25 consortium” have the meanings given those terms

1 for purpose of parts B and E of title IV of the So-  
 2 cial Security Act (42 U.S.C. 621 et seq., 670 et  
 3 seq.).

4 **TITLE I—FUNDING FOR CHILD**  
 5 **AND FAMILY SUPPORT SERV-**  
 6 **ICES**

7 **SEC. 101. FUNDING FOR CHILD AND FAMILY SERVICES.**

8 (a) APPROPRIATION.—

9 (1) IN GENERAL.—Out of any money in the  
 10 Treasury of the United States not otherwise appro-  
 11 priated, there are appropriated to the Secretary,  
 12 \$2,000,000,000 for fiscal year 2020, for the purpose  
 13 of making payments to States, Indian tribes, tribal  
 14 organizations, and tribal consortia to provide child  
 15 and family services under plans approved under sub-  
 16 parts 1 and 2 of part B of title IV of the Social Se-  
 17 curity Act (42 U.S.C. 621 et seq., 629 et seq.) in  
 18 accordance with this section. Such amounts shall be  
 19 in addition to other amounts made available for such  
 20 purposes.

21 (2) RESERVATION OF FUNDS FOR INDIAN  
 22 TRIBES, TRIBAL ORGANIZATION, AND TRIBAL CON-  
 23 SORTIA.—The Secretary shall reserve 3 percent of  
 24 the amount appropriated under paragraph (1) for  
 25 fiscal year 2020 for making allotments for Indian

1 tribes, tribal organizations, and tribal consortia for  
2 such fiscal year.

3 (b) ALLOTMENTS AND PAYMENTS.—Not later than  
4 30 days after the date of enactment of this Act, the Sec-  
5 retary shall do the following:

6 (1) INDIAN TRIBES, TRIBAL ORGANIZATIONS,  
7 AND TRIBAL CONSORTIA.—From the amount re-  
8 served under subsection (a)(2), the Secretary shall  
9 allot to each Indian tribe, tribal organization, and  
10 tribal consortium with a plan approved under sub-  
11 part 1 or 2 of part B of title IV of the Social Secu-  
12 rity Act for fiscal year 2020 an amount that bears  
13 the same ratio to such reserved amount as the num-  
14 ber of children in the Indian tribe, tribal organiza-  
15 tion, or tribal consortium bears to the total number  
16 of children in all such Indian tribes, tribal organiza-  
17 tions, and tribal consortia, as determined by the Sec-  
18 retary on the basis of the most current and reliable  
19 information available to the Secretary.

20 (2) STATES.—From the amount appropriated  
21 under paragraph (1) of subsection (a) that remains  
22 after the application of paragraph (2) of that sub-  
23 section, the Secretary shall allot to each State that  
24 receives an allotment for fiscal year 2020 under sec-  
25 tion 433 of the Social Security Act (42 U.S.C. 629c)

1 (including States that are territories specified in  
2 subsection (b) of that section), an amount deter-  
3 mined in the same manner as the allotments for  
4 such States are determined under subsections (b)  
5 and (c), respectively, of such section 433 for fiscal  
6 year 2020.

7 (3) PAYMENTS.—The Secretary shall make the  
8 first payment to each State, Indian tribe, tribal or-  
9 ganization, and tribal consortium for which an allot-  
10 ment is determined under paragraph (1) or (2).  
11 Each subsequent payment shall be made on a quar-  
12 terly basis no later than the beginning of the quarter  
13 involved.

14 (c) USE OF FUNDS.—

15 (1) IN GENERAL.—Except to the extent other-  
16 wise provided in this section, a State, Indian tribe,  
17 tribal organization, and tribal consortium may use  
18 the funds paid from an allotment under this section  
19 for any purpose specified in subpart 1 or 2 of part  
20 B of title IV of the Social Security Act (42 U.S.C.  
21 621 et seq.) and in accordance with the require-  
22 ments that apply to that part.

23 (2) TARGETED USES.—A State, Indian tribe,  
24 tribal organization, and tribal consortium shall ex-

pend significant portions of the funds paid from its allotment under this section for the following:

(A) KINSHIP PLACEMENT SUPPORT SERVICES.—To provide services or assistance to eliminate the need for out-of-home placements for children and support kinship caregivers who are raising children during the COVID–19 public health emergency, including for purposes of protecting children and preventing the child welfare system from being overwhelmed during the emergency, such as the following:

(i) Crisis stabilization services, including case management services designed to stabilize families in crisis or otherwise impacted by the COVID–19 public health emergency, including transportation, assistance with housing and utility payments, and access to adequate health care, child care assistance, and establishing a kinship placement crisis stabilization fund for purposes of making direct cash payments to kin caregivers for immediate needs of children placed with such caregivers in order to facilitate kinship placements and prevent the entry of children into foster care.

1 (ii) Family finding, including intensive  
2 family-finding efforts that utilize search  
3 technology to find biological family mem-  
4 bers or connections by marriage or adop-  
5 tion for children in, or at risk of entering,  
6 foster care.

7 (iii) Re-establishing family relation-  
8 ships and supporting family group decision  
9 making.

10 (iv) Providing information about be-  
11 coming a licensed foster home and, if re-  
12 quested, assistance in becoming a licensed  
13 foster family home.

14 (v) Other assistance or services re-  
15 lated to strengthening and supporting kin-  
16 ship families to improve the well-being of  
17 children and their kin caregivers impacted  
18 by the COVID-19 public health emer-  
19 gency, including assistance in accessing the  
20 internet and devices to support remote  
21 service delivery.

22 (B) CHILD WELFARE SERVICES.—To pro-  
23 vide child welfare services in accordance with  
24 the plan approved under subpart 1 of part B of  
25 title IV of such Act (42 U.S.C. 621), and shall

1 include services designed to stabilize children,  
2 youth, and families impacted by the COVID–19  
3 public health emergency by providing assistance  
4 for transportation, housing, utility payments,  
5 and access to adequate health care and child  
6 care.

7 (C) ADOPTION PROMOTION AND SUPPORT  
8 SERVICES.—To provide adoption promotion and  
9 support services described in section 431(a)(8)  
10 of such Act (42 U.S.C. 629a(a)(8)).

11 (D) DEVELOPMENT AND TRAINING FOR  
12 CASEWORKERS AND OTHER CHILD WELFARE  
13 AGENCY STAFF AND FAMILIES.—To hire, train,  
14 and support caseworkers and other child wel-  
15 fare agency staff with respect to the impact of  
16 the COVID–19 public health emergency, includ-  
17 ing with respect to the intersection of trauma  
18 with childhood development, and to expand the  
19 ability of caseworkers and other child welfare  
20 agency staff to conduct or assist with safe, in-  
21 person, home visits and family visits, including  
22 by purchasing personal protective equipment for  
23 caseworkers and other child welfare agency  
24 staff and families, such as gloves, hand sani-  
25 tizer, and face masks; providing premium pay

1 for caseworkers and other child welfare agency  
2 staff conducting or assisting with in-person,  
3 home visits and family visits during the emer-  
4 gency; to allow for improved remote visits by  
5 purchasing, updating, or improving technology  
6 and internet access for child welfare agencies,  
7 caseworkers and other child welfare agency  
8 staff and providing training on the use of such  
9 technology for caseworkers and other child wel-  
10 fare agency staff and families.

11 (3) LIMITATIONS.—

12 (A) IN GENERAL.—No funds paid from an  
13 allotment under this section shall be used to  
14 satisfy a matching contribution requirement of  
15 a federally funded program.

16 (B) ADMINISTRATIVE COSTS.—Not more  
17 than 10 percent of the total amount paid to a  
18 State, Indian tribe, tribal organization, or tribal  
19 consortium under this section shall be used for  
20 administrative costs (as defined in section  
21 422(c) of such Act (42 U.S.C. 622(c))).

22 (4) EXEMPTIONS.—

23 (A) IN GENERAL.—A State, Indian tribe,  
24 tribal organization, and tribal consortium shall  
25 not be required to spend significant portions of

1 the funds paid from their allotments under this  
2 section for the services specified in section  
3 432(a)(4) of such Act (42 U.S.C. 629b(a)(4)).

4 (B) DISREGARD FROM CERTAIN LIMITA-  
5 TIONS ON EXPENDITURES.—Any expenditures  
6 of funds permitted under this section shall be  
7 disregarded for purposes of applying the limita-  
8 tions on expenditures for child care imposed  
9 under section 424(c) of such Act (42 U.S.C.  
10 624(c)).

11 (C) INDIAN TRIBES, TRIBAL ORGANIZA-  
12 TIONS, AND TRIBAL CONSORTIA.—In addition to  
13 the exemptions under subparagraphs (A) and  
14 (B), the Secretary may exempt an Indian tribe,  
15 tribal organization, or tribal consortium from  
16 any other spending requirements of this section  
17 to the extent that the Secretary determines  
18 those requirements would be inappropriate to  
19 apply to the Indian tribe, tribal organization, or  
20 tribal consortium, taking into account the re-  
21 sources, needs, and other circumstances of the  
22 Indian tribe, tribal organization, or tribal con-  
23 sortium.

24 (d) NO MATCHING OR APPLICATION REQUIRED.—  
25 The Secretary shall not impose any cash or in-kind match-

1 ing requirement or require an application from a State,  
2 Indian tribe, tribal organization, or tribal consortium as  
3 a condition for being paid the amounts allotted to the  
4 State, Indian tribe, tribal organization, or tribal consor-  
5 tium under this section.

6 (e) AVAILABILITY OF FUNDS.—Subject to subsection  
7 (f), funds from an allotment determined under this section  
8 shall remain available for expenditure by the State, Indian  
9 tribe, tribal organization, or tribal consortium (as applica-  
10 ble) through September 30, 2022 (September 30, 2023,  
11 in the case of any funds redistributed under subsection  
12 (f)).

13 (f) REDISTRIBUTION OF UNUSED FUNDS.—Sub-  
14 section (d) of section 433 of the Social Security Act (42  
15 U.S.C. 629c) shall apply to the amounts allotted under  
16 this section for fiscal year 2020 that remain unobligated  
17 on July 1, 2022, in the same manner as that subsection  
18 applies to the amounts from allotments made under sub-  
19 sections (a), (b), and (c) of that section for a fiscal year  
20 except that, for purposes of redistributing amounts allot-  
21 ted under this section for fiscal year 2020, a State, Indian  
22 tribe, tribal organization, and tribal consortium shall not  
23 be required to make the certification referred to in such  
24 section 433(d) before July 1, 2022.

25 (g) REPORTS.—

1           (1) PLANNED USE OF FUNDS.—Not later than  
2       120 days after the date of enactment of this Act,  
3       each State, Indian tribe, tribal organization, and  
4       tribal consortium paid funds from an allotment  
5       made under this section shall submit a report to the  
6       Secretary detailing how the State, Indian tribe, trib-  
7       al organization, or tribal consortium plans to use the  
8       funds in accordance with the requirements of this  
9       section. The report required under this subsection  
10      shall be in addition to, and may be combined with,  
11      other reports required under this Act or section  
12      432(a)(8) of the Social Security Act (42 U.S.C.  
13      629b(a)(8)). The Secretary shall not delay making  
14      any payments (including the first payment required  
15      within 30 days of the date of enactment of this Act)  
16      to States, Indian tribes, tribal organizations, and  
17      tribal consortia from the allotments made under this  
18      section because of the report required under this  
19      paragraph.

20           (2) ACTUAL EXPENDITURES.—Each State, In-  
21      dian tribe, tribal organization, and tribal consortium  
22      shall report on the actual expenditures made in a  
23      fiscal year using funds from a payment made under  
24      this section (including any payments of amounts re-  
25      allotted). Each report on a fiscal year shall be sub-

1       mitted not later than June 30 of the succeeding fis-  
2       cal year and shall include such information as the  
3       Secretary shall require regarding the actual expendi-  
4       tures of such funds.

5           (3) SUMMARY SUBMISSIONS TO CONGRESS.—

6       The Secretary shall submit to the appropriate com-  
7       mittees of Congress a summary of the reports sub-  
8       mitted under paragraphs (1) and (2) not later than  
9       60 days after the date on which the reports are due.  
10      The summaries required under this paragraph may  
11      be combined with the other summaries required to  
12      be submitted to such committees under this Act.

13   **SEC. 102. FUNDING FOR KINSHIP NAVIGATOR PROGRAMS.**

14      (a) APPROPRIATION.—Out of any money in the  
15   Treasury of the United States not otherwise appropriated,  
16   there are appropriated to the Secretary, \$30,000,000 for  
17   fiscal year 2020, for the purpose of making grants to each  
18   State and Indian tribe operating a State plan under part  
19   E of title IV of the Social Security Act (42 U.S.C. 670  
20   et seq.) for kinship navigator programs in accordance with  
21   this section. Such amounts shall be in addition to other  
22   amounts made available for such purposes.

23      (b) GRANT AMOUNTS; PAYMENTS.—Not later than  
24   30 days after the date of enactment of this Act, the Sec-  
25   retary shall—

1           (1) make grants from the amount appropriated  
2           by subsection (a) in the same manner, and subject  
3           to the same minimum grant award amounts, as the  
4           Secretary awards grants for developing, enhancing,  
5           or evaluating kinship navigator programs from the  
6           amounts reserved for such purpose in the Further  
7           Consolidated Appropriations Act, 2020 (Public Law  
8           116–94); and

9           (2) pay States and Indian tribes the grants so  
10          determined in the same manner as the Secretary  
11          pays grants for developing, enhancing, or evaluating  
12          kinship navigator programs from the amounts re-  
13          served for such purpose under such Act.

14       (c) USE OF FUNDS.—

15           (1) IN GENERAL.—Except to the extent other-  
16          wise provided in this section, a State and Indian  
17          tribe shall use the funds paid under this section in  
18          accordance with the requirements applicable to the  
19          grants awarded for developing, enhancing, or evalu-  
20          ating kinship navigator programs under the Further  
21          Consolidated Appropriations Act, 2020 (Public Law  
22          116–94).

23           (2) TARGETED USES.—

24           (A) IN GENERAL.—A State and Indian  
25          tribe may use funds under this section to en-

1       sure kinship caregivers at acute risk with re-  
2       spect to the Coronavirus Disease (COVID–19)  
3       have access to information and resources for  
4       necessities, including food, safety supplies, and  
5       testing and treatment for COVID–19; tech-  
6       nology and technological supports; and health  
7       care and other assistance, including legal assist-  
8       ance and assistance with making alternative  
9       care plans for the children in their care if they  
10      were to become unable to continue caring for  
11      them; and to provide services to kinship fami-  
12      lies, including kinship families raising children  
13      outside of the foster care system.

14           (B) KIN CAREGIVERS OUTSIDE OF THE  
15      FOSTER CARE SYSTEM.—A State and Indian  
16      tribe shall use funds paid under this section to  
17      conduct outreach to kinship families outside of  
18      the foster care system, including such families  
19      who have been impacted by the COVID–19  
20      public health emergency, to ensure such fami-  
21      lies have access to the information, resources,  
22      supports, and assistance described in subpara-  
23      graph (A). Any State or Indian tribe that does  
24      not have an existing kinship navigator program  
25      which is adequately suited to identify, or to

1           meet the needs of, such families, shall partner  
2           with relevant community-based organizations or  
3           agencies, including Area Agencies on Aging, to  
4           conduct the required outreach to such families.

5           (3) LIMITATION.—No funds paid from a grant  
6           under this section shall be used to satisfy a match-  
7           ing contribution requirement of a federally funded  
8           program.

9           (d) NO MATCHING OR APPLICATION REQUIRED.—  
10          The Secretary shall not impose any cash or in-kind match-  
11          ing requirement or require an application from a State  
12          or Indian tribe as a condition for being paid a grant under  
13          this section.

14          (e) AVAILABILITY OF FUNDS.—Subject to subsection  
15          (f), funds from grants made under this section shall re-  
16          main available for expenditure by the State or Indian tribe  
17          (as applicable) through September 30, 2022 (September  
18          30, 2023, in the case of any funds redistributed under  
19          subsection (f)).

20          (f) REDISTRIBUTION OF UNUSED FUNDS.—Sub-  
21          section (d) of section 433 of the Social Security Act (42  
22          U.S.C. 629c) shall apply to the grants made under this  
23          section for fiscal year 2020 that remain unobligated on  
24          July 1, 2022, in the same manner as that subsection ap-  
25          plies to the amounts from allotments made under sub-

1 sections (a), (b), and (c) of that section for a fiscal year  
2 except that, for purposes of redistributing funds from  
3 grants made under this section for fiscal year 2020, a  
4 State and Indian tribe shall not be required to make the  
5 certification referred to in such section 433(d) before July  
6 1, 2022.

7 (g) REPORTS.—

8 (1) PLANNED USE OF FUNDS.—Not later than  
9 120 days after the date of enactment of this Act,  
10 each State and Indian tribe paid funds from a grant  
11 made under this section shall submit a report to the  
12 Secretary detailing how the State or Indian tribe  
13 plans to use the funds in accordance with the re-  
14 quirements of this section. The report required  
15 under this subsection shall—

16 (A) include information on how grant  
17 funds are used to help kinship families im-  
18 pacted by the COVID–19 public health emer-  
19 gency and how the State, Indian tribe, or tribal  
20 organization collaborated with relevant commu-  
21 nity-based organizations or agencies, including  
22 Area Agencies on Aging, to reach kinship fami-  
23 lies raising children outside of the foster care  
24 system; and

1           (B) be in addition to, and may be com-  
2           bined with, other reports required under this  
3           Act or reports required under section 432(a)(8)  
4           of the Social Security Act (42 U.S.C.  
5           629b(a)(8)).

6           The Secretary shall not delay making any payments  
7           (including the first payment required within 30 days  
8           of the date of enactment of this Act) to States and  
9           Indian tribes from the grants made under this sec-  
10          tion because of the report required under this para-  
11          graph.

12          (2) ACTUAL EXPENDITURES.—Each State and  
13          Indian tribe shall report on the actual expenditures  
14          made in a fiscal year using funds from a payment  
15          made under this section (including any payments of  
16          amounts reallocated). Each report on a fiscal year  
17          shall be submitted not later than June 30 of the  
18          succeeding fiscal year and shall include such infor-  
19          mation as the Secretary shall require regarding the  
20          actual expenditures of such funds.

21          (3) SUMMARY SUBMISSIONS TO CONGRESS.—  
22          The Secretary shall submit to the appropriate com-  
23          mittees of Congress a summary of the reports sub-  
24          mitted under paragraphs (1) and (2) not later than  
25          60 days after the date on which the reports are due.

1       The summaries required under this paragraph may  
2       be combined with the other summaries required to  
3       be submitted to such committees under this Act.

4   **SEC. 103. FUNDING FOR THE JOHN H. CHAFEE FOSTER**  
5                   **CARE PROGRAM FOR SUCCESSFUL TRANSI-**  
6                   **TION TO ADULTHOOD.**

7       (a) APPROPRIATION.—Out of any money in the  
8   Treasury of the United States not otherwise appropriated,  
9   there are appropriated to the Secretary, \$500,000,000 for  
10  fiscal year 2020, for the purpose of providing payments  
11  to States, Indian tribes, tribal organizations, and tribal  
12  consortia to carry out programs under the John H. Chafee  
13  Foster Care Program for Successful Transition to Adult-  
14  hood under section 477 of the Social Security Act (42  
15  U.S.C. 677) in accordance with this section. Such  
16  amounts shall be in addition to other amounts made avail-  
17  able for such purposes.

18       (b) ALLOTMENTS AND PAYMENTS.—Not later than  
19  30 days after the date of enactment of this Act, the Sec-  
20  retary shall do the following:

21               (1) INDIAN TRIBES, TRIBAL ORGANIZATIONS,  
22       AND TRIBAL CONSORTIA.—

23               (A) IN GENERAL.—Subject to subpara-  
24       graph (B), from the amount appropriated under  
25       subsection (a) for fiscal year 2020, the Sec-

1           retary shall reserve \$750,000 for making an al-  
2           lotment for each Indian tribe, tribal organiza-  
3           tion, or tribal consortium that receives an allot-  
4           ment for fiscal year 2020 under subsection (j)  
5           of such section 477 in an amount that bears  
6           the same proportion as the amount allotted to  
7           each such Indian tribe, tribal organization, or  
8           tribal consortium under such section 477(j)  
9           from the total amount available for such allot-  
10          ments for fiscal year 2020 under the Further  
11          Consolidated Appropriations Act, 2020 (Public  
12          Law 116–94).

13                (B) EXPEDITED AWARD OF ADDITIONAL  
14          GRANTS.—The Secretary shall establish an ex-  
15          pedited process for Indian tribes, tribal organi-  
16          zations, and tribal consortia that were eligible  
17          to apply for an allotment under such section  
18          477(j) but which did not receive an allotment  
19          under that section for fiscal year 2020, to apply  
20          for an allotment under this section for fiscal  
21          year 2020 from the amount reserved under sub-  
22          paragraph (A). To the extent the Secretary  
23          makes any allotments under this paragraph for  
24          fiscal year 2020, the Secretary shall make pro  
25          rata reductions in the amount of the allotments

determined under subparagraph (A) for fiscal year 2020 as necessary to ensure that the total amount of allotments awarded under this paragraph for such fiscal year does not exceed the amount reserved under subparagraph (A) for the fiscal year.

(2) STATES.—From the amount appropriated under subsection (a) that remains after the application of paragraph (1)(A), the Secretary shall allot to each State that receives a general program allotment for fiscal year 2020 under subsection (c)(1) of such section 477, an amount that bears the same proportion as the general program allotment determined for the State under such section 477(c)(1) bears to the total amount available for such general program allotments for fiscal year 2020 under the Further Consolidated Appropriations Act, 2020 (Public Law 116–94).

(3) PAYMENTS.—The Secretary shall make the first payment to each State, Indian tribe, tribal organization, and tribal consortium for which an allotment is determined under paragraph (1) or (2). Each subsequent payment shall be made on a quarterly basis no later than the beginning of the quarter involved.

1 (c) USE OF FUNDS.—

2 (1) IN GENERAL.—Except to the extent other-  
3 wise provided in this section, a State, Indian tribe,  
4 tribal organization, or tribal consortium shall use the  
5 funds paid under this section to carry out programs  
6 under section 477 of the Social Security Act (42  
7 U.S.C. 677) and in accordance with the require-  
8 ments that apply to that section.

9 (2) DIRECT PAYMENTS.—A State, Indian tribe,  
10 tribal organization, or tribal consortium may use the  
11 funds paid under this section to make recurring cash  
12 payments directly to children and youth who are eli-  
13 gible for services and assistance under such section  
14 477 (including after the application of subsection (e)  
15 of this section) to meet basic needs, including costs  
16 for food, transportation, technology, work readiness,  
17 and other costs to be determined by the youth or on  
18 behalf of the child involved, and to address and  
19 avoid emergencies.

20 (3) TARGETED USE FOR EDUCATIONAL AND  
21 TRAINING VOUCHER PROGRAM.—A State, Indian  
22 tribe, tribal organization, or tribal consortium paid  
23 funds under this section may spend up to  $\frac{1}{3}$  of the  
24 funds paid under this section to carry out State edu-  
25 cational and training voucher programs under sub-

1 section (i) of such section 477 (in accordance with  
2 subsection (e) of this section).

3 (4) OUTREACH.—A State, Indian tribe, tribal  
4 organization, or tribal consortium shall use the  
5 funds paid under this section to conduct a public  
6 awareness campaign on the moratorium on youth  
7 aging out of foster care imposed under section 202,  
8 the option for youth who have aged out of foster  
9 care to re-enter foster care, and to provide resource  
10 navigation assistance, and education on other emer-  
11 gency support made available under this section.

12 (d) SPECIAL RULES.—

13 (1) NO MATCHING OR APPLICATION RE-  
14 QUIRED.—The Secretary shall not impose any cash  
15 or in-kind matching requirement or require an appli-  
16 cation from a State, Indian tribe, tribal organiza-  
17 tion, or tribal consortium as a condition for being  
18 paid the amounts allotted to the State, Indian tribe,  
19 tribal organization, or tribal consortium under this  
20 section.

21 (2) LIMITATION.—No funds paid from an allot-  
22 ment under this section shall be used to satisfy a  
23 matching contribution requirement of a federally  
24 funded program.

1           (3) AVAILABILITY OF FUNDS.—Subject to sub-  
2       section (f), funds from an allotment determined  
3       under this section shall remain available for expendi-  
4       ture by a State, Indian tribe, tribal organization, or  
5       tribal consortium (as applicable) through September  
6       30, 2023 (September 30, 2024, in the case of any  
7       funds redistributed under subsection (f)).

8       (e) PROGRAMMATIC FLEXIBILITY.—During the pe-  
9       riod that begins on February 1, 2020, and ends on Sep-  
10      tember 30, 2022, the following rules shall apply to pro-  
11      grams carried out under such section 477:

12           (1) MAXIMUM AGE LIMITATION ON ELIGIBILITY  
13      FOR ASSISTANCE.—A child may be eligible for serv-  
14      ices and assistance under section 477 of the Social  
15      Security Act (42 U.S.C. 677) for up to 12 months  
16      after the month in which the child would otherwise  
17      no longer be eligible for such services and assistance  
18      solely by reason of the child’s age attained, notwith-  
19      standing any contrary certification made under such  
20      section 477.

21           (2) WAIVER OF LIMITATIONS ON PERCENTAGE  
22      OF FUNDS USED FOR HOUSING ASSISTANCE; ELIGI-  
23      BILITY FOR FUNDS.—Notwithstanding subsections  
24      (b)(3)(B) and (b)(3)(C) of such section 477, a State,  
25      Indian tribe, tribal organization, or tribal consortium

1        may use more than 30 percent of the funds paid  
2        from its allotment under subsection (c) or (j) of such  
3        section 477 (as applicable) for fiscal year 2020 or  
4        from its allotment under this section for such fiscal  
5        year for room or board and may use any such funds  
6        for youth eligible for services under such section 477  
7        who have attained 18 years of age and who experi-  
8        enced foster care at 14 years of age or older.

9            (3) ELIMINATION OF CERTAIN REQUIRE-  
10        MENTS.—Subsection (i)(3) of such section 477 shall  
11        have no force or effect except that eligible youth  
12        must be enrolled in a postsecondary education or  
13        training program.

14        (f) REDISTRIBUTION OF UNUSED FUNDS.—Para-  
15        graph (5) of section 477(d) of the Social Security Act shall  
16        apply to amounts from the allotments made under this  
17        section for fiscal year 2020 that remain unobligated on  
18        October 1, 2022, in the same manner as that paragraph  
19        applies to amounts paid to States under such section 477  
20        in a fiscal year that remain unexpended by the States at  
21        the end of the succeeding fiscal year except that, for pur-  
22        poses of redistributing such unobligated amounts, sub-  
23        paragraph (A) of section 477(d)(5) of such Act shall be  
24        applied by substituting “shall” for “may”.

25        (g) REPORTS.—

1           (1) PLANNED USE OF FUNDS.—Not later than  
2       120 days after the date of enactment of this Act,  
3       each State, Indian tribe, tribal organization, and  
4       tribal consortium paid funds from an allotment  
5       made under this section shall submit a report to the  
6       Secretary detailing how the State, Indian tribe, trib-  
7       al organization, or tribal consortium plans to use the  
8       funds in accordance with the requirements of this  
9       section. The report required under this subsection  
10      shall be in addition to, and may be combined with,  
11      other reports required under this Act or reports re-  
12      quired under section 477 of the Social Security Act  
13      (42 U.S.C. 677). The Secretary shall not delay mak-  
14      ing any payments (including the first payment re-  
15      quired within 30 days of the date of enactment of  
16      this Act) to States, Indian tribes, tribal organiza-  
17      tions, and tribal consortia from the allotments made  
18      under this section because of the report required  
19      under this paragraph.

20           (2) ACTUAL EXPENDITURES.—Each State, In-  
21      dian tribe, tribal organization, and tribal consortium  
22      shall report on the actual expenditures made in a  
23      fiscal year using funds from a payment made under  
24      this section (including any payments of amounts re-  
25      allotted). Each report on a fiscal year shall be sub-

1       mitted not later than June 30 of the succeeding fis-  
 2       cal year and shall include such information as the  
 3       Secretary shall require regarding the actual expendi-  
 4       tures of such funds.

5           (3) SUMMARY SUBMISSIONS TO CONGRESS.—

6       The Secretary shall submit to the appropriate com-  
 7       mittees of Congress a summary of the reports sub-  
 8       mitted under paragraphs (1) and (2) not later than  
 9       60 days after the date on which the reports are due.  
 10      The summaries required under this paragraph may  
 11      be combined with the other summaries required to  
 12      be submitted to such committees under this Act.

13 **SEC. 104. FUNDING FOR THE CHILD WELFARE COURT IM-**  
 14 **PROVEMENT PROGRAM.**

15      (a) APPROPRIATION.—Out of any money in the  
 16      Treasury of the United States not otherwise appropriated,  
 17      there are appropriated to the Secretary, \$30,000,000 for  
 18      fiscal year 2020, for the purpose of making grants in ac-  
 19      cordance with this section to the highest State courts de-  
 20      scribed in section 438 of the Social Security Act (42  
 21      U.S.C. 629h) and to the highest courts of Indian tribes  
 22      or tribal consortia eligible for grants under such section.  
 23      Such amounts shall be in addition to other amounts made  
 24      available for such purposes.

1       (b) RESERVATION OF FUNDS FOR TRIBAL COURT  
2 GRANTS.—

3           (1) IN GENERAL.—Subject to paragraph (2),  
4       from the amount appropriated under subsection (a),  
5       the Secretary shall reserve \$5,000,000 for paying to  
6       each of the highest courts of Indian tribes or tribal  
7       consortia awarded a grant under such section 438  
8       for fiscal year 2020 an amount that bears the same  
9       proportion to the amount so reserved as the amount  
10      awarded to each such court for fiscal year 2020  
11      bears to the amount allocated under subsection  
12      (c)(3)(A)(iv) of such section 438 for that fiscal year.

13          (2) EXPEDITED AWARD OF ADDITIONAL  
14 GRANTS.—The Secretary shall establish an expedited  
15 process for awarding grants on a competitive basis  
16 among the highest courts of Indian tribes or tribal  
17 consortia that were not awarded a grant under such  
18 section 438 for fiscal year 2020 but that are eligible  
19 to apply for a grant under such section for that fis-  
20 cal year. To the extent the Secretary awards any  
21 grants under this paragraph for fiscal year 2020,  
22 the Secretary shall make pro rata reductions in the  
23 amount of the grants determined under paragraph  
24 (1) for fiscal year 2020 as necessary to ensure that  
25 the total amount of grants awarded under this sub-

1 section for such fiscal year does not exceed the  
 2 amount reserved under paragraph (1) for the fiscal  
 3 year.

4 (c) GRANTS FOR HIGHEST STATE COURTS.—

5 (1) IN GENERAL.—From the remainder of the  
 6 amount appropriated under subsection (a) after the  
 7 application of subsection (b), the Secretary shall  
 8 award to each highest State court approved to re-  
 9 ceive a grant under such section 438 for fiscal year  
 10 2020, an additional grant for fiscal year 2020 in the  
 11 amount determined for the court under paragraph  
 12 (2).

13 (2) AMOUNT.—The amount of the additional  
 14 grant awarded to a highest State court under this  
 15 section for fiscal year 2020 is equal to the sum of—

16 (A) \$255,000; and

17 (B) the amount that bears the same ratio  
 18 to the amount appropriated under subsection  
 19 (a) that remains after the application of sub-  
 20 section (b) and subparagraph (A) of this para-  
 21 graph, as the number of individuals in the State  
 22 who have not attained 21 years of age bears to  
 23 the total number of such individuals in all  
 24 States (based on the most recent year for which

1 data are available from the Bureau of the Cen-  
 2 sus).

3 (d) PAYMENTS.—

4 (1) IN GENERAL.—Not later than 30 days after  
 5 the date of enactment of this Act, the Secretary  
 6 shall make the first payment from the grants award-  
 7 ed under this section to each highest State court or  
 8 highest court of an Indian tribe or tribal consortium.  
 9 Each subsequent payment shall be made on a quar-  
 10 terly basis no later than the beginning of the quarter  
 11 involved.

12 (2) NO MATCHING OR APPLICATION RE-  
 13 QUIRED.—The Secretary shall not, as a condition for  
 14 being paid a grant under this section—

15 (A) impose any cash or in-kind matching  
 16 requirement; or

17 (B) require an application from a highest  
 18 State court or highest court of an Indian tribe  
 19 or tribal consortium (except to the extent nec-  
 20 essary for the expedited award of grants under  
 21 subsection (b)(2)).

22 (e) USE OF FUNDS.—

23 (1) IN GENERAL.—Except to the extent other-  
 24 wise provided in this section, a highest State court  
 25 and highest court of an Indian tribe or tribal consor-

1       tium paid a grant under this section shall use the  
2       grant funds for the purposes described in sub-  
3       sections (a)(3) and (a)(4) of such section 438 and  
4       in accordance with the requirements that apply to  
5       that section.

6           (2) TARGETED USES.—Each highest State  
7       court and highest court of an Indian tribe or tribal  
8       consortium paid a grant under this section shall use  
9       a significant portion of the grant funds for tech-  
10      nologies to facilitate remote hearings or other child  
11      welfare court proceedings, training for judges and  
12      other staff involved in the child welfare system on  
13      how to use these technologies, including how to con-  
14      duct remote child welfare proceedings, data collec-  
15      tion, and to otherwise ensure that children and fami-  
16      lies have access to required child welfare legal pro-  
17      ceedings during the COVID–19 public health emer-  
18      gency.

19      (f) AVAILABILITY OF FUNDS.—Subject to subsection  
20      (g), funds from a grant awarded under this section shall  
21      remain available for expenditure by a highest State court  
22      or highest court of an Indian tribe or tribal consortium  
23      (as applicable) through September 30, 2022 (September  
24      30, 2023, in the case of any funds redistributed under  
25      subsection (g)).

1 (g) REDISTRIBUTION OF UNUSED FUNDS.—The Sec-  
 2 retary shall determine appropriate procedures for redis-  
 3 tributing grant funds awarded to the highest State courts  
 4 and highest courts of Indian tribes or tribal consortia  
 5 under this section for fiscal year 2020 that remain unobli-  
 6 gated on July 1, 2022, to 1 or more such courts that apply  
 7 for such funds not later than September 30, 2022.

8 (h) REPORTS.—

9 (1) PLANNED USE OF FUNDS.—Not later than  
 10 120 days after the date of enactment of this Act,  
 11 each highest State court and highest court of an In-  
 12 dian tribe or tribal consortium paid funds from a  
 13 grant awarded under this section for fiscal year  
 14 2020 shall submit a report to the Secretary detailing  
 15 how the court plans to use the funds in accordance  
 16 with the requirements of this section. The report re-  
 17 quired under this subsection shall be in addition to,  
 18 and may be combined with, other reports required  
 19 under this Act or reports required under section 438  
 20 of the Social Security Act (42 U.S.C. 629h). The  
 21 Secretary shall not delay making any payments (in-  
 22 cluding the first payment required within 30 days of  
 23 the date of enactment of this Act) to the highest  
 24 State courts and highest courts of an Indian tribe  
 25 or tribal consortium from the grants awarded under

1       this section because of the report required under this  
2       paragraph.

3           (2) ACTUAL EXPENDITURES.—Each highest  
4       State court and highest court of an Indian tribe or  
5       tribal consortium shall report on the actual expendi-  
6       tures made in a fiscal year using funds from a pay-  
7       ment made under this section (including any pay-  
8       ments of amounts reallocated). Each report on a fis-  
9       cal year shall be submitted not later than June 30  
10      of the succeeding fiscal year and shall include such  
11      information as the Secretary shall require regarding  
12      the actual expenditures of such funds.

13          (3) SUMMARY SUBMISSIONS TO CONGRESS.—  
14      The Secretary shall submit to the appropriate com-  
15      mittees of Congress a summary of the reports sub-  
16      mitted under paragraphs (1) and (2) not later than  
17      60 days after the date on which the reports are due.  
18      The summaries required under this paragraph may  
19      be combined with the other summaries required to  
20      be submitted to such committees under this Act.

21 **SEC. 105. FUNDING FOR HEALTH OVERSIGHT AND COORDI-**  
22 **NATION PLANS.**

23          (a) APPROPRIATION.—Out of any money in the  
24      Treasury of the United States not otherwise appropriated,  
25      there are appropriated to the Secretary, \$50,000,000 for

1 fiscal year 2020, for the purpose of making payments to  
 2 States, Indian tribes, tribal organizations, and tribal con-  
 3 sortia to implement and operate health oversight and co-  
 4 ordination plans under subpart 1 of part B of title IV of  
 5 the Social Security Act (42 U.S.C. 621 et seq.), in accord-  
 6 ance with this section. Such amounts shall be in addition  
 7 to other amounts made available for such purposes.

8 (b) ALLOTMENTS AND PAYMENTS.—Not later than  
 9 30 days after the date of enactment of this Act, the Sec-  
 10 retary shall do the following:

11 (1) PAYMENTS FOR INDIAN TRIBES, TRIBAL OR-  
 12 GANIZATION, AND TRIBAL CONSORTIA.—

13 (A) IN GENERAL.—Subject to subpara-  
 14 graph (B), from the amount appropriated under  
 15 subsection (a), the Secretary shall reserve  
 16 \$5,000,000 for allotting to each Indian tribe or  
 17 tribal consortium that receives funds under sub-  
 18 part 1 of part B of title IV of such Act for fis-  
 19 cal year 2020 and operates a program under  
 20 section 479B of such Act (42 U.S.C. 679c) for  
 21 such fiscal year, an amount that bears the same  
 22 proportion to the amount so reserved as the  
 23 amount awarded to each such Indian tribe or  
 24 tribal consortium under subpart 1 of part B of  
 25 title IV of such Act for fiscal year 2020 bears

1 to the total amount awarded to all Indian  
2 tribes, tribal organizations, and tribal consortia  
3 under that subpart 1 for such fiscal year.

4 (B) EXPEDITED AWARD OF ADDITIONAL  
5 ALLOTMENTS.—The Secretary shall establish  
6 an expedited process for awarding allotments on  
7 a competitive basis among Indian tribes, tribal  
8 organizations, and tribal consortia that are not  
9 described in subparagraph (A) but receive funds  
10 under subpart 1 of part B of title IV of such  
11 Act for fiscal year 2020. To the extent the Sec-  
12 retary awards any allotments under this sub-  
13 paragraph for fiscal year 2020, the Secretary  
14 shall make pro rata reductions in the amount of  
15 the allotments determined under subparagraph  
16 (A) for fiscal year 2020 as necessary to ensure  
17 that the total amount of allotments made for  
18 such fiscal year under this paragraph does not  
19 exceed the amount reserved under subpara-  
20 graph (A) for the fiscal year.

21 (2) STATES.—The Secretary shall allot to each  
22 State that receives an allotment for fiscal year 2020  
23 under section 423 of the Social Security Act (42  
24 U.S.C. 623), an amount that bears the same propor-  
25 tion to the amount appropriated under subsection

1 (a) which remains after the application of paragraph  
2 (1)(A), as the total amount allotted to the State  
3 under such section 423 for fiscal year 2020 bears to  
4 the sum of the total amounts allotted to all States  
5 under that section for that fiscal year.

6 (3) PAYMENTS.—The Secretary shall make the  
7 first payment to each State, Indian tribe, tribal or-  
8 ganization, and tribal consortium for which an allot-  
9 ment is determined under paragraph (1) or (2).  
10 Each subsequent payment shall be made on a quar-  
11 terly basis no later than the beginning of the quarter  
12 involved.

13 (c) USE OF FUNDS.—

14 (1) IN GENERAL.—A State, Indian tribe, tribal  
15 organization, or tribal consortium shall use the  
16 funds paid from an allotment under this section for  
17 expenditures to implement and operate a health  
18 oversight and coordination plan as required under  
19 section 422(b)(15)(A) of the Social Security Act (42  
20 U.S.C. 622(b)(15)(A)), or, in the case of an Indian  
21 tribe, tribal organization, or tribal consortia not re-  
22 quired to implement and operate such a plan, for ex-  
23 penditures involving tribal participation with States  
24 responsible for developing and carrying out such  
25 plans.

1           (2) TARGETED USE.—A State, Indian tribe,  
2       tribal organization, or tribal consortium shall expend  
3       significant portions of the funds paid from an allot-  
4       ment under this section to conduct expanded activi-  
5       ties to mitigate the impact of the COVID–19 pan-  
6       demic on the health and well-being of children in  
7       foster care, such as the following:

8           (A) Providing access to expedited and ac-  
9       curate COVID–19 testing and treatment for  
10      children, parents, and caregivers to support  
11      child health and placement stability.

12          (B) Providing access to mental health serv-  
13      ices and supports, including to address needs  
14      arising from health issues, social isolation, and  
15      economic deprivation stemming from the pan-  
16      demic.

17          (C) Using telehealth services for children  
18      in foster care to ensure uninterrupted access to  
19      needed pediatric medical and subspecialty care,  
20      including behavioral and mental health services.

21          (D) Ensuring ongoing access to needed in-  
22      person care, including the on-time provision of  
23      all needed vaccinations in accordance with the  
24      latest pediatric vaccination schedule as updated

1           by the Centers for Disease Control and Preven-  
2           tion.

3           (d) NO MATCHING OR APPLICATION REQUIRED.—  
4   The Secretary shall not impose any cash or in-kind match-  
5   ing requirement or require an application from a State,  
6   Indian tribe, tribal organization, or tribal consortium as  
7   a condition for being paid the amounts allotted to the  
8   State, Indian tribe, tribal organization, or tribal consor-  
9   tium under this section (except to the extent necessary for  
10  the expedited award of allotments under subsection  
11  (b)(1)(B)).

12          (e) AVAILABILITY OF FUNDS.—Subject to subsection  
13  (f), funds from an allotment determined under this section  
14  shall remain available for expenditure by the State, Indian  
15  tribe, tribal organization, or tribal consortium (as applica-  
16  ble) through September 30, 2022 (September 30, 2023,  
17  in the case of any funds redistributed under subsection  
18  (f)).

19          (f) REDISTRIBUTION OF UNUSED FUNDS.—Sub-  
20  section (d) of section 433 of the Social Security Act (42  
21  U.S.C. 629c) shall apply to the amounts allotted under  
22  this section for fiscal year 2020 that remain unobligated  
23  on July 1, 2022, in the same manner as that subsection  
24  applies to the amounts from allotments made under sub-  
25  sections (a), (b), and (c) of that section for a fiscal year

1 except that, for purposes of redistributing amounts allot-  
2 ted under this section for fiscal year 2020, a State, Indian  
3 tribe, tribal organization, and tribal consortium shall not  
4 be required to make the certification referred to in such  
5 section 433(d) before July 1, 2022.

6 (g) REPORTS.—

7 (1) PLANNED USE OF FUNDS.—Not later than  
8 120 days after the date of enactment of this Act,  
9 each State, Indian tribe, tribal organization, and  
10 tribal consortium paid funds from an allotment  
11 made under this section shall submit a report to the  
12 Secretary detailing how the State, Indian tribe, trib-  
13 al organization, or tribal consortium plans to use the  
14 funds in accordance with the requirements of this  
15 section. The report required under this subsection  
16 shall be in addition to, and may be combined with,  
17 other reports required under this Act or section  
18 432(a)(8) of the Social Security Act (42 U.S.C.  
19 629b(a)(8)). The Secretary shall not delay making  
20 any payments (including the first payment required  
21 within 30 days of the date of enactment of this Act)  
22 to States, Indian tribes, tribal organizations, and  
23 tribal consortia from the allotments made under this  
24 section because of the report required under this  
25 paragraph.

1           (2) ACTUAL EXPENDITURES.—Each State, In-  
2       dian tribe, tribal organization, and tribal consortium  
3       shall report on the actual expenditures made in a  
4       fiscal year using funds from a payment made under  
5       this section (including any payments of amounts re-  
6       allotted). Each report on a fiscal year shall be sub-  
7       mitted not later than June 30 of the succeeding fis-  
8       cal year and shall include such information as the  
9       Secretary shall require regarding the actual expendi-  
10      tures of such funds.

11          (3) SUMMARY SUBMISSIONS TO CONGRESS.—  
12      The Secretary shall submit to the appropriate com-  
13      mittees of Congress a summary of the reports sub-  
14      mitted under paragraphs (1) and (2) not later than  
15      60 days after the date on which the reports are due.  
16      The summaries required under this paragraph may  
17      be combined with the other summaries required to  
18      be submitted to such committees under this Act.

1 **TITLE II—OTHER SUPPORT FOR**  
 2 **RESPONDING TO THE COVID-**  
 3 **19 PUBLIC HEALTH EMER-**  
 4 **GENCY**

5 **SEC. 201. STATE OPTION TO WAIVE LICENSING REQUIRE-**  
 6 **MENT FOR PURPOSES OF SATISFYING THE 6-**  
 7 **MONTH RESIDENCY REQUIREMENT FOR KIN-**  
 8 **SHIP GUARDIANSHIP ASSISTANCE PAY-**  
 9 **MENTS.**

10 During the period that begins on February 1, 2020,  
 11 and ends on September 30, 2022, notwithstanding any  
 12 other provision of law, for purposes of determining wheth-  
 13 er a child is eligible for kinship guardianship assistance  
 14 payments under section 473(d) of the Social Security Act  
 15 (42 U.S.C. 673(d)), a State or Indian tribe or tribal orga-  
 16 nization may elect to count any consecutive months the  
 17 child resided in the home of the prospective relative guard-  
 18 ian towards the 6-month residency requirement of para-  
 19 graph (3)(A)(i)(II) of that section, without regard to  
 20 whether the home of the prospective relative guardian was  
 21 a licensed foster family home during any such month.

22 **SEC. 202. MORATORIUM ON AGING OUT OF FOSTER CARE.**

23 (a) IN GENERAL.—During the period that begins on  
 24 February 1, 2020, and ends on September 30, 2022, not-  
 25 withstanding any other provision of law—

1           (1) no State, Indian tribe, tribal organization,  
 2           or tribal consortium operating a program under part  
 3           E of title IV of the Social Security Act (42 U.S.C.  
 4           670 et seq.) shall require a child in foster care under  
 5           the responsibility of the State to leave foster care  
 6           solely by reason of the child's age attained; and

7           (2) no child in foster care under the responsi-  
 8           bility of the State, Indian tribe, tribal organization,  
 9           or tribal consortium shall be found ineligible for fos-  
 10          ter care maintenance payments under section 472 of  
 11          such Act (42 U.S.C. 672) solely by reason of the  
 12          child's age attained or by reason of failing to meet  
 13          the requirements of section 475(8)(B)(iv) of such  
 14          Act (42 U.S.C. 675(8)(B)(iv)).

15          (b) OUTREACH AND RE-ENTRY.—Each State and In-  
 16          dian tribe, tribal organization, or tribal consortium oper-  
 17          ating a program under part E of title IV of the Social  
 18          Security Act (42 U.S.C. 670 et seq.) shall—

19               (1) identify and provide notice to any child who  
 20               was formally discharged from foster care by reason  
 21               of the child's age attained during the moratorium  
 22               period imposed under subsection (a) that the child  
 23               shall be re-entered into foster care, unless the child  
 24               elects to opt out; and

1           (2) establish procedures to facilitate the child’s  
 2       re-entry into foster care, which shall include pay-  
 3       ment of any foster care maintenance payments the  
 4       child is eligible for during the moratorium period im-  
 5       posed under subsection (a) (including any such pay-  
 6       ments accrued before the child was re-entered into  
 7       foster care).

8       (c) APPLICATION.—The requirements of this section  
 9       apply to a State, Indian tribe, tribal organization, or tribal  
 10      consortium operating a program under part E of title IV  
 11      of the Social Security Act without regard to whether the  
 12      State, Indian tribe, tribal organization, or tribal consor-  
 13      tium has elected under section 475(8)(B) of such Act (42  
 14      U.S.C. 675(8)(B)) to extend foster care to children who  
 15      have attained age 18.

16   **SEC. 203. TEMPORARY INCREASE OF MATCHING RATES**  
 17                           **FOR KINSHIP GUARDIANSHIP ASSISTANCE**  
 18                           **PAYMENTS, ADOPTION ASSISTANCE PAY-**  
 19                           **MENTS FOR KIN CAREGIVERS, AND FAMILY**  
 20                           **FIRST PREVENTION SERVICES.**

21       For each quarter that begins after March 31, 2020,  
 22      and before October 1, 2022—

23           (1) paragraph (2) of section 474(a) of the So-  
 24      cial Security Act (42 U.S.C. 674(a)) shall be applied  
 25      as if “(or, with respect to such payments made dur-

ing such quarter to any adoptive parents who, at the time of the initiation of adoption proceedings, were relative guardians or kin caregivers, an amount equal to 100 percent of the total amount expended during such quarter as adoption assistance payments under section 473 pursuant to adoption assistance agreements)” appeared in such paragraph after “applies to the State”;

(2) paragraph (5) of section 474(a) of the Social Security Act (42 U.S.C. 674(a)) shall be applied by substituting “100 percent” for “the percentage by which the expenditures referred to in paragraph (2) of this subsection are reimbursed”; and

(3) paragraphs (6)(A)(i)(I) and (7) of such section shall be applied by substituting “100 percent” for “50 percent” each place it appears.

## **TITLE III—OTHER PROVISIONS**

### **SEC. 301. COURTS ACT.**

(a) IN GENERAL.—Section 436 of the Social Security Act (42 U.S.C. 629f) is amended—

(1) in subsection (a), by striking “\$345,000,000 for each of fiscal years 2017 through 2021” and inserting “\$375,000,000 for each of fiscal years 2022 through 2028”; and

1           (2) in subsection (b)(2), by striking  
2       “\$30,000,000” and inserting “\$60,000,000”.

3       (b) PROGRAM CHANGES.—Section 438 of such Act  
4 (42 U.S.C. 629h) is amended—

5           (1) in subsection (a)—

6               (A) in paragraph (2)—

7                   (i) in subparagraph (A), by inserting  
8               “in a timely and complete manner” before  
9               “, as set forth”; and

10                  (ii) in subparagraph (C), by striking  
11               the semicolon and inserting “, including by  
12               training judges, attorneys, and other legal  
13               personnel.”; and

14               (B) by striking paragraphs (3) and (4);

15       (2) in subsection (b)—

16               (A) by striking paragraph (2); and

17               (B) by striking all that precedes “be eligi-  
18       ble to receive” and inserting the following:

19       “(b) APPLICATIONS.—In order to”;

20                   (i) in the matter preceding paragraph  
21       (2)—

22                       (I) by moving the matter 2 ems  
23               to the left;

24                       (II) in subparagraph (A)—

1 (aa) by striking “(A) in the  
 2 case of a grant for the purpose  
 3 described in subsection (a)(3),”  
 4 and inserting “(1)”; and

5 (bb) by inserting “use not  
 6 less than 30 percent of grant  
 7 funds to” before “collaborate”;

8 (III) in subparagraph (B), by  
 9 striking “(B) in the case of a grant  
 10 for the purpose described in sub-  
 11 section (a)(4),” and inserting “(2)”;  
 12 and

13 (IV) in subparagraph (C), by  
 14 striking “(C) in the case of a grant  
 15 for the purpose described in sub-  
 16 section (a),” and inserting “(3)”; and

17 (3) by striking subsection (c) and inserting the  
 18 following:

19 “(c) AMOUNT OF GRANT.—

20 “(1) IN GENERAL.—From the amounts reserved  
 21 under sections 436(b)(2) and 437(b)(2) for a fiscal  
 22 year, each highest State court that has an applica-  
 23 tion approved under this section for the fiscal year  
 24 shall be entitled to payment of an amount equal to  
 25 the sum of—

1                   “(A) \$255,000; and

2                   “(B) the amount described in paragraph  
3                   (2) with respect to the court and the fiscal year.

4                   “(2) AMOUNT DESCRIBED.—The amount de-  
5                   scribed in this paragraph with respect to a court and  
6                   a fiscal year is the amount that bears the same ratio  
7                   to the total of the amounts reserved under sections  
8                   436(b)(2) and 437(b)(2) for grants under this sec-  
9                   tion for the fiscal year (after applying paragraphs  
10                  (1)(A) and (3) of this subsection) as the number of  
11                  individuals in the State in which the court is located  
12                  who have not attained 21 years of age bears to the  
13                  total number of such individuals in all States with  
14                  a highest State court that has an approved applica-  
15                  tion under this section for the fiscal year.

16                  “(3) INDIAN TRIBES.—From the amounts re-  
17                  served under section 436(b)(2) for a fiscal year, the  
18                  Secretary shall, before applying paragraph (1) of  
19                  this subsection, allocate \$5,000,000 for grants to be  
20                  awarded on a competitive basis among the highest  
21                  courts of Indian tribes or tribal consortia that—

22                         “(A) are operating a program under part  
23                         E, in accordance with section 479B;

1 “(B) are seeking to operate a program  
 2 under part E and have received an implementa-  
 3 tion grant under section 476; or

4 “(C) have a court responsible for pro-  
 5 ceedings related to foster care or adoption.”.

6 (c) TECHNICAL AMENDMENTS.—Section 438(a) of  
 7 such Act (42 U.S.C. 629h(a)) is amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (D), by adding “and”  
 10 after the semicolon; and

11 (B) in subparagraph (E)(iii), by striking  
 12 “and” after the semicolon; and

13 (2) in paragraph (2), in the matter preceding  
 14 subparagraph (A), by striking “state” and inserting  
 15 “State”.

16 (d) EFFECTIVE DATE.—The amendments made by  
 17 this section shall take effect on October 1, 2021.

18 **SEC. 302. REQUIREMENT FOR DE-ESCALATION STRATEGIES**  
 19 **RELATING TO INTERACTIONS WITH LAW EN-**  
 20 **FORCEMENT AUTHORITIES.**

21 (a) STATE PLAN AMENDMENT.—

22 (1) IN GENERAL.—Section 422(b) of the Social  
 23 Security Act (42 U.S.C. 622(b)) is amended—

24 (A) in paragraph (18), by striking “and”  
 25 after the semicolon;

1 (B) in paragraph (19)(B), by striking the  
2 period at the end and inserting “; and”; and

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

4 “(20) not later than 180 days after the date of  
5 enactment of this paragraph, describe the steps the  
6 State is taking under the State programs assisted  
7 under this subpart, subpart 2 of this part, and part  
8 E, to—

9 “(A) develop and implement de-escalation  
10 strategies to—

11 “(i) reduce unnecessary interactions  
12 with law enforcement authorities for chil-  
13 dren, youth, and families coming to the at-  
14 tention of child welfare agencies and for  
15 children and youth in foster care;

16 “(ii) ensure law enforcement authori-  
17 ties and caseworkers, social workers, or  
18 other behavioral health specialists collabo-  
19 rate (as much as practicable) when law en-  
20 forcement authorities have interactions  
21 with children, youth, and families coming  
22 to the attention of child welfare agencies  
23 and children and youth in foster care;

24 “(iii) ensure that any involvement of  
25 law enforcement authorities in child abuse

1 or neglect investigations, child welfare  
2 interventions, placement incidents, or court  
3 or administrative proceedings involving  
4 children or youth in foster care, is not co-  
5 ercive or intended to intimidate; and

6 “(iv) promote the provision of trauma-  
7 informed, culturally-responsive program-  
8 ming and services for children and youth  
9 in foster care;

10 “(B) provide training on such de-escalation  
11 strategies for caseworkers and other child wel-  
12 fare agency staff, including supervisors and  
13 support staff, personnel employed or preparing  
14 for employment by the State agency responsible  
15 for administering the State plans under this  
16 subpart, subpart 2 of this part, and part E, or  
17 by any local agency administering any such  
18 plan, staff of State-licensed or State-approved  
19 public or private nonprofit child welfare agen-  
20 cies, tribal child welfare agencies and organiza-  
21 tions, staff of law enforcement authorities,  
22 State and tribal court personnel, including  
23 judges, current or prospective foster or adoptive  
24 parents, relative guardians, kin caregivers, and  
25 the members of the staff of State-licensed or

1 State-approved child care institutions, including  
 2 congregate care settings and residential treat-  
 3 ment facilities, and qualified residential treat-  
 4 ment programs (as defined in section  
 5 472(k)(4)); and

6 “(C) ensure that the State agency respon-  
 7 sible for administering the State plans under  
 8 this subpart, subpart 2 of this part, and part  
 9 E, local agencies administering any such plan,  
 10 State-licensed or State-approved public or pri-  
 11 vate nonprofit child welfare agencies, and tribal  
 12 child welfare agencies, review system inter-  
 13 actions with law enforcement authorities that  
 14 are required under such plans or under the  
 15 Child Abuse Prevention and Treatment Act to  
 16 ensure such interactions occur in manner that  
 17 protects children, does not traumatize children,  
 18 and is in accordance with recognized principles  
 19 of a trauma-informed approach and trauma-  
 20 specific interventions to address trauma’s con-  
 21 sequences and facilitate healing.”.

22 (2) CONFORMING AMENDMENT.—Section  
 23 422(b)(4)(B) of such Act (42 U.S.C. 622(b)(4)(B))  
 24 is amended by inserting “(including with respect to

1 the training on de-escalation strategies required  
 2 under paragraph (20))” after “State”.

3 (b) FUNDING FOR TRAINING.—Section 426 of such  
 4 Act (42 U.S.C. 626) is amended by adding at the end the  
 5 following:

6 “(d) FUNDING FOR TRAINING ON DE-ESCALATION  
 7 STRATEGIES RELATING TO INTERACTIONS WITH LAW  
 8 ENFORCEMENT AUTHORITIES.—

9 “(1) APPROPRIATION.—In addition to any  
 10 amounts otherwise made available to carry out this  
 11 section and this subpart, out of any money in the  
 12 Treasury of the United States not otherwise appro-  
 13 priated, there are appropriated to the Secretary for  
 14 each of fiscal years 2020 through 2022,  
 15 \$15,000,000, for making payments to States in ac-  
 16 cordance with this subsection.

17 “(2) ALLOTMENTS.—

18 “(A) IN GENERAL.—From the amount ap-  
 19 propriated under paragraph (1) for a fiscal  
 20 year, the Secretary shall allot—

21 “(i) to each Indian tribe or tribal con-  
 22 sortium with a plan approved under this  
 23 subpart and to each of the jurisdictions of  
 24 Guam, the Virgin Islands, the Northern  
 25 Mariana Islands, and American Samoa, an

1 amount that shall not exceed \$100,000;  
2 and

3 “(ii) to each State that is not an In-  
4 dian tribe, tribal consortium, or jurisdic-  
5 tion specified in clause (i), an amount that  
6 is not less than \$200,000.

7 “(B) ADDITIONAL AMOUNT.—If any  
8 amounts appropriated under paragraph (1) re-  
9 main after the application of subparagraph (A),  
10 the Secretary shall increase the amount of all  
11 such allotments by an amount determined  
12 through a formula determined by the Secretary  
13 that takes into consideration the number of  
14 children in foster care who are under the re-  
15 sponsibility of each State and Indian tribe or  
16 tribal consortium with a plan approved under  
17 this subpart.

18 “(3) USE OF FUNDS.—A State or Indian tribe  
19 or tribal consortium shall use the funds paid under  
20 this subsection to provide the training required  
21 under section 422(b)(20)(B).

22 “(4) PAYMENT RULES.—

23 “(A) NO MATCH REQUIRED.—Each State  
24 or Indian tribe or tribal consortium with a plan  
25 approved under this subpart shall be entitled to

1 payment of 100 percent of the amount allotted  
 2 to the entity under paragraph (2) for the fiscal  
 3 year.

4 “(B) AVAILABILITY OF FUNDS.—

5 “(i) IN GENERAL.—Amounts allotted  
 6 to a State or Indian tribe or tribal consor-  
 7 tium under paragraph (2) for a fiscal year  
 8 shall remain available for expenditure  
 9 through the end of the succeeding fiscal  
 10 year.

11 “(ii) AMOUNTS REDISTRIBUTED.—

12 Any amounts reallocated shall remain avail-  
 13 able only through the end of the fiscal year  
 14 in which such amounts are distributed.

15 “(C) REALLOTMENTS.—Subject to sub-  
 16 paragraph (B)(i), subsection (e) of section 423  
 17 shall apply to the amounts allotted under para-  
 18 graph (2) in the same manner as that section  
 19 applies to allotments made under subsection (a)  
 20 of that section.

21 “(5) NONAPPLICATION.—The limitation on pay-  
 22 ments for administrative costs under section 424(e)  
 23 shall not apply to the amounts allotted under para-  
 24 graph (2).

25 “(6) REPORT.—

1           “(A) IN GENERAL.—Each State and In-  
 2           dian tribe or tribal consortium provided an al-  
 3           lotment under this subsection shall submit a re-  
 4           port to the Secretary, at such time, in such  
 5           manner, and containing such information as the  
 6           Secretary may require, on the activities carried  
 7           out with the amounts paid to the State.

8           “(B) INDIAN TRIBES.—The Secretary may  
 9           modify the reporting requirement under sub-  
 10          paragraph (A) for an Indian tribe or tribal con-  
 11          sortium to the extent that the Secretary deter-  
 12          mines those requirements would be inappro-  
 13          priate to apply to the Indian tribe or tribal con-  
 14          sortium, taking into account the resources,  
 15          needs, and other circumstances of the Indian  
 16          tribe or tribal consortium.”.

17 **SEC. 303. EMERGENCY DESIGNATION.**

18          (a) IN GENERAL.—The amounts provided by this Act  
 19          are designated as an emergency requirement pursuant to  
 20          section 4(g) of the Statutory Pay-As-You-Go Act of 2010  
 21          (2 U.S.C. 933(g)).

22          (b) DESIGNATION IN SENATE.—In the Senate, this  
 23          Act is designated as an emergency requirement pursuant  
 24          to section 4112(a) of H. Con. Res. 71 (115th Congress),

1 the concurrent resolution on the budget for fiscal year  
2 2018.

