

118TH CONGRESS
1ST SESSION

S. 3501

To provide greater support for grandfamilies and older caregiver relatives.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2023

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

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”.

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

9 (a) IN GENERAL.—Title II of the Social Security Act
10 (42 U.S.C. 401 et seq.) is amended—

11 (1) in section 202(d)—

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

4 (B) by amending paragraph (9) to read as
5 follows:

6 “(9)(A) In the case of a child who is the child of an
7 individual under clause (3) of the first sentence of section
8 216(e) and is not a child of such individual under clause
9 (1) or (2) of such first sentence, the criteria specified in
10 subparagraph (B) shall apply instead of the criteria speci-
11 fied in subparagraph (C) of paragraph (1).

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

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

16 “(ii) the child has been receiving not less than
17 $\frac{1}{2}$ of the child’s support from such individual for a
18 period of not less than 12 months; and

19 “(iii) the period during which the child was liv-
20 ing with such individual began before the child at-
21 tained age 18.

22 “(C) In the case of a child who is less than 12 months
23 old, such child shall be deemed to meet the requirements
24 of subparagraph (B) if, on the date the child attains 1
25 year of age, such child has lived with such individual in

1 the United States and received at least $\frac{1}{2}$ of the child's
2 support from such individual for substantially all of the
3 period which began on the date of such child's birth.”;
4 and

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

6 (A) by striking “grandchild or
7 stepgrandchild of an individual or his spouse”
8 and inserting “grandchild, stepgrandchild, or
9 other first-degree, second-degree, third-degree,
10 fourth-degree, or fifth-degree relative of an indi-
11 vidual or the individual's spouse”;

12 (B) by striking “was no natural or adop-
13 tive parent” and inserting “is no living natural
14 or adoptive parent”;

15 (C) by striking “was under a disability”
16 and inserting “is under a disability”;

17 (D) by striking “living at the time” and all
18 that follows through “, or (B)” and inserting “,
19 (B)”;

20 (E) by inserting “, or (C) the person has
21 been in the custody of such individual pursuant
22 to a court order for a period of not less than
23 12 months” before the first period.

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

4 (1) by striking “subparagraphs (A), (B), and
 5 (C)” and inserting “subparagraphs (A) and (B) and
 6 subparagraph (C) or paragraph (9) (as applicable)”;
 7 and

8 (2) by striking “subparagraphs (B) and (C)”
 9 and inserting “subparagraph (B) and subparagraph
 10 (C) or paragraph (9) (as applicable)”.

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

15 **SEC. 3. ELIMINATING BARRIERS TO TANF FOR CHILDREN,**
 16 **OLDER CAREGIVER RELATIVES, AND CARE-**
 17 **GIVER RELATIVES CARING FOR A CHILD**
 18 **WITH A DISABILITY.**

19 (a) BROADENING GOOD CAUSE EXCEPTION TO RE-
 20 QUIREMENT TO PROVIDE INFORMATION ON NONCUSTO-
 21 DIAL PARENTS.—Section 454(29)(A)(i) of the Social Se-
 22 curity Act (42 U.S.C. 654(29)(A)(i)) is amended by strik-
 23 ing “best interests of the child” and inserting “best inter-
 24 ests of the child, including, if enforcement procedures
 25 against a non-custodial parent of the child are initiated,

1 whether such procedures will impede the parent’s ability
2 to reunify with the child in the future”.

3 (b) DISREGARD OF NONPARENT CAREGIVER REL-
4 ATIVE INCOME, ASSETS, AND RESOURCES IN CHILD-ONLY
5 CASES.—

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

9 “(13) DISREGARD OF INCOME, ASSETS, AND
10 RESOURCES FOR NONPARENT CAREGIVER RELATIVES
11 IN CHILD-ONLY CASES.—

12 “(A) IN GENERAL.—With respect to a
13 minor child who does not reside in the same
14 household as a parent of the child, a State to
15 which a grant is made under section 403 shall
16 not take into account the income, assets, or re-
17 sources of such child’s nonparent caregiver rel-
18 ative who is not seeking assistance under the
19 State program funded under this part or any
20 other State program funded with qualified
21 State expenditures (as defined in section
22 409(a)(7)(B)(i)) on their own behalf in deter-
23 mining whether the child is eligible for assist-
24 ance under any such program, or in deter-

1 mining the amount or types of such assistance
2 to be provided to the child.

3 “(B) EXCEPTION.—Subparagraph (A)
4 shall not apply in the case of a State pro-
5 gram—

6 “(i) that is operated specifically for
7 children living with nonparent caregiver
8 relatives;

9 “(ii) that provides monthly financial
10 assistance to a child living with a non-
11 parent caregiver relative in an amount that
12 is greater than the amount of assistance
13 that the child would receive on the child’s
14 own behalf under the State program fund-
15 ed under this part;

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

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

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

23 “(17) PENALTY FOR FAILURE TO DISREGARD
24 INCOME, ASSETS, AND RESOURCES OF NONPARENT
25 CAREGIVER RELATIVE IN CHILD-ONLY CASES.—If

1 the Secretary determines that a State to which a
 2 grant is made under section 403 in a fiscal year has
 3 violated section 408(a)(13) during the fiscal year,
 4 the Secretary shall reduce the grant payable to the
 5 State under section 403(a)(1) for the immediately
 6 succeeding fiscal year by an amount equal to 3 per-
 7 cent of the State family assistance grant.”.

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

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

14 “(H) NO LIMIT FOR CHILD-ONLY CASES.—
 15 A State shall not limit the number of months
 16 of assistance under the State program funded
 17 under this part or any other State program
 18 funded with qualified State expenditures (as de-
 19 fined in section 409(a)(7)(B)(i)) for a family in
 20 which all adults in the family—

21 “(i) are nonparent caregiver relatives
 22 of a child who does not reside in the same
 23 household of the parent of the child; and

24 “(ii) do not receive assistance under
 25 the State program funded under this part

1 or any other State program funded with
 2 qualified expenditures (as defined in sec-
 3 tion 409(a)(7)(B)(i)) on their own be-
 4 half.”.

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

8 (A) in paragraph (9), by inserting “(other
 9 than subparagraph (H))” after “section
 10 408(a)(7)”; and

11 (B) by adding at the end the following new
 12 paragraph:

13 “(18) PENALTY FOR FAILURE TO COMPLY WITH
 14 5-YEAR CAP EXEMPTIONS.—If the Secretary deter-
 15 mines that a State to which a grant is made under
 16 section 403 in a fiscal year has violated subpara-
 17 graph (H) of section 408(a)(7) during the fiscal
 18 year, the Secretary shall reduce the grant payable to
 19 the State under section 403(a)(1) for the imme-
 20 diately succeeding fiscal year by an amount equal to
 21 3 percent of the State family assistance grant”.

22 (d) EXEMPTION FROM WORK REQUIREMENTS FOR
 23 NONPARENT CAREGIVER RELATIVES IN CHILD-ONLY
 24 CASES.—

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

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

8 “(1) is the nonparent caregiver relative of a
9 child who does not reside in the same household as
10 a parent of the child; and

11 “(2) resides in a household in which no adult
12 receives assistance under the State program funded
13 under this part or any other State program funded
14 with qualified expenditures (as defined in section
15 409(a)(7)(B)(i)) on their own behalf.”.

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

20 “(19) PENALTY FOR FAILURE TO COMPLY WITH
21 WORK PARTICIPATION EXEMPTIONS.—If the Sec-
22 retary determines that a State to which a grant is
23 made under section 403 in a fiscal year has violated
24 subsection (h) of section 408 during the fiscal year,
25 the Secretary shall reduce the grant payable to the

1 State under section 403(a)(1) for the immediately
 2 succeeding fiscal year by an amount equal to 3 per-
 3 cent of the State family assistance grant.”.

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

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

11 “(I) NON-APPLICATION OF LIMIT TO
 12 OLDER CAREGIVER RELATIVES AND CAREGIVER
 13 RELATIVES CARING FOR A CHILD WITH A DIS-
 14 ABILITY.—

15 “(i) NO LIMIT FOR OLDER CAREGIVER
 16 RELATIVES AND CAREGIVER RELATIVES
 17 CARING FOR A CHILD WITH A DIS-
 18 ABILITY.—Subparagraph (A) shall not
 19 apply and a State shall not limit the num-
 20 ber of months of assistance under the
 21 State program funded under this part or
 22 any other State program funded with
 23 qualified State expenditures (as defined in
 24 section 409(a)(7)(B)(i)) based on receipt
 25 of such assistance by an individual who is

1 an older caregiver relative or a caregiver
2 relative caring for a child with a disability
3 (as such terms are defined for purposes of
4 paragraph (14)).

5 “(ii) DISREGARD OF MONTHS OF AS-
6 SISTANCE.—In determining the number of
7 months for which a family that includes an
8 adult who has received assistance under
9 the State program funded under this part
10 or any other State program funded with
11 qualified State expenditures (as defined in
12 section 409(a)(7)(B)(i)), the State shall
13 disregard any month for which such assist-
14 ance was provided with respect to the fam-
15 ily during which such adult was an older
16 caregiver relative or a caregiver relative
17 caring for a child with a disability (as such
18 terms are defined for purposes of para-
19 graph (14)).”.

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

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

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

3 (f) EXEMPTION FROM WORK REQUIREMENTS FOR
4 OLDER CAREGIVER RELATIVES AND CAREGIVER REL-
5 ATIVES CARING FOR A CHILD WITH A DISABILITY.—

6 (1) IN GENERAL.—Section 408 of the Social
7 Security Act (42 U.S.C. 608), by subsection (d)(1),
8 is amended by adding at the end the following new
9 subsection:

10 “(i) STATE REQUIRED TO EXEMPT CAREGIVER REL-
11 ATIVES FROM WORK PARTICIPATION WHERE CAREGIVER
12 RECEIVES ASSISTANCE.—A State shall not require an in-
13 dividual to engage in work, and, at the option of the State
14 and on a case-by-case basis, may disregard such individual
15 in determining the participation rates under section
16 407(a), if the individual—

17 “(1) is an older caregiver relative or a caregiver
18 relative caring for a child with a disability (as such
19 terms are defined for purposes of subsection
20 (a)(14)); and

21 “(2) directly receives assistance on the individ-
22 ual’s own behalf under the State program funded
23 under this part or any other State program funded
24 with qualified expenditures (as defined in section
25 409(a)(7)(B)(i)).”.

1 (2) PENALTY.—Paragraph (18) of section
2 409(a) of the Social Security Act (42 U.S.C.
3 609(a)), as added by subsection (d)(2), is amended
4 by inserting “or (i)” after “subsection (h)”.

5 (3) CONFORMING AMENDMENTS.—402(a)(1)(A)
6 of the Social Security Act (42 U.S.C. 602(a)(1)(A))
7 is amended—

8 (A) in clause (ii), by inserting “and subject
9 to subsection (h) and (i) of section 408” before
10 the period; and

11 (B) in clause (iii), by inserting “and sub-
12 ject to subsection (h) and (i) of section 408”
13 before the period.

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

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

20 “(14) DISREGARD OF INCOME, ASSETS, AND
21 RESOURCES FOR OLDER CAREGIVER RELATIVES AND
22 CAREGIVER RELATIVES CARING FOR A CHILD WITH
23 A DISABILITY.—

24 “(A) IN GENERAL.—In determining the
25 eligibility for, and amount of, assistance under

1 the State program funded under this part or
 2 any other State program funded with qualified
 3 State expenditures (as defined in section
 4 409(a)(7)(B)(i)) for a family that includes an
 5 individual who is an older caregiver relative (as
 6 defined in subparagraph (B)) or a caregiver rel-
 7 ative caring for a child with a disability (as de-
 8 fined in subparagraph (C)), a State to which a
 9 grant is made under section 403 shall not take
 10 into account the income, assets, or resources of
 11 that individual.

12 “(B) DEFINITION OF OLDER CAREGIVER
 13 RELATIVE.—

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

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

19 “(II) is the primary caregiver for
 20 a minor child who—

21 “(aa) is living with the indi-
 22 vidual;

23 “(bb) does not have a parent
 24 living in the home; and

1 “(cc) is a grandchild,
2 stepgrandchild, or other first-de-
3 gree, second-degree, third-degree,
4 fourth-degree, or fifth-degree rel-
5 ative of the individual or the indi-
6 vidual’s spouse.

7 “(ii) STATE OPTION TO MODIFY AGE
8 CRITERION.—At the option of a State,
9 such term shall include an individual who
10 has not attained age 55.

11 “(iii) DETERMINATION TO BE MADE
12 BY STATE.—The determination of whether
13 an individual meets the criteria described
14 in clause (i)(II) shall be made by the
15 State.

16 “(C) DEFINITION OF CAREGIVER REL-
17 ATIVE CARING FOR A CHILD WITH A DIS-
18 ABILITY.—

19 “(i) IN GENERAL.—For purposes of
20 this paragraph, the term ‘caregiver relative
21 caring for a child with a disability’ means
22 an individual, regardless of age, who is the
23 primary caregiver for a minor child who—

24 “(I) is living with the individual;

1 “(II) is a child, grandchild,
2 stepgrandchild, or other first-degree,
3 second-degree, third-degree, fourth-de-
4 gree, or fifth-degree relative of the in-
5 dividual or the individual’s spouse;
6 and

7 “(III) has a disability, as defined
8 in section 3 of the Americans with
9 Disabilities Act of 1990 (42 U.S.C.
10 12102)).

11 “(ii) DETERMINATION TO BE MADE
12 BY STATE.—The determination of whether
13 an individual meets the criteria described
14 in clause (i) shall be made by the State.”.

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 by adding at the end
18 the following new paragraph:

19 “(20) PENALTY FOR FAILURE TO DISREGARD
20 INCOME, ASSETS, AND RESOURCES FOR OLDER
21 CAREGIVER RELATIVES.—If the Secretary deter-
22 mines that a State to which a grant is made under
23 section 403 in a fiscal year has violated section
24 408(a)(14) during the fiscal year, the Secretary
25 shall reduce the grant payable to the State under

1 section 403(a)(1) for the immediately succeeding fis-
2 cal year by an amount equal to 3 percent of the
3 State family assistance grant.”.

4 (h) EFFECTIVE DATE.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the amendments made by this section
7 shall take effect on the first day of the first fiscal
8 year that begins after the date of enactment of this
9 Act.

10 (2) DELAY PERMITTED.—

11 (A) IN GENERAL.—Before the date de-
12 scribed in subparagraph (B), a State plan
13 under title IV of the Social Security Act shall
14 not be regarded as failing to comply with an ad-
15 ditional requirement imposed on the plan by
16 this section if the Secretary of Health and
17 Human Services determines that such addi-
18 tional requirement—

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

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

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

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

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

16 (1) by redesignating paragraphs (30) through
 17 (34) as paragraphs (31) through (35), respectively;
 18 and

19 (2) by inserting after paragraph (29) the fol-
 20 lowing:

21 “(30) include a description of—

22 “(A) the methods used by the State to de-
 23 termine whether an individual who has applied
 24 for or is receiving assistance under the State
 25 program funded under part A, the State pro-

1 gram under part E, the State program under
2 title XIX, or the supplemental nutrition assist-
3 ance program, as defined under section 3(h) of
4 the Food and Nutrition Act of 2008 (7 U.S.C.
5 2012(h)), is cooperating in good faith with the
6 State in establishing paternity or in estab-
7 lishing, modifying, or enforcing a support order,
8 as provided in paragraph (29);

9 “(B) the State’s process for determining in
10 a timely manner whether such an individual
11 satisfies the cooperation requirement described
12 in subparagraph (A) due to the individual’s
13 participation in another State or Federal assist-
14 ance program;

15 “(C) the good cause or other exceptions to
16 the cooperation requirement that the State rec-
17 ognizes, including an explanation of any special
18 requirements or considerations for a relative
19 caregiver seeking to apply for such an excep-
20 tion; and

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

1 “(i) what, if anything, the individual
2 needs to do in order to satisfy the coopera-
3 tion requirement, including explaining to
4 the individual how the individual might
5 satisfy the requirement through participa-
6 tion in another State or Federal assistance
7 program;

8 “(ii) the effect on the individual’s eli-
9 gibility to receive assistance under a pro-
10 gram referred to in subparagraph (A), and
11 under other State or Federal assistance
12 programs, if the individual fails to satisfy
13 the cooperation requirement; and

14 “(iii) the good cause or other excep-
15 tions to the cooperation requirement for
16 which the individual may be eligible, in-
17 cluding if a standard of proof is required
18 to qualify for each exception and an expla-
19 nation of any special requirements or con-
20 siderations for caregiver relatives;”.

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

23 (1) in section 452(k)(1), by striking “section
24 454(31)” and inserting “section 454(32)”; and

1 (2) in section 454, in the matter following para-
2 graph (35) (as redesignated by subsection (a)) by
3 striking “paragraph (33)” and inserting “paragraph
4 (34)”.

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

9 **SEC. 5. ENCOURAGING STATES TO ADOPT TEMPORARY**
10 **GUARDIANSHIP LAWS.**

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

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

19 “(14)(A) The term ‘temporary guardianship law’
20 means a State law that allows for the establishment, by
21 operation of such law and through an easily navigable sim-
22 ple civil process, of a relationship between a child and a
23 nonparent caregiver who has taken responsibility for car-
24 ing for the child in the absence of the child’s parents in
25 which some of the parental rights with respect to the child

1 are transferred to the caregiver for a specified period of
2 time which may be extended or renewed, except that the
3 total period of time for which such rights are transferred
4 to the caregiver (including any extensions or renewals)
5 shall not exceed a maximum period of time (as established
6 by the State).

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

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

10 “(ii) any court forms or filings related to the
11 process are easy enough to understand that a non-
12 parent caregiver who has taken responsibility for
13 caring for the child in the absence of the child’s par-
14 ents could reasonably complete such forms or filings
15 without legal assistance.”.

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

20 **SEC. 6. GUIDANCE.**

21 (a) GUIDANCE TO STATES ON ENSURING AWARE-
22 NESS OF CHILD WELFARE SYSTEM AMONG KINSHIP
23 CAREGIVERS.—Not later than the first day of the first fis-
24 cal year that begins after the date of enactment of this
25 Act, the Secretary of Health and Human Services shall

1 issue guidance to States on ways to ensure that kinship
2 caregivers who receive assistance under a State program
3 funded under part A of title IV of the Social Security Act
4 (42 U.S.C. 601 et seq.) or any other State program fund-
5 ed with qualified State expenditures (as defined in section
6 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i)))
7 are—

8 (1) provided with information about any appro-
9 priate assistance and services available to them
10 through the child welfare system of the State, in-
11 cluding eligibility for foster care licensure and path-
12 ways to guardianship assistance programs or adop-
13 tion subsidies, and how to access such assistance
14 and services; and

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

17 (b) GUIDANCE ON COORDINATING ASSISTANCE FOR
18 CAREGIVERS.—Not later than the first day of the first fis-
19 cal year that begins after the date of enactment of this
20 Act, the Secretary of Health and Human Services shall
21 issue guidance for States identifying options for State pro-
22 grams, including programs funded under title IV of the
23 Social Security Act (42 U.S.C. 601 et seq.), programs
24 funded under the Older Americans Act of 1965 (42 U.S.C.
25 3001 et seq.), and other relevant programs that are jointly

1 funded or administered by States and the Federal Govern-
2 ment, to collaborate, coordinate, and streamline outreach
3 to, and processing of applications of assistance, for grand-
4 parents and older relative caregivers or kinship caregivers
5 caring for grandchildren and other relative children resid-
6 ing with them. The options identified in such guidance
7 shall include best practices for State programs to coordi-
8 nate with the National Technical Assistance Center on
9 Grandfamilies and Kinship Families established under
10 section 2922 of the American Rescue Plan Act (42 U.S.C.
11 3020g).

12 **SEC. 7. STATE SUPPORT PLANS FOR GRANDPARENTS CAR-**
13 **ING FOR GRANDCHILDREN.**

14 (a) **IN GENERAL.**—Not later than the first day of the
15 first fiscal year that begins after the date of enactment
16 of this Act, from amounts appropriated to carry out this
17 section, the Secretary of Health and Human Services shall
18 award grants to States for purposes of developing State
19 support plans for grandparents caring for grandchildren
20 and other relatives caring for relative children.

21 (b) **REQUIREMENTS.**—A State support plan for
22 grandparents caring for grandchildren and other relatives
23 caring for relative children that is funded by a grant under
24 this section shall include the following:

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

4 (2) A plan for how appropriate State agencies
5 can collaborate in their efforts to provide financial
6 support, housing services, and other services and
7 supports to grandparents caring for grandchildren
8 and other relatives caring for relative children.

9 (3) Steps that the State proposes to take over
10 the next 5 years to ensure that grandparents caring
11 for grandchildren and other relatives caring for rel-
12 ative children have necessary resources.

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

18 (5) A plan to incorporate in the State support
19 plan—

20 (A) at least 1 recommendation from the
21 most recent report to Congress of the Advisory
22 Council to Support Grandparents Raising
23 Grandchildren (provided that such report was
24 released not more than 5 years before the date

1 on which the State is awarded a grant under
2 this section); or

3 (B) least 1 recommendation from the Ad-
4 ministration for Community Living.

5 (c) COORDINATION WITH NATIONAL TECHNICAL AS-
6 SISTANCE CENTER ON GRANDFAMILIES AND KINSHIP
7 FAMILIES.—The National Technical Assistance Center on
8 Grandfamilies and Kinship Families established under
9 section 2922 of the American Rescue Plan Act (42 U.S.C.
10 3020g) is encouraged to coordinate with States on the de-
11 velopment of State support plans funded by grants under
12 this section.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated \$10,000,000 to carry
15 out this section.

16 **SEC. 8. GRANDFAMILIES AND KINSHIP FAMILIES ALLIANCE**
17 **GRANTS.**

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

19 (1) to provide funds, through the Administra-
20 tion for Community Living, to strengthen and sup-
21 port grassroots efforts that address the unique needs
22 of grandfamilies or kinship families, including those
23 supporting children with disabilities or those navi-
24 gating through mental health concerns or trauma;
25 and

1 (2) to establish cross-sector partnerships, in
2 order to establish interagency collaborations and fos-
3 ter the integration of new or existing activities, de-
4 signed to increase the health, well-being, financial
5 security, or legal standing of members of
6 grandfamilies or kinship families.

7 (b) DEFINITIONS.—In this section:

8 (1) ADMINISTRATOR.—The term “Adminis-
9 trator” means the Administrator of the Administra-
10 tion for Community Living.

11 (2) CROSS-SECTOR.—The term “cross-sector”,
12 used with respect to an entity, means that members
13 of the entity represent different service-related sec-
14 tors, such as aging, child welfare, income support,
15 food and nutrition, legal, health and mental health,
16 education, housing, or disability services.

17 (3) CROSS-SECTOR PARTNERSHIP.—The term
18 “cross-sector partnership” means an alliance, or
19 other partnership, that—

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

21 (B) serves a local (which may be regional)
22 area.

23 (4) EDUCATIONAL PROVIDER.—The term “edu-
24 cational provider” includes an institution of higher
25 education, including such an institution that is a

1 junior or community college (as defined in section
2 312(f) of the Higher Education Act of 1965 (20
3 U.S.C. 1058(f))), and a secondary school (as defined
4 in section 8101 of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 7801)).

6 (5) GRANDFAMILY OR KINSHIP FAMILY.—The
7 term “grandfamily or kinship family” means a fam-
8 ily in which a child resides with and is being raised
9 by a grandparent, another extended family member,
10 or an adult with whom the child has a close family-
11 like relationship, such as a godparent or a close fam-
12 ily friend.

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

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

21 (8) STATE.—The term “State” means any of
22 the 50 States, the District of Columbia, the Com-
23 monwealth of Puerto Rico, Guam, American Samoa,
24 the United States Virgin Islands, and the Common-
25 wealth of the Northern Marianas.

1 (c) GRANT PROGRAM.—

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

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

11 (A) be a nonprofit organization, State or
12 local agency (including an area agency on aging
13 as defined in section 102 of the Older Ameri-
14 cans Act of 1965 (42 U.S.C. 3002)), an Indian
15 Tribe, or an educational provider in 1 or more
16 States; and

17 (B) have a proven record of supporting
18 members of grandfamilies or kinship families
19 and convening key stakeholders to address an
20 issue related to grandfamilies or kinship fami-
21 lies.

22 (3) APPLICATION.—To be eligible to receive a
23 grant under this section, an entity shall submit an
24 application with respect to a cross-sector partnership
25 to the Administrator, at such time, in such manner,

1 and containing such information as the Adminis-
2 trator may require, including—

3 (A) information that demonstrates the en-
4 tity’s capacity for establishing and sustaining
5 cross-system partnerships aimed at improving
6 the health, well-being, financial security, or
7 legal standing of grandfamily or kinship family
8 members;

9 (B) information that demonstrates the en-
10 tity sought and included, or an assurance that
11 the entity will seek and include, input from key
12 stakeholders, including members of
13 grandfamilies or kinship families, when estab-
14 lishing the partnership and identifying relevant
15 activities;

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

18 (i) at least 1 recommendation from
19 the most recent report to Congress of the
20 Advisory Council to Support Grandparents
21 Raising Grandchildren (provided that such
22 report was released not more than 5 years
23 before the date on which the entity submits
24 its application for a grant under this sec-
25 tion); or

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

3 (D) information that demonstrates that
4 the cross-sector partnership involved has devel-
5 oped or adopted, or an assurance that the part-
6 nership will develop or adopt, well-defined ac-
7 tivities that are evidence-informed or trauma
8 specific or trauma informed, to enhance the
9 health, well-being, financial security, or legal
10 standing of grandfamilies or kinship families;

11 (E)(i) memoranda from at least 3 organi-
12 zations that are cross-sector stakeholders that
13 indicate the organizations will participate in the
14 cross-sector partnership;

15 (ii) an assurance that at least 1 partici-
16 pating stakeholder organization, or the lead en-
17 tity itself, will be an institution of higher edu-
18 cation that provides not less than a 2-year pro-
19 gram that is acceptable for full credit toward a
20 degree; and

21 (iii) an assurance that the contributions of
22 the participating stakeholder organizations will
23 be reflected in the programmatic budget of the
24 partnership;

1 (F) information that demonstrates how the
2 eligible entity will work with the cross-sector
3 partnership to align existing (as of the date of
4 submission of the application) activities to sup-
5 port members of grandfamilies or kinship fami-
6 lies;

7 (G) information that demonstrates how the
8 eligible entity will identify, support, and provide
9 stipends to volunteers to support the goals of
10 the cross-sector partnership, which volunteers
11 may include—

12 (i) volunteers or participants of
13 AmeriCorps programs under the National
14 and Community Service Act of 1990 (42
15 U.S.C. 12501 et seq.) or the Domestic Vol-
16 unteer Service Act of 1973 (42 U.S.C.
17 4950 et seq.), the National Community
18 Care Corps program supported by the Ad-
19 ministration for Community Living, or any
20 other federally-funded program supporting
21 volunteers in community service;

22 (ii) community members; or

23 (iii) students at an institution of high-
24 er education who are seeking internships
25 or direct volunteer experiences;

1 (H) information that identifies potential
2 members of a cross-sector advisory council
3 that—

4 (i) will be comprised of at least 7
5 members, and on which a majority of
6 members are or have in the past been
7 members of grandfamilies or kinship fami-
8 lies; and

9 (ii) will advise the partnership on ac-
10 tivities to be carried out under the grant;
11 and

12 (I) a plan developed by the eligible entity
13 to work in partnership with technical resource
14 centers supported by the Administration for
15 Community Living, including the National
16 Technical Assistance Center on Grandfamilies
17 and Kinship Families established under section
18 2922 of the American Rescue Plan Act (42
19 U.S.C. 3020g), on activities related to the ob-
20 jectives for the grant.

21 (4) PREFERENCES.—In determining which enti-
22 ties shall receive grants under this section, the Ad-
23 ministrators shall give preference to entities that—

24 (A) provide geographic diversity, including
25 entities that serve rural localities;

1 (B) support children who have been or-
2 phaned by the COVID–19 pandemic or opioid
3 crisis;

4 (C) have capacity to provide culturally ap-
5 propriate activities;

6 (D) demonstrate capacity to work with
7 educational systems, including systems for early
8 childhood education or elementary education;

9 (E) support children with disabilities living
10 with a grandfamily or kinship family; or

11 (F) identify as a lived experience entity,
12 which are organizations, groups, or collabora-
13 tions whose primary mission is to put people
14 with lived experience in grandfamilies or kin-
15 ship families in a position to support other indi-
16 viduals going through similar experiences.

17 (5) USES OF FUNDS.—

18 (A) REQUIRED USES.—An entity that re-
19 ceives a grant under this section shall use the
20 grant funds—

21 (i) to establish or sustain a cross-sec-
22 tor partnership to strengthen and support
23 grassroots efforts that address the unique
24 needs of grandfamilies or kinship families,
25 including those supporting children with

1 disabilities or those navigating through
2 mental health concerns or trauma;

3 (ii) to foster the integration of new or
4 existing activities designed to increase the
5 health, well-being, financial security, or
6 legal standing of members of grandfamilies
7 or kinship families; and

8 (iii) to promote peer-to-peer support
9 efforts, including such efforts through sup-
10 port groups, social activities, or edu-
11 cational training.

12 (B) ALLOWABLE USES.—An entity that re-
13 ceives a grant under this section may use the
14 grant funds—

15 (i) to support volunteer efforts related
16 to objectives of the partnership, including
17 conducting outreach to and providing sti-
18 pends for members of grandfamilies or kin-
19 ship families participating in advisory
20 councils described in paragraph (3)(H), or
21 providing peer-to-peer supports described
22 in subparagraph (A)(iii), who are not oth-
23 erwise being paid for such participation or
24 supports;

1 (ii) for staff positions for the partner-
2 ship;

3 (iii) to conduct a gap and asset anal-
4 ysis and to raise awareness of the needs of
5 grandfamilies or kinship families within
6 the local area served;

7 (iv) to support technology and soft-
8 ware needs related to the partnership;

9 (v) to reimburse project-related mile-
10 age for staff and volunteers;

11 (vi) to attend grant recipient trainings
12 or other meetings with technical resource
13 centers supported by the Administration
14 for Community Living; or

15 (vii) to help grandfamilies or kinship
16 families coordinate benefits or assistance
17 under any Federal program or any State
18 or local program financed in whole or in
19 part with Federal funds.

20 (6) SUPPLEMENT NOT SUPPLANT.—Amounts
21 made available under this section shall be used to
22 supplement and not supplant other Federal, State,
23 and local public funds expended to provide services
24 for grandfamilies or kinship families.

25 (7) ANNUAL REPORT.—

1 (A) INFORMATION FROM GRANT RECIPI-
2 ENTS.—Each recipient of a grant under this
3 section shall annually submit to the Adminis-
4 trator information consisting of—

5 (i) the number of individuals and or-
6 ganizations supported by the partnership
7 funded by the grant, including the number
8 of people who received direct services or
9 training from the local activities carried
10 out under this section and the estimated
11 number of people who were impacted by
12 the activities;

13 (ii) demographic data, including the
14 age, sex, ethnicity, disability status, and
15 race of those supported by the partnership;

16 (iii) the number of and demographic
17 data for volunteers involved in supporting
18 the objectives of the activities and the
19 number of people who benefited from the
20 contributions of volunteers;

21 (iv) recommendations to align and co-
22 ordinate activities across service-related
23 sectors, such as aging, child welfare, in-
24 come support, food and nutrition, legal,
25 health and mental health, or education

1 services, for members of grandfamilies or
2 kinship families, and lessons learned and
3 promising practices developed during the
4 year; and

5 (v) ways in which the project sup-
6 ported by the grant has engaged individ-
7 uals with experience related to being a
8 member of a grandfamily or kinship family
9 in the design, implementation, and feed-
10 back related to the project.

11 (B) REPORT BY ADMINISTRATOR.—Not
12 later than 2 years after the date of enactment
13 of this Act and every year thereafter, the Ad-
14 ministrator shall—

15 (i) prepare, based on the information
16 submitted under subparagraph (A), a re-
17 port on the impact of the program carried
18 out under this section; and

19 (ii) submit the report to—

20 (I) the Committee on Health,
21 Education, Labor, and Pensions, the
22 Special Committee on Aging, and the
23 Committee on Finance of the Senate;
24 and

1 (II) the Committee on Education
2 and Labor and the Committee on
3 Ways and Means of the House of
4 Representatives.

5 (8) EVALUATION.—

6 (A) IN GENERAL.—The Administrator
7 shall reserve not more than 10 percent of the
8 funds made available under this section for ad-
9 ministrative purposes.

10 (B) EVALUATION.—The Administrator
11 shall use funds reserved under subparagraph
12 (A) for evaluation in the aggregate of the local
13 activities supported by the grants.

14 (C) PERMISSIBLE USES OF FUNDS.—The
15 Administrator shall use the reserved funds for
16 administrative purposes that may include—

17 (i) the establishment of an inter-
18 agency task force to evaluate the rec-
19 ommendations provided by grant recipients
20 under paragraph (7)(A)(iv), to foster Fed-
21 eral coordination related to activities for
22 grandfamilies or kinship families;

23 (ii) support for the Administration for
24 Community Living's Research, Demonstra-
25 tion, and Evaluation Center for the Aging

1 Network, established under section 201(g)
2 of the Older Americans Act of 1965 (42
3 U.S.C. 3011(g));

4 (iii) evaluation described in subpara-
5 graph (B) by an independent evaluator,
6 separate from any of the grant recipients,
7 hired by the Administrator; and

8 (iv) hosting, not less than annually,
9 learning collaboratives with the grant re-
10 cipients.

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

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