

114TH CONGRESS
1ST SESSION

S. 2289

To modernize and improve the Family Unification Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2015

Mr. KAINE (for himself, Ms. COLLINS, Mr. SCHATZ, and Mrs. MURRAY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To modernize and improve the Family Unification Program,
and for other purposes.

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 “Family Unification,
5 Preservation, and Modernization Act of 2015”.

1 **TITLE I—HOUSING ASSISTANCE**
2 **UNDER THE FAMILY UNIFICA-**
3 **TION PROGRAM**

4 **SEC. 101. FAMILY UNIFICATION PROGRAM.**

5 Section 8(x) of the United States Housing Act of
6 1937 (42 U.S.C. 1437f(x)) is amended—

7 (1) in the subsection heading, by inserting
8 “PRESERVATION AND” after “FAMILY”;

9 (2) by amending paragraph (2) to read as fol-
10 lows:

11 “(2) USE OF FUNDS.—

12 “(A) IN GENERAL.—The amounts made
13 available under this subsection shall be used to
14 provide tenant-based or project-based assistance
15 under section 8 on behalf of—

16 “(i) any family—

17 “(I) who is otherwise eligible for
18 such assistance;

19 “(II) who the public child welfare
20 agency for the jurisdiction has cer-
21 tified is a family that is lacking ade-
22 quate housing or is homeless; and

23 “(III) who has a child or children
24 in out-of-home care or is at risk of

1 having a child or children placed in
2 out-of-home care; and

3 “(ii) except as a provided in subpara-
4 graph (B), for a period not to exceed 36
5 months, otherwise eligible youths who have
6 attained at least 18 years of age and not
7 more than 24 years of age and who—

8 “(I) have left foster care at age
9 14 or older; or

10 “(II) will leave foster care within
11 90 days (in accordance with a transi-
12 tion plan described in section
13 475(5)(H) of the Social Security Act
14 (42 U.S.C. 675(5)(H)) and is home-
15 less or at risk of becoming homeless.

16 “(B) EXCEPTION.—If an applicant enrolls
17 an eligible youth in a program authorized under
18 section 23, the applicant may extend the 36-
19 month period described in subparagraph (A)(ii)
20 in accordance with the length of the contract of
21 participation for that eligible youth under sec-
22 tion 23(c)(3).

23 “(C) GEOGRAPHIC AREA.—Amounts made
24 available under this subsection shall be used to
25 provide assistance to families and eligible

1 youths described in subparagraph (A) in the ge-
2 ographic area served by an applicant.

3 “(D) RULE OF CONSTRUCTION.—Nothing
4 in this paragraph shall be construed to preclude
5 or limit the ability of an eligible youth described
6 in subparagraph (A)(ii) who receives assistance
7 under this subsection to receive assistance
8 under section 477 of the Social Security Act
9 (42 U.S.C. 677).”;

10 (3) by redesignating paragraph (4) as para-
11 graph (7); and

12 (4) by striking paragraph (3) and inserting the
13 following:

14 “(3) ALLOCATION.—

15 “(A) IN GENERAL.—The Secretary shall
16 allocate amounts made available under this sub-
17 section through a national competition among
18 applicants that—

19 “(i) partner with public child welfare
20 agencies; and

21 “(ii) demonstrate a need for assist-
22 ance based on the number of families and
23 eligible youths described in paragraph
24 (2)(A) in the geographical area served by
25 the applicant.

1 “(B) APPLICATION.—An applicant desiring
2 amounts made available under this subsection
3 shall submit to the Secretary an application
4 containing—

5 “(i) a memorandum of understanding
6 between the applicant and the public child
7 welfare agency with which the applicant is
8 partnering (hereinafter referred to as the
9 ‘partnering public child welfare agency’),
10 which shall include—

11 “(I) the number of such families
12 and eligible youths who, as of the date
13 of the application, are receiving assist-
14 ance under this subsection;

15 “(II) the joint selection criteria
16 and strategy established by the appli-
17 cant and the partnering public child
18 welfare agency for identifying and
19 prioritizing recipients of assistance
20 under this subsection;

21 “(III) for an applicant who will
22 serve eligible youths, a description of
23 how the partnering public child wel-
24 fare agency will coordinate with the
25 applicant to ensure that, as part of

1 the transition plan described in sec-
2 tion 475(5)(H) of the Social Security
3 Act (42 U.S.C. 675(5)(H)), the eligi-
4 ble youth does not experience a lapse
5 in housing and receives appropriate
6 prehousing counseling to assist with
7 housing stability;

8 “(IV) a description of how the
9 partnering public child welfare agency
10 and the applicant will assess outcomes
11 associated with family preservation
12 and reunification or assisting eligible
13 youths transitioning to adulthood for
14 recipients of assistance under this
15 subsection, which outcomes may in-
16 clude—

17 “(aa) educational improve-
18 ments for children;

19 “(bb) economic improvement
20 for adults and youth;

21 “(cc) improved housing sta-
22 bility;

23 “(dd) increased access to
24 areas of opportunity; or

1 “(ee) reduction of case load
2 at the partnering public child
3 welfare agency;

4 “(V) an identification of re-
5 sources that will be available to recipi-
6 ents of assistance under this sub-
7 section to assist with housing
8 searches, including in areas of oppor-
9 tunity, such as identification of land-
10 lords, deposit or renters insurance,
11 help with back rent, security deposits,
12 or other upfront costs associated with
13 securing a dwelling unit;

14 “(VI) a description of the vol-
15 untary supportive services that will be
16 provided to recipients of assistance
17 under this subsection for a minimum
18 of 1 year following the date on which
19 the lease for the applicable dwelling
20 unit begins; and

21 “(VII) if any of the supportive
22 services described in subclause (VI)
23 are being provided by a third-party,
24 community-based organization, a
25 signed letter of agreement between

1 the applicant and the partnering pub-
2 lic child welfare agency that—

3 “(aa) contains a description
4 of the supportive services to be
5 provided; and

6 “(bb) demonstrates the ex-
7 pertise of the third-party, com-
8 munity-based organization pro-
9 viding those supportive services
10 to recipients of assistance under
11 this subsection;

12 “(ii) a description of how the appli-
13 cant and the partnering public child wel-
14 fare agency will coordinate with, and evi-
15 dence of consultation with, the local Con-
16 tinuum of Care (as established under sec-
17 tion 422 of the McKinney-Vento Homeless
18 Assistance Act (42 U.S.C. 11382)) or
19 other local providers serving eligible youths
20 or families to identify potential recipients
21 for assistance under this subsection; and

22 “(iii) any other criteria established by
23 the Secretary in consultation with the Sec-
24 retary of Health and Human Services that
25 are necessary to promote family unification

1 and preservation, reduce unnecessary fos-
2 ter care placement, decrease youth home-
3 lessness, and ensure effective administra-
4 tion of this subsection.

5 “(C) CONSULTATION ON APPLICATION RE-
6 QUIREMENTS.—The Secretary may consult with
7 the Secretary of Health and Human Services to
8 establish the timing of submissions and other
9 application requirements, including joint re-
10 quirements, for an application submitted under
11 this subsection and the application required
12 under section 437A of the Social Security Act.

13 “(4) COORDINATION BETWEEN PUBLIC HOUS-
14 ING AGENCIES AND PUBLIC CHILD WELFARE AGEN-
15 CIES.—

16 “(A) SUPPORTIVE SERVICES.—The Sec-
17 retary shall consult with the Secretary of
18 Health and Human Services to identify pro-
19 grams of agencies at the Department of Health
20 and Human Services and the resources avail-
21 able through those agencies to provide sup-
22 portive services to recipients of assistance under
23 this subsection.

24 “(B) GUIDANCE.—Not later than 180 days
25 after the date of enactment of this paragraph,

1 the Secretary and the Secretary of Health and
2 Human Services shall provide guidance to pub-
3 lic child welfare agencies and public housing
4 agencies to improve system coordination and
5 implementation of assistance provided under
6 this subsection, which shall include guidance
7 on—

8 “(i) identification of programs and re-
9 sources available to provide supportive
10 services for recipients of assistance under
11 this subsection;

12 “(ii) sharing data and tracking out-
13 comes;

14 “(iii) targeting and identifying poten-
15 tial recipients of assistance under this sub-
16 section, including those at greatest risk of
17 continued child welfare involvement or
18 long-term housing instability, and estab-
19 lishing a referral process;

20 “(iv) incorporating housing first strat-
21 egies to assist families and eligible youths
22 that are at greatest risk of long-term hous-
23 ing instability; and

24 “(v) aligning systems goals to improve
25 outcomes for recipients of assistance under

1 this subsection, which improved outcomes
2 may include—

3 “(I) with respect to families re-
4 ceiving assistance under this sub-
5 section—

6 “(aa) reunification of chil-
7 dren in out-of-home placement
8 with their family;

9 “(bb) reduced foster care
10 length of stay; or

11 “(cc) family preservation;
12 and

13 “(II) with respect to eligible
14 youths receiving assistance under this
15 subsection—

16 “(aa) enrollment in an edu-
17 cational or workforce training
18 program;

19 “(bb) acquisition of a high
20 school diploma or similar certifi-
21 cation;

22 “(cc) reconnecting with fam-
23 ily; or

24 “(dd) acquisition of skills
25 necessary to make a successful

1 transition to adulthood and se-
2 cure stable housing.

3 “(C) REPORT.—Not later than 3 years
4 after the date of enactment of this paragraph,
5 and every 5 years thereafter, the Secretary and
6 the Secretary of Health and Human Services
7 shall jointly submit to the Committee on Bank-
8 ing, Housing, and Urban Affairs and the Com-
9 mittee on Finance of the Senate and the Com-
10 mittee on Financial Services and the Committee
11 on Ways and Means of the House of Represent-
12 atives a report on assistance provided under
13 this subsection, which shall include—

14 “(i) the number of families and eligi-
15 ble youths receiving assistance under this
16 subsection;

17 “(ii) the types of services made avail-
18 able to those recipients;

19 “(iii) the number of families preserved
20 or unified;

21 “(iv) the impact on the case load at
22 partnering public child welfare agencies;

23 “(v) how the Secretary and the Sec-
24 retary of Health and Human Services will
25 assess outcomes, including outcomes asso-

1 ciated with the intervention that may in-
2 clude educational improvements for chil-
3 dren and economic improvement for adults
4 and youth, for recipients of assistance
5 under this subsection;

6 “*(vi)* recommendations for policy
7 changes to better serve families and eligi-
8 ble youths; and

9 “*(vii)* best practices to improve col-
10 laboration between public housing agencies
11 and public child welfare agencies in other
12 communities.

13 “(5) PROMOTING SELF-SUFFICIENCY.—

14 “(A) IN GENERAL.—The Secretary may
15 develop an incentive payment program under
16 which the Secretary may provide incentive pay-
17 ments to public housing agencies that improve
18 connections between recipients of assistance
19 under this subsection with programs authorized
20 under section 23, including—

21 “(i) increasing enrollment of families
22 and youth receiving assistance under this
23 subsection;

1 “(ii) implementation of evidence-based
2 practices for improving self-sufficiency;
3 and

4 “(iii) improved successful completion
5 of self-sufficiency programs for families
6 and eligible youths receiving assistance
7 under this subsection.

8 “(B) INCENTIVE PAYMENT FORM.—The
9 Secretary may provide incentive payments to
10 public housing agencies under subparagraph
11 (A) as additional administrative fees or service
12 coordinator funding.

13 “(C) EVALUATION.—The Secretary shall
14 evaluate the effectiveness of an incentive pay-
15 ment program developed under subparagraph
16 (A).

17 “(6) TECHNICAL ASSISTANCE.—

18 “(A) IN GENERAL.—Of the amounts ap-
19 propriated or otherwise made available to the
20 Department of Housing and Urban Develop-
21 ment in a given fiscal year to carry out this
22 subsection, the Secretary shall use not more
23 than \$1,000,000 to provide research and tech-
24 nical assistance to improve the capacity of pub-

1 lic housing agencies to serve recipients of assist-
2 ance under this subsection, including by—

3 “(i) promoting family stability;

4 “(ii) improving coordination with pub-
5 lic child welfare agencies; and

6 “(iii) increasing the availability of
7 self-sufficiency activities.

8 “(B) COORDINATION.—To ensure that pro-
9 grammatic requirements and desired outcomes
10 are being met, the Secretary shall coordinate
11 with agencies at the Department of Health and
12 Human Services to provide the research and
13 technical assistance described in subparagraph
14 (A).”.

1 **TITLE II—GRANTS FOR SUP-**
 2 **PORTIVE SERVICES FOR RE-**
 3 **CIPIENTS OF ASSISTANCE**
 4 **UNDER THE FAMILY UNIFICA-**
 5 **TION PROGRAM**

6 **SEC. 201. GRANT PROGRAM FOR REUNIFICATION AND STA-**
 7 **BILITY SERVICES FOR RECIPIENTS OF AS-**
 8 **SISTANCE UNDER THE FAMILY UNIFICATION**
 9 **PROGRAM.**

10 Title IV of the Social Security Act (42 U.S.C. 601
 11 et seq.) is amended by inserting after section 437 the fol-
 12 lowing new section:

13 **“SEC. 437A. GRANTS FOR REUNIFICATION AND STABILITY**
 14 **SERVICES FOR RECIPIENTS OF ASSISTANCE**
 15 **UNDER THE FAMILY UNIFICATION PROGRAM.**

16 “(a) PURPOSE.—The purpose of this section is to au-
 17 thorize the Secretary to make grants to eligible applicants
 18 to provide supportive services, including case management
 19 services, to recipients of housing assistance under section
 20 8(x) of United States Housing Act of 1937 (42 U.S.C.
 21 1437f(x)).

22 “(b) DEFINITIONS.—In this section:

23 “(1) ELIGIBLE APPLICANT.—The term ‘eligible
 24 applicant’ means a community-based public or pri-
 25 vate nonprofit entity that provides support services

1 for families and eligible youths described in section
2 8(x)(2)(A) of the United States Housing Act of
3 1937 (42 U.S.C. 1437(f)(x)(2)).

4 “(2) ELIGIBLE RECIPIENT.—The term ‘eligible
5 recipient’ means a family or eligible youth who is re-
6 ceiving assistance under section 8(x) of the United
7 States Housing Act of 1937 (42 U.S.C. 1437f(x)).

8 “(c) AUTHORIZATION OF GRANT PROGRAM.—

9 “(1) IN GENERAL.—From the amounts appro-
10 priated under subsection (i), the Secretary, in con-
11 sultation with the Secretary of Housing and Urban
12 Development, shall make grants under this section
13 for each of fiscal years 2017 through 2025 to eligi-
14 ble applicants that submit applications meeting the
15 requirements of this section.

16 “(2) TERM OF GRANTS.—Any grant under this
17 section shall be for a term of up to 3 years.

18 “(3) USE OF GRANTS BY ELIGIBLE APPLI-
19 CANTS.—An eligible applicant that receives a grant
20 under this section shall use the funds made available
21 through the grant to provide services that promote
22 family preservation and stabilization, improve per-
23 manency outcomes, or assist in a successful transi-
24 tion to adulthood for eligible recipients.

1 “(d) 12-MONTH CONTINUOUS ELIGIBILITY FOR ELI-
2 GIBLE RECIPIENTS.—A family or eligible youth that is de-
3 termined to be an eligible recipient shall continue to be
4 an eligible recipient until the later of—

5 “(1) the end of the 12-month period following
6 the determination; or

7 “(2) the time that the family or individual
8 ceases to be an eligible recipient.

9 “(e) APPLICATION REQUIREMENTS.—

10 “(1) IN GENERAL.—In order to be eligible for
11 a grant under this section, an eligible applicant must
12 submit to the Secretary an application containing
13 such information as the Secretary shall require.

14 “(2) CONSULTATION ON APPLICATION RE-
15 QUIREMENTS.—The Secretary may consult with the
16 Secretary of Housing and Urban Development to es-
17 tablish the timing of submissions and other applica-
18 tion requirements, including joint requirements, for
19 an application submitted under this subsection and
20 the application required under section 8(x)(3) of the
21 United States Housing Act of 1937 (42 U.S.C.
22 1437f(x)(4)).

23 “(f) FEDERAL SHARE.—

24 “(1) IN GENERAL.—A grant awarded to an eli-
25 gible applicant under this section to provide services

1 shall be available to pay up to 75 percent of the
2 costs of such services (including case management
3 services).

4 “(2) NON-FEDERAL SHARE.—The non-Federal
5 share of cost of services provided under a grant
6 awarded under this section may be in cash or in
7 kind. In determining the amount of the non-Federal
8 share, the Secretary may attribute fair market value
9 to goods, services, and facilities contributed from
10 non-Federal sources.

11 “(g) CONSIDERATIONS IN AWARDING GRANTS.—In
12 awarding grants under this section, the Secretary shall
13 take into consideration—

14 “(1) whether an eligible applicant has experi-
15 ence in providing services and case-management to
16 high-need families or homeless youth;

17 “(2) whether an eligible applicant has an estab-
18 lished relationship with local housing providers, in-
19 cluding the relevant public housing authority;

20 “(3) whether an eligible applicant utilizes evi-
21 dence-based practices and trauma-informed care
22 models to serve families, and developmentally and
23 age appropriate practices to serve youth;

24 “(4) the ability of an eligible applicant to pro-
25 vide families and youth with supportive services, in-

1 including family preservation services and housing sta-
2 bility services; and

3 “(5) the ability of an eligible applicant, through
4 case management services, to connect families and
5 youth with providers of services such as—

6 “(A) early intervention and preventive
7 services;

8 “(B) child and family counseling;

9 “(C) mental and behavioral health services;

10 “(D) parenting skills training; and

11 “(E) employment and workforce training
12 programs or educational programs.

13 “(h) ELIGIBILITY FOR OTHER FUNDING UNDER
14 TITLE IV–B.—Nothing in this section shall be construed
15 to limit an eligible applicant from applying for, or being
16 eligible for, funding to provide services under another pro-
17 gram under this part.

18 “(i) AUTHORIZATION OF APPROPRIATIONS.—To
19 carry out this section, there are authorized to be appro-
20 priated to the Secretary \$20,000,000 for each of fiscal
21 years 2017 through 2021.”.

○