

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2847
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 “Improving Support for
3 Older Youth Leaving Foster Care Act”.

**4 SEC. 2. IMPROVEMENTS TO THE JOHN H. CHAFEE FOSTER
5 CARE INDEPENDENCE PROGRAM AND RE-
6 LATED PROVISIONS.**

7 (a) **AUTHORITY TO SERVE FORMER FOSTER YOUTH
8 UP TO AGE 23.**—Section 477 of the Social Security Act
9 (42 U.S.C. 677) is amended—

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

17 (2) in subsection (b)(3)(A)—

1 (A) by inserting “(i)” before “A certifi-
2 cation”;

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

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

9 “(ii) If the State has elected under section
10 475(8)(B) to extend eligibility for foster care to
11 all children who have not attained 21 years of
12 age, or if the Secretary determines that the
13 State agency responsible for administering the
14 State plans under this part and part B uses
15 State funds or any other funds not provided
16 under this part to provide services and assist-
17 ance for youths who have aged out of foster
18 care that are comparable to the services and as-
19 sistance the youths would receive if the State
20 had made such an election, the certification re-
21 quired under clause (i) may provide that the
22 State will provide assistance and services to
23 youths who have aged out of foster care and
24 have not attained 23 years of age.”; and

1 (3) in subsection (b)(3)(B), by striking “chil-
2 dren who have left foster care” and all that follows
3 through the period and inserting “youths who have
4 aged out of foster care and have not attained 21
5 years of age (or 23 years of age, in the case of a
6 State with a certification under subparagraph (A)(i)
7 to provide assistance and services to youths who
8 have aged out of foster care and have not attained
9 such age, in accordance with subparagraph
10 (A)(ii).”.

11 (b) AUTHORITY TO REDISTRIBUTE UNSPENT
12 FUNDS.—Section 477(d) of such Act (42 U.S.C. 677(d))
13 is amended—

14 (1) in paragraph (4), by inserting “or does not
15 expend allocated funds within the time period speci-
16 fied under section 477(d)(3)” after “provided by the
17 Secretary”; and

18 (2) by adding at the end the following:

19 “(5) REDISTRIBUTION OF UNEXPENDED
20 AMOUNTS.—

21 “(A) AVAILABILITY OF AMOUNTS.—To the
22 extent that amounts paid to States under this
23 section in a fiscal year remain unexpended by
24 the States at the end of the succeeding fiscal
25 year, the Secretary may make the amounts

1 available for redistribution in the second suc-
2 ceeding fiscal year among the States that apply
3 for additional funds under this section for that
4 second succeeding fiscal year.

5 “(B) REDISTRIBUTION.—

6 “(i) IN GENERAL.—The Secretary
7 shall redistribute the amounts made avail-
8 able under subparagraph (A) for a fiscal
9 year among eligible applicant States. In
10 this subparagraph, the term ‘eligible appli-
11 cant State’ means a State that has applied
12 for additional funds for the fiscal year
13 under subparagraph (A) if the Secretary
14 determines that the State will use the
15 funds for the purpose for which originally
16 allotted under this section.

17 “(ii) AMOUNT TO BE REDISTRIB-
18 UTED.—The amount to be redistributed to
19 each eligible applicant State shall be the
20 amount so made available multiplied by the
21 State foster care ratio (as defined in sub-
22 section (c)(4), except that, in such sub-
23 section, ‘all eligible applicant States (as de-
24 fined in subsection (d)(5)(B)(i))’ shall be
25 substituted for ‘all States’).

1 “(iii) TREATMENT OF REDISTRIBUTED
2 AMOUNT.—Any amount made available to
3 a State under this paragraph shall be re-
4 garded as part of the allotment of the
5 State under this section for the fiscal year
6 in which the redistribution is made.

7 “(C) TRIBES.—For purposes of this para-
8 graph, the term ‘State’ includes an Indian tribe,
9 tribal organization, or tribal consortium that re-
10 ceives an allotment under this section.”.

11 (c) EXPANDING AND CLARIFYING THE USE OF EDU-
12 CATION AND TRAINING VOUCHERS.—

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

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

18 (B) by inserting “, but in no event may a
19 youth participate in the program for more than
20 5 years (whether or not consecutive)” before
21 the period.

22 (2) CONFORMING AMENDMENT.—Section
23 477(i)(1) of such Act (42 U.S.C. 677(i)(1)) is
24 amended by inserting “who have attained 14 years
25 of age” before the period.

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

4 (1) in the section heading, by striking “**INDE-**
5 **PENDENCE PROGRAM**” and inserting “**PROGRAM**
6 **FOR SUCCESSFUL TRANSITION TO ADULT-**
7 **HOOD**”;

8 (2) in subsection (a)—

9 (A) in paragraph (1)—

10 (i) by striking “identify children who
11 are likely to remain in foster care until 18
12 years of age and to help these children
13 make the transition to self-sufficiency by
14 providing services” and inserting “support
15 all youth who have experienced foster care
16 at age 14 or older in their transition to
17 adulthood through transitional services”;

18 (ii) by inserting “and post-secondary
19 education” after “high school diploma”;
20 and

21 (iii) by striking “training in daily liv-
22 ing skills, training in budgeting and finan-
23 cial management skills” and inserting
24 “training and opportunities to practice

1 daily living skills (such as financial literacy
2 training and driving instruction)”;

3 (B) in paragraph (2), by striking “who are
4 likely to remain in foster care until 18 years of
5 age receive the education, training, and services
6 necessary to obtain employment” and inserting
7 “who have experienced foster care at age 14 or
8 older achieve meaningful, permanent connec-
9 tions with a caring adult”;

10 (C) in paragraph (3), by striking “who are
11 likely to remain in foster care until 18 years of
12 age prepare for and enter postsecondary train-
13 ing and education institutions” and inserting
14 “who have experienced foster care at age 14 or
15 older engage in age or developmentally appro-
16 priate activities, positive youth development,
17 and experiential learning that reflects what
18 their peers in intact families experience”; and

19 (D) by striking paragraph (4) and redesign-
20 ating paragraphs (5) through (8) as para-
21 graphs (4) through (7);

22 (3) in subsection (b)—

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

25 (B) in paragraph (3)—

1 (i) in subparagraph (D)—

2 (I) by inserting “including train-
3 ing on youth development” after “to
4 provide training”; and

5 (II) by striking “adolescents pre-
6 paring for independent living” and all
7 that follows through the period and
8 inserting “youth preparing for a suc-
9 cessful transition to adulthood and
10 making a permanent connection with
11 a caring adult.”;

12 (ii) in subparagraph (H), by striking
13 “adolescents” each place it appears and in-
14 serting “youth”; and

15 (iii) in subparagraph (K)—

16 (I) by striking “an adolescent”
17 and inserting “a youth”; and

18 (II) by striking “the adolescent”
19 each place it appears and inserting
20 “the youth”; and

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

23 “(2) REPORT TO CONGRESS.—Not later than
24 October 1, 2018, the Secretary shall submit to the
25 Committee on Ways and Means of the House of

1 Representatives and the Committee on Finance of
2 the Senate a report on the National Youth in Tran-
3 sition Database and any other databases in which
4 States report outcome measures relating to children
5 in foster care and children who have aged out of fos-
6 ter care or left foster care for kinship guardianship
7 or adoption. The report shall include the following:

8 “(A) A description of the reasons for entry
9 into foster care and of the foster care experi-
10 ences, such as length of stay, number of place-
11 ment settings, case goal, and discharge reason
12 of 17-year-olds who are surveyed by the Na-
13 tional Youth in Transition Database and an
14 analysis of the comparison of that description
15 with the reasons for entry and foster care expe-
16 riences of children of other ages who exit from
17 foster care before attaining age 17.

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

22 “(C) Benchmarks for determining what
23 constitutes a poor outcome for youth who re-
24 main in or have exited from foster care and
25 plans the executive branch will take to incor-

1 porate these benchmarks in efforts to evaluate
2 child welfare agency performance in providing
3 services to children transitioning from foster
4 care.

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

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

12 (e) CLARIFYING DOCUMENTATION PROVIDED TO
13 FOSTER YOUTH LEAVING FOSTER CARE.—Section
14 475(5)(I) of such Act (42 U.S.C. 675(5)(I)) is amended
15 by inserting after “REAL ID Act of 2005” the following:
16 “, and any official documentation necessary to prove that
17 the child was previously in foster care”.

