

FRESH STARTS FOR FOSTER YOUTH ACT

MAY 11, 2026.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SMITH of Missouri, from the Committee on Ways and Means, submitted the following

R E P O R T

[To accompany H.R. 7529]

[Including cost estimate of the Congressional Budget Office]

The Committee on Ways and Means, to whom was referred the bill (H.R. 7529) to require States to consider legal issues affecting youth as part of case planning and to provide States with the option to use funds from the John H. Chafee Foster Care Program for Successful Transition to Adulthood to support access to legal services and counseling, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fresh Starts for Foster Youth Act”.

SEC. 2. LEGAL CONSULTING AND ACCESS UNDER THE JOHN H. CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD.

Section 477 of the Social Security Act (42 U.S.C. 677) is amended—

(1) in subsection (a)(4), by inserting “legal counseling access,” after “education,”; and

(2) in subsection (b)(3), by adding at the end the following:

“(L) A certification by the chief executive officer of the State that the relevant case planning and other processes employed by the State take into consideration certain legal issues affecting housing, education, entry into employment, and family connections of current and former foster youth and the efforts required to address the issues, including with respect to State court records, legal recognition of family relationships, and matters relating to custody and permanency.”.

SEC. 3. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall take effect on the date that is 1 year after the date of the enactment of this Act and shall apply to payments under section 477 of the Social Security Act pursuant to plans approved by the Secretary of Health and Human Services on or after such date.

(b) 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 developed pursuant to section 477 of the Social Security Act to meet the additional requirements imposed by the amendments made by this Act, 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.

I. SUMMARY AND BACKGROUND

A. PURPOSE AND SUMMARY

H.R. 7529, as amended, the “Fresh Starts for Foster Youth Act,” as ordered reported by the Committee on Ways and Means on April 29, 2026, makes changes to the John H. Chafee Foster Care Program for Successful Transition to Adulthood (“Chafee”) in Section 477 of Part E of Title IV of the Social Security Act. Introduced by Rep. Danny Davis (D–IL) and Rep. Darin LaHood (R–IL), this bill improves access to legal services as part of permanency planning for older foster youth.

B. BACKGROUND AND NEED FOR LEGISLATION

In 1999, Congress created the Chafee program which provides states, territories, and tribes with flexible grants to support current and former foster youth in their transition to adulthood. Chafee is administered by the Department of Health and Human Services (HHS) Administration for Children and Families (ACF), which provides matching funds to states and tribes and ensures they are used for program purposes. Youth who have experienced foster care often lack strong connections to family and face significant challenges in their transition to adulthood, including legal issues that

need to be resolved so that they can secure housing, employment, and maintain family connections. For example, many foster youth have younger siblings who remain in foster care and they may need legal assistance in establishing custody or guardianship of their siblings. Foster youth also do not always have access to vital documents such as birth certificates or their Social Security Number and may need legal services to obtain those. Additionally, a report by the HHS Office of Inspector General found that foster youth are vulnerable to identity theft because their personal information is accessed by multiple individuals while in care, which can affect their ability to secure employment or obtain student or auto loans. Ensuring that they can resolve these and other legal issues will help former foster youth be more stable and self-sufficient as adults.

C. LEGISLATIVE HISTORY

Background

H.R. 7529 was introduced on February 12, 2026, and was referred to the Committee on Ways and Means.

Committee Hearings

The Committee on Ways and Means held the following hearing(s) concerning the policy in H.R. 7529:

On June 12, 2025, the House Ways and Means Subcommittee on Work and Welfare held a hearing titled, “Aging Out is Not a Plan: Reimagining Futures for Foster Youth.”

On November 18, 2025, the House Ways and Means Subcommittee on Work and Welfare held a hearing titled, “Leaving the Sticky Notes Behind: Harnessing Innovation and New Technology to Help America’s Foster Youth Succeed.”

Committee Action

The Committee on Ways and Means marked up H.R. 7529, the “Fresh Starts for Foster Youth Act”, on April 29, 2026, and favorably reported the bill, as amended, to the House of Representatives (with quorum being present).

D. DESIGNATED HEARINGS

Pursuant to clause 3(c)(6) of rule XIII, the following hearing was used to develop and consider H.R. 7529, the “Fresh Starts for Foster Youth Act”:

“Aging Out is Not a Plan: Reimagining Futures for Foster Youth,” hearing held on June 12, 2025 and “Leaving the Sticky Notes Behind: Harnessing Innovation and New Technology to Help America’s Foster Youth Succeed,” hearing held on November 18, 2025.

II. EXPLANATION OF THE BILL

A. REASONS FOR CHANGE

Section 1. The Committee believes the title accurately reflects the content of the bill.

Section 2. The Committee believes that clarifying the purposes of the Chafee program will guide states in using Chafee funds to sup-

port access to legal counseling. Adding a state plan requirement and providing examples of legal issues will improve intentional planning for foster youth’s access to legal support across a range of needs.

B. EXPLANATION OF PROVISIONS

Section 1. Provides the short title of the bill, “Fresh Starts for Foster Youth Act”.

Section 2. Clarifies in the purposes section that Chafee is intended to support access to legal counseling.

Adds a new state plan requirement to include a certification that the state has processes in place to take into consideration legal issues that may impact a youth’s transition into adulthood as part of their case planning, as well as efforts required to address such issues, including with respect to state court records. Legal issues may include areas affecting housing, education, entry into employment, family connections, legal recognition of family relationships, and matters relating to custody and permanency.

C. EFFECTIVE DATE

The bill would become effective on the date of enactment. Permits the Secretary of Health and Human Services to delay enactment of the legislation for a state if the Secretary determines that state legislation is required to meet the requirements of the bill.

III. VOTES OF THE COMMITTEE

In compliance with the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means during the markup consideration of H.R. 7529, the “Fresh Starts for Foster Youth Act” on April 29, 2026.

H.R. 7529 was ordered favorably reported to the House of Representatives as amended by a roll call vote of 42 yeas to 0 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Smith (MO)	X	.....	.....	Mr. Neal	X	.....	.....
Mr. Buchanan	X	.....	.....	Mr. Doggett .....	.....	.....	.....
Mr. Smith (NE)	X	.....	.....	Mr. Thompson	X	.....	.....
Mr. Kelly	X	.....	.....	Mr. Larson	X	.....	.....
Mr. Schweikert	X	.....	.....	Mr. Davis	X	.....	.....
Mr. LaHood	X	.....	.....	Ms. Sánchez	X	.....	.....
Mr. Arrington	X	.....	.....	Ms. Sewell .....	.....	.....	.....
Mr. Estes	X	.....	.....	Ms. DelBene	X	.....	.....
Mr. Smucker	X	.....	.....	Ms. Chu	X	.....	.....
Mr. Hern	X	.....	.....	Ms. Moore (WI)	X	.....	.....
Mrs. Miller (WV)	X	.....	.....	Mr. Boyle	X	.....	.....
Dr. Murphy	X	.....	.....	Mr. Beyer	X	.....	.....
Mr. Kustoff	X	.....	.....	Mr. Evans	X	.....	.....
Mr. Fitzpatrick	X	.....	.....	Mr. Schneider	X	.....	.....
Mr. Steube	X	.....	.....	Mr. Panetta	X	.....	.....
Ms. Tenney	X	.....	.....	Mr. Gomez	X	.....	.....
Mrs. Fischbach	X	.....	.....	Mr. Horsford	X	.....	.....
Mr. Moore (UT)	X	.....	.....	Ms. Plaskett .....	.....	.....	.....
Ms. Van Dyne	X	.....	.....	Mr. Suozzi	X	.....	.....
Mr. Feenstra	X	.....	.....				
Ms. Malliotakis	X	.....	.....				
Mr. Carey	X	.....	.....				

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Yakym	X	.....	.....				
Mr. Miller (OH)	X	.....	.....				
Mr. Bean	X	.....	.....				
Mr. Moran	X	.....	.....				

IV. BUDGET EFFECTS OF THE BILL

A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

With respect to clause 3(d) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the effects on the budget of the bill, H.R. 7529, as reported. The estimate prepared by the Congressional Budget Office is included below.

B. STATEMENT REGARDING NEW BUDGET AUTHORITY AND TAX EXPENDITURES BUDGET AUTHORITY

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee states that the bill involved no new or increased budget authority. The Committee states further that the bill involves no new or increased tax expenditures.

C. COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, requiring a cost estimate prepared by the CBO, the following statement by CBO is provided.

At a Glance			
Foster Care Legislation			
As ordered reported by the House Committee on Ways and Means on April 29, 2026			
On April 29, 2026, the House Committee on Ways and Means ordered six bills to be reported. Each of the bills is related to the administration of the John H. Chafee Foster Care Program for Successful Transition to Adulthood. Details of the estimated costs of the bills are discussed in the text.			
CBO estimates that none of the bills would affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.			
CBO estimates that H.R. 7432, H.R. 7463, and H.R. 7995 would each increase spending subject to appropriation by less than \$500,000 over the 2026-2031 period.			
CBO estimates that none of the bills would increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2037.			
Bill	Net Increase or Decrease (-) in the Deficit Over the 2026-2036 Period (Millions of Dollars)	Changes in Spending Subject to Appropriation Over the 2026-2031 Period (Outlays, Millions of Dollars)	Mandate Effects?
H.R. 7343	0	0	No
H.R. 7432	0	*	No
H.R. 7463	0	*	No
H.R. 7529	0	0	No
H.R. 7655	0	0	No
H.R. 7995	0	*	No
* = between zero and \$500,000.			

Summary of legislation: On April 29, 2026, the House Committee on Ways and Means ordered six bills to be reported. This document provides estimates for those bills. Each of the bills would amend section 447 of the Social Security Act to broaden the purpose of funding provided for the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee program).

Estimated Federal cost: The costs of the legislation fall within budget function 600 (income security).

Basis of estimate: For this estimate, CBO assumes that the bills will be enacted in 2026 and that the estimated amounts will be appropriated each year. This cost estimate does not include any effects of interactions among the legislation. If all six bills were combined and enacted as a single piece of legislation, the effects could be different from the sum of the separate estimates.

Background: The Chafee program provides funding to states, the District of Columbia, tribes, and U.S. territories to support the educational, employment, family, and housing needs of certain foster youth who are transitioning to independent adult life. The program is authorized under section 477 of the Social Security Act, which permanently provides \$143 million annually for the program, which is classified as direct (or mandatory) spending. That law also authorizes the appropriation of \$60 million annually to provide foster youth with education and training vouchers, which can be used toward qualified education or employment training expenses. In CBO's baseline projections, states spend all of the funding provided.

H.R. 7343, the Foster Youth Workforce Opportunity Act, would expand eligibility for education and training vouchers to youth who left foster care at age 14 or older for kinship guardianship or adoption. Under current law, eligibility for vouchers is limited to youth who experienced foster care at age 14 or older, who aged out of foster care, or who were adopted or left for kinship guardianship after age 16. The bill also would expand the allowable uses for education and training vouchers to permit youth to use vouchers for short-term workforce or vocational training, credentialing programs, apprenticeships, and general or remedial education.

The bill would not change the amount authorized to be appropriated for training vouchers. Thus, CBO estimates that H.R. 7343 would have no effect on the federal budget.

H.R. 7432, the Foster Youth Housing Opportunity Act, would require the Department of Health and Human Services (HHS) and the Department of Housing and Urban Development (HUD) to issue guidance to states for coordinating with federal housing programs to improve services for youth aging out of foster care. The bill also would allow states to use mandatory funds for the Chafee program to provide various supportive services, including financial assistance for security deposits and moving costs. Finally, H.R. 7432 would require the Secretary of HHS to submit a report to the Congress on housing outcomes for foster youth.

The bill would not increase the amount of funding provided for the Chafee program. Thus, CBO estimates that allowing those funds to be used for additional purposes under H.R. 7432 would not affect direct spending.

According to information provided by HHS, the agency is currently implementing many of the activities required under H.R.

7432 to comply with an executive order that was issued on November 13, 2025.¹ Those activities include collecting data from the National Youth in Transition Database dashboard and issuing joint letters from HHS and HUD to clarify rules and promote the availability of housing-related resources for foster youth. Thus, CBO estimates that implementing the administrative and reporting requirements of H.R. 7432 would cost less than \$500,000 over the 2026–2031 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 7463, the Foster Youth Postsecondary Education Access and Success Act, would increase the annual limit on education and training vouchers from \$5,000 to \$12,000 per student. The bill also would permit states, under certain conditions, to establish a grace period for foster youth to maintain their eligibility for vouchers by demonstrating progress toward completion of an education or training program. In addition, the bill would require states to make a reasonable effort to ensure that eligible youth are aware of the voucher program and would require them to use a simple, standardized application for the program. H.R. 7463 also would require HHS to issue guidance to states for carrying out the changes required under the bill.

In fiscal year 2024, states provided 14,400 vouchers averaging nearly \$3,100. Because the bill would not change the amount authorized to be appropriated for the voucher program, CBO estimates that increasing the annual limit on vouchers would not affect spending for that program.

Using information on the cost to issue guidance similar to that required by H.R. 7463, CBO estimates that implementing those provisions would cost less than \$500,000 over the 2026–2031 period. Any related spending would be subject to the availability of appropriated funds.

H.R. 7529, the Fresh Starts for Foster Youth Act, would require states, when planning for foster youth to transition to adulthood, to help foster youth identify the legal issues that affect education, entry into the workforce, family relationships, and housing. The bill also would permit states to use mandatory funds for the Chafee program to help those youth access legal services and counseling. The bill would not change the amount of funding provided for the Chafee program each year. Thus, CBO estimates that H.R. 7529 would have no effect on the federal budget.

H.R. 7655, the Support for Expectant and Parenting Foster Youth Act, would require states to provide information about the services offered through the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program to foster youth who are expecting or parenting a child. That additional information would be required one year after enactment.

Funding for the MIECHV program is provided through mandatory budget authority. The Health Resources and Services Administration at HHS administers the program, which is authorized under section 511 of the Social Security Act and provides grants to states, the District of Columbia, tribes, and U.S. territories to support voluntary, evidence-based home visiting services for pregnant

¹ Executive Order 14359, “Fostering the Future for American Children and Families,” 90 Fed. Reg. 52227 (November 13, 2025), <https://tinyurl.com/4t58duxm>.

women and families with young children. The program was most recently reauthorized in the 2023 Consolidated Appropriations Act, which provided \$650 million for 2026 and \$800 million for 2027. There is no funding or authorization for the program after 2027. In CBO's estimation, because the additional information would not be required until late in 2027, enacting the bill would not affect spending for the MIECHV program.

H.R. 7655 also would permit states to use mandatory funds for the Chafee program to provide tailored case management services to youth who are expecting or parenting a child. The bill would not change the amount of funding provided for the Chafee program each year. Thus, CBO estimates that H.R. 7655 would have no effect on the federal budget.

H.R. 7995, the Chafee Opportunities for New Networks and Existing Connection Trust Act, would permit states to use mandatory funds for the Chafee program to help foster youth establish and maintain connections with family, mentors, peers, and supportive adults, and to help them plan for living independently. The bill would require the Secretary of HHS to issue guidance to states for carrying out those activities.

The bill would not change the amount of funding provided for the Chafee program each year. Thus, CBO estimates that H.R. 7995 would not increase direct spending.

Using information on the cost to issue guidance similar to that required by H.R. 7995, CBO estimates that implementing those provisions of the bill would cost less than \$500,000 over the 2026–2031 period. Any related spending would be subject to the availability of appropriated funds.

Pay-As-You-Go considerations: None of the bills would affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Increase in long-term net direct spending and deficits: CBO estimates that enacting the bills would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2037.

Mandates: None of the bills contain intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

Estimate prepared by: Federal Costs: Susanne Mehlman (General Chafee program); Delaney Smith (Education and Training Voucher program); Carolyn Ugolino (Maternal, Infant, and Early Childhood Home Visiting Program); Mandates: Andrew Laughlin.

Estimate reviewed by: Elizabeth Cove Delisle, Chief, Income Security Cost Estimates Unit; Kathleen FitzGerald, Chief, Public and Private Mandates Unit; Christina Hawley Anthony, Deputy Director of Budget Analysis.

Estimate approved by: Phillip L. Swagel, Director, Congressional Budget Office.

V. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee made findings and recommendations that are reflected in this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the bill does not authorize funding, so no statement of general performance goals and objectives is required.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the *Unfunded Mandates Reform Act of 1995* (Pub. L. No. 104–4).

The Committee has determined that the bill does not contain Federal mandates on the private sector. The Committee has determined that the bill does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

With respect to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the bill, and states that the provisions of the bill do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

E. DUPLICATION OF FEDERAL PROGRAMS

In compliance with clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of the bill establishes or reauthorizes: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Pub. L. No. 95–220, as amended by Pub. L. No. 98–169).

VI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italics)

and existing law in which no change is proposed is shown in roman):

SOCIAL SECURITY ACT

* * * * *

TITLE IV—GRANTS TO STATES FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN AND FOR CHILD-WEL- FARE SERVICES

* * * * *

PART E—FEDERAL PAYMENTS FOR FOSTER CARE, PREVENTION, AND PERMANENCY

* * * * *

SEC. 477. JOHN H. CHAFEE FOSTER CARE PROGRAM FOR SUCCESSFUL TRANSITION TO ADULTHOOD.

(a) PURPOSE.—The purpose of this section is to provide States with flexible funding that will enable programs to be designed and conducted—

(1) to support all youth who have experienced foster care at age 14 or older in their transition to adulthood through transitional services such as assistance in obtaining a high school diploma and post-secondary education, career exploration, vocational training, job placement and retention, training and opportunities to practice daily living skills (such as financial literacy training and driving instruction), substance abuse prevention, and preventive health activities (including smoking avoidance, nutrition education, and pregnancy prevention);

(2) to help children who have experienced foster care at age 14 or older achieve meaningful, permanent connections with a caring adult;

(3) to help children who have experienced foster care at age 14 or older engage in age or developmentally appropriate activities, positive youth development, and experiential learning that reflects what their peers in intact families experience;

(4) to provide financial, housing, counseling, employment, education, *legal counseling access*, and other appropriate support and services to former foster care recipients between 18 and 21 years of age (or 23 years of age, in the case of a State with a certification under subsection (b)(3)(A)(ii) to provide assistance and services to youths who have aged out of foster care and have not attained such age, in accordance with such subsection) to complement their own efforts to achieve self-sufficiency and to assure that program participants recognize and accept their personal responsibility for preparing for and then making the transition from adolescence to adulthood;

(5) to make available vouchers for education and training, including postsecondary training and education, to youths who have aged out of foster care;

(6) to provide the services referred to in this subsection to children who, after attaining 16 years of age, have left foster care for kinship guardianship or adoption; and

(7) to ensure children who are likely to remain in foster care until 18 years of age have regular, ongoing opportunities to engage in age or developmentally-appropriate activities as defined in section 475(11).

(b) APPLICATIONS.—

(1) IN GENERAL.—A State may apply for funds from its allotment under subsection (c) for a period of five consecutive fiscal years by submitting to the Secretary, in writing, a plan that meets the requirements of paragraph (2) and the certifications required by paragraph (3) with respect to the plan.

(2) STATE PLAN.—A plan meets the requirements of this paragraph if the plan specifies which State agency or agencies will administer, supervise, or oversee the programs carried out under the plan, and describes how the State intends to do the following:

(A) Design and deliver programs to achieve the purposes of this section.

(B) Ensure that all political subdivisions in the State are served by the program, though not necessarily in a uniform manner.

(C) Ensure that the programs serve children of various ages and at various stages of achieving independence.

(D) Involve the public and private sectors in helping youth in foster care achieve independence.

(E) Use objective criteria for determining eligibility for benefits and services under the programs, and for ensuring fair and equitable treatment of benefit recipients.

(F) Cooperate in national evaluations of the effects of the programs in achieving the purposes of this section.

(3) CERTIFICATIONS.—The certifications required by this paragraph with respect to a plan are the following:

(A)(i) A certification by the chief executive officer of the State that the State will provide assistance and services to youths who have aged out of foster care and have not attained 21 years of age.

(ii) If the State has elected under section 475(8)(B) to extend eligibility for foster care to all children who have not attained 21 years of age, or if the Secretary determines that the State agency responsible for administering the State plans under this part and part B uses State funds or any other funds not provided under this part to provide services and assistance for youths who have aged out of foster care that are comparable to the services and assistance the youths would receive if the State had made such an election, the certification required under clause (i) may provide that the State will provide assistance and services to youths who have aged out of foster care and have not attained 23 years of age.

(B) A certification by the chief executive officer of the State that not more than 30 percent of the amounts paid to the State from its allotment under subsection (c) for a fiscal year will be expended for room or board for youths who have aged out of foster care and have not attained 21 years of age (or 23 years of age, in the case of a State with a certification under subparagraph (A)(i) to provide assist-

ance and services to youths who have aged out of foster care and have not attained such age, in accordance with subparagraph (A)(ii)).

(C) A certification by the chief executive officer of the State that none of the amounts paid to the State from its allotment under subsection (c) will be expended for room or board for any child who has not attained 18 years of age.

(D) A certification by the chief executive officer of the State that the State will use training funds provided under the program of Federal payments for foster care and adoption assistance to provide training including training on youth development to help foster parents, adoptive parents, workers in group homes, and case managers understand and address the issues confronting youth preparing for a successful transition to adulthood and making a permanent connection with a caring adult.

(E) A certification by the chief executive officer of the State that the State has consulted widely with public and private organizations in developing the plan and that the State has given all interested members of the public at least 30 days to submit comments on the plan.

(F) A certification by the chief executive officer of the State that the State will make every effort to coordinate the State programs receiving funds provided from an allotment made to the State under subsection (c) with other Federal and State programs for youth (especially transitional living youth projects funded under part B of title III of the Juvenile Justice and Delinquency Prevention Act of 1974), abstinence education programs, local housing programs, programs for disabled youth (especially sheltered workshops), and school-to-work programs offered by high schools or local workforce agencies.

(G) A certification by the chief executive officer of the State that each Indian tribe in the State has been consulted about the programs to be carried out under the plan; that there have been efforts to coordinate the programs with such tribes; that benefits and services under the programs will be made available to Indian children in the State on the same basis as to other children in the State; and that the State will negotiate in good faith with any Indian tribe, tribal organization, or tribal consortium in the State that does not receive an allotment under subsection (j)(4) for a fiscal year and that requests to develop an agreement with the State to administer, supervise, or oversee the programs to be carried out under the plan with respect to the Indian children who are eligible for such programs and who are under the authority of the tribe, organization, or consortium and to receive from the State an appropriate portion of the State allotment under subsection (c) for the cost of such administration, supervision, or oversight.

(H) A certification by the chief executive officer of the State that the State will ensure that youth participating in the program under this section participate directly in de-

signing their own program activities that prepare them for independent living and that the youth accept personal responsibility for living up to their part of the program.

(I) A certification by the chief executive officer of the State that the State has established and will enforce standards and procedures to prevent fraud and abuse in the programs carried out under the plan.

(J) A certification by the chief executive officer of the State that the State educational and training voucher program under this section is in compliance with the conditions specified in subsection (i), including a statement describing methods the State will use—

(i) to ensure that the total amount of educational assistance to a youth under this section and under other Federal and Federally supported programs does not exceed the limitation specified in subsection (i)(5); and

(ii) to avoid duplication of benefits under this and any other Federal or Federally assisted benefit program.

(K) A certification by the chief executive officer of the State that the State will ensure that a youth participating in the program under this section are provided with education about the importance of designating another individual to make health care treatment decisions on behalf of the youth if the youth becomes unable to participate in such decisions and the youth does not have, or does not want, a relative who would otherwise be authorized under State law to make such decisions, whether a health care power of attorney, health care proxy, or other similar document is recognized under State law, and how to execute such a document if the youth wants to do so.

(L) A certification by the chief executive officer of the State that the relevant case planning and other processes employed by the State take into consideration certain legal issues affecting housing, education, entry into employment, and family connections of current and former foster youth and the efforts required to address the issues, including with respect to State court records, legal recognition of family relationships, and matters relating to custody and permanency.

(4) APPROVAL.—The Secretary shall approve an application submitted by a State pursuant to paragraph (1) for a period if—

(A) the application is submitted on or before June 30 of the calendar year in which such period begins; and

(B) the Secretary finds that the application contains the material required by paragraph (1).

(5) AUTHORITY TO IMPLEMENT CERTAIN AMENDMENTS; NOTIFICATION.—A State with an application approved under paragraph (4) may implement any amendment to the plan contained in the application if the application, incorporating the amendment, would be approvable under paragraph (4). Within 30 days after a State implements any such amendment, the State shall notify the Secretary of the amendment.

(6) AVAILABILITY.—The State shall make available to the public any application submitted by the State pursuant to paragraph (1), and a brief summary of the plan contained in the application.

(c) ALLOTMENTS TO STATES.—

(1) GENERAL PROGRAM ALLOTMENT.—From the amount specified in subsection (h)(1) that remains after applying subsection (g)(2) for a fiscal year, the Secretary shall allot to each State with an application approved under subsection (b) for the fiscal year the amount which bears the ratio to such remaining amount equal to the State foster care ratio, as adjusted in accordance with paragraph (2).

(2) HOLD HARMLESS PROVISION.—

(A) IN GENERAL.—The Secretary shall allot to each State whose allotment for a fiscal year under paragraph (1) is less than the greater of \$500,000 or the amount payable to the State under this section for fiscal year 1998, an additional amount equal to the difference between such allotment and such greater amount.

(B) RATABLE REDUCTION OF CERTAIN ALLOTMENTS.—In the case of a State not described in subparagraph (A) of this paragraph for a fiscal year, the Secretary shall reduce the amount allotted to the State for the fiscal year under paragraph (1) by the amount that bears the same ratio to the sum of the differences determined under subparagraph (A) of this paragraph for the fiscal year as the excess of the amount so allotted over the greater of \$500,000 or the amount payable to the State under this section for fiscal year 1998 bears to the sum of such excess amounts determined for all such States.

(3) VOUCHER PROGRAM ALLOTMENT.—From the amount, if any, appropriated pursuant to subsection (h)(2) for a fiscal year, the Secretary may allot to each State with an application approved under subsection (b) for the fiscal year an amount equal to the State foster care ratio multiplied by the amount so specified.

(4) STATE FOSTER CARE RATIO.—In this subsection, the term “State foster care ratio” means the ratio of the number of children in foster care under a program of the State in the most recent fiscal year for which the information is available to the total number of children in foster care in all States for the most recent fiscal year.

(d) USE OF FUNDS.—

(1) IN GENERAL.—A State to which an amount is paid from its allotment under subsection (c) may use the amount in any manner that is reasonably calculated to accomplish the purposes of this section.

(2) NO SUPPLANTATION OF OTHER FUNDS AVAILABLE FOR SAME GENERAL PURPOSES.—The amounts paid to a State from its allotment under subsection (c) shall be used to supplement and not supplant any other funds which are available for the same general purposes in the State.

(3) TWO-YEAR AVAILABILITY OF FUNDS.—Payments made to a State under this section for a fiscal year shall be expended by the State in the fiscal year or in the succeeding fiscal year.

(4) REALLOCATION OF UNUSED FUNDS.—If a State does not apply for funds under this section for a fiscal year within such time as may be provided by the Secretary or does not expend allocated funds within the period at the end of the time sentence specified under section 477(d)(3), the funds to which the State would be entitled for the fiscal year shall be reallocated to 1 or more other States on the basis of their relative need for additional payments under this section, as determined by the Secretary.

(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.

(e) PENALTIES.—

(1) USE OF GRANT IN VIOLATION OF THIS PART.—If the Secretary is made aware, by an audit conducted under chapter 75 of title 31, United States Code, or by any other means, that a program receiving funds from an allotment made to a State under subsection (c) has been operated in a manner that is inconsistent with, or not disclosed in the State application approved under subsection (b), the Secretary shall assess a penalty against the State in an amount equal to not less than 1 percent and not more than 5 percent of the amount of the allotment.

(2) **FAILURE TO COMPLY WITH DATA REPORTING REQUIREMENT.**—The Secretary shall assess a penalty against a State that fails during a fiscal year to comply with an information collection plan implemented under subsection (f) in an amount equal to not less than 1 percent and not more than 5 percent of the amount allotted to the State for the fiscal year.

(3) **PENALTIES BASED ON DEGREE OF NONCOMPLIANCE.**—The Secretary shall assess penalties under this subsection based on the degree of noncompliance.

(f) **DATA COLLECTION AND PERFORMANCE MEASUREMENT.**—

(1) **IN GENERAL.**—The Secretary, in consultation with State and local public officials responsible for administering independent living and other child welfare programs, child welfare advocates, Members of Congress, youth service providers, and researchers, shall—

(A) develop outcome measures (including measures of educational attainment, high school diploma, employment, avoidance of dependency, homelessness, nonmarital child-birth, incarceration, and high-risk behaviors) that can be used to assess the performance of States in operating independent living programs;

(B) identify data elements needed to track—

(i) the number and characteristics of children receiving services under this section;

(ii) the type and quantity of services being provided; and

(iii) State performance on the outcome measures; and

(C) develop and implement a plan to collect the needed information beginning with the second fiscal year beginning after the date of the enactment of this section.

(2) **REPORT TO CONGRESS.**—Not later than October 1, 2019, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on the National Youth in Transition Database and any other databases in which States report outcome measures relating to children in foster care and children who have aged out of foster care or left foster care for kinship guardianship or adoption. The report shall include the following:

(A) A description of the reasons for entry into foster care and of the foster care experiences, such as length of stay, number of placement settings, case goal, and discharge reason of 17-year-olds who are surveyed by the National Youth in Transition Database and an analysis of the comparison of that description with the reasons for entry and foster care experiences of children of other ages who exit from foster care before attaining age 17.

(B) A description of the characteristics of the individuals who report poor outcomes at ages 19 and 21 to the National Youth in Transition Database.

(C) Benchmarks for determining what constitutes a poor outcome for youth who remain in or have exited from foster care and plans the executive branch will take to incorporate these benchmarks in efforts to evaluate child wel-

fare agency performance in providing services to children transitioning from foster care.

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

(E) An analysis of the differences in outcomes for children in and formerly in foster care at age 19 and 21 among States.

(g) EVALUATIONS.—

(1) IN GENERAL.—The Secretary shall conduct evaluations of such State programs funded under this section as the Secretary deems to be innovative or of potential national significance. The evaluation of any such program shall include information on the effects of the program on education, employment, and personal development. To the maximum extent practicable, the evaluations shall be based on rigorous scientific standards including random assignment to treatment and control groups. The Secretary is encouraged to work directly with State and local governments to design methods for conducting the evaluations, directly or by grant, contract, or cooperative agreement.

(2) FUNDING OF EVALUATIONS.—The Secretary shall reserve 1.5 percent of the amount specified in subsection (h) for a fiscal year to carry out, during the fiscal year, evaluation, technical assistance, performance measurement, and data collection activities related to this section, directly or through grants, contracts, or cooperative agreements with appropriate entities.

(h) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out this section and for payments to States under section 474(a)(4), there are authorized to be appropriated to the Secretary for each fiscal year—

(1) \$140,000,000 or, beginning in fiscal year 2020, \$143,000,000, which shall be available for all purposes under this section; and

(2) an additional \$60,000,000, which are authorized to be available for payments to States for education and training vouchers for youths who age out of foster care, to assist the youths to develop skills necessary to lead independent and productive lives.

(i) EDUCATIONAL AND TRAINING VOUCHERS.—The following conditions shall apply to a State educational and training voucher program under this section:

(1) Vouchers under the program may be available to youths otherwise eligible for services under the State program under this section who have attained 14 years of age.

(2) For purposes of the voucher program, youths who, after attaining 16 years of age, are adopted from, or enter kinship guardianship from, foster care may be considered to be youths otherwise eligible for services under the State program under this section.

(3) The State may allow youths participating in the voucher program to remain eligible until they attain 26 years of age, as long as they are enrolled in a postsecondary education or training program and are making satisfactory progress toward

completion of that program, but in no event may a youth participate in the program for more than 5 years (whether or not consecutive).

(4) The voucher or vouchers provided for an individual under this section—

(A) may be available for the cost of attendance at an institution of higher education, as defined in section 102 of the Higher Education Act of 1965; and

(B) shall not exceed the lesser of \$5,000 per year or the total cost of attendance, as defined in section 472 of that Act.

(5) The amount of a voucher under this section may be disregarded for purposes of determining the recipient's eligibility for, or the amount of, any other Federal or Federally supported assistance, except that the total amount of educational assistance to a youth under this section and under other Federal and Federally supported programs shall not exceed the total cost of attendance, as defined in section 472 of the Higher Education Act of 1965, and except that the State agency shall take appropriate steps to prevent duplication of benefits under this and other Federal or Federally supported programs.

(6) The program is coordinated with other appropriate education and training programs.

(j) AUTHORITY FOR AN INDIAN TRIBE, TRIBAL ORGANIZATION, OR TRIBAL CONSORTIUM TO RECEIVE AN ALLOTMENT.—

(1) IN GENERAL.—An Indian tribe, tribal organization, or tribal consortium with a plan approved under section 479B, or which is receiving funding to provide foster care under this part pursuant to a cooperative agreement or contract with a State, may apply for an allotment out of any funds authorized by paragraph (1) or (2) (or both) of subsection (h) of this section.

(2) APPLICATION.—A tribe, organization, or consortium desiring an allotment under paragraph (1) of this subsection shall submit an application to the Secretary to directly receive such allotment that includes a plan which—

(A) satisfies such requirements of paragraphs (2) and (3) of subsection (b) as the Secretary determines are appropriate;

(B) contains a description of the tribe's, organization's, or consortium's consultation process regarding the programs to be carried out under the plan with each State for which a portion of an allotment under subsection (c) would be redirected to the tribe, organization, or consortium; and

(C) contains an explanation of the results of such consultation, particularly with respect to—

(i) determining the eligibility for benefits and services of Indian children to be served under the programs to be carried out under the plan; and

(ii) the process for consulting with the State in order to ensure the continuity of benefits and services for such children who will transition from receiving benefits and services under programs carried out under a State plan under subsection (b)(2) to receiving benefits

and services under programs carried out under a plan under this subsection.

(3) PAYMENTS.—The Secretary shall pay an Indian tribe, tribal organization, or tribal consortium with an application and plan approved under this subsection from the allotment determined for the tribe, organization, or consortium under paragraph (4) of this subsection in the same manner as is provided in section 474(a)(4) (and, where requested, and if funds are appropriated, section 474(e)) with respect to a State, or in such other manner as is determined appropriate by the Secretary, except that in no case shall an Indian tribe, a tribal organization, or a tribal consortium receive a lesser proportion of such funds than a State is authorized to receive under those sections.

(4) ALLOTMENT.—From the amounts allotted to a State under subsection (c) of this section for a fiscal year, the Secretary shall allot to each Indian tribe, tribal organization, or tribal consortium with an application and plan approved under this subsection for that fiscal year an amount equal to the tribal foster care ratio determined under paragraph (5) of this subsection for the tribe, organization, or consortium multiplied by the allotment amount of the State within which the tribe, organization, or consortium is located. The allotment determined under this paragraph is deemed to be a part of the allotment determined under section 477(c) for the State in which the Indian tribe, tribal organization, or tribal consortium is located.

(5) TRIBAL FOSTER CARE RATIO.—For purposes of paragraph (4), the tribal foster care ratio means, with respect to an Indian tribe, tribal organization, or tribal consortium, the ratio of—

(A) the number of children in foster care under the responsibility of the Indian tribe, tribal organization, or tribal consortium (either directly or under supervision of the State), in the most recent fiscal year for which the information is available; to

(B) the sum of—

(i) the total number of children in foster care under the responsibility of the State within which the Indian tribe, tribal organization, or tribal consortium is located; and

(ii) the total number of children in foster care under the responsibility of all Indian tribes, tribal organizations, or tribal consortia in the State (either directly or under supervision of the State) that have a plan approved under this subsection.

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