

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO S. 1091
OFFERED BY MR. MCGOVERN OF
MASSACHUSETTS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Supporting Grand-
3 parents Raising Grandchildren Act”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) More than 2,500,000 grandparents in the
7 United States are the primary caretaker of their
8 grandchildren, and experts report that such numbers
9 are increasing as the opioid epidemic expands.

10 (2) Between 2009 and 2016, the incidence of
11 parental alcohol or other drug use as a contributing
12 factor for children’s out-of-home placement rose
13 from 25.4 to 37.4 percent.

14 (3) When children cannot remain safely with
15 their parents, placement with relatives is preferred
16 over placement in foster care with nonrelatives be-
17 cause placement with relatives provides stability for

1 children and helps them maintain family connec-
2 tions.

3 (4) The number of foster children placed with
4 a grandparent or other relative increased from 24
5 percent in 2006 to 32 percent in 2016, according to
6 data from the Department of Health and Human
7 Services.

8 (5) Grandparents' lives are enhanced by caring
9 for their grandchildren; the overwhelming majority
10 of grandparents report experiencing significant bene-
11 fits in serving as their grandchildren's primary care-
12 givers.

13 (6) Providing full-time care to their grand-
14 children may decrease grandparents' ability to ad-
15 dress their own physical and mental health needs
16 and personal well-being.

17 (7) Grandparents would benefit from better co-
18 ordination and dissemination of information and re-
19 sources available to support them in their caregiving
20 responsibilities.

21 **SEC. 3. ADVISORY COUNCIL TO SUPPORT GRANDPARENTS**
22 **RAISING GRANDCHILDREN.**

23 (a) ESTABLISHMENT.—There is established an Advi-
24 sory Council to Support Grandparents Raising Grand-
25 children.

1 (b) MEMBERSHIP.—

2 (1) IN GENERAL.—The Advisory Council shall
3 be composed of the following members, or their des-
4 ignee:

5 (A) The Secretary of Health and Human
6 Services.

7 (B) The Secretary of Education.

8 (C) The Administrator of the Administra-
9 tion for Community Living.

10 (D) The Director of the Centers for Dis-
11 ease Control and Prevention.

12 (E) The Assistant Secretary for Mental
13 Health and Substance Use.

14 (F) The Assistant Secretary for the Ad-
15 ministration for Children and Families.

16 (G) A grandparent raising a grandchild.

17 (H) An older relative caregiver of children.

18 (I) As appropriate, the head of other Fed-
19 eral departments, or agencies, identified by the
20 Secretary of Health and Human Services as
21 having responsibilities, or administering pro-
22 grams, relating to current issues affecting
23 grandparents or other older relatives raising
24 children.

1 (2) LEAD AGENCY.—The Department of Health
2 and Human Services shall be the lead agency for the
3 Advisory Council.

4 (c) DUTIES.—

5 (1) IN GENERAL.—

6 (A) INFORMATION.—The Advisory Council
7 shall identify, promote, coordinate, and dissemi-
8 nate to the public information, resources, and
9 the best practices available to help grand-
10 parents and other older relatives—

11 (i) meet the health, educational, nutri-
12 tional, and other needs of the children in
13 their care; and

14 (ii) maintain their own physical and
15 mental health and emotional well-being.

16 (B) OPIOIDS.—In carrying out the duties
17 described in subparagraph (A), the Advisory
18 Council shall consider the needs of those af-
19 fected by the opioid crisis.

20 (C) NATIVE AMERICANS.—In carrying out
21 the duties described in subparagraph (A), the
22 Advisory Council shall consider the needs of
23 members of Native American tribes.

24 (2) REPORT.—

1 (A) IN GENERAL.—Not later than 180
2 days after the date of enactment of this Act,
3 the Advisory Council shall submit a report to—

4 (i) the appropriate committees;

5 (ii) the State agencies that are re-
6 sponsible for carrying out family caregiver
7 programs; and

8 (iii) the public online in an accessible
9 format.

10 (B) REPORT FORMAT.—The report shall
11 include—

12 (i) best practices, resources, and other
13 useful information for grandparents and
14 other older relatives raising children identi-
15 fied under paragraph (1)(A) including, if
16 applicable, any information related to the
17 needs of children who have been impacted
18 by the opioid epidemic;

19 (ii) an identification of any gaps in
20 items under clause (i); and

21 (iii) where applicable, identification of
22 any additional Federal legislative authority
23 necessary to implement the activities de-
24 scribed in clause (i) and (ii).

1 (3) FOLLOW-UP REPORT.—Not later than 2
2 years after the date on which the report required
3 under paragraph (2)(A) is submitted, the Advisory
4 Council shall submit a follow-up report that includes
5 the information identified in paragraph (2)(B) to—

6 (A) the appropriate committees;

7 (B) the State agencies that are responsible
8 for carrying out family caregiver programs; and

9 (C) the public online in an accessible for-
10 mat.

11 (4) PUBLIC INPUT.—

12 (A) IN GENERAL.—The Advisory Council
13 shall establish a process for public input to in-
14 form the development of, and provide updates
15 to, the best practices, resources, and other in-
16 formation described in paragraph (1) that shall
17 include—

18 (i) outreach to States, local entities,
19 and organizations that provide information
20 to, or support for, grandparents or other
21 older relatives raising children; and

22 (ii) outreach to grandparents and
23 other older relatives with experience rais-
24 ing children.

1 (B) NATURE OF OUTREACH.—Such out-
2 reach shall ask individuals to provide input
3 on—

4 (i) information, resources, and best
5 practices available, including identification
6 of any gaps and unmet needs; and

7 (ii) recommendations that would help
8 grandparents and other older relatives bet-
9 ter meet the health, educational, nutri-
10 tional, and other needs of the children in
11 their care, as well as maintain their own
12 physical and mental health and emotional
13 well-being.

14 (d) FACA.—The Advisory Council shall be exempt
15 from the requirements of the Federal Advisory Committee
16 Act (5 U.S.C. App.).

17 (e) FUNDING.—No additional funds are authorized to
18 be appropriated to carry out this Act.

19 (f) SUNSET.—The Advisory Council shall terminate
20 on the date that is 3 years after the date of enactment
21 of this Act.

22 **SEC. 4. DEFINITIONS.**

23 In this Act:

24 (1) ADVISORY COUNCIL.—In this Act, the term
25 “Advisory Council” means the Advisory Council to

1 Support Grandparents Raising Grandchildren that is
2 established under section 3.

3 (2) APPROPRIATE COMMITTEES.—In this Act,
4 the term “appropriate committees” means the fol-
5 lowing:

6 (A) The Special Committee on Aging of
7 the Senate.

8 (B) The Committee on Health, Education,
9 Labor, and Pensions of the Senate.

10 (C) The Committee on Education and the
11 Workforce of the House of Representatives.

12 (D) The Committee on Energy and Com-
13 merce of the House of Representatives.

Amend the title so as to read: “A bill to establish
a Federal Advisory Council to Support Grandparents
Raising Grandchildren”.

