

118TH CONGRESS
1ST SESSION

H. R. 6803

To provide greater support for grandfamilies and older caregiver relatives.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2023

Mr. DAVIS of Illinois introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide greater support for grandfamilies and older caregiver relatives.

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.**

4 This Act may be cited as the “Grandfamilies Act of
5 2023”.

1 **SEC. 2. INCREASING ACCESS TO SOCIAL SECURITY BENE-**
2 **FITS FOR CHILDREN WHO LIVE WITH GRAND-**
3 **PARENTS OR OTHER FAMILY MEMBERS.**

4 (a) IN GENERAL.—Title II of the Social Security Act
5 (42 U.S.C. 401 et seq.) is amended—

6 (1) in section 202(d)—

7 (A) in paragraph (1)(C), by inserting “ex-
8 cept as provided in paragraph (9),” before “was
9 dependent”; and

10 (B) by amending paragraph (9) to read as
11 follows:

12 “(9)(A) In the case of a child who is the child of an
13 individual under clause (3) of the first sentence of section
14 216(e) and is not a child of such individual under clause
15 (1) or (2) of such first sentence, the criteria specified in
16 subparagraph (B) shall apply instead of the criteria speci-
17 fied in subparagraph (C) of paragraph (1).

18 “(B) The criteria of this subparagraph are that—

19 “(i) the child has been living with such indi-
20 vidual in the United States for a period of not less
21 than 12 months;

22 “(ii) the child has been receiving not less than
23 $\frac{1}{2}$ of the child’s support from such individual for a
24 period of not less than 12 months; and

1 “(iii) the period during which the child was liv-
2 ing with such individual began before the child at-
3 tained age 18.

4 “(C) In the case of a child who is less than 12 months
5 old, such child shall be deemed to meet the requirements
6 of subparagraph (B) if, on the date the child attains 1
7 year of age, such child has lived with such individual in
8 the United States and received at least $\frac{1}{2}$ of the child’s
9 support from such individual for substantially all of the
10 period which began on the date of such child’s birth.”;
11 and

12 (2) in section 216(e), in the first sentence—

13 (A) by striking “grandchild or
14 stepgrandchild of an individual or his spouse”
15 and inserting “grandchild, stepgrandchild, or
16 other first-degree, second-degree, third-degree,
17 fourth-degree, or fifth-degree relative of an indi-
18 vidual or the individual’s spouse”;

19 (B) by striking “was no natural or adop-
20 tive parent” and inserting “is no living natural
21 or adoptive parent”;

22 (C) by striking “was under a disability”
23 and inserting “is under a disability”;

1 (D) by striking “living at the time” and all
2 that follows through “, or (B)” and inserting “,
3 (B)”; and

4 (E) by inserting “, or (C) the person has
5 been in the custody of such individual pursuant
6 to a court order for a period of not less than
7 12 months” before the first period.

8 (b) CONFORMING AMENDMENTS.—Section 202(d)(1)
9 of the Social Security Act (42 U.S.C. 402(d)(1)) is amend-
10 ed—

11 (1) by striking “subparagraphs (A), (B), and
12 (C)” and inserting “subparagraphs (A) and (B) and
13 subparagraph (C) or paragraph (9) (as applicable)”;
14 and

15 (2) by striking “subparagraphs (B) and (C)”
16 and inserting “subparagraph (B) and subparagraph
17 (C) or paragraph (9) (as applicable)”.
18

19 (c) EFFECTIVE DATE.—The amendments made by
20 this section shall take effect on the first day of the first
21 fiscal year that begins after the date of enactment of this
Act.

1 **SEC. 3. ELIMINATING BARRIERS TO TANF FOR CHILDREN,**
 2 **OLDER CAREGIVER RELATIVES, AND CARE-**
 3 **GIVER RELATIVES CARING FOR A CHILD**
 4 **WITH A DISABILITY.**

5 (a) BROADENING GOOD CAUSE EXCEPTION TO RE-
 6 QUIREMENT TO PROVIDE INFORMATION ON NONCUSTO-
 7 DIAL PARENTS.—Section 454(29)(A)(i) of the Social Se-
 8 curity Act (42 U.S.C. 654(29)(A)(i)) is amended by strik-
 9 ing “best interests of the child” and inserting “best inter-
 10 ests of the child, including, if enforcement procedures
 11 against a non-custodial parent of the child are initiated,
 12 whether such procedures will impede the parent’s ability
 13 to reunify with the child in the future”.

14 (b) DISREGARD OF NONPARENT CAREGIVER REL-
 15 ATIVE INCOME, ASSETS, AND RESOURCES IN CHILD-ONLY
 16 CASES.—

17 (1) IN GENERAL.—Section 408(a) of the Social
 18 Security Act (42 U.S.C. 608(a)) is amended by add-
 19 ing at the end the following new paragraph:

20 “(13) DISREGARD OF INCOME, ASSETS, AND
 21 RESOURCES FOR NONPARENT CAREGIVER RELATIVES
 22 IN CHILD-ONLY CASES.—

23 “(A) IN GENERAL.—With respect to a
 24 minor child who does not reside in the same
 25 household as a parent of the child, a State to
 26 which a grant is made under section 403 shall

1 not take into account the income, assets, or re-
2 sources of such child’s nonparent caregiver rel-
3 ative who is not seeking assistance under the
4 State program funded under this part or any
5 other State program funded with qualified
6 State expenditures (as defined in section
7 409(a)(7)(B)(i)) on their own behalf in deter-
8 mining whether the child is eligible for assist-
9 ance under any such program, or in deter-
10 mining the amount or types of such assistance
11 to be provided to the child.

12 “(B) EXCEPTION.—Subparagraph (A)
13 shall not apply in the case of a State pro-
14 gram—

15 “(i) that is operated specifically for
16 children living with nonparent caregiver
17 relatives;

18 “(ii) that provides monthly financial
19 assistance to a child living with a non-
20 parent caregiver relative in an amount that
21 is greater than the amount of assistance
22 that the child would receive on the child’s
23 own behalf under the State program fund-
24 ed under this part;

1 “(iii) that is separate from the State
2 program funded under this part; and

3 “(iv) that is described in the State
4 plan submitted under section 402.”.

5 (2) PENALTY.—Section 409(a) of the Social Se-
6 curity Act (42 U.S.C. 609(a)) is amended by adding
7 at the end the following new paragraph:

8 “(17) PENALTY FOR FAILURE TO DISREGARD
9 INCOME, ASSETS, AND RESOURCES OF NONPARENT
10 CAREGIVER RELATIVE IN CHILD-ONLY CASES.—If
11 the Secretary determines that a State to which a
12 grant is made under section 403 in a fiscal year has
13 violated section 408(a)(13) during the fiscal year,
14 the Secretary shall reduce the grant payable to the
15 State under section 403(a)(1) for the immediately
16 succeeding fiscal year by an amount equal to 3 per-
17 cent of the State family assistance grant.”.

18 (c) ELIMINATING 5-YEAR CAP ON ASSISTANCE IN
19 CHILD-ONLY CASES.—

20 (1) IN GENERAL.—Section 408(a)(7) of the So-
21 cial Security Act (42 U.S.C. 608(a)(7)) is amended
22 by adding at the end the following new subpara-
23 graph:

24 “(H) NO LIMIT FOR CHILD-ONLY CASES.—

25 A State shall not limit the number of months

1 of assistance under the State program funded
 2 under this part or any other State program
 3 funded with qualified State expenditures (as de-
 4 fined in section 409(a)(7)(B)(i)) for a family in
 5 which all adults in the family—

6 “(i) are nonparent caregiver relatives
 7 of a child who does not reside in the same
 8 household of the parent of the child; and

9 “(ii) do not receive assistance under
 10 the State program funded under this part
 11 or any other State program funded with
 12 qualified expenditures (as defined in sec-
 13 tion 409(a)(7)(B)(i)) on their own be-
 14 half.”.

15 (2) PENALTY.—Section 409(a) of the Social Se-
 16 curity Act (42 U.S.C. 609(a)), as previously amend-
 17 ed by this section, is amended—

18 (A) in paragraph (9), by inserting “(other
 19 than subparagraph (H))” after “section
 20 408(a)(7)”; and

21 (B) by adding at the end the following new
 22 paragraph:

23 “(18) PENALTY FOR FAILURE TO COMPLY WITH
 24 5-YEAR CAP EXEMPTIONS.—If the Secretary deter-
 25 mines that a State to which a grant is made under

1 section 403 in a fiscal year has violated subpara-
 2 graph (H) of section 408(a)(7) during the fiscal
 3 year, the Secretary shall reduce the grant payable to
 4 the State under section 403(a)(1) for the imme-
 5 diately succeeding fiscal year by an amount equal to
 6 3 percent of the State family assistance grant”.

7 (d) EXEMPTION FROM WORK REQUIREMENTS FOR
 8 NONPARENT CAREGIVER RELATIVES IN CHILD-ONLY
 9 CASES.—

10 (1) IN GENERAL.—Section 408 of the Social
 11 Security Act (42 U.S.C. 608) is amended by adding
 12 at the end the following new subsection:

13 “(h) STATE REQUIRED TO EXEMPT NONPARENT
 14 CAREGIVER RELATIVES FROM WORK PARTICIPATION IN
 15 CHILD-ONLY CASES.—A State shall not require an indi-
 16 vidual to engage in work if the individual—

17 “(1) is the nonparent caregiver relative of a
 18 child who does not reside in the same household as
 19 a parent of the child; and

20 “(2) resides in a household in which no adult
 21 receives assistance under the State program funded
 22 under this part or any other State program funded
 23 with qualified expenditures (as defined in section
 24 409(a)(7)(B)(i)) on their own behalf.”.

1 (2) PENALTY.—Section 409(a) of the Social Se-
2 curity Act (42 U.S.C. 609(a)), as previously amend-
3 ed by this section, is amended by adding at the end
4 the following new paragraph:

5 “(19) PENALTY FOR FAILURE TO COMPLY WITH
6 WORK PARTICIPATION EXEMPTIONS.—If the Sec-
7 retary determines that a State to which a grant is
8 made under section 403 in a fiscal year has violated
9 subsection (h) of section 408 during the fiscal year,
10 the Secretary shall reduce the grant payable to the
11 State under section 403(a)(1) for the immediately
12 succeeding fiscal year by an amount equal to 3 per-
13 cent of the State family assistance grant.”.

14 (e) ELIMINATING 5-YEAR CAP ON ASSISTANCE FOR
15 OLDER CAREGIVER RELATIVES AND CAREGIVER REL-
16 ATIVES CARING FOR A CHILD WITH A DISABILITY.—

17 (1) IN GENERAL.—Section 408(a)(7) of the So-
18 cial Security Act (42 U.S.C. 608(a)(7)), as amended
19 by subsection (c)(1), is amended by adding at the
20 end the following new subparagraph:

21 “(I) NON-APPLICATION OF LIMIT TO
22 OLDER CAREGIVER RELATIVES AND CAREGIVER
23 RELATIVES CARING FOR A CHILD WITH A DIS-
24 ABILITY.—

1 “(i) NO LIMIT FOR OLDER CAREGIVER
2 RELATIVES AND CAREGIVER RELATIVES
3 CARING FOR A CHILD WITH A DIS-
4 ABILITY.—Subparagraph (A) shall not
5 apply and a State shall not limit the num-
6 ber of months of assistance under the
7 State program funded under this part or
8 any other State program funded with
9 qualified State expenditures (as defined in
10 section 409(a)(7)(B)(i)) based on receipt
11 of such assistance by an individual who is
12 an older caregiver relative or a caregiver
13 relative caring for a child with a disability
14 (as such terms are defined for purposes of
15 paragraph (14)).

16 “(ii) DISREGARD OF MONTHS OF AS-
17 SISTANCE.—In determining the number of
18 months for which a family that includes an
19 adult who has received assistance under
20 the State program funded under this part
21 or any other State program funded with
22 qualified State expenditures (as defined in
23 section 409(a)(7)(B)(i)), the State shall
24 disregard any month for which such assist-
25 ance was provided with respect to the fam-

1 ily during which such adult was an older
 2 caregiver relative or a caregiver relative
 3 caring for a child with a disability (as such
 4 terms are defined for purposes of para-
 5 graph (14)).”.

6 (2) PENALTY.—Section 409(a) of the Social Se-
 7 curity Act (42 U.S.C. 609(a)), as previously amend-
 8 ed by this section, is amended—

9 (A) in paragraph (9), by inserting “or (I)”
 10 after “subparagraph (H)”; and

11 (B) in paragraph (18), by inserting “or
 12 (I)” after “subparagraph (H)”.

13 (f) EXEMPTION FROM WORK REQUIREMENTS FOR
 14 OLDER CAREGIVER RELATIVES AND CAREGIVER REL-
 15 ATIVES CARING FOR A CHILD WITH A DISABILITY.—

16 (1) IN GENERAL.—Section 408 of the Social
 17 Security Act (42 U.S.C. 608), by subsection (d)(1),
 18 is amended by adding at the end the following new
 19 subsection:

20 “(i) STATE REQUIRED TO EXEMPT CAREGIVER REL-
 21 ATIVES FROM WORK PARTICIPATION WHERE CAREGIVER
 22 RECEIVES ASSISTANCE.—A State shall not require an in-
 23 dividual to engage in work, and, at the option of the State
 24 and on a case-by-case basis, may disregard such individual

1 in determining the participation rates under section
2 407(a), if the individual—

3 “(1) is an older caregiver relative or a caregiver
4 relative caring for a child with a disability (as such
5 terms are defined for purposes of subsection
6 (a)(14)); and

7 “(2) directly receives assistance on the individ-
8 ual’s own behalf under the State program funded
9 under this part or any other State program funded
10 with qualified expenditures (as defined in section
11 409(a)(7)(B)(i)).”.

12 (2) PENALTY.—Paragraph (18) of section
13 409(a) of the Social Security Act (42 U.S.C.
14 609(a)), as added by subsection (d)(2), is amended
15 by inserting “or (i)” after “subsection (h)”.

16 (3) CONFORMING AMENDMENTS.—402(a)(1)(A)
17 of the Social Security Act (42 U.S.C. 602(a)(1)(A))
18 is amended—

19 (A) in clause (ii), by inserting “and subject
20 to subsections (h) and (i) of section 408” before
21 the period; and

22 (B) in clause (iii), by inserting “and sub-
23 ject to subsections (h) and (i) of section 408”
24 before the period.

1 (g) DISREGARD OF INCOME, ASSETS, AND RE-
2 SOURCES FOR OLDER CAREGIVER RELATIVES.—

3 (1) IN GENERAL.—Section 408(a) of the Social
4 Security Act (42 U.S.C. 608(a)), as previously
5 amended by this section, is amended by adding at
6 the end the following new paragraph:

7 “(14) DISREGARD OF INCOME, ASSETS, AND
8 RESOURCES FOR OLDER CAREGIVER RELATIVES AND
9 CAREGIVER RELATIVES CARING FOR A CHILD WITH
10 A DISABILITY.—

11 “(A) IN GENERAL.—In determining the
12 eligibility for, and amount of, assistance under
13 the State program funded under this part or
14 any other State program funded with qualified
15 State expenditures (as defined in section
16 409(a)(7)(B)(i)) for a family that includes an
17 individual who is an older caregiver relative (as
18 defined in subparagraph (B)) or a caregiver rel-
19 ative caring for a child with a disability (as de-
20 fined in subparagraph (C)), a State to which a
21 grant is made under section 403 shall not take
22 into account the income, assets, or resources of
23 that individual.

24 “(B) DEFINITION OF OLDER CAREGIVER
25 RELATIVE.—

1 “(i) IN GENERAL.—For purposes of
2 this paragraph, the term ‘older caregiver
3 relative’ means an individual who—

4 “(I) subject to clause (ii), has at-
5 tained age 55; and

6 “(II) is the primary caregiver for
7 a minor child who—

8 “(aa) is living with the indi-
9 vidual;

10 “(bb) does not have a parent
11 living in the home; and

12 “(cc) is a grandchild,
13 stepgrandchild, or other first-de-
14 gree, second-degree, third-degree,
15 fourth-degree, or fifth-degree rel-
16 ative of the individual or the indi-
17 vidual’s spouse.

18 “(ii) STATE OPTION TO MODIFY AGE
19 CRITERION.—At the option of a State,
20 such term shall include an individual who
21 has not attained age 55.

22 “(iii) DETERMINATION TO BE MADE
23 BY STATE.—The determination of whether
24 an individual meets the criteria described

1 in clause (i)(II) shall be made by the
2 State.

3 “(C) DEFINITION OF CAREGIVER REL-
4 ATIVE CARING FOR A CHILD WITH A DIS-
5 ABILITY.—

6 “(i) IN GENERAL.—For purposes of
7 this paragraph, the term ‘caregiver relative
8 caring for a child with a disability’ means
9 an individual, regardless of age, who is the
10 primary caregiver for a minor child who—

11 “(I) is living with the individual;

12 “(II) is a child, grandchild,
13 stepgrandchild, or other first-degree,
14 second-degree, third-degree, fourth-de-
15 gree, or fifth-degree relative of the in-
16 dividual or the individual’s spouse;
17 and

18 “(III) has a disability, as defined
19 in section 3 of the Americans with
20 Disabilities Act of 1990 (42 U.S.C.
21 12102)).

22 “(ii) DETERMINATION TO BE MADE
23 BY STATE.—The determination of whether
24 an individual meets the criteria described
25 in clause (i) shall be made by the State.”.

1 (2) PENALTY.—Section 409(a) of the Social Se-
2 curity Act (42 U.S.C. 609(a)), as previously amend-
3 ed by this section, is amended by adding at the end
4 the following new paragraph:

5 “(20) PENALTY FOR FAILURE TO DISREGARD
6 INCOME, ASSETS, AND RESOURCES FOR OLDER
7 CAREGIVER RELATIVES.—If the Secretary deter-
8 mines that a State to which a grant is made under
9 section 403 in a fiscal year has violated section
10 408(a)(14) during the fiscal year, the Secretary
11 shall reduce the grant payable to the State under
12 section 403(a)(1) for the immediately succeeding fis-
13 cal year by an amount equal to 3 percent of the
14 State family assistance grant.”.

15 (h) EFFECTIVE DATE.—

16 (1) IN GENERAL.—Except as provided in para-
17 graph (2), the amendments made by this section
18 shall take effect on the first day of the first fiscal
19 year that begins after the date of enactment of this
20 Act.

21 (2) DELAY PERMITTED.—

22 (A) IN GENERAL.—Before the date de-
23 scribed in subparagraph (B), a State plan
24 under title IV of the Social Security Act shall
25 not be regarded as failing to comply with an ad-

ditional requirement imposed on the plan by this section if the Secretary of Health and Human Services determines that such additional requirement—

(i) requires State legislation (other than legislation appropriating funds) in order for the plan to meet such additional requirement; or

(ii) could not practicably be met by the plan before such date.

(B) DATE DESCRIBED.—For purposes of subparagraph (A), the date described in this subparagraph is, with respect to a State, the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this section. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

**SEC. 4. IMPROVING THE COLLECTION OF CHILD SUPPORT
FOR FAMILIES RECEIVING TANF ASSISTANCE.**

(a) IN GENERAL.—Section 454 of the Social Security Act (42 U.S.C. 654) is amended—

1 (1) by redesignating paragraphs (30) through
2 (34) as paragraphs (31) through (35), respectively;
3 and

4 (2) by inserting after paragraph (29) the fol-
5 lowing:

6 “(30) include a description of—

7 “(A) the methods used by the State to de-
8 termine whether an individual who has applied
9 for or is receiving assistance under the State
10 program funded under part A, the State pro-
11 gram under part E, the State program under
12 title XIX, or the supplemental nutrition assist-
13 ance program, as defined under section 3(h) of
14 the Food and Nutrition Act of 2008 (7 U.S.C.
15 2012(h)), is cooperating in good faith with the
16 State in establishing paternity or in estab-
17 lishing, modifying, or enforcing a support order,
18 as provided in paragraph (29);

19 “(B) the State’s process for determining in
20 a timely manner whether such an individual
21 satisfies the cooperation requirement described
22 in subparagraph (A) due to the individual’s
23 participation in another State or Federal assist-
24 ance program;

1 “(C) the good cause or other exceptions to
2 the cooperation requirement that the State rec-
3 ognizes, including an explanation of any special
4 requirements or considerations for a relative
5 caregiver seeking to apply for such an excep-
6 tion; and

7 “(D) how the State makes clear to an indi-
8 vidual who has applied for or is receiving assist-
9 ance under a program referred to in subpara-
10 graph (A)—

11 “(i) what, if anything, the individual
12 needs to do in order to satisfy the coopera-
13 tion requirement, including explaining to
14 the individual how the individual might
15 satisfy the requirement through participa-
16 tion in another State or Federal assistance
17 program;

18 “(ii) the effect on the individual’s eli-
19 gibility to receive assistance under a pro-
20 gram referred to in subparagraph (A), and
21 under other State or Federal assistance
22 programs, if the individual fails to satisfy
23 the cooperation requirement; and

24 “(iii) the good cause or other excep-
25 tions to the cooperation requirement for

1 which the individual may be eligible, in-
2 cluding if a standard of proof is required
3 to qualify for each exception and an expla-
4 nation of any special requirements or con-
5 siderations for caregiver relatives;”.

6 (b) CONFORMING AMENDMENTS.—Title IV of the So-
7 cial Security Act (42 U.S.C. 601 et seq.) is amended—

8 (1) in section 452(k)(1), by striking “section
9 454(31)” and inserting “section 454(32)”; and

10 (2) in section 454, in the matter following para-
11 graph (35) (as redesignated by subsection (a)) by
12 striking “paragraph (33)” and inserting “paragraph
13 (34)”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the first day of the first
16 fiscal year that begins after the date of enactment of this
17 Act.

18 **SEC. 5. ENCOURAGING STATES TO ADOPT TEMPORARY**
19 **GUARDIANSHIP LAWS.**

20 (a) IN GENERAL.—Section 474(a)(7) of the Social
21 Security Act (42 U.S.C. 674(a)(7)) is amended by insert-
22 ing “(or, in the case of a State that has in effect for the
23 quarter a temporary guardianship law (as defined in sec-
24 tion 475(14)), 75 percent)” after “50 percent”.

1 (b) DEFINITION.—Section 475 of the Social Security
2 Act (42 U.S.C. 675) is amended by adding at the end the
3 following new paragraph:

4 “(14)(A) The term ‘temporary guardianship law’
5 means a State law that allows for the establishment, by
6 operation of such law and through an easily navigable sim-
7 ple civil process, of a relationship between a child and a
8 nonparent caregiver who has taken responsibility for car-
9 ing for the child in the absence of the child’s parents in
10 which some of the parental rights with respect to the child
11 are transferred to the caregiver for a specified period of
12 time which may be extended or renewed, except that the
13 total period of time for which such rights are transferred
14 to the caregiver (including any extensions or renewals)
15 shall not exceed a maximum period of time (as established
16 by the State).

17 “(B) Under the process established under a law de-
18 scribed in subparagraph (A)—

19 “(i) court fees shall be waived or reduced; and

20 “(ii) any court forms or filings related to the
21 process are easy enough to understand that a non-
22 parent caregiver who has taken responsibility for
23 caring for the child in the absence of the child’s par-
24 ents could reasonably complete such forms or filings
25 without legal assistance.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the first day of the first
3 fiscal year that begins after the date of enactment of this
4 Act.

5 **SEC. 6. GUIDANCE.**

6 (a) GUIDANCE TO STATES ON ENSURING AWARE-
7 NESS OF CHILD WELFARE SYSTEM AMONG KINSHIP
8 CAREGIVERS.—Not later than the first day of the first fis-
9 cal year that begins after the date of enactment of this
10 Act, the Secretary of Health and Human Services shall
11 issue guidance to States on ways to ensure that kinship
12 caregivers who receive assistance under a State program
13 funded under part A of title IV of the Social Security Act
14 (42 U.S.C. 601 et seq.) or any other State program fund-
15 ed with qualified State expenditures (as defined in section
16 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i)))
17 are—

18 (1) provided with information about any appro-
19 priate assistance and services available to them
20 through the child welfare system of the State, in-
21 cluding eligibility for foster care licensure and path-
22 ways to guardianship assistance programs or adop-
23 tion subsidies, and how to access such assistance
24 and services; and

1 (2) referred to any kinship navigator program
2 operated by the State.

3 (b) GUIDANCE ON COORDINATING ASSISTANCE FOR
4 CAREGIVERS.—Not later than the first day of the first fis-
5 cal year that begins after the date of enactment of this
6 Act, the Secretary of Health and Human Services shall
7 issue guidance for States identifying options for State pro-
8 grams, including programs funded under title IV of the
9 Social Security Act (42 U.S.C. 601 et seq.), programs
10 funded under the Older Americans Act of 1965 (42 U.S.C.
11 3001 et seq.), and other relevant programs that are jointly
12 funded or administered by States and the Federal Govern-
13 ment, to collaborate, coordinate, and streamline outreach
14 to, and processing of applications of assistance, for grand-
15 parents and older relative caregivers or kinship caregivers
16 caring for grandchildren and other relative children resid-
17 ing with them. The options identified in such guidance
18 shall include best practices for State programs to coordi-
19 nate with the National Technical Assistance Center on
20 Grandfamilies and Kinship Families established under
21 section 2922 of the American Rescue Plan Act (42 U.S.C.
22 3020g).

1 **SEC. 7. STATE SUPPORT PLANS FOR GRANDPARENTS CAR-**
2 **ING FOR GRANDCHILDREN.**

3 (a) IN GENERAL.—Not later than the first day of the
4 first fiscal year that begins after the date of enactment
5 of this Act, from amounts appropriated to carry out this
6 section, the Secretary of Health and Human Services shall
7 award grants to States for purposes of developing State
8 support plans for grandparents caring for grandchildren
9 and other relatives caring for relative children.

10 (b) REQUIREMENTS.—A State support plan for
11 grandparents caring for grandchildren and other relatives
12 caring for relative children that is funded by a grant under
13 this section shall include the following:

14 (1) An initial assessment of the state of grand-
15 parents caring for grandchildren and other relatives
16 caring for relative children in the State.

17 (2) A plan for how appropriate State agencies
18 can collaborate in their efforts to provide financial
19 support, housing services, and other services and
20 supports to grandparents caring for grandchildren
21 and other relatives caring for relative children.

22 (3) Steps that the State proposes to take over
23 the next 5 years to ensure that grandparents caring
24 for grandchildren and other relatives caring for rel-
25 ative children have necessary resources.

1 (4) A plan to simplify or combine application
2 requirements for State public assistance programs to
3 reduce administrative burdens on recipients, with a
4 focus on families consisting of grandparents or other
5 older caregiver relatives raising relative children.

6 (5) A plan to incorporate in the State support
7 plan—

8 (A) at least 1 recommendation from the
9 most recent report to Congress of the Advisory
10 Council to Support Grandparents Raising
11 Grandchildren (provided that such report was
12 released not more than 5 years before the date
13 on which the State is awarded a grant under
14 this section); or

15 (B) least 1 recommendation from the Ad-
16 ministration for Community Living.

17 (c) COORDINATION WITH NATIONAL TECHNICAL AS-
18 SISTANCE CENTER ON GRANDFAMILIES AND KINSHIP
19 FAMILIES.—The National Technical Assistance Center on
20 Grandfamilies and Kinship Families established under
21 section 2922 of the American Rescue Plan Act (42 U.S.C.
22 3020g) is encouraged to coordinate with States on the de-
23 velopment of State support plans funded by grants under
24 this section.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated \$10,000,000 to carry
3 out this section.

4 **SEC. 8. GRANDFAMILIES AND KINSHIP FAMILIES ALLIANCE**
5 **GRANTS.**

6 (a) PURPOSE.—The purposes of this section are—

7 (1) to provide funds, through the Administra-
8 tion for Community Living, to strengthen and sup-
9 port grassroots efforts that address the unique needs
10 of grandfamilies or kinship families, including those
11 supporting children with disabilities or those navi-
12 gating through mental health concerns or trauma;
13 and

14 (2) to establish cross-sector partnerships, in
15 order to establish interagency collaborations and fos-
16 ter the integration of new or existing activities, de-
17 signed to increase the health, well-being, financial
18 security, or legal standing of members of
19 grandfamilies or kinship families.

20 (b) DEFINITIONS.—In this section:

21 (1) ADMINISTRATOR.—The term “Adminis-
22 trator” means the Administrator of the Administra-
23 tion for Community Living.

24 (2) CROSS-SECTOR.—The term “cross-sector”,
25 used with respect to an entity, means that members

1 of the entity represent different service-related sec-
2 tors, such as aging, child welfare, income support,
3 food and nutrition, legal, health and mental health,
4 education, housing, or disability services.

5 (3) CROSS-SECTOR PARTNERSHIP.—The term
6 “cross-sector partnership” means an alliance, or
7 other partnership, that—

8 (A) is cross-sector in nature; and

9 (B) serves a local (which may be regional)
10 area.

11 (4) EDUCATIONAL PROVIDER.—The term “edu-
12 cational provider” includes an institution of higher
13 education, including such an institution that is a
14 junior or community college (as defined in section
15 312(f) of the Higher Education Act of 1965 (20
16 U.S.C. 1058(f))), and a secondary school (as defined
17 in section 8101 of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 7801)).

19 (5) GRANDFAMILY OR KINSHIP FAMILY.—The
20 term “grandfamily or kinship family” means a fam-
21 ily in which a child resides with and is being raised
22 by a grandparent, another extended family member,
23 or an adult with whom the child has a close family-
24 like relationship, such as a godparent or a close fam-
25 ily friend.

1 (6) INDIAN TRIBE.—The term “Indian Tribe”
2 has the meaning given such term in section 4 of the
3 Indian Self-Determination and Education Assistance
4 Act (25 U.S.C. 5304).

5 (7) INSTITUTION OF HIGHER EDUCATION.—The
6 term “institution of higher education” has the
7 meaning given the term in section 101 of the Higher
8 Education Act of 1965 (20 U.S.C. 1001).

9 (8) STATE.—The term “State” means any of
10 the 50 States, the District of Columbia, the Com-
11 monwealth of Puerto Rico, Guam, American Samoa,
12 the United States Virgin Islands, and the Common-
13 wealth of the Northern Marianas.

14 (c) GRANT PROGRAM.—

15 (1) IN GENERAL.—The Administrator, acting
16 directly, or by contract with another entity, shall
17 carry out a grant program. In carrying out the pro-
18 gram, the Administrator shall make grants, on a
19 competitive basis, to eligible entities. The Adminis-
20 trator shall make the grants for periods of 5 years
21 and in amounts of not less than \$200,000 per year.

22 (2) ELIGIBLE ENTITIES.—To be eligible to re-
23 ceive a grant under this section, an entity shall—

24 (A) be a nonprofit organization, State or
25 local agency (including an area agency on aging

1 as defined in section 102 of the Older Ameri-
2 cans Act of 1965 (42 U.S.C. 3002)), an Indian
3 Tribe, or an educational provider in 1 or more
4 States; and

5 (B) have a proven record of supporting
6 members of grandfamilies or kinship families
7 and convening key stakeholders to address an
8 issue related to grandfamilies or kinship fami-
9 lies.

10 (3) APPLICATION.—To be eligible to receive a
11 grant under this section, an entity shall submit an
12 application with respect to a cross-sector partnership
13 to the Administrator, at such time, in such manner,
14 and containing such information as the Adminis-
15 trator may require, including—

16 (A) information that demonstrates the en-
17 tity’s capacity for establishing and sustaining
18 cross-system partnerships aimed at improving
19 the health, well-being, financial security, or
20 legal standing of grandfamily or kinship family
21 members;

22 (B) information that demonstrates the en-
23 tity sought and included, or an assurance that
24 the entity will seek and include, input from key
25 stakeholders, including members of

1 grandfamilies or kinship families, when estab-
2 lishing the partnership and identifying relevant
3 activities;

4 (C) a plan from the entity to incorporate
5 in the activities carried out under the grant—

6 (i) at least 1 recommendation from
7 the most recent report to Congress of the
8 Advisory Council to Support Grandparents
9 Raising Grandchildren (provided that such
10 report was released not more than 5 years
11 before the date on which the entity submits
12 its application for a grant under this sec-
13 tion); or

14 (ii) at least 1 recommendation from
15 the Administration for Community Living;

16 (D) information that demonstrates that
17 the cross-sector partnership involved has devel-
18 oped or adopted, or an assurance that the part-
19 nership will develop or adopt, well-defined ac-
20 tivities that are evidence-informed or trauma
21 specific or trauma informed, to enhance the
22 health, well-being, financial security, or legal
23 standing of grandfamilies or kinship families;

24 (E)(i) memoranda from at least 3 organi-
25 zations that are cross-sector stakeholders that

1 indicate the organizations will participate in the
2 cross-sector partnership;

3 (ii) an assurance that at least 1 partici-
4 pating stakeholder organization, or the lead en-
5 tity itself, will be an institution of higher edu-
6 cation that provides not less than a 2-year pro-
7 gram that is acceptable for full credit toward a
8 degree; and

9 (iii) an assurance that the contributions of
10 the participating stakeholder organizations will
11 be reflected in the programmatic budget of the
12 partnership;

13 (F) information that demonstrates how the
14 eligible entity will work with the cross-sector
15 partnership to align existing (as of the date of
16 submission of the application) activities to sup-
17 port members of grandfamilies or kinship fami-
18 lies;

19 (G) information that demonstrates how the
20 eligible entity will identify, support, and provide
21 stipends to volunteers to support the goals of
22 the cross-sector partnership, which volunteers
23 may include—

24 (i) volunteers or participants of
25 AmeriCorps programs under the National

1 and Community Service Act of 1990 (42
2 U.S.C. 12501 et seq.) or the Domestic Vol-
3 unteer Service Act of 1973 (42 U.S.C.
4 4950 et seq.), the National Community
5 Care Corps program supported by the Ad-
6 ministration for Community Living, or any
7 other federally-funded program supporting
8 volunteers in community service;

9 (ii) community members; or

10 (iii) students at an institution of high-
11 er education who are seeking internships
12 or direct volunteer experiences;

13 (H) information that identifies potential
14 members of a cross-sector advisory council
15 that—

16 (i) will be comprised of at least 7
17 members, and on which a majority of
18 members are or have in the past been
19 members of grandfamilies or kinship fami-
20 lies; and

21 (ii) will advise the partnership on ac-
22 tivities to be carried out under the grant;
23 and

24 (I) a plan developed by the eligible entity
25 to work in partnership with technical resource

1 centers supported by the Administration for
2 Community Living, including the National
3 Technical Assistance Center on Grandfamilies
4 and Kinship Families established under section
5 2922 of the American Rescue Plan Act (42
6 U.S.C. 3020g), on activities related to the ob-
7 jectives for the grant.

8 (4) PREFERENCES.—In determining which enti-
9 ties shall receive grants under this section, the Ad-
10 ministrator shall give preference to entities that—

11 (A) provide geographic diversity, including
12 entities that serve rural localities;

13 (B) support children who have been or-
14 phaned by the COVID–19 pandemic or opioid
15 crisis;

16 (C) have capacity to provide culturally ap-
17 propriate activities;

18 (D) demonstrate capacity to work with
19 educational systems, including systems for early
20 childhood education or elementary education;

21 (E) support children with disabilities living
22 with a grandfamily or kinship family; or

23 (F) identify as a lived experience entity,
24 which are organizations, groups, or collabora-
25 tions whose primary mission is to put people

1 with lived experience in grandfamilies or kin-
2 ship families in a position to support other indi-
3 viduals going through similar experiences.

4 (5) USES OF FUNDS.—

5 (A) REQUIRED USES.—An entity that re-
6 ceives a grant under this section shall use the
7 grant funds—

8 (i) to establish or sustain a cross-sec-
9 tor partnership to strengthen and support
10 grassroots efforts that address the unique
11 needs of grandfamilies or kinship families,
12 including those supporting children with
13 disabilities or those navigating through
14 mental health concerns or trauma;

15 (ii) to foster the integration of new or
16 existing activities designed to increase the
17 health, well-being, financial security, or
18 legal standing of members of grandfamilies
19 or kinship families; and

20 (iii) to promote peer-to-peer support
21 efforts, including such efforts through sup-
22 port groups, social activities, or edu-
23 cational training.

1 (B) ALLOWABLE USES.—An entity that re-
2 ceives a grant under this section may use the
3 grant funds—

4 (i) to support volunteer efforts related
5 to objectives of the partnership, including
6 conducting outreach to and providing sti-
7 pends for members of grandfamilies or kin-
8 ship families participating in advisory
9 councils described in paragraph (3)(H), or
10 providing peer-to-peer supports described
11 in subparagraph (A)(iii), who are not oth-
12 erwise being paid for such participation or
13 supports;

14 (ii) for staff positions for the partner-
15 ship;

16 (iii) to conduct a gap and asset anal-
17 ysis and to raise awareness of the needs of
18 grandfamilies or kinship families within
19 the local area served;

20 (iv) to support technology and soft-
21 ware needs related to the partnership;

22 (v) to reimburse project-related mile-
23 age for staff and volunteers;

24 (vi) to attend grant recipient trainings
25 or other meetings with technical resource

1 centers supported by the Administration
2 for Community Living; or

3 (vii) to help grandfamilies or kinship
4 families coordinate benefits or assistance
5 under any Federal program or any State
6 or local program financed in whole or in
7 part with Federal funds.

8 (6) SUPPLEMENT NOT SUPPLANT.—Amounts
9 made available under this section shall be used to
10 supplement and not supplant other Federal, State,
11 and local public funds expended to provide services
12 for grandfamilies or kinship families.

13 (7) ANNUAL REPORT.—

14 (A) INFORMATION FROM GRANT RECIPI-
15 ENTS.—Each recipient of a grant under this
16 section shall annually submit to the Adminis-
17 trator information consisting of—

18 (i) the number of individuals and or-
19 ganizations supported by the partnership
20 funded by the grant, including the number
21 of people who received direct services or
22 training from the local activities carried
23 out under this section and the estimated
24 number of people who were impacted by
25 the activities;

1 (ii) demographic data, including the
2 age, sex, ethnicity, disability status, and
3 race of those supported by the partnership;

4 (iii) the number of and demographic
5 data for volunteers involved in supporting
6 the objectives of the activities and the
7 number of people who benefited from the
8 contributions of volunteers;

9 (iv) recommendations to align and co-
10 ordinate activities across service-related
11 sectors, such as aging, child welfare, in-
12 come support, food and nutrition, legal,
13 health and mental health, or education
14 services, for members of grandfamilies or
15 kinship families, and lessons learned and
16 promising practices developed during the
17 year; and

18 (v) ways in which the project sup-
19 ported by the grant has engaged individ-
20 uals with experience related to being a
21 member of a grandfamily or kinship family
22 in the design, implementation, and feed-
23 back related to the project.

24 (B) REPORT BY ADMINISTRATOR.—Not
25 later than 2 years after the date of enactment

1 of this Act and every year thereafter, the Ad-
2 ministrator shall—

3 (i) prepare, based on the information
4 submitted under subparagraph (A), a re-
5 port on the impact of the program carried
6 out under this section; and

7 (ii) submit the report to—

8 (I) the Committee on Health,
9 Education, Labor, and Pensions, the
10 Special Committee on Aging, and the
11 Committee on Finance of the Senate;
12 and

13 (II) the Committee on Education
14 and the Workforce and the Committee
15 on Ways and Means of the House of
16 Representatives.

17 (8) EVALUATION.—

18 (A) IN GENERAL.—The Administrator
19 shall reserve not more than 10 percent of the
20 funds made available under this section for ad-
21 ministrative purposes.

22 (B) EVALUATION.—The Administrator
23 shall use funds reserved under subparagraph
24 (A) for evaluation in the aggregate of the local
25 activities supported by the grants.

1 (C) PERMISSIBLE USES OF FUNDS.—The
2 Administrator shall use the reserved funds for
3 administrative purposes that may include—

4 (i) the establishment of an inter-
5 agency task force to evaluate the rec-
6 ommendations provided by grant recipients
7 under paragraph (7)(A)(iv), to foster Fed-
8 eral coordination related to activities for
9 grandfamilies or kinship families;

10 (ii) support for the Administration for
11 Community Living’s Research, Demonstra-
12 tion, and Evaluation Center for the Aging
13 Network, established under section 201(g)
14 of the Older Americans Act of 1965 (42
15 U.S.C. 3011(g));

16 (iii) evaluation described in subpara-
17 graph (B) by an independent evaluator,
18 separate from any of the grant recipients,
19 hired by the Administrator; and

20 (iv) hosting, not less than annually,
21 learning collaboratives with the grant re-
22 cipients.

1 (9) FUNDS.—There is authorized to be appro-
2 priated to carry out this section \$8,750,000 for each
3 of fiscal years 2024 through 2028.

○