

117TH CONGRESS
2D SESSION

S. 4489

To provide greater support for grandfamilies and older caretaker relatives.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2022

Mr. CASEY (for himself, Ms. BALDWIN, Mr. BROWN, and Mrs. GILLIBRAND)
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
caretaker 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 2022”.

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—

1 (1) in section 202(d)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (E) by inserting “, or (C) the person has
22 been in the custody of such individual pursuant
23 to a court order for a period of not less than
24 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 **AND OLDER CARETAKER RELATIVES.**

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

1 (b) DISREGARD OF NONPARENT CARETAKER REL-
2 ATIVE INCOME, ASSETS, AND RESOURCES IN CHILD-ONLY
3 CASES.—

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

7 “(13) DISREGARD OF INCOME, ASSETS, AND
8 RESOURCES FOR NONPARENT CARETAKER REL-
9 ATIVES IN CHILD-ONLY CASES.—

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

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

4 “(i) that is operated specifically for
5 children living with nonparent caretaker
6 relatives;

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

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

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

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

21 “(17) PENALTY FOR FAILURE TO DISREGARD
22 INCOME, ASSETS, AND RESOURCES OF NONPARENT
23 CARETAKER RELATIVE IN CHILD-ONLY CASES.—If
24 the Secretary determines that a State to which a
25 grant is made under section 403 in a fiscal year has

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

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

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

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

19 “(i) are nonparent caretaker relatives
 20 of a child who does not reside in the same
 21 household of the parent of the child; and

22 “(ii) do not receive assistance under
 23 the State program funded under this part
 24 or any other State program funded with
 25 qualified expenditures (as defined in sec-

1 tion 409(a)(7)(B)(i)) on their own be-
2 half.”.

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

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

9 (B) by adding at the end the following new
10 paragraph:

11 “(18) PENALTY FOR FAILURE TO COMPLY WITH
12 5-YEAR CAP EXEMPTIONS.—If the Secretary deter-
13 mines that a State to which a grant is made under
14 section 403 in a fiscal year has violated subpara-
15 graph (H) of section 408(a)(7) during the fiscal
16 year, the Secretary shall reduce the grant payable to
17 the State under section 403(a)(1) for the imme-
18 diately succeeding fiscal year by an amount equal to
19 3 percent of the State family assistance grant”.

20 (d) EXEMPTION FROM WORK REQUIREMENTS FOR
21 NONPARENT CARETAKER RELATIVES IN CHILD-ONLY
22 CASES.—

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

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

5 “(1) is the nonparent caretaker relative of a
6 child who does not reside in the same household as
7 a parent of the child; and

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

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

17 “(19) PENALTY FOR FAILURE TO COMPLY WITH
18 WORK PARTICIPATION EXEMPTIONS.—If the Sec-
19 retary determines that a State to which a grant is
20 made under section 403 in a fiscal year has violated
21 subsection (h) of section 408 during the fiscal year,
22 the Secretary shall reduce the grant payable to the
23 State under section 403(a)(1) for the immediately
24 succeeding fiscal year by an amount equal to 3 per-
25 cent of the State family assistance grant.”.

1 (e) ELIMINATING 5-YEAR CAP ON ASSISTANCE FOR
2 OLDER CARETAKER RELATIVES.—

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

7 “(I) NON-APPLICATION OF LIMIT TO
8 OLDER CARETAKER RELATIVES.—

9 “(i) NO LIMIT FOR OLDER CARE-
10 TAKER RELATIVES.—Subparagraph (A)
11 shall not apply and a State shall not limit
12 the number of months of assistance under
13 the State program funded under this part
14 or any other State program funded with
15 qualified State expenditures (as defined in
16 section 409(a)(7)(B)(i)) based on receipt
17 of such assistance by an individual who is
18 an older caretaker relative (as defined for
19 purposes of paragraph (14)).

20 “(ii) DISREGARD OF MONTHS OF AS-
21 SISTANCE.—In determining the number of
22 months for which a family that includes an
23 adult who has received assistance under
24 the State program funded under this part
25 or any other State program funded with

1 qualified State expenditures (as defined in
 2 section 409(a)(7)(B)(i)), the State shall
 3 disregard any month for which such assist-
 4 ance was provided with respect to the fam-
 5 ily during which such adult was an older
 6 caretaker relative (as defined for purposes
 7 of paragraph (14)).”.

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

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

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

15 (f) EXEMPTION FROM WORK REQUIREMENTS FOR
 16 OLDER CARETAKER RELATIVES.—

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

21 “(i) STATE REQUIRED TO EXEMPT OLDER CARE-
 22 TAKER RELATIVES FROM WORK PARTICIPATION WHERE
 23 CARETAKER RECEIVES ASSISTANCE.—A State shall not
 24 require an individual to engage in work, and, at the option
 25 of the State and on a case-by-case basis, may disregard

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

3 “(1) is an older caretaker relative (as defined
 4 for purposes of subsection (a)(14)); and

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

10 (2) PENALTY.—Paragraph (18) of section
 11 409(a) of the Social Security Act (42 U.S.C.
 12 609(a)), as added by subsection (d)(2), is amended
 13 by inserting “or (i)” after “subsection (h)”.

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

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

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

23 (g) DISREGARD OF INCOME, ASSETS, AND RE-
 24 SOURCES FOR OLDER CARETAKER RELATIVES.—

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

5 “(14) DISREGARD OF INCOME, ASSETS, AND
6 RESOURCES FOR OLDER CARETAKER RELATIVES.—

7 “(A) IN GENERAL.—In determining the
8 eligibility for, and amount of, assistance under
9 the State program funded under this part or
10 any other State program funded with qualified
11 State expenditures (as defined in section
12 409(a)(7)(B)(i)) for a family that includes an
13 individual who is an older caretaker relative (as
14 defined in subparagraph (B)), a State to which
15 a grant is made under section 403 shall not
16 take into account the income, assets, or re-
17 sources of that individual.

18 “(B) DEFINITION.—

19 “(i) IN GENERAL.—For purposes of
20 this paragraph, the term ‘older caretaker
21 relative’ means an individual who—

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

24 “(II) is the primary caretaker for
25 a minor child who—

1 “(aa) is living with the indi-
2 vidual;

3 “(bb) does not have a parent
4 living in the home; and

5 “(cc) is a relative of the in-
6 dividual.

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

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

5 (h) EFFECTIVE DATE.—

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

11 (2) DELAY PERMITTED.—

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

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

24 (ii) could not practicably be met by
25 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 an older rel-
19 ative caretaker seeking to apply for such an ex-
20 ception; 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 the standard of proof required to
18 qualify for each exception and an expla-
19 nation of any special requirements or con-
20 siderations for older caretaker 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 caretaker 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 caretaker 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 caretaker (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 caretaker 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.

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

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

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

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

23 (2) A plan for how appropriate State agencies
24 can collaborate in their efforts to provide financial
25 support, housing services, and other services and

1 supports to grandparents caring for grandchildren
2 and other relatives caring for relative children.

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

7 (4) A plan to simplify or combine application
8 requirements for State public assistance programs to
9 reduce administrative burdens on recipients, with a
10 focus on families consisting of grandparents or other
11 older caretaker relatives raising relative children.

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

15 **SEC. 8. GRANDFAMILIES AND KINSHIP FAMILIES ALLIANCE**

16 **GRANTS.**

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

18 (1) to provide funds, through the Administra-
19 tion for Community Living, to strengthen and sup-
20 port grassroots efforts that address the unique needs
21 of grandfamilies or kinship families, including those
22 supporting children with disabilities or those navi-
23 gating through mental health concerns or trauma;
24 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 or education 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 at least 1 recommendation from the report to
18 Congress, issued in November 2021, of the Ad-
19 visory Council to Support Grandparents Raising
20 Grandchildren in the activities carried out
21 under the grant;

22 (D) information that demonstrates that
23 the cross-sector partnership involved has devel-
24 oped or adopted, or an assurance that the part-
25 nership will develop or adopt, well-defined ac-

1 activities that are evidence-informed or trauma
2 specific or trauma informed, to enhance the
3 health, well-being, financial security, or legal
4 standing of grandfamilies or kinship families;

5 (E)(i) memoranda from at least 3 organi-
6 zations that are cross-sector stakeholders that
7 indicate the organizations will participate in the
8 cross-sector partnership;

9 (ii) an assurance that at least 1 partici-
10 pating stakeholder organization, or the lead en-
11 tity itself, will be an institution of higher edu-
12 cation that provides not less than a 2-year pro-
13 gram that is acceptable for full credit toward a
14 degree; and

15 (iii) an assurance that the contributions of
16 the participating stakeholder organizations will
17 be reflected in the programmatic budget of the
18 partnership;

19 (F) information that demonstrates how the
20 eligible entity will work with the cross-sector
21 partnership to align existing (as of the date of
22 submission of the application) activities to sup-
23 port members of grandfamilies or kinship fami-
24 lies;

1 (G) information that demonstrates how the
2 eligible entity will identify, support, and provide
3 stipends to volunteers to support the goals of
4 the cross-sector partnership, which volunteers
5 may include—

6 (i) volunteers or participants of
7 AmeriCorps programs under the National
8 and Community Service Act of 1990 (42
9 U.S.C. 12501 et seq.) or the Domestic Vol-
10 unteer Service Act of 1973 (42 U.S.C.
11 4950 et seq.), the National Community
12 Care Corps program supported by the Ad-
13 ministration for Community Living, or any
14 other federally-funded program supporting
15 volunteers in community service;

16 (ii) community members; or

17 (iii) students at an institution of high-
18 er education who are seeking internships
19 or direct volunteer experiences;

20 (H) information that identifies potential
21 members of a cross-sector advisory council
22 that—

23 (i) will be comprised of at least 7
24 members, and on which a majority of
25 members are or have in the past been

1 members of grandfamilies or kinship fami-
2 lies; and

3 (ii) will advise the partnership on ac-
4 tivities to be carried out under the grant;
5 and

6 (I) a plan developed by the eligible entity
7 to work in partnership with technical resource
8 centers supported by the Administration for
9 Community Living on activities related to the
10 objectives for the grant.

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

14 (A) provide geographic diversity, including
15 entities that serve rural localities;

16 (B) support children who have been or-
17 phaned by the COVID–19 pandemic or opiate
18 endemic;

19 (C) have capacity to provide culturally ap-
20 propriate activities;

21 (D) demonstrate capacity to work with
22 educational systems, including systems for early
23 childhood education or elementary education; or

24 (E) support children with disabilities living
25 with a grandfamily or kinship family.

1 (5) USES OF FUNDS.—

2 (A) REQUIRED USES.—An entity that re-
3 ceives a grant under this section shall use the
4 grant funds—

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

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

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

21 (B) ALLOWABLE USES.—An entity that re-
22 ceives a grant under this section may use the
23 grant funds—

24 (i) to support volunteer efforts related
25 to objectives of the partnership, including

1 through stipends for members of
2 grandfamilies or kinship families partici-
3 pating in advisory councils described in
4 paragraph (3)(H), or providing peer-to-
5 peer supports described in subparagraph
6 (A)(iii), who are not otherwise being paid
7 for such participation or supports;

8 (ii) for staff positions for the partner-
9 ship;

10 (iii) to conduct a gap and asset anal-
11 ysis and to raise awareness of the needs of
12 grandfamilies or kinship families within
13 the local area served;

14 (iv) to support technology and soft-
15 ware needs related to the partnership;

16 (v) to reimburse project-related mile-
17 age for staff and volunteers;

18 (vi) to attend grant recipient trainings
19 or other meetings with technical resource
20 centers supported by the Administration
21 for Community Living; or

22 (vii) to help grandfamilies or kinship
23 families coordinate benefits or assistance
24 under any Federal program or any State

1 or local program financed in whole or in
2 part with Federal funds.

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

8 (7) ANNUAL REPORT.—

9 (A) INFORMATION FROM GRANT RECIPI-
10 ENTS.—Each recipient of a grant under this
11 section shall annually submit to the Adminis-
12 trator information consisting of—

13 (i) the number of individuals and or-
14 ganizations supported by the partnership
15 funded by the grant, including the number
16 of people who received direct services or
17 training from the local activities carried
18 out under this section and the estimated
19 number of people who were impacted by
20 the activities;

21 (ii) demographic data, including the
22 age, sex, ethnicity, disability status, and
23 race of those supported by the partnership;

24 (iii) the number of and demographic
25 data for volunteers involved in supporting

1 the objectives of the activities and the
2 number of people who benefited from the
3 contributions of volunteers;

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

13 (v) ways in which the project sup-
14 ported by the grant has engaged individ-
15 uals with experience related to being a
16 member of a grandfamily or kinship family
17 in the design, implementation, and feed-
18 back related to the project.

19 (B) REPORT BY ADMINISTRATOR.—Not
20 later than 2 years after the date of enactment
21 of this Act and every year thereafter, the Ad-
22 ministrator shall—

23 (i) prepare, based on the information
24 submitted under subparagraph (A), a re-

1 port on the impact of the program carried
2 out under this section; and

3 (ii) submit the report to—

4 (I) the Committee on Health,
5 Education, Labor, and Pensions, the
6 Special Committee on Aging, and the
7 Committee on Finance of the Senate;
8 and

9 (II) the Committee on Education
10 and Labor and the Committee on
11 Ways and Means of the House of
12 Representatives.

13 (8) EVALUATION.—

14 (A) IN GENERAL.—The Administrator
15 shall reserve not more than 10 percent of the
16 funds made available under this section for ad-
17 ministrative purposes.

18 (B) EVALUATION.—The Administrator
19 shall use funds reserved under subparagraph
20 (A) for evaluation in the aggregate of the local
21 activities supported by the grants.

22 (C) PERMISSIBLE USES OF FUNDS.—The
23 Administrator shall use the reserved funds for
24 administrative purposes that may include—

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

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

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

17 (iv) hosting, not less than annually,
18 learning collaboratives with the grant re-
19 cipients.

20 (9) FUNDS.—There is authorized to be appro-
21 priated to carry out this section \$8,750,000 for each
22 of fiscal years 2023 through 2027.

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