AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

I

119TH CONGRESS
2D SESSION

H. R. 10865

To amend part E of title IV of the Social Security Act to require States to follow certain procedures in placing a child who has been removed from the custody of his or her parents.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 22, 2026

Mrs. DINGELL introduced the following bill; which was referred to the Committee on Ways and Means

---

A BILL

To amend part E of title IV of the Social Security Act to require States to follow certain procedures in placing a child who has been removed from the custody of his or her parents.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Samier Amer Foster Care Improvement Act of 2026''.

SEC. 2. REQUIREMENT THAT STATES FOLLOW CERTAIN PROCEDURES IN PLACING A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS.

(a) IN GENERAL.—Section 471(a)(29) of the Social Security Act (42 U.S.C. 671(a)(29)) is amended to read as follows:

"(29) provides that—

"(A) within 90 days after the State makes a placement decision with respect to the child, the State shall provide notice of the decision and the reasons therefor to each parent of the child, each relative who has expressed to the State an interest in caring for the child, the guardian of the child, and the guardian ad litem for the child, the attorney for the child, the attorney for each parent of the child, the child (if the child is able to express an opinion regarding placement), and the prosecutor involved; and

"(B) the State shall establish procedures to—

"(i) allow a person who receives a notice pursuant to subparagraph (B) to request, in writing, within 5 days after re-

ceipt of the notice, documentation of the reasons for the decision involved;

"(ii) allow the attorney for the child to petition the court involved to review the decision; and

"(iii) require the court to—

"(I) commence such a review within 7 days after receipt of a petition made pursuant to clause (ii); and

"(II) conduct such a review on the record;".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on the 1st day of the 1st fiscal year beginning on or after the date of the enactment of this Act, and shall apply to payments under part E of title IV of the Social Security Act for calendar quarters beginning on or after such date.

(2) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan approved under part E of title IV of the Social Security Act to meet the additional

requirements imposed by the amendment made by subsection (a), the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the preceding sentence, if the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

○