

115TH CONGRESS
1ST SESSION

H. R. 2847

To make improvements to the John H. Chafee Foster Care Independence Program and related provisions.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. FASO (for himself, Mr. REED, and Ms. BASS) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To make improvements to the John H. Chafee Foster Care Independence Program and related provisions.

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 “Improving Services for
5 Older Youth in Foster Care Act”.

1 **SEC. 2. IMPROVEMENTS TO THE JOHN H. CHAFEE FOSTER**
2 **CARE INDEPENDENCE PROGRAM AND RE-**
3 **LATED PROVISIONS.**

4 (a) **AUTHORITY TO SERVE FORMER FOSTER YOUTH**
5 **UP TO AGE 23.**—Section 477 of the Social Security Act
6 (42 U.S.C. 677) is amended—

7 (1) in subsection (a)(5), by inserting “(or 23
8 years of age, in the case of a State with a certifi-
9 cation under subsection (b)(3)(A)(ii) to provide as-
10 sistance and services to youths who have aged out
11 of foster care and have not attained such age, in ac-
12 cordance with such subsection)” after “21 years of
13 age”;

14 (2) in subsection (b)(3)(A)—

15 (A) by inserting “(i)” before “A certifi-
16 cation”;

17 (B) by striking “children who have left fos-
18 ter care” and all that follows through the pe-
19 riod and inserting “youths who have aged out
20 of foster care and have not attained 21 years of
21 age.”; and

22 (C) by adding at the end the following:

23 “(ii) If the State has elected under section
24 475(8)(B) to extend eligibility for foster care to
25 all children who have not attained 21 years of
26 age, or if the Secretary determines that the

1 State agency responsible for administering the
2 State plans under this part and part B uses
3 State funds or any other funds not provided
4 under this part to provide services and assist-
5 ance for youths who have aged out of foster
6 care that are comparable to the services and as-
7 sistance the youths would receive if the State
8 had made such an election, the certification re-
9 quired under clause (i) may provide that the
10 State will provide assistance and services to
11 youths who have aged out of foster care and
12 have not attained 23 years of age.”; and

13 (3) in subsection (b)(3)(B), by striking “chil-
14 dren who have left foster care” and all that follows
15 through the period and inserting “youths who have
16 aged out of foster care and have not attained 21
17 years of age (or 23 years of age, in the case of a
18 State with a certification under subparagraph (A)(i)
19 to provide assistance and services to youths who
20 have aged out of foster care and have not attained
21 such age, in accordance with subparagraph
22 (A)(ii)).”.

23 (b) AUTHORITY TO REDISTRIBUTE UNSPENT
24 FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d))
25 is amended—

(1) in paragraph (4), by inserting “or does not expend allocated funds within the time period specified under section 477(d)(3)” after “provided by the Secretary”; and

(2) by adding at the end the following:

“(5) REDISTRIBUTION OF UNEXPENDED AMOUNTS.—

“(A) AVAILABILITY OF AMOUNTS.—To the extent that amounts paid to States under this section in a fiscal year remain unexpended by the States at the end of the succeeding fiscal year, the Secretary may make the amounts available for redistribution in the second succeeding fiscal year among the States that apply for additional funds under this section for that second succeeding fiscal year.

“(B) REDISTRIBUTION.—

“(i) IN GENERAL.—The Secretary shall redistribute the amounts made available under subparagraph (A) for a fiscal year among eligible applicant States. In this subparagraph, the term ‘eligible applicant State’ means a State that has applied for additional funds for the fiscal year under subparagraph (A) if the Secretary

determines that the State will use the funds for the purpose for which originally allotted under this section.

“(ii) AMOUNT TO BE REDISTRIBUTED.—The amount to be redistributed to each eligible applicant State shall be the amount so made available multiplied by the State foster care ratio (as defined in subsection (c)(4), except that, in such subsection, ‘all eligible applicant States (as defined in subsection (d)(5)(B)(i))’ shall be substituted for ‘all States’).

“(iii) TREATMENT OF REDISTRIBUTED AMOUNT.—Any amount made available to a State under this paragraph shall be regarded as part of the allotment of the State under this section for the fiscal year in which the redistribution is made.

“(C) TRIBES.—For purposes of this paragraph, the term ‘State’ includes an Indian tribe, tribal organization, or tribal consortium that receives an allotment under this section.”.

(c) EXPANDING AND CLARIFYING THE USE OF EDUCATION AND TRAINING VOUCHERS.—

1 (1) IN GENERAL.—Section 477(i)(3) of such
2 Act (42 U.S.C. 677(i)(3)) is amended—

3 (A) by striking “on the date” and all that
4 follows through “23” and inserting “to remain
5 eligible until they attain 26”; and

6 (B) by inserting “, but in no event may a
7 youth participate in the program for more than
8 5 years (whether or not consecutive)” before
9 the period.

10 (2) CONFORMING AMENDMENT.—Section
11 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is
12 amended by inserting “who have attained 14 years
13 of age” before the period.

14 (d) OTHER IMPROVEMENTS.—Section 477 of such
15 Act (42 U.S.C. 677), as amended by subsections (a), (b),
16 and (c) of this section, is amended—

17 (1) in the section heading, by striking “**INDE-**
18 **PENDENCE PROGRAM**” and inserting “**PROGRAM**
19 **FOR SUCCESSFUL TRANSITION TO ADULT-**
20 **HOOD**”;

21 (2) in subsection (a)—

22 (A) in paragraph (1)—

23 (i) by striking “identify children who
24 are likely to remain in foster care until 18
25 years of age and to help these children

1 make the transition to self-sufficiency by
2 providing services” and inserting “support
3 all youth who have experienced foster care
4 at age 14 or older in their transition to
5 adulthood through transitional services”;

6 (ii) by inserting “and post-secondary
7 education” after “high school diploma”;
8 and

9 (iii) by striking “training in daily liv-
10 ing skills, training in budgeting and finan-
11 cial management skills” and inserting
12 “training and opportunities to practice
13 daily living skills (such as financial literacy
14 training and driving instruction)”;

15 (B) in paragraph (2), by striking “who are
16 likely to remain in foster care until 18 years of
17 age receive the education, training, and services
18 necessary to obtain employment” and inserting
19 “who have experienced foster care at age 14 or
20 older achieve meaningful, permanent connec-
21 tions with a caring adult”;

22 (C) in paragraph (3), by striking “who are
23 likely to remain in foster care until 18 years of
24 age prepare for and enter postsecondary train-
25 ing and education institutions” and inserting

1 “who have experienced foster care at age 14 or
2 older engage in age or developmentally appro-
3 priate activities, positive youth development,
4 and experiential learning that reflects what
5 their peers in intact families experience”; and

6 (D) by striking paragraph (4) and redesign-
7 nating paragraphs (5) through (8) as para-
8 graphs (4) through (7);
9 (3) in subsection (b)—

10 (A) in paragraph (2)(D), by striking “ado-
11 lescents” and inserting “youth”; and

12 (B) in paragraph (3)—

13 (i) in subparagraph (D)—

14 (I) by inserting “including train-
15 ing on youth development” after “to
16 provide training”; and

17 (II) by striking “adolescents pre-
18 paring for independent living” and all
19 that follows through the period and
20 inserting “youth preparing for a suc-
21 cessful transition to adulthood and
22 making a permanent connection with
23 a caring adult.”;

1 (ii) in subparagraph (H), by striking
2 “adolescents” each place it appears and in-
3 serting “youth”; and

4 (iii) in subparagraph (K)—

5 (I) by striking “an adolescent”
6 and inserting “a youth”; and

7 (II) by striking “the adolescent”
8 each place it appears and inserting
9 “the youth”; and

10 (4) in subsection (f), by striking paragraph (2)
11 and inserting the following:

12 “(2) REPORT TO CONGRESS.—Not later than
13 October 1, 2018, the Secretary shall submit to the
14 Committee on Ways and Means of the House of
15 Representatives and the Committee on Finance of
16 the Senate a report on the National Youth in Tran-
17 sition Database and any other databases in which
18 States report outcome measures relating to children
19 in foster care and children who have aged out of fos-
20 ter care or left foster care for kinship guardianship
21 or adoption. The report shall include the following:

22 “(A) A description of the reasons for entry
23 into foster care and of the foster care experi-
24 ences, such as length of stay, number of place-
25 ment settings, case goal, and discharge reason

1 of 17-year-olds who are surveyed by the Na-
2 tional Youth in Transition Database and an
3 analysis of the comparison of that description
4 with the reasons for entry and foster care expe-
5 riences of children of other ages who exit from
6 foster care before attaining age 17.

7 “(B) A description of the characteristics of
8 the individuals who report poor outcomes at
9 ages 19 and 21 to the National Youth in Tran-
10 sition Database.

11 “(C) Benchmarks for determining what
12 constitutes a poor outcome for youth who re-
13 main in or have exited from foster care and
14 plans the executive branch will take to incor-
15 porate these benchmarks in efforts to evaluate
16 child welfare agency performance in providing
17 services to children transitioning from foster
18 care.

19 “(D) An analysis of the association be-
20 tween types of placement, number of overall
21 placements, time spent in foster care, and other
22 factors, and outcomes at ages 19 and 21.

23 “(E) An analysis of the differences in out-
24 comes for children in and formerly in foster
25 care at age 19 and 21 among States.”.

1 (e) CLARIFYING DOCUMENTATION PROVIDED TO
2 FOSTER YOUTH LEAVING FOSTER CARE.—Section
3 475(5)(I) of such Act (42 U.S.C. 675(5)(I)) is amended
4 by inserting after “REAL ID Act of 2005” the following:
5 “, and any official documentation necessary to prove that
6 the child was previously in foster care”.

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