

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 4472
OFFERED BY MR. BRADY OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Modernizing the Inter-
3 state Placement of Children in Foster Care Act”.

4 SEC. 2. FINDINGS.

5 The Congress finds that—

6 (1) when a child in foster care cannot return
7 safely home, the child deserves to be placed in a set-
8 ting that is best for that child, regardless of whether
9 it is in the child’s State or another State;

10 (2) the Interstate Compact on the Placement of
11 Children (ICPC) was established in 1960 to provide
12 a uniform legal framework for the placement of chil-
13 dren across State lines in foster and adoptive homes;

14 (3) frequently, children waiting to be placed
15 with an adoptive family, relative, or foster parent in
16 another State spend more time waiting for this to
17 occur than children who are placed with an adoptive,
18 family, relative, or foster parent in the same State,

1 because of the outdated, administratively burden-
2 some ICPC process;

3 (4) no child should have to wait longer to be
4 placed in a loving home simply because the child
5 must cross a State line;

6 (5) the National Electronic Interstate Compact
7 Enterprise (NEICE) was launched in August 2014
8 in Indiana, Nevada, Florida, South Carolina, Wis-
9 consin, and the District of Columbia, and is expected
10 to be expanded into additional States to improve the
11 administrative process by which children are placed
12 with families across State lines;

13 (6) States using this electronic interstate case-
14 processing system have reduced administrative costs
15 and the amount of staff time required to process
16 these cases, and caseworkers can spend more time
17 helping children instead of copying and mailing pa-
18 perwork between States;

19 (7) since NEICE was launched, placement time
20 has decreased by 30 percent for interstate foster
21 care placements; and

22 (8) on average, States using this electronic
23 interstate case-processing system have been able to
24 reduce from 24 business days to 13 business days
25 the time it takes to identify a family for a child and

1 prepare the paperwork required to start the ICPC
2 process.

3 **SEC. 3. STATE PLAN REQUIREMENT.**

4 (a) IN GENERAL.—Section 471(a)(25) of the Social
5 Security Act (42 U.S.C. 671(a)(25)) is amended—

6 (1) by striking “provide” and insert “provides”;
7 and

8 (2) by inserting “, which, not later than Octo-
9 ber 1, 2026, shall include the use of an electronic
10 interstate case-processing system” before the 1st
11 semicolon.

12 (b) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by
14 subsection (a) shall take effect on the 1st day of the
15 1st calendar quarter beginning on or after the date
16 of the enactment of this Act, and shall apply to pay-
17 ments under part E of title IV of the Social Security
18 Act for calendar quarters beginning on or after such
19 date.

20 (2) DELAY PERMITTED IF STATE LEGISLATION
21 REQUIRED.—If the Secretary of Health and Human
22 Services determines that State legislation (other
23 than legislation appropriating funds) is required in
24 order for a State plan developed pursuant to part E
25 of title IV of the Social Security Act to meet the ad-

1 ditional requirement imposed by the amendments
2 made by subsection (a), the plan shall not be re-
3 garded as failing to meet any of the additional re-
4 quirements before the 1st day of the 1st calendar
5 quarter beginning after the first regular session of
6 the State legislature that begins after the date of the
7 enactment of this Act. For purposes of the preceding
8 sentence, if the State has a 2-year legislative session,
9 each year of the session is deemed to be a separate
10 regular session of the State legislature.

11 **SEC. 4. GRANTS FOR THE DEVELOPMENT OF AN ELEC-**
12 **TRONIC INTERSTATE CASE-PROCESSING SYS-**
13 **TEM TO EXPEDITE THE INTERSTATE PLACE-**
14 **MENT OF CHILDREN IN FOSTER CARE OR**
15 **GUARDIANSHIP, OR FOR ADOPTION.**

16 (a) IN GENERAL.—Section 437 of the Social Security
17 Act (42 U.S.C. 637) is amended by adding at the end the
18 following:

19 “(g) GRANTS FOR THE DEVELOPMENT OF AN ELEC-
20 TRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EX-
21 PEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN
22 FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.—

23 “(1) PURPOSE.—The purpose of this subsection
24 is to facilitate the development of an electronic inter-
25 state case-processing system for the exchange of

1 data and documents to expedite the placements of
2 children in foster, guardianship, or adoptive homes
3 across State lines.

4 “(2) APPLICATION REQUIREMENTS.—A State
5 that desires a grant under this subsection shall sub-
6 mit to the Secretary an application containing the
7 following:

8 “(A) A description of the goals and out-
9 comes to be achieved during the period for
10 which grant funds are sought, which goals and
11 outcomes must result in—

12 “(i) reducing the time it takes for a
13 child to be provided with a safe and appro-
14 priate permanent living arrangement
15 across State lines;

16 “(ii) improving administrative proc-
17 esses and reducing costs in the foster care
18 system; and

19 “(iii) the secure exchange of relevant
20 case files and other necessary materials in
21 real time, and timely communications and
22 placement decisions regarding interstate
23 placements of children.

1 “(B) A description of the activities to be
2 funded in whole or in part with the grant
3 funds, including the sequencing of the activities.

4 “(C) A description of the strategies for in-
5 tegrating programs and services for children
6 who are placed across State lines.

7 “(D) Such other information as the Sec-
8 retary may require.

9 “(3) GRANT AUTHORITY.—The Secretary may
10 make a grant to a State that complies with para-
11 graph (2).

12 “(4) USE OF FUNDS.—A State to which a grant
13 is made under this subsection shall use the grant to
14 support the State in connecting with the electronic
15 interstate case-processing system described in para-
16 graph (1).

17 “(5) EVALUATIONS.—Not later than 1 year
18 after the final year in which grants are awarded
19 under this subsection, the Secretary shall submit to
20 the Congress, and make available to the general
21 public by posting on a website, a report that con-
22 tains the following information:

23 “(A) How using the electronic interstate
24 case-processing system developed pursuant to

1 paragraph (4) has changed the time it takes for
2 children to be placed across State lines.

3 “(B) The number of cases subject to the
4 Interstate Compact on the Placement of Chil-
5 dren that were processed through the electronic
6 interstate case-processing system, and the num-
7 ber of interstate child placement cases that
8 were processed outside the electronic interstate
9 case-processing system, by each State in each
10 year.

11 “(C) The progress made by States in im-
12 plementing the electronic interstate case-proc-
13 essing system.

14 “(D) How using the electronic interstate
15 case-processing system has affected various
16 metrics related to child safety and well-being,
17 including the time it takes for children to be
18 placed across State lines.

19 “(E) How using the electronic interstate
20 case-processing system has affected administra-
21 tive costs and caseworker time spent on placing
22 children across State lines.

23 “(6) DATA INTEGRATION.—The Secretary, in
24 consultation with the Secretariat for the Interstate
25 Compact on the Placement of Children and the

1 States, shall assess how the electronic interstate
2 case-processing system developed pursuant to para-
3 graph (4) could be used to better serve and protect
4 children that come to the attention of the child wel-
5 fare system, by—

6 “(A) connecting the system with other
7 data systems (such as systems operated by
8 State law enforcement and judicial agencies,
9 systems operated by the Federal Bureau of In-
10 vestigation for the purposes of the Innocence
11 Lost National Initiative, and other systems);

12 “(B) simplifying and improving reporting
13 related to paragraphs (34) and (35) of section
14 471(a) regarding children or youth who have
15 been identified as being a sex trafficking victim
16 or children missing from foster care; and

17 “(C) improving the ability of States to
18 quickly comply with background check require-
19 ments of section 471(a)(20), including checks of
20 child abuse and neglect registries as required by
21 section 471(a)(20)(B).”.

1 **SEC. 5. CONTINUATION OF DISCRETIONARY FUNDING TO**
2 **PROMOTE SAFE AND STABLE FAMILIES.**

3 Section 437(a) of the Social Security Act (42 U.S.C.
4 637(a)) is amended by striking “2016” and inserting
5 “2017”.

6 **SEC. 6. RESERVATION OF FUNDS TO IMPROVE THE INTER-**
7 **STATE PLACEMENT OF CHILDREN.**

8 Section 437(b) of the Social Security Act (42 U.S.C.
9 637(b)) is amended by adding at the end the following:

10 “(4) IMPROVING THE INTERSTATE PLACEMENT
11 OF CHILDREN.—The Secretary shall reserve
12 \$5,000,000 of the amount made available for fiscal
13 year 2017 for grants under subsection (g), and the
14 amount so reserved shall remain available through
15 fiscal year 2021.”.

