

116TH CONGRESS
1ST SESSION

S. _____

To establish innovation grants under the John H. Chafee Foster Care Program for Successful Transition to Adulthood to improve adulthood outcomes for youth aging out of foster care, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To establish innovation grants under the John H. Chafee Foster Care Program for Successful Transition to Adulthood to improve adulthood outcomes for youth aging out of foster care, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Increasing Opportunity
5 for Former Foster Youth Act”.

1 **SEC. 2. CHAFEE INNOVATION GRANTS.**

2 (a) IN GENERAL.—Section 477 of the Social Security
3 Act (42 U.S.C. 677) is amended by adding at the end the
4 following:

5 “(k) INNOVATION GRANTS TO IMPROVE ADULTHOOD
6 OUTCOMES FOR TRANSITION-AGE FOSTER YOUTH.—

7 “(1) PURPOSE.—The purpose of this subsection
8 is to support the development of programs that im-
9 prove outcomes for transition-age foster youth, spe-
10 cifically by identifying programs with evidence of ef-
11 fectiveness, determining if they can be replicated
12 with fidelity and demonstrate results, and scaling up
13 successful programs so more youth receive effective
14 services that help them to transition successfully to
15 adulthood.

16 “(2) DEFINITIONS.—In this subsection:

17 “(A) ADULTHOOD OUTCOMES.—The term
18 ‘adulthood outcomes’ means outcomes in em-
19 ployment, education, housing, mental health,
20 physical health, financial stability, permanency,
21 and criminal involvement.

22 “(B) ELIGIBLE ENTITY.—The term ‘eligi-
23 ble entity’ means—

24 “(i) a State child welfare agency;

25 “(ii) a local child welfare agency;

1 “(iii) a tribal child welfare agency of
2 an Indian tribe or tribal organization oper-
3 ating a program under this part (including
4 as part of a tribal consortium), in accord-
5 ance with section 479B; or

6 “(iv) a non-governmental organization
7 that has experience working with transi-
8 tion-age foster youth.

9 “(C) MODERATE EVIDENCE OF EFFEC-
10 TIVENESS.—The term ‘moderate evidence of ef-
11 fectiveness’ means that the results of at least 1
12 well-designed and well-implemented quasi-exper-
13 imental study of a program demonstrates a sta-
14 tistically significant, sizable, and sustained ef-
15 fect on improving 1 or more adulthood out-
16 comes for transition-age foster youth and the
17 overall weight of the evidence shows meaningful
18 benefits for program participants.

19 “(D) PRELIMINARY EVIDENCE OF EFFEC-
20 TIVENESS.—The term ‘preliminary evidence of
21 effectiveness’ means that prior studies of a pro-
22 gram, key components of a program, or similar
23 programs suggest potential for sizable, and sus-
24 tained effects on improving adulthood outcomes
25 for transition-age foster youth but the overall

1 weight of the evidence does not yet constitute
2 moderate or strong causal evidence of such ef-
3 fects.

4 “(E) STRONG EVIDENCE OF EFFECTIVE-
5 NESS.—The term ‘strong evidence of effective-
6 ness’ means that the results of at least 1 well-
7 designed and well-implemented experimental
8 study of a program demonstrates a statistically
9 significant, sizable, and sustained effect on im-
10 proving 1 or more adulthood outcomes for tran-
11 sition-age foster youth and the overall weight of
12 the evidence shows meaningful benefits for pro-
13 gram participants.

14 “(F) TRANSITION-AGE FOSTER YOUTH.—
15 The term ‘transition-age foster youth’ means
16 individuals who have experienced foster care at
17 age 14 or older.

18 “(3) INNOVATION GRANTS.—

19 “(A) AUTHORITY TO AWARD GRANTS.—
20 The Secretary shall award the following types
21 of innovation grants to eligible entities to im-
22 prove adulthood outcomes for transition-age
23 foster youth through the development, valida-
24 tion, and dissemination of evidence-based effec-

1 tive programs for improving adulthood out-
2 comes for transition-age foster youth:

3 “(i) DEVELOPMENT GRANTS.—Devel-
4 opment grants to carry out programs with
5 preliminary evidence of effectiveness in im-
6 proving adulthood outcomes for transition-
7 age foster youth.

8 “(ii) VALIDATION GRANTS.—Valida-
9 tion grants to carry out programs with
10 moderate evidence of effectiveness in im-
11 proving adulthood outcomes for transition-
12 age foster youth.

13 “(iii) REPLICATION GRANTS.—Rep-
14 lication grants to carry out programs with
15 strong evidence of effectiveness in improv-
16 ing adulthood outcomes for transition-age
17 foster youth.

18 “(B) PROPORTION OF DIFFERENT TYPES
19 OF GRANTS AWARDED.—To the extent feasible
20 and practicable, the Secretary shall award de-
21 velopment, validation, and replication grants in
22 equal proportion, but shall award validation and
23 replication grants only to the extent the pro-
24 grams proposed to be carried out with such

1 grants meet the evidence requirements for the
2 applicable type of grant to be awarded.

3 “(C) NUMBER OF GRANTS.—The Secretary
4 shall award at least 10, but not more than 15,
5 innovation grants under this subsection.

6 “(D) TRIBAL CHILD WELFARE AGENCY.—
7 At least 1 innovation grant shall be reserved for
8 awarding to an eligible entity described in para-
9 graph (2)(B)(iii), unless no such eligible entity
10 meets the application requirements.

11 “(4) DURATION.—Each innovation grant
12 awarded under this subsection shall be awarded for
13 a period of not less than 5 years.

14 “(5) AMOUNT OF GRANT.—The amount of an
15 innovation grant awarded under this subsection shall
16 be proportional to the level of funding necessary to
17 implement and evaluate the proposed program at a
18 scale that can be evaluated rigorously, as described
19 in paragraph (5)(F).

20 “(6) APPLICATION REQUIREMENTS.—In order
21 to be eligible for an innovation grant under this sub-
22 section, an eligible entity shall submit to the Sec-
23 retary an application containing the following:

24 “(A) PROGRAM DESIGN.—A description of
25 the proposed program to be carried out using

1 amounts awarded under the grant, including
2 the target population of transition-age foster
3 youth to be served by the program, which may
4 be 1 or more of the following populations:

5 “(i) Transition-age foster youth who
6 are homeless or at high risk of homeless-
7 ness.

8 “(ii) Transition-age foster youth with
9 emotional or behavioral challenges.

10 “(iii) Transition-age foster youth who
11 are not engaged in employment, education,
12 or training.

13 “(iv) Transition-age foster youth who
14 are expectant or parenting.

15 “(v) Transition-age foster youth experi-
16 encing financial instability.

17 “(vi) Transition-age foster youth with
18 a history of juvenile justice or criminal in-
19 volvement or who are at risk of criminal
20 involvement.

21 “(vii) Transition-age foster youth
22 placed in another planned permanent living
23 arrangement subject to section 475A(a).

24 “(viii) Transition-age foster youth
25 who exited foster care without permanency.

1 “(ix) Transition-age foster youth at
2 risk of experiencing negative outcomes in
3 adulthood not described in a preceding
4 clause of this subparagraph.

5 “(B) ADULTHOOD OUTCOMES MEAS-
6 URED.—A description of the adulthood out-
7 comes that would be measured under the pro-
8 gram.

9 “(C) PROGRAM MODEL.—The logic model
10 for the proposed program and whether the pro-
11 gram has strong, moderate, or preliminary evi-
12 dence.

13 “(D) COLLABORATIVE PARTNERSHIP.—An
14 assurance that—

15 “(i) if the eligible entity is a State,
16 county, or tribal child welfare agency, the
17 eligible entity will establish 1 or more part-
18 nerships with non-governmental organiza-
19 tions or entities for purposes of collabo-
20 rating on the implementation and evalua-
21 tion of the program funded under the
22 grant; and

23 “(ii) if the eligible entity is a non-gov-
24 ernmental organization, the eligible entity
25 will establish a partnership with the State,

1 or a county or tribal child welfare agency
2 on the implementation and evaluation of
3 the program funded under the grant.

4 “(E) FUNDING ASSURANCE.—

5 “(i) IN GENERAL.—Subject to clause
6 (ii), an assurance that not less than 50
7 percent of the amounts expended by the el-
8 igible entity to carry out the program
9 funded under the innovation grant shall be
10 provided from non-Federal sources (which
11 may be in cash or in kind) composed of the
12 following:

13 “(I) Not less than 20 percent of
14 the amounts expended by the eligible
15 entity shall be derived from State ex-
16 penditures that are not from amounts
17 made available to the State by the
18 Federal Government or amounts ex-
19 pended as a condition of receiving
20 Federal funds (other than under this
21 subsection).

22 “(II) Not less than 30 percent of
23 amounts expended by the eligible enti-
24 ty shall be derived from expenditures
25 made by a collaborative partner of the

1 eligible entity that are not from
2 amounts made available to the part-
3 ner by the Federal Government or
4 amounts expended as a condition of
5 receiving Federal funds (other than
6 under this subsection).

7 “(ii) EXCEPTION.—Clause (i) shall be
8 applied to an eligible entity described in
9 paragraph (2)(B)(iii) by substituting ‘30
10 percent’ for ‘50 percent’ and without re-
11 gard to subclause (I).

12 “(F) PROGRAM EVALUATION.—Assurances
13 that the eligible entity will (in accordance with
14 guidelines proscribed by the Secretary in coordi-
15 nation with the Deputy Assistant Secretary for
16 Planning, Research and Evaluation) use such
17 amounts of the innovation grant awarded to the
18 entity as is adequate to—

19 “(i) have a rigorous, third-party eval-
20 uation of the program that employs experi-
21 mental designs, using random assignment
22 whenever feasible, and other research
23 methodologies that allow for the strongest
24 possible causal inferences when random as-
25 signment is not feasible;

1 “(ii) conduct an analysis of costs and
2 benefits of the program; and

3 “(iii) adhere to an evaluation plan
4 that is developed with 1 or more collabo-
5 rative partners of the eligible entity.

6 “(G) OTHER INFORMATION OR ASSUR-
7 ANCES.—Such other information or assurances
8 as the Secretary may require.

9 “(7) PREFERENCE IN AWARDING GRANTS.—In
10 awarding innovation grants under this subsection,
11 the Secretary shall give preference to grant applica-
12 tions to carry out proposed interventions that have
13 prior evidence of meaningfully improving the great-
14 est number of outcomes.

15 “(8) TECHNICAL ASSISTANCE; DISSEMINATION
16 OF FINDINGS.—The Secretary shall (directly, or by
17 contract or a cooperative agreement with 1 or more
18 organizations with relevant expertise)—

19 “(A) provide technical assistance to eligible
20 entities awarded innovation grants under this
21 subsection to ensure that—

22 “(i) implementation of the programs
23 funded under such grants adheres faith-
24 fully to the key elements of the program
25 models; and

1 “(ii) the third-party evaluations of
2 such programs are designed and imple-
3 mented with scientific rigor, as described
4 in paragraph (6)(F); and

5 “(B) ensure that findings from such eval-
6 uations are disseminated to support broad im-
7 plementation and scaling up of successful ap-
8 proaches.

9 “(9) FUNDING.—

10 “(A) IN GENERAL.—In addition to the
11 amounts made available for a fiscal year under
12 subsection (h) to carry out this section and paid
13 to States under section 474(a)(4), out of any
14 money in the Treasury of the United States not
15 otherwise appropriated, there are appropriated
16 \$20,000,000 for each of fiscal years 2021
17 through 2025 to carry out this subsection.

18 “(B) TECHNICAL ASSISTANCE.—Not more
19 than 5 percent of the amount appropriated
20 under subparagraph (A) to carry out this sub-
21 section for a fiscal year may be used to provide
22 technical assistance and disseminate findings
23 under paragraph (8).”.

24 (b) REPORT.—Not later than October 1, 2022, and
25 periodically thereafter, the Secretary of Health and

1 Human Services shall submit to the Committee on Ways
2 and Means of the House of Representatives and the Com-
3 mittee on Finance of the Senate a report on the innovation
4 grants awarded under section 477(k) of the Social Secu-
5 rity Act (42 U.S.C. 677(k)) (as added by subsection a))
6 and the findings from the programs funded with such
7 grants as such findings become available, including the im-
8 pact of the interventions on outcomes for transition-age
9 foster youth. Each report submitted under this subsection
10 shall include recommendations for legislation and adminis-
11 trative action based on such findings.

12 (c) TECHNICAL ASSISTANCE AND OTHER ACTIVI-
13 TIES.—Subsection (g) of section 477 of the Social Security
14 Act (42 U.S.C. 677) is amended to read as follows:

15 “(g) TECHNICAL ASSISTANCE AND OTHER ACTIVI-
16 TIES.—The Secretary shall reserve 1 percent of the
17 amount specified in subsection (h) for a fiscal year to
18 carry out, during the fiscal year, evaluation, technical as-
19 sistance, performance measurement, and data collection
20 activities related to this section, directly or through
21 grants, contracts, or cooperative agreements with appro-
22 priate entities.”.

23 (d) CONFORMING AMENDMENTS.—Section 479B(f)
24 of the Social Security Act (42 U.S.C. 679c(f)) is amend-
25 ed—

1 (1) by striking “section 477(j)” and inserting
2 “subsections (j) and (k) of section 477”; and

3 (2) by inserting “or 477(k)” after “474(e)”.

4 **SEC. 3. INCREASING CHILD SUPPORT PAYMENTS TO FAMI-**
5 **LIES.**

6 (a) **REPORTING OF NONEMPLOYEES TO DIREC-**
7 **TORIES OF NEW HIRES.**—Section 453A of the Social Se-
8 curity Act (42 U.S.C. 653a) is amended—

9 (1) in subsection (a)(1)(A), by striking “by em-
10 ployers on each newly hired employee”;

11 (2) in subsection (b)—

12 (A) in the subsection heading, by striking
13 “EMPLOYER” and inserting “REPORTED”;

14 (B) in paragraph (1)—

15 (i) in subparagraph (A)—

16 (I) by striking “Except as pro-
17 vided” and inserting the following:

18 “(i) **EMPLOYEES.**—Except as pro-
19 vided”;

20 (II) by striking “identifying num-
21 ber” and inserting “employer identi-
22 fication number”;

23 (III) by inserting “(in this sec-
24 tion referred to as the ‘employer identi-
25 fication number’)” after “under sec-

1 tion 6109 of the Internal Revenue
2 Code of 1986”; and

3 (IV) by adding at the end the fol-
4 lowing new clause:

5 “(ii) NONEMPLOYEES.—Except as
6 provided in subparagraphs (B) and (C), if
7 a service-recipient is required to make a
8 return in accordance with section
9 6041A(a) of the Internal Revenue Code of
10 1986 with respect to a nonemployee, such
11 service-recipient shall furnish to the Direc-
12 tory of New Hires of the State in which
13 such nonemployee works, a report that
14 contains the name, address, and social se-
15 curity number or identifying number as-
16 signed under section 6109 of the Internal
17 Revenue Code (in this section referred to
18 as the ‘identifying number’) to such non-
19 employee, the date services for remunera-
20 tion were first performed by such non-
21 employee, and the name, address, and em-
22 ployer identification number of the service-
23 recipient.”;

24 (ii) in subparagraph (B)—

16

1 (I) in the subparagraph heading,
2 by striking “EMPLOYERS” and insert-
3 ing “REPORTING”;

4 (II) by striking “An employer”
5 and inserting the following

6 “(i) EMPLOYEES.—An employer that
7 has employees”;

8 (III) by inserting “(i)” after
9 “subparagraph (A)” each place it ap-
10 pears;

11 (IV) by striking the second sen-
12 tence; and

13 (V) by adding at the end the fol-
14 lowing:

15 “(ii) NONEMPLOYEES.—A service-re-
16 cipient required to make returns in accord-
17 ance with section 6041A(a) of the Internal
18 Revenue Code with respect to non-
19 employees located in 2 or more States and
20 that transmits reports magnetically or elec-
21 tronically may comply with subparagraph
22 (A)(ii) by designating 1 State in which any
23 such nonemployee is located to which the
24 service-recipient will transmit the report

1 described in subparagraph (A)(ii), and
2 transmitting such report to such State.

3 “(iii) DESIGNATION.—Any employer
4 or service-recipient that transmits reports
5 pursuant to this subparagraph shall notify
6 the Secretary in writing as to which State
7 such employer or service-recipient des-
8 ignates for the purpose of sending re-
9 ports.”; and

10 (iii) in subparagraph (C)—

11 (I) in the subparagraph heading,
12 by striking “EMPLOYERS”; and

13 (II) by striking “report” and in-
14 serting “reports”; and

15 (C) in paragraph (2)—

16 (i) in the matter that precedes sub-
17 paragraph (A), by striking “with respect to
18 an employee”;

19 (ii) in subparagraph (A)—

20 (I) by inserting “with respect to
21 an employee,” before “not later than
22 20 days”; and

23 (II) by striking “or” after the
24 semicolon;

1 (iii) by redesignating subparagraph
2 (B) as subparagraph (C);

3 (iv) by inserting after subparagraph
4 (A) the following new subparagraph:

5 “(B) with respect to a nonemployee, not
6 later than 20 days after the earlier of—

7 “(i) first making payments as a con-
8 sequence of which a return in accordance
9 with section 6041A(a) of the Internal Rev-
10 enue Code of 1986 is required to be made;
11 or

12 “(ii) entering into a contract pro-
13 viding for such payments; or” and

14 (v) in subparagraph (C), as redesign-
15 ated by clause (iii), by striking “in the
16 case of an employer transmitting reports”
17 and inserting “in the case of reports trans-
18 mitted”;

19 (3) in subsection (c), by inserting “or service-
20 recipient” after “at the option of the employer”;

21 (4) in subsection (d)—

22 (A) in the heading, by inserting “AND
23 SERVICE-RECIPIENTS” after “EMPLOYERS”;

24 (B) in paragraph (1), by inserting “or non-
25 employee” after “employee”; and

1 (C) in paragraph (2)—

2 (i) by inserting “or service-recipient”
3 after “employer”; and

4 (ii) by inserting “or nonemployee, re-
5 spectively,” after “employee”;

6 (5) in subsection (e)—

7 (A) in the subsection heading, by striking
8 “EMPLOYER” and

9 (B) by striking “from an employer”;

10 (6) in subsection (f)—

11 (A) in paragraph (1),

12 (i) by inserting “and identifying num-
13 bers” after “social security numbers” each
14 place it appears; and

15 (ii) by striking “by employers” before
16 “pursuant to subsection (b)”; and

17 (B) in paragraph (2)—

18 (i) by inserting “or identifying num-
19 ber” after “social security number” each
20 place it appears;

21 (ii) by striking “employee” and insert-
22 ing “individual”; and

23 (iii) by striking “and the name and
24 address of, and identifying number as-
25 signed under section 6109 of the Internal

1 Revenue Act of 1986 to, the employer”
2 and inserting “and the name, address, and
3 employer identification number of the em-
4 ployer or service-recipient”;

5 (7) in subsection (g)(2)(A), by inserting “or
6 nonemployee” after “newly hired employee”; and

7 (8) in subsection (h), by striking “by employ-
8 ers” each place it appears.

9 (b) ASSISTING IN IDENTIFYING ASSETS ACROSS
10 STATE LINES.—

11 (1) DUTIES OF THE SECRETARY.—Subsection
12 (l) of section 452 of the Social Security Act (42
13 U.S.C. 652) is amended to read as follows:

14 “(l) ASSETS HELD BY FINANCIAL INSTITUTIONS.—

15 “(1) IN GENERAL.—The Secretary, through the
16 Federal Parent Locator Service, is authorized—

17 “(A) to assist State agencies operating
18 programs under this part and financial institu-
19 tions (as defined in section 469A(d)(1)) in
20 reaching agreements regarding the receipt from
21 such institutions, and the transfer to the State
22 agencies, of information that may be provided
23 pursuant to section 466(a)(17)(A)(i) or
24 469A(a);

1 “(B) to perform data matches comparing
2 information from such State agencies and fi-
3 nancial institutions entering into such agree-
4 ments with respect to individuals owing past
5 due support; and

6 “(C) upon State request, using formats
7 prescribed by the Secretary, to send a notice of
8 lien on assets, held by such financial institu-
9 tions, of individuals identified through such
10 data matches who owe past-due support.

11 “(2) LIABILITY.—A financial institution shall
12 not be liable under any Federal law to any person—

13 “(A) for encumbering any assets held by
14 such financial institution in response to a notice
15 of lien sent by the Secretary as provided for in
16 paragraph (1)(C); or

17 “(B) for any other action taken in good
18 faith to comply with paragraph (1).

19 “(3) TREATMENT OF DISCLOSURES.—For pur-
20 poses of section 1113(d) of the Right to Financial
21 Privacy Act of 1978, a disclosure pursuant to this
22 subsection shall be considered a disclosure pursuant
23 to a Federal statute.”.

24 (2) STATE DUTIES.—

1 (A) LIENS ON BANK ACCOUNTS.—Section
2 466(a)(4)(A) of the Social Security Act (42
3 U.S.C. 666(a)(4)(A)) is amended by inserting
4 “, including bank accounts,” after “personal
5 property”.

6 (B) LIENS ARISING IN ANOTHER STATE.—
7 Section 466(a)(4)(B) of such Act (42.U.S.C.
8 666(a)(4)(B)) is amended by striking “, when
9 the State agency, party, or other entity” and all
10 that follows and inserting a period.

11 (C) FEDERAL NOTICES OF LIEN.—Section
12 466(a)(17)(A) of such Act (42 U.S.C.
13 666(a)(17)(A)) is amended—

14 (i) in clause (i), by striking “and”
15 after the semicolon;

16 (ii) in clause (ii), by striking the pe-
17 riod at the end and inserting “; and”; and

18 (iii) by adding at the end the fol-
19 lowing new clause:

20 “(iii) in response to a notice of lien
21 sent by the Secretary, to encumber assets
22 held by such institution on behalf of any
23 noncustodial parent who is subject to a
24 child support lien pursuant to paragraph
25 (4).”.

1 (D) UNIFORM NOTICES OF LIEN.—Section
2 466(a)(17)(A)(ii) of such Act (42 U.S.C.
3 666(a)(17)(A)(ii)), as amended by subpara-
4 graph (C)(ii), is amended by inserting “in such
5 format and containing such information as the
6 Secretary may require,” after “notice of lien or
7 levy,”

8 (E) REIMBURSEMENT OF FEDERAL
9 COSTS.—Paragraph (3) of section 453(k) of
10 such Act (42 U.S.C. 653(k)(3)) is amended—

11 (i) in the heading, by inserting “AND
12 ENFORCEMENT SERVICES” after “INFOR-
13 MATION”;

14 (ii) by inserting “or enforcement serv-
15 ices” after “that receives information”;

16 (iii) by striking “or section 452(m)”
17 and inserting “or subsections (l) or (m) of
18 sections 452”; and

19 (iv) by striking “in furnishing the in-
20 formation” and inserting “in furnishing
21 such information or enforcement services”.

22 (3) CONFORMING AMENDMENT.—Section
23 469A(a) of such Act (42 U.S.C. 669a(a)) is amend-
24 ed by inserting “section 452(l) or” before “section
25 466(a)(17)(A)”.

1 (c) ALLOWING SINGLE-STATE FINANCIAL INSTITU-
2 TIONS TO PARTICIPATE IN THE FINANCIAL INSTITUTION
3 DATA MATCH.—Section 466(a)(17)(A)(i) of such Act (42
4 U.S.C. 666(a)(17)(A)(i)) is amended by striking “in the
5 case of financial institutions doing business in two or more
6 States”.

7 (d) REPORT ON WITHHOLDING PRACTICES FOR
8 INDEPENDENT CONTRACTORS.—Not later than December
9 30, 2020, the Comptroller General of the United States
10 shall issue a report on State rules and practices in relation
11 to income withholding for nonemployees and how they are
12 similar to or different from those applicable to employees
13 under the Consumer Credit Protection Act (15 U.S.C.
14 1601 et seq.).

15 (e) EFFECTIVE DATE.—

16 (1) IN GENERAL.—Subject to paragraph (2),
17 the amendments made by this section take effect on
18 January 1, 2021.

19 (2) DELAY IF STATE LEGISLATION RE-
20 QUIRED.—In the case of a State plan under part D
21 of title IV of the Social Security Act (42 U.S.C. 651
22 et seq.) which the Secretary of Health and Human
23 Services determines requires State legislation in
24 order for the respective plan to meet the additional
25 requirements imposed by the amendments made by

1 this section, the respective plan shall not be re-
2 garded as failing to comply with the requirements of
3 such part solely on the basis of its failure to meet
4 such additional requirement before the first day of
5 the first calendar quarter beginning after the close
6 of the first regular session of the State legislature
7 that begins after the date of enactment of this sec-
8 tion. For purposes of the previous sentence, in the
9 case of a State that has a 2-year legislative session,
10 each year of the session shall be considered to be a
11 separate regular session of the State legislature.